



New South Wales

Legislative Assembly

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Sixth Parliament
First Session**

Wednesday, 24 May 2017

Authorised by the Parliament of New South Wales

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LEGISLATIVE ASSEMBLY

Wednesday, 24 May 2017

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

The SPEAKER read the prayer and acknowledgement of country.

[Notices of motions given.]

Announcements

AUSTRALIA'S BIGGEST MORNING TEA

The SPEAKER: I remind all members that they can join me and Cancer Council representatives in the Speaker's Garden between 10.30 and 11.30 this morning for Australia's Biggest Morning Tea. I have been hosting this event for six years and so far we have raised about \$10,000. We are hoping to raise another \$1,500 from your generosity today. If you could spare some time it is \$5.00, which is not a great deal, and there are raffle tickets. I think it will be a great morning tea. I encourage all members and staff to come.

Bills

HOME BUILDING AMENDMENT (COMPENSATION REFORM) BILL 2017

First Reading

Bill introduced on motion by Mr Victor Dominello, read a first time and printed.

Second Reading

Mr VICTOR DOMINELLO (Ryde—Minister for Finance, Services and Property) (10:11):

I move:

That this bill be now read a second time.

I am pleased to introduce the Home Building Amendment (Compensation) Reform Bill 2017. The reforms in this bill introduce a modern, fit-for-purpose home building compensation scheme. The existing scheme is an old-fashioned, loss-making, unsustainable government monopoly. The future system will be risk-based, self-funding, sustainable, innovative and competitive. More than 55,000 homes built and renovated each year are covered by this scheme. The bill will maintain consumer protection for homeowners, who can be confident that the scheme will be there if their builder does not complete or fix works on their home.

At the same time, the bill opens the door for new providers to enter the scheme with innovative product offerings. Builders will get a more transparent system that can give them more choice about how they cover their projects, while homeowners can receive cover that exceeds the minimum prescribed in legislation. The bill confirms the State Insurance Regulatory Authority's [SIRA] role as the independent regulator of the scheme, with powers to ensure the scheme operates sustainably and enables smarter, data-driven and efficient regulation of the building sector. Why the need for reform? This type of insurance has presented challenges across Australia, both as a private sector provided product and as a government provided product. In February 2016 consumer advocacy group CHOICE published an article entitled "Domestic building insurance: The story of the worst insurance product in Australia". The article stated:

State-run DBI is at a crossroads. On the one hand, claims payouts are outstripping premium intakes in many jurisdictions. On the other hand, properly designed DBI is an important safety net for homeowners, which is why it is a mandatory purchase across most of the country.

The current government monopoly scheme in New South Wales was established in 2010. It was said at the time that the scheme was intended to run on a commercial basis, funded by premiums, with no cost to taxpayers. The hopes for the Government-underwritten scheme to succeed have not been met and it remains in need of further reform. The scheme has been financially unsustainable and has become a burden on all taxpayers. As at 30 June 2016 the HBC scheme was \$375.8 million in deficit. It is inefficient, with far too much of the premium being absorbed by costs and too little return to home owners.

Before the Government's reforms, around 37 per cent of the premium was going to brokers and scheme agents. The scheme is frustrating for many builders who can face complicated and opaque eligibility assessments before they are allowed to buy the product which can delay work and disrupt their ability to win contracts. Builders cannot take their business somewhere else and are unhappy about the level of customer service and transparency

they receive. This bill is one part of an overhaul of the scheme that I announced on 3 November 2016. It is the culmination of a long journey of reforms to the Home Building Act that started with the amendments in 2011 that were a prelude to the biggest boom in home building activity that New South Wales has ever seen. The then Minister for Fair Trading, the Hon. Anthony Roberts MP, said that the 2011 bill was:

An important step forward in fixing this messy, complex area. However I have made very clear that these reforms only mark the beginning of a comprehensive program of reviewing and reforming the legislation.

The bill reflects extensive industry and public consultation since that time. It builds on the reforms to the Home Building Act that the Parliament made in 2011 and 2014 and the Government's insurance reforms of 2015. The reforms also complement the New South Wales Government's wider efforts to improve the regulation of the building sector through reform of strata development laws, building certification and security of payment legislation. The bill will address the home building compensation scheme's failings and give New South Wales the best system in the nation.

I now turn to the details of the bill. The bill establishes a legislative framework for private sector providers to offer home building compensation cover by way of insurance or alternative indemnity products. This will increase competition, consumer choice and promote competitive and sustainable pricing. The amendments made in the bill to section 102 of the Act allow the Government's insurance provider, the NSW Self Insurance Corporation, to continue to deliver insurance to builders through Insurance and Care NSW [iCare] while opening the scheme to new players. The New South Wales Government has directed the Self Insurance Corporation to move its product pricing to full cost recovery and ensure it operates more efficiently with less of the premium being dissipated on scheme costs. The Government's scheme will cease to be a burden on taxpayers and new market entrants will be able to compete on a level playing field. In April 2017 the first of these changes was implemented with the abolition of broker commissions and adjustments to premium pricing. Further premium changes will be implemented in October 2017.

The bill inserts new Part 6C into the Act that will provide for the State Insurance Regulatory Authority to licence insurers and other providers of cover under the home building compensation scheme. Licensing of insurers and other providers is an important innovation that distinguishes these reforms from the old privately provided Home Warranty Insurance Scheme that operated until 2010. Licensees will be subject to a far more rigorous regulatory oversight that supports the overall sustainability of the scheme. New section 105B will deem the NSW Self Insurance Corporation to be a licensed insurer under the Act. It will be regulated by the authority in a similar way to new private sector entrants to the market. The New South Wales Government has previously sought to separate the regulation and provision of other insurance products that the New South Wales Government is involved in, and these changes complete that process for the home building compensation scheme.

In addition to insurance products, the bill will allow cover under alternative indemnity products to be offered, such as fidelity fund schemes and specialised insurance arrangements. The bill inserts a new Part 6B to set out specific provisions for alternative indemnity products. Fidelity funds are already operating in the home building compensation market in the Australian Capital Territory and the Northern Territory. Fidelity funds will be licensed and need to meet equivalent requirements to insurers under the scheme. The cover offered by these products will need to meet or exceed the minimum cover requirements of the legislation in the same way as insurance. I note that, unlike general insurers, fidelity funds are not subject to oversight by the Australian Prudential Regulatory Authority. The State Insurance Regulatory Authority will draw on its experience regulating providers that are not insurers in the other regimes that it administers to ensure that alternative indemnity products are regulated on an equal footing with insurance providers. These arrangements will be further detailed in the regulations and guidelines.

The authority will be able to issue comprehensive insurance guidelines under Part 6 that bind the behaviour of licensed insurers and providers. The insurance guidelines will cover matters including premiums, market practices, claims handling, prudential standards, contracts of insurance, underwriting and builder eligibility to buy cover. Premiums and builder eligibility are two matters to which I draw attention. The bill inserts provisions governing premiums in Part 6 of the Act. Licence holders will only be able to charge premiums that have been filed with, and approved by, the authority. The authority will issue insurance guidelines so that it is clear to licensees what they need to take into account when proposing premiums and what supporting material they must give the authority. This is another important distinction between the new scheme and the old, pre-2010 Home Warranty Insurance Scheme, which did not require approval of premiums.

Under the changes in the bill, the authority will be able to reject premiums that are excessive or inadequate. No-one wants to see a re-run of insurers inadequately providing for future claims and spiralling out of the scheme. The Government's reforms will ensure that premiums are set at levels that are both sustainable and fair. This will apply both to private insurers and providers, and to the Self Insurance Corporation. The bill also

takes builder eligibility standards out of the hands of the Self Insurance Corporation. It will ensure that these standards are set at arms-length by the authority for all licensed insurers and providers.

Eligibility is a key area of builder frustration with the current scheme. Whether a builder can obtain eligibility can make or break their business. It is important that eligibility standards are clear and transparent. Builders should get clear guidance on what options they have to lower their risk profile to get better eligibility and premium pricing outcomes. Encouraging builders to lower their risk of claims on the scheme is not only good for the scheme, but can help reduce the underlying risk to home owners. The cost of regulating the scheme will be met from within industry rather than from taxpayers.

All licence holders, including the Self Insurance Corporation, will need to contribute to a home building operational fund under proposed Division 5 of Part 6 of the Act. This will support the operations of the State Insurance Regulatory Authority. Licence holders will also have to contribute funds to a home building guarantee fund under proposed sections 1030A and 1030B. These funds will be held against the risk of an insurer becoming insolvent. While I am confident that the scheme will be well regulated, it is important that this back-stop be available to address an insolvency that stems from matters outside of the Government's control.

The bill includes changes to the scheme to enable licence-holders to offer diverse and innovative products that exceed minimum standards. One of the challenges of this product for providers is that it is a "long tail" product. The current insurance product can only be offered as a single product that covers both the risk that work will not be completed during the construction phase of a project, as well as the risk of defects out to the end of the statutory warranty period that extends to six years after the work is complete.

The bill amends the requirements set out in section 99 to provide cover as two separate products, which can be provided by different licence holders. One product will cover home owners against a risk of loss due to non-completion and associated breaches of statutory warranty during the construction period. The second product will cover home owners against the risk of loss after the work is complete for the duration of the statutory warranty period. Builders will need to take out cover for both risks, whether through buying a combined cover product or by buying the two split cover products. There is no reduction in protection for consumers. In fact, it will be enhanced.

In 2011, the New South Wales Government increased the minimum cover for home owners to \$340,000. In 2017, it will set each of the split cover amounts at \$340,000 with the result that home owners will have available a minimum total cover of \$680,000. Currently, non-completion claims degrade the amount of cover remaining to home owners if related defects become apparent down the track requiring a further claim. Under split cover the full \$340,000 will be available to them during the warranty period regardless of whether they have previously claimed for non-completion. Insurers and providers will be able to specialise in one or other split cover product and limit the nature and duration of risk they are insuring. This could potentially include hybrid offerings where an alternative indemnity product covers one side of the split and conventional insurance covers the other.

The potential for product innovation is also enabled by the bill's amendments to section 102 of the Act. These amendments confirm that insurers are able to offer products that exceed the minimum requirements of the Act. The Act currently requires that products must at least cover losses arising from non-completion or breach of statutory warranty in the case where the builder has died, disappeared, become insolvent or has failed to comply with certain court or tribunal orders. The amendments in the bill confirm that cover can be offered for other circumstances including for additional kinds of risk or loss. This could potentially include first-resort style products that offer consumers access to help while a builder is still solvent and trading. It could include the provider and the builder agreeing on arrangements to improve quality control of the building work or to help manage disputes as part of the cover. It could include the facility of a home owner to purchase top-up cover.

The bill will allow examples to be prescribed in the regulation to confirm beyond doubt what may be offered. The bill also contains provisions to enable better gathering of data from the scheme and enables it to be used, shared and published to support the effectiveness and transparency of the scheme as well as supporting the wider building regulation system. In 2014, Government reforms included sensible reforms enabling the publication of an online register of insurance certificates so that home owners and home buyers could check whether a property was insured and if there were any claims. This bill will go further. The authority will have wider powers to collect, analyse and publish information relating to licence insurers and providers, policies and claims and to exchange information with other regulators. ***

These changes will enable smarter regulation that maximises the ability to make use of modern data analytics to better target and tailor regulatory action by government for the building industry. The Data Analytics Centre has already examined builder and claims information and based on early analysis can predict builder insolvency with an 85 per cent degree of certainty. The 2012 review of the Home Building Act took two years and included extensive consultation with a host of public and industry stakeholders that are too many to name. It

resulted in wide-ranging amendments to the Act in 2014. These included some changes to the home building compensation scheme, such as the public register of insurance certificates and the restriction of the scheme to professional licenced builders.

However, it was also clear that detailed and focused work specifically targeted at the scheme would be required. In 2014, the then Minister for Fair Trading, the Hon. Matthew Mason-Cox MLC, announced a second review focused on the problems with the scheme. This included, first, a targeted consultation through a building industry working group. The working group included the Housing Industry Association, the Master Builders Association of NSW, the Insurance Council of Australia, the National Insurance Brokers Association, NSW Fair Trading, the Self Insurance Corporation, and the Office of the Small Business Commissioner.

The output of this working group helped to inform a set of options that I released for public consultation in late 2015. Public feedback was received from a range of stakeholders including builders, building industry associations, the insurance industry and consumer protection associations. In total, 74 submissions and 775 survey responses were received, evidencing strong interest in the future of this scheme. Many of the submissions and survey responses recognise that the current scheme is broken and in need of reform. However, there was no clear consensus about what should be done aside from broad support for a mandatory scheme to be retained in one form or another. I would like to thank those stakeholders who have offered constructive assistance and support for these reforms. I thank Mr Dallas Booth, chief executive officer of the National Insurance Brokers Association, who I note has said of the reforms:

Insurance brokers believe competition and innovation will bring higher standards of service and support to builders and home owners, as well as new initiatives in the areas of risk assessment, risk management and insurance.

I also thank Brian Seidler, executive director of the Master Builders Association [MBA], who said:

These are long overdue and far reaching reforms to the home building compensation fund scheme. The MBA has been closely involved in reform discussions with the government on this over many years. This bill is the first of a number of key steps needed to improve the scheme for both builders and consumers. The MBA believes these reforms are a positive step and looks forward to working with the government on the more detailed regulations and guidelines that will be needed to put these reforms into practice.

Finally, I thank Mr Phil Sim and Steve Griffin from SecureBuild, who said:

The reforms outlined in the bill will allow for new and innovative approaches to be delivered vastly improving consumer protection and allowing builders to get on with building the housing we require in this State.

This bill establishes a new framework for home building compensation. Subject to Parliament's approval, the next stage will be for the authority to consult on development of supporting regulations and insurance guidelines. This will be an extensive process through the second half of 2017. The authority will consult carefully to ensure that the new scheme achieves the confidence of home owners, builders, brokers and prospective insurers and providers. This will enable the new scheme to commence in early 2018. I have also asked the authority to work with the co-regulators such as Fair Trading on how the home building compensation scheme can be better aligned with and support other aspects of building sector regulation.

I would like to thank staff of the State Insurance Regulatory Authority [SIRA] that contributed to these reforms, particularly Anthony Lean, the outgoing chief executive officer of the authority, and Carmel Donnelly, who has so capably acted as chief executive officer since Anthony's move to a new role. I would also like to thank Dr Rhys Bollen, Dr Petrina Casey, Richard Potts, Anneliese French, Chris White, Gavin Robertson, Tanya Briggs, Louise Briffa, Steve Harrison, George Pozo, Jason Donohoe, Felipe Charry, Penelope Worthington, Ibrahim Khoury and Rebecca Neilson. I also acknowledge the contribution of the SIRA board: chair, Trevor Matthews; deputy chair, Nancy Milne; Abby Bloom; and Dr Graeme Innes.

I also thank staff of the Department of Finance, Services and Innovation who have contributed to these reforms, led by Secretary Martin Hoffman. I thank Matthew Press, Katherine Sharah and Mitchell Harris. I also thank the team at NSW Fair Trading for their input to these reforms, including Commissioner Rod Stowe, John Tansey, Lynelle Collins, Wendy Parsons and Amber Pathak, as well as Vivek Bhatia, Jon East, Steve Hunt and their team at the Self Insurance Corporation for their work to improve administration of the government scheme. Finally, I thank my outstanding ministerial staff, Matt Dawson and Jane Standish, for their work on this important reform. They carry a heavy burden in my office but they do outstanding work. I commend the bill to the House.

Debate adjourned.

**PROTECTION OF THE ENVIRONMENT LEGISLATION MISCELLANEOUS AMENDMENTS
BILL 2017****Second Reading****Debate resumed from 23 May 2107.**

Mr GEOFF PROVEST (Tweed) (10:34): I contribute in debate to this significant piece of legislation, the Protection of the Environment Legislation Miscellaneous Amendments Bill 2017. The bill aims to remove redundant provisions and those that provide a barrier to innovation. I note that the Minister for the Environment is in the Chamber and I compliment her for her great work. The bill will remove the redundant requirement that council hold a supervisory licence for privately run waste facilities. This is in addition to the environment protection licence that must be held by the facility operator. These facilities are regulated by the Environment Protection Authority [EPA]. Time has shown that the supervisory licences, which were created as an extra layer of oversight for these facilities, are not required and are a cost to local government. The bill will reduce the red tape and remove the additional administrative fees councils need to pay.

The bill will also remove the requirements for the EPA to establish now outdated community consultation forums. The forums established by the Protection of the Environment Administration Act 1991 were extremely broad-based and resource intensive. These forums have not met for many years. Rather, the EPA has established or is actively engaged with a wide range of advisory or community consultation groups which are fit for purpose and tailored to specific issues and communities. These include the Newcastle Consultative Committee on the Environment, the Lower Hunter Dust Deposit Project Reference Group, the EPA Botany Area Community Information Group, Williamstown Community Reference Group, and the Port Kembla Community Committee, to name a few.

In addition to those amendments, the bill will allow transporters of trackable waste and dangerous goods to more effectively manage their licence in line with their changing business modes. Currently, licences must be renewed every five years or formally surrendered. Provisions in this Act enable a licence to expire if it is no longer required and the holder of the licence will no longer accrue a debt for any unpaid licence fees if they do not notify the EPA that they no longer require the licence. Other amendments will remove the limit on penalty notice amounts contained in the Radiation Control Act 1990. This will align the Radiation Control Act with other environmental legislation, none of which cap penalty notice amounts in the legislation. There are no plans to increase the penalty notice amounts. The Minister in her second reading speech said:

Changing technology means the community is much more likely to access the information on specific licence activities from the public register on the EPA's website, rather than via newspaper advertisements. The EPA is happy also to accept comments on specific licence activities and respond to these as appropriate at any time. This is already in the case with comments received by email, mail or by the environment line that handles general inquiries about environmental issues and reports of pollution. The bill will amend the Protection of the Environment Operations Act to remove the requirement regarding newspaper advertising ...

One important provision relates to the limitation period for prosecuting groundwater offences. That is a provision for the Tweed electorate considering the great environment that we live in. It is often hotly debated throughout the local community and I applaud this change. The reason for the change is that the hidden nature of groundwater and possible seasonal changes to flows and chemistry makes the investigation of potential groundwater offences very complex. This can result in the investigation not progressing sufficiently to inform a decision to prosecute within the current water pollution limitation periods of only one year. Extending the groundwater pollution limitations period in which a prosecution can commence from one year to three years will ensure that the EPA has sufficient time to complete groundwater investigations in all but the most exceptional cases.

This time frame is consistent with the limitation periods available in relation to illegal waste transport and disposal, which is an often complex and resource-intensive activity. It is also consistent with the time frames for the commencement of proceedings under the Water Management Act and with similar environmental legislation in South Australia, Tasmania and Western Australia. All in all I see that as a plus. The other amendments make the process more transparent by creating a period of consultation with the wider community. I therefore commend the bill to the House.

Ms KATE WASHINGTON (Port Stephens) (10:40): I contribute to the second reading debate on the Protection of the Environment Legislation Miscellaneous Amendments Bill 2017, and note that Labor will not be opposing this bill. In my time as member for Port Stephens, environmental issues have dominated the agenda of local residents and consequently my role as the local member. Residents have witnessed the contamination of properties by the Royal Australian Air Force [RAAF] Base Williamstown and the steps taken to keep this information from the public. They have seen our council dump contaminated soil in a local pony club. They have seen the mayor's company prosecuted by the Environment Protection Authority [EPA] for having tonnes of waste, including asbestos, on his company's property. The waste was described as standing eight metres high, 40 metres

wide and 100 metres long, within a catchment for Tilligerry Creek, a critical waterway for our local oyster industry.

Members in this place will have heard me speak before on the experience of residents in Williamstown, Salt Ash and Fullerton Cove, who have spent the past 18 months coping with the news that for years the RAAF Base Williamstown had been allowing per- and polyfluoroalkyl substances [PFAS] contaminated water to exit the base via groundwater and surface water and to enter the bore water and soil of surrounding farms and properties. I have spoken before about the heartache and despair that residents felt on discovering that not only had their defence force neighbour been polluting their land but the EPA and the council had known about this contamination for years and done nothing. These authorities had stagnated behind constitutional debates about the powers of New South Wales government regulators over Commonwealth government agencies, and left the residents to suffer in blind ignorance of the fact that their water and land were contaminated.

I note that one of the advisory committees that is retained under this legislation is in response to the Williamstown contamination. A number of committees have been established to respond to the contamination, with mixed results. The Minister has appointed the New South Wales Chief Scientist and Engineer to head an advisory committee which has overseen a temporary fishing ban that has since been lifted and had a role in the creation of the Department of Defence's Human Health Risk Assessment, which will determine the pathways by which the contaminants could affect people. The appointment of independent experts is welcome, especially when the current model of the EPA's operations, commonly referred to as a "polluter pays" model, insists that the entity that caused the pollution is in control of the investigation and report into that contamination as well as the rehabilitation and clean-up.

The Department of Premier and Cabinet has also appointed a community representative group [CRG] and an elected representative group. That has resulted in a separation of the community from the politics, which is rather unfortunate as it has not really worked. The CRG meets irregularly and generally only for residents to be told information they have read in the newspaper days before. At a recent CRG meeting, the meeting was underway when Professor Mark Taylor's final report into the EPA's handling of the contamination was uploaded to the EPA website. When my office contacted residents who were at the CRG meeting at the time, they asked the EPA spokesperson about the report and were told that it had not been released yet. This is a farcical situation, and some of us have felt we have been part of episodes of television comedy series *Utopia*. Unfortunately, the contamination means people's lives are being put on the line.

In my view, the fact that representatives of several New South Wales and Commonwealth agencies are required to attend two separate meetings has been a significant waste of their time and resources as well as those of community members and political representatives who participate in the meetings. The Minister must take heed of this experience as it continues to unfold when establishing committees under the powers of this legislation. The experience of these residents has also awoken serious concerns about the way all government authorities respond to environmental contamination and the seriousness with which it is being dealt. In the same region that is experiencing this contamination—the red zone—the local council has leased land for a sand mine. The development application for that sand mine is currently under consideration by the planning department. That mine would see thousands of tonnes of contaminated sand destined for building sites across Sydney.

Residents in the area have been told by the EPA that they cannot do anything with their own land and yet a business has been given the potential opportunity to do an enormous amount with the land and gain a great benefit from it. When properties around the base have effectively become useless for residents, we do not understand why a business could be given this opportunity. We do not understand the full impact of the contaminants or the way that they are travelling. It is highly irresponsible for a sand mine of that magnitude to be allowed to proceed within the red zone, at the back door of residents who are already undergoing immense stress and living within the constraints that have been imposed on them through no fault of their own. This experience has again highlighted the Government's mixed messages about the seriousness of contamination.

In August 2015, members of the Salt Ash Pony Club arrived at their equestrian complex to find that between 50 and 60 tonnes of dirt had been dumped in their car park. They were also to discover that it had been dumped by their own council. The council had dumped the dirt and the mayor, in his words, "had had it delivered", apparently to build a BMX bike track. There had been no consultation with users of the complex. There was no development application and no risk assessment. The users of the grounds continued to seek answers and their concerns were finally confirmed when the EPA announced that the soil was contaminated, despite the council having given assurances to the community that it was not.

Thankfully, the EPA has since fined the council \$45,000 for unlawful transport of waste and the use of land as a waste facility. The company engaged by the council to provide soil testing was also fined \$16,000 by the EPA for providing false and misleading information about the waste's composition. I note that this fine was only issued after significant agitation by the affected users of the ground, national media attention via ABC Radio

National and continued advocacy by the *Newcastle Herald*. Whilst all of this has been happening, the prosecution of the mayor's own company for illegal dumping was underway, and continues. To have Port Stephens Council boasting about a crackdown on illegal dumping one day and then our mayor's company charged for illegal dumping the next understandably leaves residents wondering what on earth is going on.

Illegal dumping is a serious issue in my community and across the Hunter region. In December 2015, the *Newcastle Herald* reported that investigations had uncovered demolition routes from Sydney to the Hunter and, within the Hunter, an organised illegal network that includes brokers who link illegal dumpers with dumping sites for a fee. So I am pleased to see that this bill contains improved processes and streamlined powers for EPA officials to prosecute those individuals and businesses who seek to pollute our environment and cost-shift the price of that pollution onto taxpayers. Every time an individual or a business decides to dump their waste in a park, in bushland by the side of the road or in their own backyard instead of paying the correct tip fee, they are shifting the cost of removing and properly disposing of that waste onto taxpayers and ratepayers, and in doing so are causing harm to our environment.

The powers of this bill allow the New South Wales EPA to use drones to explore large areas in the search for illegal dumping—that is welcome. I also strongly encourage the EPA to direct resources such as this to Port Stephens so that residents and businesses who believe that they can hide their illegal dumping on large blocks of private land discover that they cannot hide from the law. It is clear that in an area like the Hunter there is a lot of work to be done to protect our community from legacy industry contamination issues, from continuing contamination issues affecting residents surrounding the RAAF base and from people who think it is okay to do the wrong thing and use the Hunter as a dumping ground for illegal waste.

In closing, I urge the Government to go further and suggest that there has been a missed opportunity here. Professor Mark Taylor's final report entitled "Review of the New South Wales Environment Protection Authority's Management of Contaminated Sites" is dated 30 December 2016 and has only recently been released to the public. The report includes significant recommendations that I urge the Government to take heed of and to implement. I particularly urge the Government to look at Professor Mark Taylor's recommendation that refers to the ability of State agencies to use their enforcement powers to address contamination on Commonwealth sites. This has been the major issue affecting the Williamstown area. The incapacity of the EPA to have authority over Commonwealth land and the impact of that on surrounding lands has been a significant issue and is one that must be addressed. There has been a missed opportunity with this legislation. Nevertheless, alongside my Opposition colleagues, I support this bill and urge the Government to go further to protect the communities and the environments in which we live.

Mr KEVIN CONOLLY (Riverstone) (10:50): I am pleased to speak in support of the Protection of the Environment Legislation Miscellaneous Amendments Bill 2017. As the term "miscellaneous amendments" suggests, it is something of a housekeeping bill. It addresses a series of minor amendments to various Acts, responding to circumstances that have arisen and in doing so made it clear that such housekeeping was necessary. Nonetheless, each of the proposed amendments is significant and is a valuable step forward in improving the environmental legislation available to this State to protect the environment. In particular I will comment on various provisions pertaining to the Protection of the Environment Operations Act 1997, which is one of the Acts being amended by this bill.

The Government is vigilant about ensuring that the Protection of the Environment Operations Act remains up to date and continues to meet the needs of the environment, the community and business. Currently there is a limitation period of 12 months in which the NSW Environment Protection Authority [EPA] can commence prosecutions for groundwater offences. However, the hidden and sporadic nature of groundwater means this time period is often too short to properly investigate and collect the evidence necessary to determine whether an offence has been committed and bring any required prosecution to court. This bill will amend the Protection of the Environment Operations Act so that proceedings for groundwater pollution offences must be commenced within three years of the date of the alleged offence. This is in line with the limitation period of three years for prosecutions in the Water Management Act 2000.

This change will ensure that the EPA has the time required to undertake complex investigations into groundwater flows and chemistry and to undertake the monitoring required to detect any pollution. This complexity can result in an investigation being unable to be completed within the current groundwater pollution statute limitation period of one year. While some delays could be managed by requiring the drilling of a substantial number of additional monitoring wells and taking and analysing water samples more frequently, this would significantly increase costs for both a licensee and the EPA without guaranteeing conclusive results within the one-year statute period. Extending the groundwater pollution statute limitation period to three years would ensure the EPA has sufficient time to complete groundwater investigations in all but the most exceptional cases. This

extension is proposed to apply to any investigations of breaches where the existing statute bar date has not yet been reached.

The EPA currently has a range of entry and evidence-gathering powers conferred upon it by the Protection of the Environment Operations Act, including the power to enter premises by foot, motor vehicle or aircraft or in any other manner. The EPA intends to use remotely piloted aircrafts, or drones, in specific investigations where the terrain or the size of the property are such that this is the most efficient and effective means of gathering evidence. Drones can be used to take high-resolution digital photographs and videos, calculate geographic coordinates and take ground level measurements to calculate the amount of waste, for example, stored on a premises. This bill amends the Protection of the Environment Operations Act to specifically provide for the use of drones to collect evidence and to enable that evidence to be used in evidence in court proceedings or when taking other regulatory action. Currently the Act does not exclude the use of drones, but this amendment will make it explicit that drones can be used in this manner.

The bill requires that a drone or remotely piloted aircraft must be either operated by or under the authority of an authorised officer of the EPA at all times. The EPA will follow all appropriate requirements, including those relating to the privacy of individuals and private residences, as well as work health and safety requirements, when using drones. This is simply a commonsense measure to use the available technology in the work of the Environment Protection Authority more cost efficiently and effectively than has been possible with other technologies. It also allows for large areas to be monitored relatively quickly and for accurate evidence to be collated. I am sure we would all support this significant step forward in order to provide the best possible protection for the environment.

The amendments in the bill will ensure that the NSW Environment Protection Authority can remain at the forefront of environmental regulation. They will ensure its resources can be directed to those areas where they are needed most and make sure the EPA can continue to deliver a healthy environment, a healthy community and healthy businesses in New South Wales. The bill also makes minor amendments to a number of other environmental Acts including the Contaminated Land Management Act, the Protection of the Environment Administration Act, the Radiation Control Act and the Land and Environment Court Act to update the Government's suite of environmental protection measures to ensure the most effective concentration of resources and allow for efficient action when breaches are found. I commend the bill to the House.

Mr RON HOENIG (Heffron) (10:55): Every time I read an environment Minister's second reading speech about how this Government is taking firm action to protect the community and how a particular bill is part of its suite of measures to be tough on rubbish dumpers, I bristle. Over successive governments Minister after Minister has come into this House and made the same pronouncements that have no doubt been written by officials from the Environment Protection Authority [EPA]. They are nothing but nonsense. There are countless examples of the Environment Protection Authority failing the people of this State when prosecuting environmental offenders. The authority was established by former Liberal environment Minister Tim Moore and its initial chief executive officer was Lisa Corbyn. It was established with considerable fanfare to overcome the failure of the State Pollution Control Commission to properly regulate the environment and take action against serious environmental offenders.

Prior to the formation of the Environment Protection Authority there were significant and disgraceful failures across this State relating to pollution and substantial environmental damage. An effort was made to empower an organisation to better regulate against the destruction of the environment. For example, the Botany Sands Aquifer was polluted by carcinogenic material that will kill people. The company ICI Australia was allowed to pollute the ground and groundwater at will, which is still being paid for today. The object of the exercise was to empower an organisation to regulate, oversight, control and prosecute.

I take no issue with any attempt by a government of the day to empower the EPA to bring its investigating arm into the modern technological age to better deter offenders. Where I take issue is when the government allows the investigative arm to also be the prosecution arm. That is where there has been abject and systemic failure. I will give an example I have used before in this House when I proposed an amendment to the Protection of the Environment Operations Act in a private member's bill in February 2014. By pure chance when amending that legislation information was disclosed to this House about a matter that was before Justice Pain in the Land and Environment Court, being the case of the *Environment Protection Authority v Hanna* [2013] NSWLEC 41. In this case Justice Pain gave Mr Hanna a suspended sentence for being in contempt of the Land and Environment Court. The NSW Environment Protection Authority handled that case disgracefully.

Hanna had been caught dumping material containing substantial asbestos right next to a public school in the electorate of Bankstown. Everybody in this House knows the dangers of illegally dumping asbestos, let alone next to a public school. What did the NSW Environment Protection Authority do? It took civil action against this man. Mr Hanna had eight convictions for illegal dumping of waste and prior to that he had received 22 penalty

notices. Instead of prosecuting this man for doing something that could kill these schoolchildren in 40 years time—the legislation provides for a maximum penalty of seven years jail on indictment—not only did the EPA not take summary proceedings in the Land and Environment Court, it commenced civil proceedings. The NSW Environment Protection Authority got an injunction or an order from the court, which Mr Hanna did not comply with. Why would he comply with it? He had eight previous convictions. The EPA then took contempt proceedings and Justice Pain decided a suspended sentence was the appropriate penalty.

People railed against this disgraceful rubbish dumper only getting a suspended sentence and the then Minister for the Environment came into the House saying the Government was going to empower the NSW Environment Protection Authority. Instead of looking at the prosecution system and asking why this man was not indicted in the Supreme Court and charged with an offence that carries seven years in jail, the Government tried to blame the Land and Environment Court, Justice Pain, and everybody else to cover up its own failure. In response to proposed amendments to the Act the then Minister refused to look at the EPA's failure. Subsequently I proposed an amendment to the legislation in a private member's bill, arguing that prosecution of serious environmental offences needed to be removed from the NSW Environment Protection Authority's jurisdiction and handed over to the Director of Public Prosecutions. Criminal rubbish dumpers have a substantial impact on the environment which then impacts on people's health with the potential to kill people.

Those people need to be brought to justice in accordance with existing legislation that provides for them to face trial in the Supreme Court and be sent to jail for seven years. The Government voted against that legislation and continued to argue that the NSW Environment Protection Authority was doing a fantastic job in protecting people in this State. Environment Minister after environment Minister has come into this House and advocated this nonsense. They have not got a clue; they just take a hand-up brief from an organisation that is a prosecution failure in this area. Unless people are prosecuted and sent to jail if they are convicted of serious environment offences these rogue operators will continue. The Minister's second reading speech contains the same platitudes used by every other Minister for the Environment—we are going to be tough, we are going to increase our penalties. There is no point in having penalties by which people can be sent to jail for seven years unless they are prosecuted to the full extent of the law.

The NSW Environment Protection Authority has ample expertise to investigate and collect evidence but it is an abject failure in terms of prosecution. When it comes to bringing people to justice it is as weak as cats wee wee. I ask the Minister in reply to tell the House how many people have been charged on indictment in this State for a tier one offence of either wilfully substantially damaging the environment or, alternatively, negligently damaging the environment. I would be surprised if there was even one. The ability to prosecute for substantial environment offences needs to be removed from the NSW Environment Protection Authority. A mechanism is needed whereby the Director of Public Prosecutions looks at an offence and decides whether or not it should be prosecuted summarily or on indictment. [*Extension of time*]

The Director of Public Prosecutions and the Crown prosecutors of this State are the experts in criminal prosecutions—they do thousands and thousands of them every year. The Act should be structured so that when a significant offence occurs requiring prosecution it should go to the Director of Public Prosecutions who then decides whether the prosecution should occur summarily in the Land and Environment Court or whether an indictment should be presented in the Supreme Court using the existing prosecution arm of this State. They are the experts in prosecuting and presenting matters before the court and ensuring that even if the offence is prosecuted summarily before the Land and Environment Court the judges are given the appropriate assistance to decide on the penalties. For those members of the House who have never practised and do not know, a judge's success depends upon the assistance received from counsel appearing before the court. In a criminal prosecution judges need the assistance of Crown prosecutors or people who prosecute on behalf of the director.

I have talked privately to more than one judge of the Land and Environment Court—and there are judges who were former Ministers for the Environment from the Government side and judges who were former Labor Attorneys General. I ask Government members to speak privately to these judges and ask them what the quality of the prosecutions and evidence is like before the Land and Environment Court, and then come back into this House and tell us how wonderful the Government is and how it is bringing people to account in this State. I have been an ardent critic of the NSW Environment Protection Authority for a long time. There are substantial improvements in the way in which it regulates and investigates.

I have some doubt as to whether or not the EPA has the courage to utilise the maximum power it has available in the enforcement of its regulatory licensing regime. However, it is hopeless in bringing prosecutions and substantial improvements in serious environment offences will not be effected unless people are brought to account. If corporations are to adopt a better standard, criminal sanctions have to be used against corporations for whom individuals are personally responsible for serious damage to the environment. If they face only financial sanctions many of these major corporations are just going to ignore them. I would like this State's history of

enforcing environment offences to reach a stage where Ministers of the Environment no longer spout platitudes about how tough they are on environment—the same words used by every Minister for the Environment who has walked into this House with amendments for 20 years—and examine the performance of the prosecution arm of the NSW Environment Protection Authority.

Mr JAMES GRIFFIN (Manly) (11:09): I am pleased to support the Protection of the Environment Legislation Miscellaneous Amendments Bill 2017, and particularly the reforms to regulation of components of the waste industry. Illegal dumping and the pollution of our waterways and land have real impacts on our environment, on the health of our citizens, on the value of property, and on economic growth. These impacts cost this State millions of dollars, which is paid for by taxpayers, businesses, and families. I spoke in this place only yesterday about the Curl Curl Lagoon and the fact that at one point in its history it was a tip. Unfortunately, some people still use it as a tip. In November last year, cyanide was found in dirt on the popular L. M. Graham Reserve in my electorate, which is used by families, by cricket teams, and by other sporting groups. Some illegal polluters take the attitude that fines are simply a cost of doing business.

Thousands of tonnes of waste are illegally dumped every year. Illegal dumping often occurs in remote areas or on rural properties where it is difficult to detect. Those engaged in this illegal activity believe they will not be caught and will never have to pay for the environmental damage they cause. I say to dodgy dumpers: Watch out, the Environment Protection Authority [EPA] is coming. In 2015, the authority issued more than \$10 million worth of fines to polluters, and took action on more than 11,000 illegal dumping incidents. In 2014, as part of a package designed to stem the tide of illegal waste disposal, the EPA proposed an amendment to enable it to require certain transporters to install global positioning system [GPS] tracking devices to motor vehicles used in waste transport.

A motor vehicle is defined as a vehicle propelled by means of a motor. That may seem simple and straightforward, but it is an important definition. This requirement relates to transporters whom the EPA reasonably suspects are engaging in illegal dumping or other illegal waste activity. However, the definition excludes trailers that are attached to a prime mover or other type of truck. This means that if a trailer full of waste is separated from a prime mover or other type of truck that has a GPS device and is re-attached to a prime mover or truck that does not have a GPS device, the waste that had been tracked suddenly stops being tracked. Unscrupulous operators may be able to avoid detection of their illegal activities by doing just that. It is proposed to close this loophole by amending the provision to ensure that GPS devices can also be installed on trailers that are used to transport waste. This will enable the EPA to track the movements of not only a waste truck but also trailers where it reasonably suspects the transporter is engaging in illegal dumping or other illegal waste activity.

Other amendments in this bill propose to allow the EPA to cut red tape in other areas of waste management, in particular for some local councils. When the Protection of the Environment Operations Act 1997 was first introduced, there was concern about the private sector adequately managing putrescible waste facilities. To address this concern, the EPA introduced a separate class of supervisory licence simply for putrescible waste facilities. This meant that local councils also held a licence over any such facility in addition to the facility's private operator. The aim was to provide additional regulatory oversight of the facility. In reality, the current supervisory licences provide only cursory additional oversight. This occurs through the requirement for the public authority to submit to the EPA a second annual return reporting on licence compliance in addition to the annual return submitted to the authority by the private operator.

Experience has demonstrated that this additional layer of regulation is obsolete because the EPA exercises direct regulatory control of the activity through the environment protection licence held by the private operator. A waste facility for putrescible waste is also subject to controls under planning legislation that are enforced by the consent authority, which is often the same local council that holds a supervisory licence for the facility. The supervisory licence does not provide any regulatory powers to the public authority to direct or to achieve environmental outcomes at the site.

This bill removes the supervisory licence provisions in the Protection of the Environment Operations Act. This will not result in any less effective regulation because the operator of a putrescible waste facility will still be required to have an environment protection licence. However, regulatory duplication will be removed, red tape will be cut, and local councils will save on the resources they previously allocated to these licences. In contributing to debate on this bill, I think of the real and positive impact it will have on the environment of Manly. We have a waste facility to our north and the entire electorate has been the victim of illegal dumping over time. As I said, I am pleased to support the bill, and I commend it to the House.

Mr JONATHAN O'DEA (Davidson) (11:15): I also speak in support of the Protection of the Environment Legislation Miscellaneous Amendments Bill 2017, and particularly those amendments that align environmental legislation with the Government's digital age initiatives. The Protection of the Environment Operations Act 1997 is a modern Act that this Government has kept up to date and in line with community

expectations about how environment protection is delivered in New South Wales. The Environment Protection Authority [EPA] currently regulates more than 2,500 businesses via environment protection licences. These licences need to be formally reviewed every five years. The Act currently requires the EPA to publish notification of each licence review in a newspaper circulating throughout the State.

To meet this requirement, the EPA needs to place an advertisement in newspapers on average once every two months at a cost of about \$32,000 for each notice, which equates to about \$200,000 per annum. We are a modern society and most people now access information on the web. We expect to have information accessible and to be able to do business online. The Government is currently amending a large number of statutory instruments to remove any barriers to digital business transactions. This includes removing requirements to provide information only in newspapers, or to fill out paper forms and to lodge them with agencies. This initiative is about creating flexibility in business delivery, and it will provide government agencies with discretion to use more traditional forms of communication where this is considered necessary, but equally to be able to move better into the digital environment.

The EPA provides information about all environment protection licences on a public register that it maintains on its website. Providing information on licence reviews on the public register will mean that the community will be able to find all the information it needs on individual licences in one place. The EPA also has information on its home page about all the public consultation it has done and the reviews that it is undertaking at any point in time. It has also moved to online administration of licence applications and annual compliance reporting. This reduces the administrative burden on the EPA and industry by providing a streamlined way to interact with the authority. The change in this bill is the next step in the digitisation process, and it will ensure that all licence information is held in one place.

It should be noted that only five submissions on licence reviews have been received by the authority since November 2014. I understand that there does not appear to be any direct correlation between the receipt of those submissions and the newspaper advertising of licence reviews. As mentioned, this bill amends the requirement about notification of licence reviews to remove the need to publish them in newspapers and instead, enables the Environment Protection Authority to notify the public of licence reviews on its website. This will free up \$200,000 per year, which will be redirected to environment protection and improvement programs, rather than being spent on newspaper advertising. Surely, that is a good thing.

I note that one of the provisions of the bill relates to the sensible use of drones for environmental protection purposes. More broadly, I believe it is time to change the law to reflect the rapid changes to drone usage driven by the relative ease and low cost of buying drones. These changes need to be made to address safety and privacy issues, and could be largely pursued through what I understand is a current review of the Surveillance Devices Act driven by other purposes. Any such exercise should also attempt to streamline relevant laws across jurisdictions and I may have more to say on this matter in future. In the meantime, I am pleased to support this bill and commend it to the House.

Mr ADAM CROUCH (Terrigal) (11:20): I speak in support of the Protection of the Environment Legislation Miscellaneous Amendments Bill 2017. From the outset, I commend the Minister for the Environment, Minister for Local Government and Minister for Heritage, the Hon. Gabrielle Upton on this very comprehensive piece of legislation, which makes amendments to various Acts. The purpose of the bill is to amend a range of environmental protection legislation to improve its efficiency and effectiveness, including providing up-to-date enforcement tools and consistency in investigation and prosecutorial powers. The amended Acts are the Contaminated Land Management Act 1997, the Protection of the Environment Operations Act 1997, the Protection of the Environment Administration Act 1991, the Radiation Control Act 1991 and the Land and Environment Court Act 1979.

I also acknowledge the great work done by the Environment Protection Authority across New South Wales, including the Central Coast. The Environment Protection Authority is regularly called upon, as was highlighted by previous members, to address acts of illegal dumping and reporting on littering. The Environment Protection Authority is a fantastic organisation doing a very difficult job. In addition to acknowledging the great work by the Minister, it would be remiss of me if I did not also acknowledge the outstanding and tireless work of the ministerial staff in putting these amendments together. I acknowledge Mark Gifford, David Fowler, Michele Weight, Eri Leong, Anne Marie Salem, Arminda Ryan, Peter Lawson, Kate Herring, Len Potapof, Maryanne McCarthy and also Christian Dunk, Sophie Armitage and Bec Smith, all of whom worked to contribute on these amendments.

I also take the opportunity to acknowledge the great contributions by my colleagues, the member for Tweed, the member for Riverstone, the member for Manly and the member for Davidson. Obviously, I am pleased to speak on this particular legislation. Of particular importance to me are the amendments that improve the

efficiency and the effectiveness of the powers and tools that the Environment Protection Authority has to protect our community, and of course my electorate on the Central Coast.

This bill continues the process of refining and aligning the environmental legislation administered by the Environment Protection Authority to ensure it is consistent and contains appropriate deterrents and penalties for environmental offences. It also ensures that the Environment Protection Authority has the time it needs to prosecute those complex matters, some of which we heard about a little earlier this morning. The bill better aligns the Contaminated Land Management Act 1997, as I mentioned earlier, the Radiation Control Act 1990 and the Protection of the Environment Operations Act 1997 in a number of different ways.

First, it adjusts provisions relating to penalty amounts to ensure that similar penalties are available for similar offences. It modernises the Radiation Control Act by doubling the maximum penalty that can be imposed by the local courts, from 100 penalty units to 200 penalty units, which would be a maximum penalty of around \$22,000. The change aligns penalties for radiation offences with similar penalties under the Pesticides Act; for example, the bill also removes the limit on penalty notice amounts in the Radiation Control Act. Instead, penalty notice amounts can be set in the Radiation Control Regulation and as a percentage of the maximum penalty that may be set by the courts. This approach aligns how penalty notice amounts are determined in other environmental legislation.

I take the opportunity to commend the Environment Protection Authority for the work it has done with the Hey Tosser campaign. The Environment Protection Authority had GPS trackers inserted into plastic bottles which were deposited in our local waterways. I had the pleasure of doing one of those exercises at Empire Bay, where we took three bottles provided by the Environment Protection Authority and I launched them into the water. One of the young local lads, Luke Turch, a 15-year-old from Bensville, was also on hand. He was very keen to help me throw the plastic bottles into the water. As I explained to him, this was the only time we could legally throw something into the waterways.

The results of that exercise were quite illuminating. Within a few days, one of those plastic bottles had travelled from Empire Bay all the way to Soldiers Beach; a very extensive trip. It goes to show how the Environment Protection Authority's research can basically highlight the effects of waste and what impact it has on our community should it not be controlled and should we not be responsible for our waste. Again, I congratulate the Environment Protection Authority on that great work.

The bill also ensures that the Environment Protection Authority has a consistent set of powers, called authorised officer powers. This allows appropriately trained Environment Protection Authority officers to enter premises where an offence may have occurred, collect information and evidence and give appropriate directions to address environmental risks and impacts. It does this by conferring the authorised officer powers under the Protection of the Environment Operations Act on officers who are carrying out functions under the Contaminated Land Management Act, rather than listing those powers separately. This means that the Contaminated Land Management Act does not need to be amended whenever the Protection of the Environment Operations Act authorised officer powers are refined.

More importantly, it means that Environment Protection Authority officers use a standard set of authorised officer powers across the legislation they administer. This saves time, reduces the potential for errors in evidence collection and allows Environment Protection Authority officers to get on with the job of responding to environmental risks and offences, wherever they may occur. The bill also ensures the Environment Protection Authority has the time it needs to prosecute complex matters. It does this by extending the statute of limitations for radiation offences, repeat waste offences and groundwater offences—all offences that have the potential for very significant environmental impacts.

That is a very important part of this piece of legislation, given the fact that in many instances many of the offenders are recidivists, or repeat offenders. It is important to put these people on notice that their acts will be prosecuted to the full extent of the law. For all of these matters the Environment Protection Authority needs sufficient time to collect the evidence needed to support a prosecution because of the nature of the offence and its potential consequences on our environment.

For example, where radiation sources are disposed of illegally, it can take more than the current 12-month limitation period just to work out who owned the radiation source and who disposed of it. This often includes international inquiries and checking records that are not available electronically. The amendment aligns the statute bar period for radiation offences with the period available under the Dangerous Goods (Road and Rail) Transport Act 2008, extending it from one year to two years. Groundwater offences are even more complex. The amendment increases the limitation period from one year to three years. This aligns it with the Water Management Act and relevant limitation periods in South Australia, Tasmania and Western Australia.

This extension is needed because the hidden nature of brown water and the possible seasonal changes to water flows and chemistry make investigation of potential brown water offences very complex. These are the sorts of issues to which the people of the Central Coast are very sensitive. Given these are water catchment areas, we take groundwater contamination very seriously. I note that Minister Upton has entered the Chamber, so I will bring my speech to a speedy conclusion. The bill contains a raft of amendments of a similar nature, which I will address with some brief remarks.

The bill ensures that the appropriate penalties can be set to deter would-be offenders and to enforce the provisions of the bill. The bill will ensure that the Environment Protection Authority has the power and the time that it needs to regulate in a consistent way and to prosecute complex matters. The provisions are vital to ensure that New South Wales continues to have an effective and credible environmental regulator in order to protect the environment and, most importantly, the fantastic people of the Central Coast. I commend Minister Upton and her very hardworking staff for this very detailed amendment bill. I commend the bill to the House.

Ms GABRIELLE UPTON (Vaucluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (11:30): In reply: I thank members for their contributions to the second reading debate on the Protection of the Environment Legislation Miscellaneous Amendments Bill 2017. In particular, I thank from the Government the member for Riverstone, the member for Tweed, the member for Manly and the member for Davidson. From the Opposition, I thank the member for Maroubra, the member for Port Stephens and the member for Heffron. The bill amends a range of environmental protection legislation to improve efficiency and effectiveness and provide the Environment Protection Authority [EPA] with appropriate and up-to-date enforcement tools.

The bill will continue the process of aligning the various pieces of environmental legislation administered by the EPA to give consistency in the regulatory tools for prosecution and proceedings. I will address some matters that were raised by members in this debate. Before I do so, I thank the member for Terrigal, who spoke at length about issues concerning his community and the work of the EPA to ensure that his electorate is environmentally sustainable. In particular, I want to address an issue that was raised by the member for Maroubra. The member foreshadowed that further comments would be made in the other House in relation to the New South Wales Council on Environment Education. As I have mentioned in the House previously, this council has not been functional for eight years.

The Labor Government dissolved the council after it delivered the environmental education plan Learning for Sustainability 2007-10, which sought to achieve an integrated environmental education that builds the knowledge of the people, particularly children, of New South Wales so that they are informed and actively work towards environmental sustainability. It is clear that the former Government formed the view that the council had served its purpose, and the council has not been reconvened since that time. Indeed, practices to inform and develop environmental education programs have evolved over time. Environmental programs in New South Wales are consistent with the Department of Education's environmental education policy for schools, which sets up guidelines on the management of school resources in accordance with ecological sustainability and is the starting point for addressing global environmental issues.

The Office of Environment and Heritage provides a broad range of educational resources for our schools and communities. I have seen these resources in my local electorate of Vaucluse, which consist of teachers' kits and student activities that align with the key curriculum learning areas. The kits provide information on stormwater, climate change, energy, waste and water. These materials are readily available online for students and teachers. The member for Maroubra should feel safe in the knowledge that the lack of relevance of the council that is being disbanded was recognised by his own party. The Government is making sure that the committees that are in existence address specific issues. They are purposed to address those issues and provide an avenue for communities to have a say, to be informed and to act to protect their environment. The committees are fit for purpose.

The issues raised by the member for Port Stephens about the contamination issues at the Williamstown Royal Australian Air Force base, which she expressed at some length, I know are close to her heart. I acknowledge her concerns. This issue has been of great concern to the member for Port Stephens, to the local residents and to the Government. The Government has done much and is leading the way in testing for the contamination that leached from the base. We have committed funding to connect town water to residential properties in the investigation area. Hunter Water has advised that 75 per cent of the properties are now connected to town water and the program is on track for completion by June 2017. Further, the Government has funded additional mental health services in the area and provided a community liaison officer to assist residents and businesses. I genuinely understand their position and acknowledge their need for support. At the same time, the EPA will remain focused on achieving important outcomes for the local community and the local environment.

The NSW Chief Scientist and Engineer, Mary O'Kane, has played a leading role. I compliment her on the sympathetic but technically excellent work she has done in updating the local community. She attended Parliament two weeks ago to conduct an information session on this sensitive issue. The purpose of this bipartisan forum convened by the chief scientist was to share information across party lines to ensure that we do the best we can for our community in that area. Finally, I will address comments that were made by the member for Heffron. Clearly, the member was prosecuting old, personal grievances. He does not seem to realise that not everything can be prosecuted in the Supreme Court. The EPA's approach has been focused on the safety and health of the community, and that is the right approach to take. The member went on and on, but I can assure him and all members of this House about the EPA's prosecution record.

In 2015-16, the EPA completed 40 prosecutions with a 98 per cent success rate, securing more than \$700,000 in financial penalties. Environmental service orders, which direct over half of the total financial penalties imposed towards environment improvement, were secured in six of these cases. Successful prosecutions provide a deterrent specifically to the party that is being prosecuted as well as a general deterrent against future harm caused by those who may think they can get away with it. This demonstrates that not only can prosecutions be successful but also offenders can incur the opprobrium and financial penalties as a result of their actions. This acts as a preventative measure within our communities. In relation to the prosecutions I have mentioned, the EPA accepted two enforceable undertakings requiring both private industry and government agencies to pay more than \$300,000 for environmental work. As I said, in 2015-16 the EPA completed 40 prosecutions. The EPA is active in this space.

I have taken an interest in this issue and I have spoken with independent board members to ensure a focus at board level on current prosecutions. From recent discussions with independent board members, I know that they take an interest in this area. The board requires regular reports on any current enforcements. The board wants to ensure that the EPA is a strong preventative and prosecuting force in the protection of the health of our communities and the sustainability of our environment. It is a standing item at regular board meetings for in-house counsel and executives to present on prosecution results, which range across all campaigns from littering to tier 1 prosecutions. I commend the board for the personal interest it takes on a regular basis in the EPA's activity, and I will ensure that the board continues to do so. Two tier 1 prosecutions have occurred recently in relation to Caltex Australia Petroleum Pty Limited and Clarence Colliery Pty Limited. I commend the bill to the House.

TEMPORARY SPEAKER (Mr Geoff Provest): The question is that this bill be now read a second time.

Motion agreed to.

Third Reading

Ms GABRIELLE UPTON: I move:

That this bill be now read a third time.

Motion agreed to.

Visitors

VISITORS

TEMPORARY SPEAKER (Mr Geoff Provest): I acknowledge the presence in the public gallery today of Dr Nicola Henry of the Royal Melbourne Institute of Technology [RMIT] and Dr Asher Flynn of Monash University, as well as Kerry Thompson from VOCAL, Briana Rose and Noelle Martin, guests of the Attorney General. Welcome to the Parliament.

Bills

CRIMES AMENDMENT (INTIMATE IMAGES) BILL 2017

First Reading

Bill introduced on motion by Mr Mark Speakman, read a first time and printed.

Second Reading

Mr MARK SPEAKMAN (Cronulla—Attorney General) (11:42): I move:

That this bill be now read a second time.

The Government is pleased to introduce the Crimes Amendment (Intimate Images) Bill 2017, which implements the Government's commitment to reforms that address the non-consensual sharing of intimate images. The non-consensual sharing of intimate images—also known as revenge porn or alternatively image-based abuse—

involves a person distributing an intimate or sexual image of a person without that person's consent. These include images emailed or texted to others, posted online on platforms like Facebook, or even forwarded to the victim's family or employer. Technological advances have facilitated a rise in this type of behaviour and may exponentially increase the extent to which an image is distributed and viewed. Images can go viral, with long-lasting consequences for the person in the image. A recent report by Dr Nicola Henry, Dr Anastasia Powell and Dr Asher Flynn from RMIT University found that one in five survey respondents reported being victims of some kind of image-based abuse.

Non-consensual sharing of intimate images is a serious invasion and violation of a person's privacy. It can have severe impacts on the victim, causing the victim shame, embarrassment and humiliation. It can also have adverse consequences for the victim's reputation, family, friends and employment. Parliamentary inquiries in both New South Wales and at the Commonwealth level have expressed concern about the harm done to victims through non-consensual sharing of intimate images and the lack of an effective criminal law response to date. In particular, these inquiries have highlighted the prevalence of this behaviour in the context of domestic violence and abuse and controlling relationships. The Government takes these concerns seriously and strongly condemns the non-consensual sharing of intimate images.

On 19 May 2017, the Law, Crime and Community Safety Council, representing the Commonwealth and each State and Territory, agreed to the National Statement of Principles Relating to the Criminalisation of the Non-Consensual Sharing of Intimate Images. The statement sets out non-binding best practice principles for nationally consistent criminal offences relating to non-consensual sharing of intimate images in each jurisdiction. The new offences proposed in this bill are consistent with those principles. This bill introduces new offences to deter and punish the non-consensual sharing of intimate images and ensures that victims are adequately protected under the criminal law. The new offences are indictable offences and will carry maximum penalties of three years imprisonment to reflect the seriousness of the conduct and the potential harm done to the victim.

The bill reflects the Government's commitment to strengthen this area of the law and to provide a clear remedy for such a serious invasion of privacy. Overall, the reforms will send a strong message that this behaviour is unacceptable in our society. I will now outline the details of the bill and the new offences it will introduce. The first offence introduced by the bill is the new offence of recording an intimate image without consent, in proposed section 91P. The offence will apply if a person intentionally records an intimate image of another person while knowing that the person did not consent, or being reckless as to whether the person consented to the recording. Because "intimate image" is defined to include still or moving images, the new offence will apply both to taking photos and recording a video of a person.

New section 91O will specify how consent is to be understood for the purposes of this offence. It provides that consenting to a recording of an intimate image means that the person freely and voluntarily agrees to the recording. Consent can be expressed or implied. A person cannot consent if they are under the age of 16 years or otherwise do not have the cognitive capacity to consent, or if they are unconscious or asleep, or if they have only consented because of threats of force or terror, or if they have only consented because they have been unlawfully detained. Proposed section 91O also specifies that consenting to the recording of an image on a particular occasion does not, by reason only of that fact, mean that the person has consented to the recording of an image on another occasion. This recognises that a person is entitled to make decisions about their own privacy, including allowing a specific intimate image to be recorded on one occasion without losing the protections under the law that prohibit other intimate images from being recorded without their consent.

It will be an exception to the new offence of recording an intimate image without consent if the conduct was done for a genuine medical or scientific purpose, by a law enforcement officer for a genuine law enforcement purpose, or was required by a court or reasonably necessary for the purpose of legal proceedings. It will also be an exception to the offence if a reasonable person would consider the person's conduct acceptable, having regard to relevant factors including the nature and content of the image, the circumstances in which the image was recorded and the degree to which the recording affected the privacy of the person depicted in the image. This "reasonable person" exception will ensure that the new offence does not criminalise socially acceptable activities. The new offence will be punishable by a maximum penalty of imprisonment for three years, or a fine of 100 penalty units, or both.

The new offence in proposed section 91P is similar in some ways to the existing unlawful filming offences in proposed sections 91K and 91L of the Crimes Act 1900. Those offences criminalise filming a person who is engaged in a private act and filming a person's private parts without the person's consent. However, the offences in proposed sections 91K and 91L are narrower offences that apply only if the filming is done for the purposes of sexual arousal or sexual gratification. Research published by RMIT University has confirmed that image-based abuse can occur for a diverse range of motivations. These existing offences do not protect victims where the non-consensual recording of the intimate image was done with motives of revenge, or to embarrass and

humiliate the victim, or to attempt to control their behaviour. The new offence in proposed section 91P will address this gap in the law.

The second offence introduced by the bill, in proposed section 91Q, is the new offence of distributing an intimate image without consent. The offence will apply if a person intentionally distributes an intimate image of another person while knowing that the person did not consent, or being reckless as to whether the person consented to the distribution. "Distribute" is defined broadly to include sending, supplying, transmitting, communicating or making available for viewing or access by another person whether in person or by electronic, digital or any other means. The offence uses the same meaning of consent as the recording offence. Again, proposed section 91O specifies that consenting to an image being distributed on a particular occasion does not, by reason only of that fact, mean that the person has consented to it being distributed on another occasion.

Similarly, a person consenting to an image being distributed to a particular person or in a particular way does not by reason only of that fact mean the person has consented to the distribution of that image or another image to another person or in another way. New section 91O also provides that the fact that a person has distributed an intimate image of themselves does not necessarily mean that they have consented to any other distribution of the image. The "reasonable person" exception will also apply to the offence in proposed section 91Q. A person's actions will not be an offence if a reasonable person would consider their conduct acceptable having regard to relevant factors. Again, this is to ensure the offence does not capture socially acceptable activities. The new distribution offence will be punishable by the same maximum penalty as the recording offence, that is, a maximum penalty of imprisonment for three years, or a fine of 100 penalty units, or both.

The third offence introduced by the bill is a new offence of threatening to record or distribute an intimate image without consent. This offence in the proposed section 91R is particularly directed at domestic violence contexts, where threats to record or distribute intimate images may be used to control a victim's behaviour or prevent them from leaving an abusive relationship. The offence will apply if the person intends to cause the victim to fear that the threat will be carried out. The offence will apply to threats to distribute intimate images whether or not the images actually exist, as often the victim may not know whether or not an image in fact exists. The threat offence will carry a maximum penalty of imprisonment for three years, or a fine of 100 penalty units, or both.

Proposed section 91N sets out the definitions that apply to the new offences. An "image" is defined as a still or moving image, whether or not altered. "Intimate image" is defined as an image of a person's private parts or of a person engaged in a private act. It also includes an image that has been altered to appear to show a person's private parts or a person engaged in a private act. This would, for example, cover photoshopping of person A's face with the private parts of person B in a way to suggest that the composite image is truly an image of person A. The terms "private parts" and "engaged in a private act" are already used in the Crimes Act 1900 in the context of the existing unlawful filming offences in division 15B. In the bill, a person's private parts are defined to include a person's genital or anal area, whether bare or covered by underwear, or breasts, including the breasts of a transgender or intersex person identifying as female. The bill also introduces this new definition of "private parts" into the existing unlawful filming offences, to modernise the way this term is understood for these offences.

In the bill, "engaged in a private act" is defined to mean in a state of undress, using the toilet, showering or bathing, or engaged in a sexual act of a kind not ordinarily done in public or any other like activity. This is the same definition as is already in place for the existing unlawful filming offences. For the purpose of the new offences, to fall within the definition of an "intimate image" the image must depict a person in circumstances where a reasonable person would reasonably expect to be afforded privacy. This requirement will give the new offences the appropriate scope and is similar to the requirement that is already part of the unlawful filming offences. Images depicting activities that may otherwise fall within the definition of "intimate image" will not be captured if the activities are commonly done without a reasonable expectation of privacy.

The three new offences introduced by the bill will apply to children and young people as well as to adults. This recognises that children can be victims and perpetrators of the non-consensual sharing of intimate images. As previously stated, a person under the age of 16 years will not be able to consent to the recording or distribution of an intimate image. This is consistent with the general principle that a person under the age of 16 years cannot consent to sexual activity. However, the bill has been drafted so the proposed offences in sections 91P and 91Q do not apply to a young person who records and distributes an intimate image of their own body, as the offences apply only when the image is of another person. The approval of the Director of Public Prosecutions will be required for prosecutions of children under the age of 16 years. This is to ensure the new offences do not inappropriately criminalise activity by, or between, children. Applicable diversionary measures under the Young Offenders Act 1997 will also be available for a young person who is charged with an offence.

Lastly, the bill introduces a new power for a court to order a person convicted of recording or distributing an intimate image without consent to take reasonable actions within a specified time period to remove, retract,

recover, delete or destroy an intimate image the person unlawfully recorded or distributed. It will be an offence for a person to contravene such an order without reasonable excuse, punishable by imprisonment for two years, or a fine of 50 penalty units, or both. This power will offer victims a remedy and greater peace of mind, although I acknowledge that for many victims it will not repair the harm they have experienced as a result of the perpetrator's actions.

The bill is the product of detailed consultation with stakeholders on the appropriate form and scope for the new offences. Consultation included the release of a public discussion paper in late 2016 and submissions from members of the community, government, non-government and legal stakeholders. Almost all submissions expressed strong support for new offences to ensure victims are protected. Dr Nicola Henry of RMIT University, an expert in image-based abuse, has commented that the Government's bill "is an excellent model that can serve as an inspiration for other jurisdictions both in Australia and internationally." The Women's Legal Service NSW has commented:

By introducing these laws the New South Wales Government is showing its commitment to addressing domestic and family violence and sexual violence in all its forms. Maria Le Breton, the Director of the Women's Domestic Violence Court Advocacy Service NSW Inc., has commented: This bill identifies the very damaging and criminal nature of these acts and provides greater protection to victims of domestic violence and our community as a whole. This bill enables the justice system to better keep astride of and respond to the evolving techniques employed by perpetrators of violence. Since I became Attorney General I have had the privilege of meeting victims of intimate image abuse, and the organisations that advocate on their behalf, to hear their stories.

The distress caused to victims by intimate image abuse is palpable, but their passion and perseverance to achieve reform is inspiring. I would like to extend the Government's thanks to the victims and advocates who have worked tirelessly to bring about reform in this area. I would like to particularly acknowledge the brave efforts of Ms Noelle Martin and Ms Brieana Rose, to whom I have referred by a pseudonym, in advocating reform. I also acknowledge my predecessor, the former Attorney General, the Hon. Gabrielle Upton, MP, for her leadership in this reform. Overall, the reforms in this bill will make sure the criminal law can respond appropriately to such violations of privacy, and remedy at least some of the harm done to the victim.

Debate adjourned.

CIVIL LIABILITY (THIRD PARTY CLAIMS AGAINST INSURERS) BILL 2017

Second Reading

Mr MARK SPEAKMAN (Cronulla—Attorney General) (12:02): I move:

That this bill be now read a second time.

The Government is pleased to introduce the Civil Liability (Third Party Claims Against Insurers) Bill 2017. The bill implements all recommendations from the NSW Law Reform Commission's Report 143 on third party claims on insurance money. The bill introduces a new Civil Liability (Third Party Claims Against Insurers) Act to replace section 6 of the Law Reform (Miscellaneous Provisions) Act 1946. This will ensure that there is a clear legislative framework governing third party insurance claims.

Section 6 of the Law Reform (Miscellaneous Provisions) Act 1946 allows a plaintiff to recover damages or compensation from a defendant's insurance proceeds. It allows a plaintiff to do so from the insurer where proceedings against the defendant, who is the insured, are not possible or would be pointless because, for example, the defendant is missing or insolvent. Section 6 was enacted to prevent insured persons forming collusive arrangements with their insurers to avoid paying third party claimants, and to prevent insured persons "running away with" insurance moneys. It does this by creating the concept of a statutory charge. This "charge" can be asserted and enforced by a plaintiff directly against the insurer over all insurance moneys that may become payable under a contract of insurance in respect of the insured defendant's liability. The charge is created "on the happening of the event giving rise to the claim for damages or compensation" against the insured defendant.

There has been general dissatisfaction with the complexity and uncertainty of this concept of the "charge". It has been stated that, first, section 6 "is undoubtedly opaque and ambiguous" in *NSW Medical Defence Union v Crawford* (1993) 31 NSWLR 469 at 479 per Kirby P; second, "the interpretation of section 6 of the Act is problematical ... ambiguity may be its only clear feature" in *McMillan v Mannix* (1993) 31 NSWLR 538 at 542 per Kirby P; and third, "section 6 should be repealed altogether or completely redrafted in an intelligible form, so as to achieve the objects for which it was enacted" in *Chubb Insurance Australia v Moore* (2013) 302 ALR 101 at 113 per Emmett JA and Ball J.

Section 6 has also been criticised by the insurance industry. There is uncertainty about how this 70-year-old provision applies to new types of insurance policies and, in particular, the complex modern insurance policies of directors and officers. The Insurance Council of Australia is concerned that the uncertainty created by

section 6 may prevent insurers paying defence costs, especially where the defence costs of directors and officers of a company are funded from the same pool of funds as that available to meet the company's liability to plaintiffs.

On 22 February 2016, the former Attorney General asked the NSW Law Reform Commission to review section 6 to consider whether the section should be repealed or amended, and whether the policy objectives remain valid and could be better achieved. The NSW Law Reform Commission completed Report 143, titled "Third party claims on insurance money", on 22 November 2016. In preparing the report, the commission released a consultation paper, sought public submissions to the review, and convened a roundtable with relevant stakeholders. The commission found that the aims of section 6 remain valid. However, the commission made 13 recommendations to provide a clearer, more effective provision than section 6. The commission worked closely with the Parliamentary Counsel's Office to draft specific clauses for a bill to give effect to the commission's recommendations. Given the extensive and thorough work of the commission, the Government is pleased to adopt, unamended, the clauses drafted by the commission.

I will now outline the details of the bill. The bill repeals section 6 of the Law Reform (Miscellaneous Provisions) Act 1946 and replaces it with a new standalone Act—the Civil Liability (Third Party Claims Against Insurers) Act. It is proposed to create a new Act as section 6 has no relationship with any other provisions in the Law Reform (Miscellaneous Provisions) Act 1946. The bill retains the original intent of section 6 by ensuring that a plaintiff can recover compensation or damages directly from the insurer in respect of the insured defendant's liability to the plaintiff.

The bill removes the problematic concept of the "charge" currently provided for in section 6. Importantly, clause 4 ensures that a plaintiff can recover compensation or damages directly from the insurer in respect of the insured defendant's liability to the plaintiff. Clauses 5 to 9 make procedural and technical amendments, including: to preserve the leave requirements in section 6 to make it clear that a plaintiff's failure to seek leave before proceeding against an insurer is not fatal to the plaintiff's claim; to clarify the operation of limitation periods and give effect to the NSW Court of Appeal's view in *Chubb Insurance v Moore* (2013) 302 ALR 101; to clarify the territorial application of the right to claim; and to confirm that the insurer can rely on the operation of the insurance contract to reduce its liability to the plaintiff.

Clause 10 of the bill retains the original primary object of section 6—that is, to prevent collusion between the insurer and the defendant. It provides that any payment the insurer makes to the defendant, or any compromise agreed between them in respect of the insured liability, does not discharge the insurer's liability to the plaintiff. This is so unless and to the extent that the defendant pays the money to the plaintiff. Clause 11 of the bill makes it clear that any rights conferred by any other legislation are not affected, such as the rights conferred under the provisions of the Workers Compensation Act 1987 or the Motor Vehicles (Third Party Insurance) Act 1942. Clause 12 preserves existing proceedings, ensuring that section 6 continues to apply to actions brought under that section before the commencement of the new Act.

I thank the Law Reform Commission for its work on Report 143. The resultant bill resolves the complexity and uncertainty associated with the current operation of section 6. It will protect the existing access of the plaintiff to insurance proceeds from the insurer, especially in circumstances where it would be pointless to pursue the defendant who is the insured. It will not increase the current liability of insurers. The bill will modernise the law governing third party insurance claims and ensure that the law adapts to the changes in the insurance market since it was enacted 70 years ago. The Act will commence on the date of assent. I commend the bill to the House.

Mr PAUL LYNCH (Liverpool) (12:10): I lead in this place for the Opposition on the Civil Liability (Third Party Claims Against Insurers) Bill 2017. The Opposition does not oppose the bill. The object of the bill is to give effect to the NSW Law Reform Commission's recommendations in their Report No. 143, entitled "Third Party Claims on Insurance Money". This report was the result of a review of the now 70-year-old provisions of section 6 of the Law Reform (Miscellaneous Provisions) Act 1946. That 1946 legislation provides for a comparatively complex scheme to allow a third party to enforce a statutory charge over insurance money payable under a contract of insurance to a person indemnified under the contract of insurance in relation to a liability of the insured person to pay damages or compensation to the third party concerned. This bill removes that mechanism and enables the third party to proceed directly against the insurer for their claims for damages or compensation.

The Law Reform Commission report helpfully provided a draft bill. The commission's bill has been adopted in toto by the Government in relation to its substantive terms, the only differences being in relation to the title and other non-essential aspects. The commission received a reference on 22 February 2016 to review and report on this issue. The report was dated November 2016 and this legislation is the result. I note in passing that it is pleasing that the Government finally decided to staff and utilise the commission, granted that the Attorney's predecessors had significantly run the commission down, starved it of staff and let it atrophy. The commission has now provided a useful solution to a problem. Paragraph 1.2 of the report stated:

... this reference has been given against a backdrop of general dissatisfaction with the drafting of s 6 and the problems that this has presented for interpretation generally. The section has also presented particular problems in light of changes to the insurance market since it was enacted 70 years ago. Over the past 25 years, the courts have resolved some, but not all, of the uncertainties about the interpretation of s 6.

The commission points in particular to the uncertainties attaching to section 6 around instances where the defence costs of directors and officers of a company are funded from the same pool of funds as for the company's liability to plaintiffs and whether the section 6 charge prevents insurers paying defence costs. The aim of the section 6 scheme is to provide a plaintiff with a way to obtain the proceeds of insurance directly from the insurer of a defendant. Without such a scheme, a common law plaintiff cannot directly recover from an insurer, even where the insured defendant has disappeared, does not exist or is not worth pursuing. As the Law Reform Commission points out, at common law, if a defendant was bankrupt, the insurance proceeds would go to the trustee in bankruptcy and the plaintiff merely becomes an unsecured creditor to receive at most a partial payment and perhaps not even that, despite insurance moneys having been paid.

Despite the undoubted desirability of something like the section 6 scheme, the Law Reform Commission report records a series of judicial criticisms of the section, including Justice Kirby's reference to it being "undoubtedly opaque and ambiguous". There were also particular criticisms because of the currently different legislative and insurance context. According to the commission there is a lack of clarity concerning section 6 and directors' and officers' insurance policies, claims made and notified policies, liability for pure economic loss, and contracts for reinsurance.

That is hardly surprising when the original second reading speech seems to have had as its main target collusion between defendants and insurers. There are also some conceptual difficulties with the idea and use of a special statutory charge. The Law Reform Commission raises a series of other issues, including priority between charges where there are multiple plaintiffs, where the person covered did not enter the contract, and issues surrounding limitation periods, among other things. The commission argues for a provision such as section 6, because of the undesirable alternatives. Paragraph 4.1 states:

Without a provision such as s 6, successful plaintiffs might be unable to recover from a defendant where, for example:

- the defendant does not have sufficient assets to meet a judgment but has not yet been declared bankrupt or insolvent
- the defendant is bankrupt but the trustee does not pursue the defendant's entitlement to insurance, or
- the insurer refuses to indemnify the defendant and the defendant is unwilling or unable to enforce its rights against the insurer.

The commission—correctly, in my view—rejects the alternative of vacating the field and relying on Commonwealth legislation as the present Commonwealth provisions are not adequate. I note this rejects the position of the Insurance Council and the Australian Institute of Company Directors. The commission does say that the best option might be uniform but improved Commonwealth provisions. Those present provisions have difficulties themselves. They do not cover all cases of insolvency and can require additional steps in litigation and the involvement of additional parties. There is no present sign of the Commonwealth taking the necessary steps to improve their regime. Recommendation 10 of the report, reflected in clause 14 of the Law Reform Commission draft bill and clause 11 of the Government bill, ensures that the bill does not affect the rights conferred under the provisions of workers compensation and third party motor vehicle legislation. As I indicated, the Opposition does not oppose the bill.

Mr STEPHEN BROMHEAD (Myall Lakes) (12:15): I speak in support of the Civil Liability (Third Party Claims Against Insurers) Bill 2017. I commend the Attorney General, Minister Speakman, the member for Cronulla, who is present in the Chamber. The people of Cronulla are lucky to have such a wonderful local member. The object of the bill is to replace section 6 of the Law Reform (Miscellaneous Provisions) Act 1946 and give effect to the recommendations made in the NSW Law Reform Commission Report 143, "Third party claims on insurance money". The bill replaces section 6 of the principal Act and empowers a third party to bring proceedings directly against the insurer in respect of his or her claim for damages, compensation or costs against the insured person, rather than proceeding to enforce a specially created statutory charge.

The bill seeks to resolve the complexity and uncertainty associated with the current operation of section 6. The bill also removes the concept of the statutory charge. Section 6 of the principal Act allows a plaintiff to access proceeds of insurance where proceedings against an insured defendant are not possible or would be pointless, including instances such as the defendant being missing or insolvent. The Hon. David Clarke in his speech in the other place noted the intention of section 6 of the principal Act:

Section 6 was enacted to prevent insured persons forming collusive arrangements with their insurers to avoid paying third party claimants and to prevent insured persons "running away with" insurance money. It does this by creating the concept of a statutory charge, which can be asserted and enforced by a plaintiff directly against the insurer over all insurance money that may become

payable under a contract of insurance in respect of the insured defendant's liability. The charge is created "on the happening of the event giving rise to the claim for damages or compensation" against the insured defendant.

The former Attorney General asked the Law Reform Commission to review section 6 of the principal Act and whether the policy objectives remain valid, and, if so, whether those aims could be better achieved. The commission found that the aims of section 6 remain valid and made 13 recommendations to provide a clearer, more effective provision than section 6. The NSW Law Reform Commission's Report 143 found that the general thrust of section 6 remained valid, as I said, and made recommendations to modernise the current provision and reform areas where section 6 has been criticised. This bill gives effect to those recommendations.

Clause 4 of the bill removes the problematic concept of the charge currently provided for in section 6 and the framework that goes with this but preserves the plaintiff's right to recover directly against the defendant's insurer. Clauses 5 to 9 make procedural or technical amendments to update and to reform the current provisions, including preserving the leave requirements, to make it clear that a plaintiff's failure to seek leave before proceeding against an insurer is not fatal to the plaintiff's claim, to clarify the operation of limitation periods and the territorial application of the right to claim, and to confirm that the insurer can rely on the operation of the insurance contract to reduce its liability to the plaintiff.

Clause 10 retains the original primary object of section 6; that is, to prevent collusion between the insurer and the defendant. It provides that any payment the insurer makes to the defendant, or any compromise agreed between them in respect of the insured liability, does not discharge the insurer's liability to the plaintiff. Clause 11 makes it clear that any rights conferred by any other legislation are not affected, such as rights conferred under the provisions of the Workers Compensation Act 1987 or the Motor Vehicles (Third Party Insurance) Act 1942. Clause 12 preserves existing proceedings, ensuring that section 6 continues to apply to actions brought under that section before the commencement of the new Act. I now turn to the provisions of the bill, and in particular to clause 5, which relates to leave to proceed and which provides:

- (1) Proceedings may not be brought, or continued, against an insurer under section 4 except by leave of the court in which the proceedings are to be, or have been, commenced.
- (2) An application for leave may be made before or after proceedings under section 4 have been commenced.
- (3) Subject to subsection (4), the court may grant or refuse the claimant's application for leave.
- (4) Leave must be refused if the insurer can establish that it is entitled to disclaim liability under the contract of insurance or under any Act or law.

As I said, the time limitations have been clarified. Clause 6, which relates to time for commencing proceedings, provides:

- (1) Proceedings to recover an amount from the insurer under section 4 must be commenced within the same limitation period that applies under the Limitation Act 1969 or other Act to the claimant's cause of action against the insured person in respect of the insured liability.
- (2) Subsection (1) does not apply if the claimant has brought proceedings against the insured person in respect of the insured liability before the expiry of the limitation period applying to those proceedings, including any extension of the limitation period granted under the Limitation Act 1969 or other Act by a court.

Insurers may rely on a number of matters. Clause 7 provides:

In proceedings brought under section 4, the insurer is entitled to rely on any defence or any other matter in answer to the claim or in reduction of its liability to the claimant:

- (a) that the insurer would have been entitled to rely on in a claim made by the insured person under the contract of insurance, or
- (b) that the insured person would have been entitled to rely on in proceedings brought by the claimant against the insured person in respect of the insured liability.

Clause 8, which deals with judgment against an insured person being no bar to a claim against an insurer, provides:

A judgment or order for damages, compensation or costs in favour of the claimant against the insured person in respect of an insured liability does not prevent the claimant from recovering an amount for the damages, compensation or costs under section 4, except to the extent that the judgment or order has been satisfied.

Clause 9 deals with the discharge of an insurer's liability, and provides:

Any payment made by the insurer to the claimant under this Act in respect of an insured liability discharges, to the extent of the payment, the liability of the insurer to make a payment to the insured person under the contract of insurance in respect of the insured liability.

Clause 10 deals with the effect of payments made by an insurer to an insured person, and provides:

An insurer's liability to a claimant under this Act is not reduced, discharged or otherwise affected by:

- (a) any compromise or settlement between the insurer and the insured person in respect of the insured liability, or

- (b) any payment by the insurer to the insured person in respect of the insured liability unless and to the extent that the amount of the payment is or has been paid by the insured person to the claimant in respect of the insured liability.

This legislation clarifies a number of issues and concerns raised by the insurance industry for some years. It will assist insurance companies, lawyers, and claimants. Overall, it will improve the compensation system for those who are injured. I commend the bill to the House.

Mr JONATHAN O'DEA (Davidson) (12:25): I support the Civil Liability (Third Party Claims Against Insurers) Bill 2017. I speak following a comprehensive, educated and intelligent contribution by the member for Myall Lakes. Of course, that could generally be said about all of his contributions to debate in this place. It appears that this bill has multi-partisan support, and so it should. It successfully clarifies an area of insurance law that has been unclear for some 70 years. It replaces section 6 of the Law Reform (Miscellaneous Provisions) Act 1946 with a bill that stands on its own and finally provides surety for many people and companies involved in the insurance industry.

Before entering this Parliament, I worked in the insurance industry for more than 10 years. That included running some niche financial and insurance businesses. I also sat on the board of a major health insurer for 14 years. During that time, I witnessed some significant changes in the industry. No doubt many other changes have occurred since the original bill was drafted more than 70 years ago. For example, the modern insurance industry now has the benefit of being regulated by both the Australian Securities and Investments Commission and the Australian Prudential Regulation Authority. Consumers also enjoy more protection from many Federal, State and Territory laws.

Section 6 of the Law Reform (Miscellaneous Provisions) Act 1946 was introduced to protect third parties from potentially liable entities that might otherwise escape their financial obligations. Today there is a concern that the Act is outdated and that it does not integrate well with Federal consumer laws or a modern, strong and comprehensive insurance regulation regime. This applies particularly in the case of directors' and officers' insurance cover. Company directors need to know that their insurance can fund their costs to defend a claim.

There was widespread concern within the insurance industry after the Bridgecorp decision in New Zealand. The New Zealand High Court found that the charge brought by section 9 of the New Zealand Law Reform Act 1936, upon which section 6 of the current Act is modelled in Australia, attaches to all moneys available in a directors' and officers' liability policy. This was such that the insurer could not be required in accordance with the terms of the policy to advance to the directors and officers moneys for the purposes of the defence of legal proceedings brought against them. If the Bridgecorp interpretation were adopted in Australia, there could be serious implications for all parties.

For instance, an insured may well, depending on the specifics of the case, be obliged to fund their own defence, which could lead to serious financial hardship and/or an inability to defend a claim in court. The issue regarding the payment of defence costs by insurers and whether these payments are subject to the statutory charge imposed by section 6 of the Act, needs to be clarified. The Bridgecorp example came to the opposite conclusion of another case, *Chubb Insurance Company of Australia Ltd v Moore* (2013), although I understand that case may be subject to appeal, but both highlight the need for directors and officers to have sound knowledge and indeed, clarification around their ability to access insurance funds for defence costs, if required.

A number of insurance policies, including not only directors' and officers' liability, but also public liability, professional indemnity and domestic policies, such as comprehensive motor and home insurance policies, could be affected by the current law's ambiguity. Even though legal moves have been made to protect defendants, it does remain a legally grey area. All these policies are intended to cover those insured against third party claims, including the payment of defence costs and damages, but clarity and certainty around this issue should be welcomed.

The Civil Liability (Third Party Claims Against Insurers) Bill 2017 will enable the third party to bring proceedings directly against the insurer in respect to their claims for damages, compensation or costs against the insured person. It will also enable this to happen without the need to move to enforce a specially created statutory charge. Clause 4 of the bill removes the problematic concept of that charge and the framework that goes along with it, but it still allows the plaintiff to recover moneys directly against the defendant's insurer.

This bill will resolve the complexity and uncertainty associated with the current operation of section 6. The bill will modernise the law governing third party insurance claims and it will ensure that the law adapts to the changes in the insurance market since it was enacted just over 70 years ago. The NSW Law Reform Commission's recommendations, as has been mentioned, have broad support from both the insurance industry, particularly communicated through the Insurance Council of Australia and corporate law firms. Finally, I commend the very competent and capable Attorney General and his office on their work on the bill in addressing what would otherwise be an ongoing situation of ambiguity. I commend the bill to the House.

Mr GUY ZANGARI (Fairfield) (12:32): I make a brief contribution to the Civil Liability (Third Party Claims Against Insurers) Bill. I note that the objective of the bill is to implement recommendations of the NSW Law Reform Commission Report No 143 entitled "Third Party Claims on Insurance Money" and a review of section 6 of the Law Reform (Miscellaneous Provisions) Act 1946. Presently, section 6 allows a plaintiff to recover damages or compensation from a defendant's insurer directly in cases where the defendant is missing or insolvent. The current state of the legislation involved a fair bit of ambiguity to the table.

The amendments before us today, brought forward by the NSW Law Reform Commission report aim to clean up the process and make life a little easier for everyone. The proposed amendments remain consistent with the intent of the principal legislation, however it allows the process to be conducted in a simpler and less convoluted manner. Presently, the provisions rely upon the legal concept of a charge and have been described as opaque and ambiguous. Further, the provision is 70 years old. It has been reported that there is a lack of clarity in its application to some modern insurance policies.

The bill replaces section 6 of the Act with an amendment that enables the third party to bring proceedings directly against the insurer in respect of his or her claim for damages, compensation or costs against the insured person. This is much simpler than proceeding to enforce a specially created statutory charge. The request to the NSW Law Reform Commission was made in February 2016 and the report was provided in November 2016. It is understood that the draft bill the commission provided has been adopted unamended and it is in the bill we have before us today. The bill enacts some minor, make-sense changes to the way damages or compensation may be recovered and will help alleviate some of the murky and convoluted issues with the existing legislation. The proposed amendments appear sensible and they are in line with recommendations handed down by the NSW Law Reform Commission, and as such, I do not oppose the bill.

Mr KEVIN ANDERSON (Tamworth) (12:35): I support the Civil Liability (Third Party Claims Against Insurers) Bill 2017. This bill implements all recommendations made by the NSW Law Reform Commission Report No 143, which reviewed section 6 of the Law Reform Miscellaneous Provisions Act in relation to third party claims on insurance money. Following the release of the report in December last year, key stakeholders in the insurance and legal industries have expressed broad support for the commission's findings and the proposed changes. The Insurance Council of Australia, which represents the general insurance industry in Australia and the National Insurance Brokers Association, which represents around 90 per cent of insurance brokers in Australia and administers the profession's code of practice, have both indicated support for this bill.

The bill will modernise the law governing third party insurance claims and ensure that the law adapts to the changes in the insurance market since it was enacted 70 years ago. The bill will commence on the day of assent. The Insurance Council of Australia has stated that clarifying uncertainty surrounding section 6 is in line with its longstanding position on the need for reform in this area. The National Insurance Brokers Association has also welcomed the commission's recommendations in addressing the concerns among insurers and brokers on legal costs surrounding directors' and officers' liability and insurance.

Clause 10 retains the original primary object of section 6, that is, to prevent collusion between the insurer and the defendant. It provides that any payment the insurer makes to the defendant or any compromise agreed between them in respect of the insured liability, does not discharge the insurer's liability to the plaintiff. This was also reiterated by my colleague in the other House the Hon. David Clarke, in his second reading speech in the other place. This is so unless and to the extent that the defendant pays the money to the plaintiff. Clause 11 makes it clear that any rights conferred by any other legislation are not affected, such as rights conferred under the provisions of the Workers Compensation Act 1987 or the Motor Vehicle (Third Party) Insurance Act 1942. Clause 12 preserves existing proceedings, ensuring that section 6 continues to apply to actions brought under the section before the commencement of the new Act.

Legal corporate law firms with extensive experience in insurance practice and litigation have provided support for the proposed changes. Herbert Smith Freehills supports legislative reform in providing much-needed clarity for all interested parties, in particular, insurers and company directors and officers. King and Wood Mallesons has noted the conceptual difficulties in the existing section 6 and agrees that implementation of the commission's recommendations would address "the inherent uncertainty currently present"—in particular, whether directors and officers are able to access insurance money to fund their defence and whether these funds are to be personally provided. Norton Rose Fulbright sees the bill as benefiting all stakeholders in this area. The firm notes that directors and officers will have "comfort regarding access to insurance moneys to fund a defence", and insurers will have "certainty that their liability is not increased". It noted that, in the absence of conclusive guidance from the High Court, legislative reform was the only way forward.

The bill replaces section 6 of the Law Reform (Miscellaneous Provisions) Act 1946 and replaces it with a new stand-alone Act, the Civil Liability (Third Party Claims Against Insurers) Act. It implements all the recommendations of the NSW Law Reform Commission's Report No. 143 on third party claims against insurance

money. It refers to the commonsense approach that firms are now talking about. The bill retains the original intent of section 6 by ensuring that a plaintiff can access insurance proceeds directly from the insurer in respect of the insured defendant's liability to the plaintiff, and it will not increase the current liability of insurers.

As I have just said, a number of firms in New South Wales see that the clumsy mechanisms of the past are not relevant to the way business is done today or will be done in the future, particularly in relation to directors and stakeholders, and that the bill will ensure that there is some comfort regarding access to insurance moneys to fund a defence. New South Wales firms have agreed that it is a commonsense approach in line with the expectations of the current market. Clauses 5 to 9 in the bill make procedural or technical amendments to update and reform the current provisions, including preserving the leave requirements to make it clear that a plaintiff's failure to seek leave before proceeding against an insurer is not fatal to the plaintiff's claim; clarifying the operation of limitation periods; clarifying the territorial application of the right to claim; and confirming that the insurer can rely on the operation of the insurance contract to reduce its liability to the plaintiff.

I turn now to the benefits of this reform. This Government is continually looking at how to make commonsense reforms. This bill will resolve the complexity and uncertainty associated with the current operation of section 6. As I have said, the bill will modernise the law governing third party insurance claims and ensure that the law adapts to the changes in the insurance market since it was enacted 70 years ago. There is no doubt that business is conducted differently now compared to 70 years ago. It is timely to review this legislation, and I thank the NSW Law Reform Commission for its Report No. 143 and the recommendations made with respect to third party claims against insurance money. The NSW Law Reform Commission's recommendations have broad support from both the insurance industry and corporate law firms. I commend the bill to the House.

Ms MELANIE GIBBONS (Holsworthy) (12:44): The Civil Liability (Third Party Claims Against Insurers) Bill 2017 implements all recommendations made by the NSW Law Reform Commission's Report No. 143, which reviewed section 6 of the Law Reform (Miscellaneous Provisions) Act 1946 in relation to third party claims on insurance money. Following the release of the report in December last year, key stakeholders in the insurance and legal industries have expressed broad support for the commission's findings and the proposed changes. That has come about because of the great work done by people in the Attorney General's office. It is good to know that the Civil Liability (Third Party Claims Against Insurers) Bill 2017 is the result of all that work. The bill retains the intent of section 6 and the Government has ensured that a plaintiff is able to obtain the proceeds quickly from an insurer in relation to the insured defendant's liability to the plaintiff. It will not increase the current liability situation for insurers.

It is good to note that both the Insurance Council of Australia [ICA], which represents the general insurance industry in Australia, and the National Insurance Brokers Association, which represents around 90 per cent of insurance brokers in Australia and administers the profession's code of practice, have indicated support for the bill. The ICA stated that clarifying uncertainty surrounding section 6 is in line with its longstanding position on the need for reform in this area. The National Insurance Brokers Association also has welcomed the commission's recommendations in addressing the concerns among insurers and brokers on legal costs surrounding directors' and officers' liability insurance. Leading corporate law firms with extensive experience in insurance practice and litigation have provided support for the proposed changes.

Herbert Smith Freehills supports legislative reform in "providing much-needed clarity for all interested parties, in particular insurers and company directors and officers". King and Wood Mallesons has noted the conceptual difficulties in the existing section 6 and agrees that implementation of the commission's recommendations would address "the inherent uncertainty currently present"—in particular, whether directors and officers are able to access insurance money to fund their defence and whether those funds are to be personally provided. Norton Rose Fulbright sees the bill as benefiting all stakeholders in this area. The firm notes that directors and officers will have "comfort regarding access to insurance monies to fund a defence", and insurers will have certainty that their liability is not increased. In the absence of conclusive guidance from the High Court, legislative reform is the only way forward. I note that the Hon. David Clarke in the other place stated in his contribution to the second reading debate:

Section 6 was enacted to prevent insured persons forming collusive arrangements with their insurers to avoid paying third party claimants and to prevent insured persons "running away with" insurance money.

That is an important change that clears up a 70-year-long state of confusion. It is important to state that this Government is fixing this concern. People can see the need for these changes and the need to support them. I commend the Attorney General and his staff for all the effort they have put into achieving this outcome. I commend the bill to the House.

Mr CHRIS PATTERSON (Camden) (12:47): I speak to the Civil Liability (Third Party Claims Against Insurers) Bill 2017. I acknowledge the outstanding work of the Attorney General and his staff. They do

a tremendous job. I commend those officers in the Chamber for the wonderful work they do. Two Friday nights ago I had the choice to go to the Sydney FC Sky Blue Ball after a fantastic victory—all my heroes were there—or spend the night in Camden with the Attorney General and 60 lawyers. It was a no-brainer; the Attorney General and the 60 lawyers won. I might have been under some misapprehension because I thought I was in for a very dry evening; surprisingly, it was a very good evening. The Attorney General did an outstanding job—that part did not surprise me—and it was wonderful to have him in my electorate. He has been extremely supportive of my electorate—and not just as Attorney General, although he came to speak to the local law society. Although he is new to the role, the Attorney General was able to speak to the Macarthur Law Society, and that was very much appreciated.

I went to the grand final. I took my family and we loved it. I missed the ball. I might almost say I will be saddened to miss tonight's match between Sydney Football Club and Liverpool Football Club but instead tonight I will attend the cap presentation for my two sons, Matthew of the under-10 Camden Reds and Tom of the under-14 Ones Camden Reds. They are both premiers and I am a very proud father. I will be there tonight to see both boys receive their caps. Tom's cap is for his club's undefeated season. Matthew lost one game in the under-10s but played well in the grand final.

I thank the House for its indulgence. Back to the bill. Previous speakers have canvassed everything from what the Act is meant to do, when the Act was first enacted, and what the bill will mean to third party claims against insurers. They have gone through the content of the bill, especially in regard to clause 4, which is an important clause. Clauses 5 to 9 have been addressed in depth. I could go on and on because this is a good bill. The Attorney General has just joined us. He is a wonderful Attorney General and very supportive of Camden. I thank him for that. I also thank him for walking around the Botanic Gardens with me last week in his capacity as environment Minister. I am proud to be able to say that this is a great bill but for fear of being overly repetitive I will leave it at that. I commend the bill to the House

Mr MARK SPEAKMAN (Cronulla—Attorney General) (12:53): In reply: I thank the members representing the electorates of Liverpool, Myall Lakes, Davidson, Tamworth, Holsworthy, Fairfield and Camden for their contributions to the debate. This bill removes the complexity and uncertainty associated with the current operation of section 6 of the Law Reform (Miscellaneous Provisions) Act 1946. It gives effect to all recommendations from the Law Reform Commission, on which there was extensive consultation and which have broad support. The bill will introduce a new Civil Liability (Third Party Claims Against Insurers) Act, which will modernise the law governing third party insurance claims and ensure that the law adapts to changes in the insurance market since it was enacted 70 years ago. Most importantly, it will protect the existing right of a plaintiff to recover compensation or damages directly from the insurer in respect of the insured defendant's liability to the plaintiff. It will not increase the current liability of insurers. I commend the bill to the House.

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

Motion agreed to.

Third Reading

Mr MARK SPEAKMAN: I move:

That this bill be now read a third time.

Motion agreed to.

Announcements

AUSTRALIA'S BIGGEST MORNING TEA

TEMPORARY SPEAKER (Mr Lee Evans): Before we proceed to the next item of business I congratulate the Speaker of the House on the marvellous Cancer Council morning tea. This is the sixth year in a row that she has hosted it. I congratulate her on the great fundraising we have had.

Bills

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL 2017

UNIVERSITIES LEGISLATION AMENDMENT (PLANNING AGREEMENTS) BILL 2017

Consideration in Detail

Consideration of the Legislative Council's messages.

Mr MARK SPEAKMAN: I move:

That in consideration of the Legislative Council's messages dated 10 and 23 May 2017 in relation to the Statute Law (Miscellaneous Provisions) Bill this House concurs with the division of the bill into two bills, being the Statute Law (Miscellaneous Provisions) Bill and the proposed Universities Legislation Amendment (Planning Agreements) Bill.

Motion agreed to.

Mr MARK SPEAKMAN (Cronulla—Attorney General) (12:58): I move:

That the Legislative Assembly:

- (1) Agrees to the amendments in the Statute Law (Miscellaneous Provisions) Bill,
- (2) Agrees to the proposed Universities Legislation Amendment (Planning Agreements) Bill as consisting of those parts of the original bill indicated in the Legislative Council's messages.

Mr PAUL LYNCH (Liverpool) (12:58): The Opposition expressed some views about the universities part of that legislation last night. We do not propose to divide on it in this place.

Mr MARK SPEAKMAN (Cronulla—Attorney General) (12:59): In reply: I thank the member for Liverpool for his contribution. As part of the ongoing statute law revision program, the bill enables minor policy changes to be made efficiently and redundant legislation to be repealed. It makes a number of minor amendments to 31 Acts and related amendments to two instruments across various portfolios. Overall it ensures that the legislation remains as up to date and effective as possible. I commend the bill to the House.

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

Motion agreed to.

Message sent to the Legislative Council advising it of the resolution.

Community Recognition Statements

CHESTER HILL PUBLIC SCHOOL COMMUNITY HUB

Ms TANIA MIHAILUK (Bankstown) (13:02): I was delighted to attend the recent opening of the Community Hub at the Chester Hill Public School, which was constructed by the Chester Hill Parents and Citizens Association with the support of a \$50,000 grant obtained through the 2015 Community Building Partnership program. The Chester Hill Community Hub will be instrumental in building stronger connections between parents and local service providers, particularly for those parents from a non-English speaking background who find it more difficult to access support services in a welcoming environment. I congratulate the school principal Brent Kunkler, Chester Hill Parents and Citizens Association President Laila Sayed, and Community Hub Leader Lina Mourad on their efforts to ensure that their school has access to such a wonderful facility.

NATIONAL ABORIGINAL AND TORRES STRAIT ISLANDER ART AWARDS FINALIST ANDY SNELGAR

Mr STEPHEN BROMHEAD (Myall Lakes) (13:03): I inform the House that Taree artist Andy Snelgar has been selected as a finalist for the National Aboriginal and Torres Strait Islander Art Awards. It is the second year in a row he has been chosen as a finalist and he is up for the Wandjuk Marika Memorial Three-Dimensional Award. Andy joins 65 other artists, the majority of whom are from South Australia and the Northern Territory, to be nominated across five categories. He is one of only two finalists from New South Wales. The winners of each category will receive \$5,000 with a major prize of \$50,000 going to the work considered by the judges to be the most outstanding.

Andy is a Ngemba carver and has been doing that for the past 25 years. His work involves creating hardwood and softwood carvings of shields, boomerangs and clubs. Andy prides himself on creating the works with as much detail as possible. He is currently showcasing Barraba Marray Nyaanyila, My Spirit Saw, with fellow local artist Mandy Davis at the Manning Regional Art Gallery in Taree. In addition to his art, Andy runs community workshops, is a dancer and key performer in the Gunni Thakun Cultural Group of New South Wales, as well as a member of staff at Chatham High School.

FAIRFIELD HIGH SCHOOL REFUGEE EXPO

Mr GUY ZANGARI (Fairfield) (13:04): On Friday 19 May 2017 Fairfield High School hosted the inaugural Refugee Expo. The Refugee Expo was an opportunity to showcase the talents of refugee students but also to provide the parent body with the opportunity to meet with stakeholder organisations in Fairfield. The official program was held in the school auditorium, with the adjoining gymnasium holding artwork displays and stalls from service providers. The Fairfield Intensive English Centre currently assists 370 students from refugee backgrounds. Congratulations to principal Mr Charles Borg, community engagement officer Ms Deborah Elliott Edwards, teachers and students for hosting the day full of song, dance, music, stories and information.

Special thanks to Refugee Legal Aid, Community First Step, CORE Community Services, Service for the Treatment and Rehabilitation of Torture and Trauma Survivors [STARTTS], Navitas Fairfield, police and State Emergency Services and other wonderful organisations for contributing to the event. This great event displayed the amazing cultural diversity we have throughout Fairfield and promoted the importance of having an inclusive and harmonious community.

MANLY CHAMBER OF COMMERCE

Mr JAMES GRIFFIN (Manly) (13:05): I congratulate the Manly Chamber of Commerce on winning the best chamber of commerce award at the 2017 North Eastern Sydney Regional Business Chamber Awards. The chamber is a pillar of the Manly community. It encourages businesses in Manly to work together in order not only to foster business and market growth but also to support sustainable business. The chamber has a strong working partnership with government and supports many community organisations.

The executive committee of Jonathan Allara, Andrew Condell, Christina Franz, Andy Wayne, Drew Johnson, James Ferguson, Tracey Mietzke, Daniel Robertson, Mark Stanley, Sarah Turner and Regan Vanderwert-Walsh and team of Chantelle Hoare and Monique Eggeling should be proud of what they have achieved. The Manly Chamber of Commerce is in the final stages of creating its destination management plan. As we continue through this era of uncertainty and disruption for retailers, there are two approaches: first, to do nothing and, secondly, to plan and embrace the change. I commend the Manly Chamber of Commerce for its planning and vision and I look forward to supporting it as its local member.

NSW SENIORS LOCAL ACHIEVEMENT AWARDS

Ms SONIA HORNERY (Wallsend) (13:06): This March I was delighted to present 2017 NSW Seniors Local Achievement Awards to a number of outstanding local seniors and seniors groups. The 2017 NSW Seniors Local Achievement Awards celebrate seniors' achievements in a range of categories including business, environment, science, agriculture, health and wellbeing, learning and community service. The winners who received the awards have contributed so much to our community, from assisting refugees to settle into our community to contributing more than 60 years of service to a local swimming club. On behalf of our community, I send a huge thank you to all the award winners: Mrs Alma Parkes, Mrs Laurel Leddy, Mrs Denise Collins, the Hunter Region Vietnam Veterans Incorporated, The Leopard Ladies, the Beresfield Senior Citizens Club and Zara's House for Refugee Women.

OATLEY ELECTORATE BIGGEST MORNING TEA

Mr MARK COURE (Oatley) (13:07): I thank all those in my community who attended the Biggest Morning Tea that I hosted on Friday 19 May. The morning tea was held at Club Rivers in Riverwood, and more than \$2,500 was raised for the Cancer Council NSW. We enjoyed homemade cupcakes and fresh sandwiches, all in the name of raising funds to find a cure for cancer. My thanks to Sue and Geoff from Mortdale Wholesalers for donating a beautiful winter gift pack that we raffled at the morning tea. Cancer knows no boundaries, and across my electorate and New South Wales many individuals and families are dealing with a cancer diagnosis.

New South Wales is leading the way in survival rates but we must continue to campaign to ensure people reduce their risk of cancer where possible, understand the importance of early detection and treatment, and continue to support scientific research into preventing and curing cancer. The most common cancers in New South Wales are prostate, bowel, breast, melanoma and lung cancer. My thanks to the Cancer Council NSW for leading the charge against cancer and my sincere thanks to everyone who made a donation to the Biggest Morning Tea.

CAMPBELLTOWN PRESBYTERIAN CHURCH 175TH ANNIVERSARY

Mr GREG WARREN (Campbelltown) (13:08): I acknowledge the celebration of the 175th anniversary of the Presbyterian Church in Campbelltown. Built in Lithgow Street in 1882, the Campbelltown Presbyterian Church aims to develop faithful and devoted followers of Jesus and to provide a loving and welcoming environment to reach the wider community with the gospel. The church seeks to grow and inspire the local community in five ways: worshipping, evangelising, learning, loving and leading. The church is symbolic of the city of Campbelltown due to its heritage, historic, architectural, aesthetic and group significance. The church was heritage-listed in 2002 for being an early church building in an early revivalist style known by architects. The church, led by local community members, elders and Pastor Jim Elliot, offers community services including a childcare centre, out-of-school-hours care and an op shop for local residents. I celebrate 175 years of the Campbelltown Presbyterian Church and congratulate all members of the church on their community efforts and involvement.

TAEKWONDO BLACK BELT HUGH DE LA TORRE-GREENE

Ms MELANIE GIBBONS (Holsworthy) (13:09): Today I congratulate Hugh De La Torre-Greene, a 10-year-old from Prestons, on earning a black belt in taekwondo. Hugh trains tirelessly six days a week with the Australian Taekwondo Group and practises at home with his father and his uncle. At his group he is considered a taekwondo prodigy. As well as training with the group, Hugh takes on adult black belt classes and advanced sports tournament classes. After he was bullied in year 2, he took up the sport as a way to develop his self-confidence and self-defence. Hugh's dream is to become a master in taekwondo when he is older. I hope to see him achieve this status in future. He constantly shows extraordinary commitment and dedication to the sport. Hugh has become a junior instructor to give back to the community and is now a role model for other children at his school. Hugh's hard work has been recognised outside his school as he is a nominee for the Junior Sports Star individual category run by NewsLocal. Hugh has shown a lot of determination and dedication to taekwondo. I encourage him to keep it up in the future and I hope to see him succeed.

COMMUNITY SERVICE AWARD RECIPIENT ANNE LOVE

Mr DAVID MEHAN (The Entrance) (13:10): Anne Love is a resident of the Orchards Retirement Village at Lisarow. She is well known in our local community for her dedication to social justice and most recently for a campaign for greater accessibility and pedestrian safety at Lisarow station. Ms Love single-handedly collected more than 1,000 signatures and ran a letter-writing campaign after seeing firsthand some of the issues surrounding disability access on our public transport system. I originally met Ms Love when she copied me in on an email she sent to the Minister for Corrections as she fought hard for facilities to be improved for visitors to the Long Bay Correctional Centre. Her continued work resulted in those facilities being upgraded. Anne is a strong advocate for social justice and has been an asset in moulding younger people into productive citizens of this State. It was a great honour to present Ms Love with a New South Wales Government Community Service Award in recognition and appreciation of her outstanding contribution to the community.

SEVEN HILLS ATHLETE PATRICK SPENCE

Mr MARK TAYLOR (Seven Hills) (13:11): This afternoon I congratulate a fantastic athlete in my electorate of Seven Hills. Last year Patrick Spence of Northmead represented our State in not one, not two but three different sports. While a student at the Northmead Public School, Patrick represented New South Wales in rugby league, Australian rules football and athletics. This is a tremendous achievement that is worthy of our praise. Despite all his success, Patrick is an incredibly humble young man. Last week I was fortunate enough in my electorate office to present him with a framed certificate signed by Premier Gladys Berejiklian. In doing so I was able to meet Patrick's equally dedicated parents, Scott and Samantha, who have every reason to be proud of Patrick—and it is clear that they are. I am sure the House will join me in thanking all those tireless teachers at the school who make our public school sports representative program the best in the country. I wish Patrick all the best in his sporting endeavours at Oakhill College. Congratulations, Patrick.

BOISHAKHI MELA FESTIVAL

Mr JIHAD DIB (Lakemba) (13:12): On 13 May I had the pleasure of attending the twenty-fifth Bengali New Year Boishakhi Mela Festival. The event not only celebrated the New Year but also celebrates the rich and vibrant culture that our Bengali community brings to this country. With an array of food stalls, clothing and jewellery, rides, entertainment—singers, dancers and spectacular performances—and fireworks, it was an event not to be missed. I especially thank Sheikh Huque, president of the Bangabandhu Council of Australia, and all those who contributed to the success of this event. I also extend my thanks to the Bengali and Bangladeshi community of Australia, who contribute towards the greater good of our people. Their deep and rich heritage adds value to the core of this country we all call home. There was no shortage of laughs, smiles and fun, as many of my parliamentary colleagues—including some from the other side—enjoyed this event along with more than 25,000 people. I wish all those who celebrated Boishakhi Mela a prosperous and happy New Year: Shuvo Nabobarsho!

RSL NEW SOUTH WALES PRESIDENT

Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (13:13): I speak on behalf of all members of this House in congratulating James Brown on his election as State President of the RSL New South Wales. James is a decorated young veteran serving as an Armoured Corps captain in Afghanistan and Iraq. He is the research director of the United States Studies Centre at the University of Sydney. Between 2010 and 2014 James was the military fellow at the Lowy Institute for International Policy. In 2015 he was appointed an adjunct associate professor at the University of Sydney. It is fantastic to see a contemporary veteran take up such an important leadership role at the NSW RSL at this time of important reform. There are many issues that I am sure the new president will tackle

in his tenure. These include but are not limited to veterans' employment, veterans' welfare and veterans dealing with post-traumatic stress disorder. I am delighted at his election yesterday in Albury at the annual general meeting of the RSL, and I wish him well for a long tenure.

PINK SOCKS BOWLS DAY

Ms JODIE HARRISON (Charlestown) (13:14): Earlier this month, the Charlestown electorate office staff and I teamed up for the Pink Socks Bowls Day at Kahibah Sports Club to raise money for and to support the Hunter Breast Cancer Foundation. The Hunter Breast Cancer Foundation is a Hunter-based and founded non-profit organisation, which raises much-needed funds to provide information and support for women and men diagnosed with or being treated for breast cancer in the Hunter. The foundation is unique as all the money raised is used to support families in the Hunter. My office and I bowled against the superior Charlestown Bowling Club team, who were patient and kind enough to teach us the tricks of the trade. I thank the Kahibah Sports Club, and in particular Dominique Sheehan and Graham Smith, for organising and running this successful, rewarding and fun day.

FERRAGOSTO STREET FAIR

Mr JOHN SIDOTI (Drummoyne) (13:15): The third Sunday in August—20 August this year—marks the twentieth anniversary of the Ferragosto street fair in my electorate. It celebrates all good things Italian and Australian. I pay tribute to those pioneers on council 20 years ago, in particular councillor Tony Fasanella and councillor Michael Megna, and the Five Dock Chamber of Commerce. This wonderful project was their brainchild. I thank the City of Canada Bay Council for its staunch backing and for recognising this great event. Today the event draws in excess of 70,000 people to Great North Road, Five Dock. I encourage everyone to get behind this event and enjoy the great sense of multiculturalism in this State.

PORT STEPHENS ELECTORATE EVENTS

Ms KATE WASHINGTON (Port Stephens) (13:16): Port Stephens was full of festivals this weekend. On Saturday, people flocked to the Step Back into King Street Heritage Festival in Raymond Terrace. Raymond Terrace Scouts, Raymond Terrace Senior Citizens, Raymond Terrace and Districts Historical Society, Port Stephens Community Choir, Karuah Local History Group, Raymond Terrace Rotary, Raymond Terrace Lions, Raymond Terrace Men's Shed, Irrawang High School Drum Corps and Raymond Terrace Public School all contributed to a memorable day. Thank you to Kaye Newton, Peter Robinson, Adam Nicholas and Liz Stephens for making history come alive in Raymond Terrace.

On Sunday the Tilligerry Auto Club hosted the Tilligerry Motorama on the grounds of the Tilligerry RSL Club. More than 4,000 people were amazed by the 400 cars and motorbikes and 40 festival stalls. The Tilligerry Lions Club was out in force, manning a mean sausage sizzle for the masses. Thank you to the Tilligerry Auto Club and President Ian Jones, who raised more than \$11,000 on the day for the Paediatric Oncology Unit of the John Hunter Children's Hospital. Over the years, the club has raised more than \$100,000 for local organisations. May the festivities continue.

GRAFTON TO INVERELL CYCLING CLASSIC

Mr ADAM MARSHALL (Northern Tablelands—Minister for Tourism and Major Events, and Assistant Minister for Skills) (13:17): I recognise two outstanding young cyclists in the Northern Tablelands who did incredibly well in the recent 2017 Grafton to Inverell Cycling Classic. The 241-kilometre event is the toughest and most gruelling one-day cycling classic anywhere in Australia. I acknowledge Holly Harris from Armidale who, in her first attempt at competing in this event, finished second in the women's race. This is the first year that women have been allowed to race the full 241 kilometres. I also acknowledge Callum Dolby from Inverell who, also competing for the first time in this race, took out the C division category in a very impressive time. Callum is a late convert to cycling, having been a triathlete most of his life. Holly is currently in the Czech Republic competing in the mountain-biking world championships, in which I expect her to be just as successful. Congratulations to Holly and Callum, and good luck for future events.

MULTICULTURAL WATER SAFETY ROUNDTABLE

Ms SOPHIE COTSIS (Canterbury) (13:18): Last night at Parliament House, the shadow Minister for Emergency Services, Guy Zangari, and I hosted a multicultural water safety roundtable with key stakeholders from the Nepalese and subcontinent communities—Cultural Perspectives, the Ethnic Communities Council, Settlement Services International, Turbans for Australia, Chinese Australia Forum, Swim Sisters and the Lebanese Muslim Association—to establish a multicultural water safety strategy. New South Wales Labor announced a comprehensive plan and is calling on Minister Troy Grant to ensure that funding reaches these communities because over summer we had a spate of drownings involving members of the multicultural community. Our plan

is to ensure that multicultural communities are represented on the Water Safety NSW committee, and that urgent meetings are undertaken with community leaders, the Government, councils and the Royal Life Saving Society to ensure that funding is targeted to these groups.

PUBLIC EDUCATION FOUNDATION AWARDS

Mr JONATHAN O'DEA (Davidson) (13:19): The Public Education Foundation, a not-for-profit charity established in 2008, helps students reach their full potential by awarding scholarships and countering barriers created by social and economic disadvantage. On 17 May the foundation held its awards night. From the electorate of Davidson, Damian Nakla from St Ives High School was presented with an award for Higher School Certificate [HSC] First in Course in mathematics. Clare Faulkner, who lives in East Lindfield, was honoured for achieving an HSC First in Course in Personal Development, Health and Physical Education. Both are exceptional students, with plans to study medicine at university. I congratulate the Public Education Foundation on its efforts, as well as Damian Nakla and Clare Faulkner on their wonderful achievements. I wish them both well for the future and acknowledge that the Parliamentary Secretary for Education was present on the evening.

NATIONAL RECONCILIATION WEEK

Ms JO HAYLEN (Summer Hill) (13:20): National Reconciliation Week is an opportunity for Australians to stop and reflect on the unfinished business of reconciliation with Indigenous Australians. As a nation we must acknowledge the actions of the past that have brought so much pain to Indigenous Australians and we must recognise the ongoing disadvantage that they face. Tomorrow marks the twentieth anniversary of the Bringing them Home report, which revealed the horrors faced by the stolen generations. While we have come a long way since the report was tabled, we have so much more work to do.

I note that 300 Indigenous leaders from across Australia are meeting at Uluru this week to discuss the best terms for a constitutional amendment to recognise Indigenous Australians. I add my voice to the millions of Australians who have spoken up in firm support of recognising Aboriginal Australians in our Constitution and I wish all those at the first national convention all the best. I also congratulate all those celebrating National Reconciliation Week through local events and, specifically in my electorate, the vital work of organisations such as the Aboriginal Women's Legal Centre; the Aboriginal Child, Family and Community Care State Secretariat (New South Wales), Innari Housing Inc., the Marrickville Legal Centre, ANTaR Inner West and the Aboriginal Corporation for Homeless and Rehabilitation Community Services.

NATIONAL VOLUNTEER WEEK

Mr RAY WILLIAMS (Castle Hill—Minister for Multiculturalism, and Minister for Disability Services) (13:22): As part of National Volunteer Week I visited the Springwood Neighbourhood Centre in the Blue Mountains on Friday 12 May where I had the opportunity to acknowledge volunteers and speak with Blue Mountains time banking volunteers. Time banking is an online system where members can exchange volunteer services that the local community needs. By donating their time, members then earn credits, which can be used to receive support from another volunteer. The Springwood Neighbourhood Centre adopted the time banking program in June 2014 and has since grown to be one of the most outstanding examples in New South Wales. As at the end of April 2017, 274 members participating in Timebanking Blue Mountains exchanged 5,500 hours of community support.

The enhancement and growth of time banking is a major initiative of the NSW Volunteering Strategy 2016-2020. Seventy-two active time banking communities provide volunteer support for the people of New South Wales, making New South Wales the largest time banking system in the world. Since its launch in New South Wales in November 2012, more than 29,000 hours of support have been exchanged. Thank you Toni Quigley, manager, Springwood Neighbourhood Centre, for the generous hospitality and all the wonderful work done organising time banking in the Blue Mountains.

RUSSIAN-CHINESE SENIORS GROUP

Mr NICK LALICH (Cabramatta) (13:23): Last weekend I had the privilege of attending the Russian Orthodox Easter celebrations organised by my good friend Ms Ada Ge and the Russian-Chinese seniors group. The Russian-Chinese seniors have been active in recent years with regular meetings for their members and activities such as ballroom dancing to stave off social isolation and lack of exercise. The Easter celebration was entertaining with traditional cultural dancers adding to the festive mood. It is wonderful to see traditional cultures in Australia that can be shared and continued by younger generations. I thank Ms Ada Ge and the Russian-Chinese seniors group for the invitation to attend.

CYCLIST HUGH GRAY

Mr ADAM CROUCH (Terrigal) (13:23): I congratulate Hugh Gray from Empire Bay who recently returned from the World Masters Games in New Zealand with four bronze medals for cycling. Twenty years ago his brother introduced him to the Masters Games held at Homebush. Mr Gray said he was hooked from his first race, he loved competing and he loved the speed. Mr Gray secured his first bronze at this year's games in the criterium on the road and secured his other three on the track in the individual pursuit, points race and sprint events. As a member of the Central Coast Cycling Club he claims not to ride for fitness but for training for the games where he will compete against world-class cyclists, former Olympians and Commonwealth Games athletes. Mr Gray has no plans to slow down; he is proud to represent his club and his country and has already begun his preparations for the World Masters Track Cycling Championships being held in Los Angeles in October this year. Good luck, Hugh Gray.

COMMUNITY LEGAL CENTRES NSW

Ms JENNY LEONG (Newtown) (13:24): I draw the attention of members to the important work of Community Legal Centres [CLC] NSW which has moved into the electorate of Newtown. I was pleased to join it at its recent office opening in Surry Hills. Community Legal Centres NSW is the peak body for community legal centres and represents 37 centres across the State. Last year these centres provided legal assistance to 55,460 people in New South Wales and advice to many more.

We are lucky to have many centres in the electorate of Newtown, including the Australian Centre for Disability Law; the Court Support Scheme; the Financial Rights Legal Centre New South Wales; the HIV/AIDS Legal Centre New South Wales; the Intellectual Disability Rights Service; the Criminal Justice Support Network; the Greater Sydney Aboriginal Tenants Service; the Redfern Legal Centre; the Refugee Advice and Casework Service; the Tenants' Union of New South Wales; the Aged-care Rights Service; the Older Persons Legal Service; the Welfare Rights Centre New South Wales; the Marrickville Legal Centre; and the Aboriginal Women's Legal Service, which is just on the border. Congratulations go to CLC executive director Polly Porteous, chair Linda Tucker and the board and staff on their recent successful campaign to reverse the damaging cuts to Federal funding for community legal centres.

PARRAMATTA LIONS CLUB CENTENNIAL DINNER

Dr GEOFF LEE (Parramatta) (13:25): Recently I attended the Parramatta Lions Club Centennial Dinner. Lions throughout the State, and in particular in Parramatta, are a fantastic and dedicated volunteer group who make a big difference to our community and have been doing so for the past 100 years. They are dedicated to making our community a better place in which to live, work and grow. They are often seen at major events helping out community organisations. They are famous for their barbecues at Bunnings and major events where everybody is a volunteer. They fund much-needed community projects, both financially and through volunteering. I recognise the Parramatta Lions Club past and newly elected committee members, including the president, Lion Shabeen Wahid. I acknowledge the outgoing president, Lion Leeanne Hurren. I also thank Lion Jon Copson, who worked hard to ensure the success of the centennial dinner. I thank them for their commitment and I wish them all the best.

CAMPBELLTOWN COLLEGIANS ATHLETICS CLUB

Mr GREG WARREN (Campbelltown) (13:27): Congratulations to the Campbelltown Collegians Athletics Club on its efforts and record-breaking achievements at recent zone, region and State carnivals. Last week I had the privilege of attending the club's awards ceremony and meeting many of the talented athletes, committee members, volunteers and parents involved in the club. I congratulate the State relay team on achieving six gold, one silver and three bronze medals in the November championships. At the zone championships last December the club won 112 gold, 112 silver and 106 bronze medals. An impressive 27 zone records were also broken at this meeting. The region championships held in February resulted in the club bringing home 58 gold, 55 silver and 51 bronze medals. In March, 78 of the club's athletes competed at the State championships and demonstrated their outstanding sportsmanship, hard work and perseverance by winning seven gold, three silver and nine bronze medals. Several athletes also competed in the State Multi-Event Championships and the Trans-Tasman Challenge. Congratulations to all.

TRIBUTE TO BILL POPPLE

Mr GARETH WARD (Kiama) (13:28): It gives me great pleasure to acknowledge the outstanding contribution of Mr Bill Popple. Mr Popple has served as the honorary secretary of the Gerringong RSL Sub-Branch for many years and recently retired from this position. Bill was instrumental in organising the Centenary of Anzac events with the Gerringong RSL, along with the annual Anzac Day commemorative services. Bill also serves on the Gerringong South Precinct Committee and has done so for many years. He is a well-known

and respected member of the local Gerringong community. I thank him for his distinguished service and contribution to our local community in every aspect in which he has served. I also acknowledge Glenn Kolomeitz, John Kaehler, Garry Hingle and Michael O'Leary, who are doing an outstanding job on the Gerringong RSL Sub-Branch board. Congratulations, Bill. Thank you for your ongoing commitment to our community. We are proud to call you a great son of Gerringong.

ALBURY WODONGA THEATRE COMPANY

Mr GREG APLIN (Albury) (13:29): I congratulate the producers, directors, cast, crew and sponsors of the Albury Wodonga Theatre Company production of the musical *Wicked*, which was performed in Albury from 17 to 21 May 2017. This esteemed theatre company traces its origins back 50 years to 2 April 1967. With this show, the capabilities of the Albury Wodonga Theatre Company have soared to a new pinnacle of achievement. At every level, there is clear evidence of growth in vision and dramatic ambition, from the outstanding leads to the musically dynamic orchestra, the talented ensemble and the sophisticated wizardry of the technical team. I wish the Albury Wodonga Theatre Company every success in the future, as it defies gravity and brings to life those rock and roll dreams later this year.

LOWER CLARENCE RELAY FOR LIFE

Mr CHRISTOPHER GULAPTIS (Clarence) (13:30): I offer my congratulations to the organisers and participants of the Lower Clarence Relay for Life, who are raising awareness of cancer within our communities. As well as recognising cancer survivors and their carers, they have raised much-needed funding to support cancer programs and services within the Clarence Valley. This year's event raised in excess of \$71,000, which is an incredible amount for one of our smaller communities. Joel Ashby was the highest individual fundraiser, raising a staggering \$17,000. Joel was a part of Team McAuley Catholic College, who were the highest fundraising group with \$19,000.

I congratulate the committee chairperson Lorraine Breust and committee members Gayle Doe, Neil Drummond, Crystal Ellis, Jen McKay, Cathie Tees, David Tees, Stewart Hase, Rhonda Kase, Gaewen Dickenson, Debbie Newton, Jane Bysher, Alana Alexander, John Ludewig, Barry Bartley, Wendy Smith and Abby Wallace from the Cancer Council NSW. It was a wonderful day and the committee and participants did a wonderful thing for every person who is impacted by cancer.

CAN ASSIST

Ms KATRINA HODGKINSON (Cootamundra) (13:31): I recognise the valuable contribution of Can Assist throughout regional New South Wales, in particular, the 11 local branches in my electorate: Ardlethan, Cootamundra, Grenfell, Gundagai, Harden-Murrumburrah, Junee, Narrandera, Temora, Ungarie, West Wyalong and Young-Boorowa. The work of the local Can Assist volunteers to support country families affected by cancer is simply amazing. Most people have been touched in some way by cancer, through having lost a loved one, knowing someone going through treatment, or supporting someone who has had a scare. I thank local volunteers for their ongoing efforts and encourage others to give serious consideration to contacting a local branch to inquire how they can support the important work of Can Assist in country New South Wales.

STATE ATHLETICS REPRESENTATIVE CHELSEA EGGINTON

Ms JODIE HARRISON (Charlestown) (13:32): I was proud to present Redhead athlete Chelsea Egginton with two New South Wales Government State Representative Awards. At the 2015 and 2016 Australian Junior Athletics Championships, Chelsea represented New South Wales in high jump, long jump, triple jump and javelin. In February 2015 Chelsea jumped a huge 1.76 metres to win the New South Wales junior title, ranking her first in the world for her age group and just five centimetres off the all-time record. Chelsea ended 2015 just one centimetre off the best height for her age group in the world. This is despite a serious hip injury that prevented her from competing in the second half of the year. I wish Chelsea all the best in her ambition to qualify and represent Australia in the women's high jump at the 2018 Commonwealth Games. I have no doubt we will continue to see Chelsea achieve great things in her future athletics career. Congratulations Chelsea.

STATE TRACK AND FIELD REPRESENTATIVE VANESSA APEL

Mr MARK TAYLOR (Seven Hills) (13:33): I congratulate a fantastic athlete in my electorate of Seven Hills. Vanessa Apel of Winston Hills represented our State at the National Track and Field Championships held in November last year. Vanessa represented Matthew Pearce Public School and New South Wales in the high jump, winning bronze with a jump of 1.38 metres. This is a tremendous achievement that is worthy of praise in this House. Despite this great success, Vanessa remains as focused as ever. Last week in my electorate office, I was fortunate to present her with framed certificates signed by the Premier. I also met Vanessa's equally dedicated parents, Jason and Suzanne, who have every reason to be proud of Vanessa, and it was very clear that

they are. I am sure the House will join me in thanking all of the tireless teachers who make our public school sports representative program the best in the country. I wish Vanessa all the best with her sporting endeavours as she continues to represent the Matthew Pearce Public School.

INNER WEST PORTUGUESE AUSTRALIAN COMMUNITY

Ms JO HAYLEN (Summer Hill) (13:34): Petersham, in Sydney's inner west, is home to the largest community of Portuguese Australians. This fact is recognised by the wonderful Bairro Portuguese, organised by the Inner West Council each year, as well as the establishment of Portuguese restaurants and community groups across the inner west. These include the Sydney Portugal Community Club in Fraser Park and the Madeira Club in Marrickville. Recently I met with the Consul General of Portugal, Paulo Miguel Guedes Domingues; Miguel Vairinhos, President of the Sydney Portugal Community Club; and Jo Gois, President of the Madeira Club. I was treated to Portuguese coffee and a tour of the wonderful facilities run by the Portuguese Community Club. The club is going from strength to strength, as was shown by the huge turnout at its Portuguese Food Fair, held last weekend, which showcases cuisine from across Portugal. I acknowledge the important work of the club and of Portuguese leaders in Sydney. I offer my sincere thanks to Portuguese Australians for all their contributions to our communities and culture. I wish them the best for their national day celebrations on Saturday 10 June 2017.

QUEEN'S GUIDE AWARD RECIPIENT DULMA RANATUNGA

Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (13:35): The Baulkham Hills Girl Guides are an important part of the Baulkham Hills community. I was honoured to attend the Queen's Guide Award presentation to Dulma Ranatunga. Dulma has excelled in the core requirements of the Queen's Guide Award, which include self-improvement, community service and education. Most importantly, Dulma's ascension to the ranks of Queen's Guide was only possible after her peers assessed her worthy of the award. That is a clear demonstration of the esteem in which Dulma is held within her patrol. My congratulations also go to her parents, Kapila and Semini, and patrol leader Gaye Wilson on providing Dulma with support to earn this coveted award.

KATOOMBA HIGH SCHOOL ACTIVE VOLUNTEERING PILOT PROGRAM

Mr RAY WILLIAMS (Castle Hill—Minister for Multiculturalism, and Minister for Disability Services) (13:35): On Friday 12 May I attended the Katoomba High School where I met with student volunteers who are working with local Aboriginal people to rehabilitate an Aboriginal cultural site located on school grounds. The Katoomba High School has been commissioned to conduct a pilot program that will provide 25 students with a certificate 1 in Active Volunteering. The Department of Family and Community Services is providing \$25,000 to support the pilot. As part of this program, Katoomba High is enabling students to develop environmental management and conservation skills while building positive social connections. This training program recognises the skills developed by students through volunteering and provides them with a qualification that can help them get a job or enter university.

I had the pleasure of being shown around Birriban, once an overgrown plot of land adjoining the school. In a couple of years, students, local Aboriginal elders, staff and volunteers have cleared the site, removed rubbish and weeds, and restored native bush. With help from the Blue Mountains Council, the land is now used as the school's own Aboriginal space where students learn Indigenous practices, how to care for country and how to walk gently on the earth. I was struck by the passion and sense of self-respect shown by all students, which is testament to the leadership shown by staff, in particular Principal Jennifer Boyall. I congratulate Katoomba High, Gary the Indigenous leader, and all students involved in the program.

LIFELINE CENTRAL COAST STEEL MAGNOLIA AWARD RECIPIENT WENDY MALONYAY

Mr ADAM CROUCH (Terrigal) (13:36): Lifeline's Central Coast Steel Magnolia Awards are in recognition of women who have overcome, lifted themselves up and then helped others. This year's winner, Mrs Wendy Malonyay of Avoca Beach, is a very fitting recipient who dedicates her time to supporting homicide victims. After the death of her husband, Wendy raised two children on her own. In 2013 her daughter, Kate, was murdered in Sydney by an ex-boyfriend. Mrs Malonyay now works with the Homicide Victims Support Group and is fundraising to build Grace's Place, a world-first trauma recovery centre for children and young people affected by the homicide of a loved one.

Mrs Malonyay also speaks to trainee police officers and detectives on the impact of homicide from a family member's perspective. Her story was featured in the 2016 ABC *Four Corners* documentary *Hitting Home*. Mrs Malonyay described her experiences as "horrific", but said she had now found direction and purpose from the events. She said, "To turn around what was so evil and help others going through the same thing, it's just something I had to do to help myself get through it. I didn't set out to do something like this. I'm just doing it out

of love of my daughter." Mrs Malonyay was selected from six other finalists. I congratulate her on her award from Lifeline.

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 our friends and guests from the Solomon Islands. I hope they have enjoyed the day and the Biggest Morning Tea held at Parliament House today. I welcome Robyn Young and Fay Byrne, guests of the Minister for Health, and Minister for Medical Research, and member for Wakehurst. I thank the Minister for attending the morning tea and for speaking so well, so wisely, and so inspirationally. I also welcome the Hon. Peter Anderson, the former member for Nepean. Staff and directors of Bendigo Bank Wyong are also in the gallery. I welcome them and hope they enjoyed their lunch. They are guests of the member for Wyong.

Announcements

AUSTRALIA'S BIGGEST MORNING TEA

The SPEAKER: My aim at the Australia's Biggest Morning Tea event held this morning was to raise \$1,500 to add to the \$10,000 that has been raised over the past five years. In fact, we raised \$1,800, which is wonderful. I thank those who attended and the staff for their efforts. It was fantastic. [*During the giving of notices of motion*]

Notices

PRESENTATION

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

Question Time

NORTHERN RIVERS FLOOD ASSISTANCE

Mr LUKE FOLEY (Auburn) (14:25): My question is directed to the Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business. Will the Government act on the call of the Tweed Shire Council and waive payroll tax for flood-affected North Coast businesses for the next 12 months?

Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (14:25): I thank the member for the question because it allows me to give an update to the House on the support we have given to the communities of the Northern Rivers following the devastating floods that impacted that community. We have worked through the tough period of commencing the clean-up. Both local members, the member for Tweed and the member for Lismore, have been making a real effort to support those communities. With the Minister for Emergency Services working with his Federal counterpart, the Government was able to respond in a way that we have never seen before.

Unlike what happened with the cyclones in Queensland, where the support for those communities took a lot longer because they were not prepared, due to the work of the Minister for Emergency Services, the commitment by the Premier and myself and the local members, and the effort that we put in place to support those communities, here in New South Wales we made sure that we could get those Northern Rivers communities back up and running as soon as possible. The devastation of the floods means those communities will recover over the months and years ahead, but what is absolutely clear on this side of the House is that the Liberal-Nationals Government, with the leadership of the Premier and the work of the Minister and the local members, is here to support those communities. The Prime Minister and the Premier, along with the Minister for Emergency Services, turned up when they were needed to help that community get through the really tough flood period.

The Premier said we will continue to make sure we support that community, and we have done so. I have been up there talking to small and larger businesses about the support. Because of the work of the Minister for Emergency Services in being able to trigger the additional support, especially for small businesses, we have made the commitment to provide small business grants to get them back up and running. We have said that we will continue to work with those communities. The Government has announced a promotion and marketing fund to reactivate the business community, and that is the difference in what we do and what the Opposition does. We do not play politics. It takes bipartisan support to make sure that those communities feel that everybody in this House, from those opposite to those in government, is here to support those communities. They do not want us to play politics on this.

Here we have the Leader of the Opposition wanting to play politics. There are people in that community today who still do not know about their future. There are businesses there today who have invested a lifetime of their savings in their businesses and do not know about their future. The Leader of the Opposition comes to this House and now wants to play politics on an issue and bring greater uncertainty and anxiety to many businesses. That is all those opposite are good for: playing politics when people are down. Those opposite are the ones who come and stomp on your neck when you are down.

Ms Kate Washington: Point of order: My point of order relates to Standing Order 129. The question was specifically in relation to payroll tax and I ask that the Minister mention payroll tax.

The SPEAKER: The question was specific, but the Minister is entitled to be a little more general in response. There is no point of order because the Minister is being generally relevant to the question.

Mr JOHN BARILARO: The support that we put in place will allow the local members in time to announce some other support that I have signed off on. But I will not be lectured by those opposite. They come to this House playing politics. One thing is guaranteed for the people of the Northern Rivers: in times of crisis, they can back the Liberal-Nationals Government to turn up. We will support the people of the Northern Rivers, unlike those opposite, who will use the concerns of those people as a political football. That is exactly what those opposite are doing now. At a time when we need bipartisanship, those opposite bring greater anxiety to those communities. If I was in the trenches and those guys sitting on the Opposition benches were behind me, I would feel very uncomfortable.

Mr Stephen Kamper: We are trying to help you.

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

Mr JOHN BARILARO: I would feel especially uncomfortable if the Leader of the Opposition was behind me. When it comes to payroll tax, support and making sure that those communities can get back up and running, members on the Government side of the House are committed to working with businesses. When I visited the area I met with people from a couple of local businesses. Supports had been put in place and the Government had made an announcement in relation to category C. In one instance a young lady had a local lighting shop. She said, "Last week I thought I was not going to open my business, but given the announcement today I am feeling confident." She went on to clean her premises and she was confident enough to start her business up again. There is only one side of Parliament that supports small businesses in this State—the Liberals and the Nationals, under the leadership of the Premier and through the work of the Minister for Police, and Minister for Emergency Services, and me as Deputy Premier.

LINDT CAFE SIEGE

Mr GREG APLIN (Albury) (14:30): My question is directed to the Premier. What is the New South Wales Government's response to the findings of the inquest into the deaths arising from the Lindt Cafe siege?

Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:30): I thank the member for Albury for his question and acknowledge the interest all members in this place have in this response. Tori Johnson and Katrina Dawson were much loved and widely respected members of our community when their lives were stolen from them in an act of terror on 15 and 16 December 2014. Two innocent people lost their lives that day, and two families were left devastated by their loss. The other hostages—ordinary people going about their business—went through a more terrible ordeal than most of us could ever imagine. The terrible series of events that played out that day have changed their lives forever. There is no doubt that the New South Wales police and first responders on duty relive what they experienced on that day. Their acts of bravery are simply extraordinary. They entered the café with the knowledge that they may not come out alive—and they did so without a backwards look.

The tragic events of December 2014 also had a lasting effect on the rest of New South Wales. As a community we still feel the effects today. We will always remember Tori, Katrina and the other hostages, and my thoughts today are with their families, friends and colleagues. Our community was shaken to the core in December 2014, and the outpouring of grief was immediate. As the sea of flowers in Martin Place grew, the world saw all of us come together. Our spirit and our sadness was on display. Our grief, raw and powerful, was also clear for all to see. Today we have received the findings of the inquest into the deaths arising from Lindt Café siege. I thank the New South Wales Coroner, Michael Barnes, for his comprehensive and extensive inquest. I acknowledge that this process has been extremely distressing for the families of the victims and for all of those involved.

The Coroner's report contains a number of recommendations for relevant areas of the New South Wales Government. I give my absolute commitment today that each recommendation will be thoroughly considered in a timely and comprehensive manner. The Government will make a preliminary response in as short a time frame

as is possible, and a comprehensive response will follow. The New South Wales Government's response will be given the highest priority. Make no mistake: what happened in Martin Place in December 2014 was an act of terror, and it was carried out by a vicious maniac. The Coroner confirmed both of these facts this morning. As we have seen in recent years overseas—and most recently in the disgusting, horrendous attack in Manchester in the last few days—the threat of terrorism we face is serious and ever changing. There is no room for complacency.

The acts of terror in Sydney in December 2014 already have led to a number of changes in the way the New South Wales Government responds to the threat of terrorism. The New South Wales Government accepted all 17 recommendations by the joint New South Wales-Commonwealth review into the siege undertaken immediately after the event. All New South Wales-specific recommendations have been implemented. We have taken those steps with a sense of urgency, and in recognition of the evolving threats. Make no mistake: anything we can do better, we will. The events of December 2014 have left a scar on the hearts of the people of New South Wales. The unfolding events on that day and the days after made many of us feel fear, sorrow and anger at the act of terror. We can only imagine what the families of the victims and those who were directly involved are still feeling today. Our thoughts are with them. Please be assured that our Government will do all we can to support you and to keep the community safe.

NORTHERN RIVERS FLOOD ASSISTANCE

Ms KATE WASHINGTON (Port Stephens) (14:34): My question is directed to the Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business. What steps has the Minister taken to get category C assistance to the struggling communities of Tumbulgun, Stokers Siding and Uki?

Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (14:34): It is clear that those opposite want to play politics with the communities and the people of regional New South Wales. Those communities have endured so much through the crisis of the recent floods. Those communities are going to take time to get through the issues they face. I broadly answered the question earlier when I spoke about the way this Government has responded, making sure that we are steadfast in working with those communities and making sure that those communities feel confident that the Government understands the trials that they will continue to face as they try to work through a tough period. This is going to take time, but the Government is focused on making sure that we can help those communities get through this next period. We also need to make sure that the required investment is made so that these communities can grow in the future.

There will be lots of questions asked at the end of this process, but the priority and the focus of this Government is to get those communities moving forward. I am confident that we can continue to work with those communities and receive feedback. We have regional development personnel and the staff of the NSW Small Business Commissioner on the ground making sure that we gather the information that is so important to feed into the process that gave us the category C declaration in the first instance for those parts of the Northern Rivers. We will continue to work with those communities and make sure that we respond and represent everybody up there. I am confident that we are working through a process that will allow us to continue to make further declaration announcements. There is a process to go through—there is no knee-jerk reaction from this side of the House—so that when we respond we do so appropriately. The New South Wales Government goes through the process, gathers the information and puts that information forward to the Commonwealth to respond.

I will back the track record of the Minister for Emergency Services and I will back the track record of the Premier on how we have already responded for that region. When I went up there—I am sure it was no different when the Minister for Police, and Minister for Emergency Services, the Prime Minister or the Premier went up there—it was clear to me that we were working with those communities. We wanted to hear what they were going through. It was about making sure that we gave them confidence that we were going to respond. The member for Lismore and the member for Tweed continually talk to me, to the Premier and to the Minister for Emergency Services and to other relevant ministers.

Mr Brad Hazzard: Family and Community Services.

Mr JOHN BARILARO: That is right—there have been conversations with the Ministers responsible for Family and Community Services and Housing. We want to respond in a way that actually makes a difference. This is not about politics: I wish those opposite did not come into the House with that approach. Why don't they come to us if they have issues and if they are getting representations from constituents? They should come and see us, because we do not want to play politics; we want a bipartisan response. We want to work together because we have all been elected to this House in order to serve the community—the people who put us here.

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

Mr JOHN BARILARO: This is not about politics. This is above politics. This is about people and families and making sure that the community is confident in the future. This is about making sure that the people of that community know that all the people in New South Wales, and their representatives in this House, are with them. I genuinely believe that most people in this House come to this place to make this State a better place and to deliver for their communities. We may have different views about the approaches to achieve that and we might have different values or ideologies, but I genuinely believe that everyone was elected here for the purpose of serving their communities. The community wants us to serve. My view is once an election cycle is over people want us to get on with the job of delivering. They do not want us to play politics or the blame game. They want to see bipartisanship so that we deliver for our communities.

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

Mr JOHN BARILARO: I am committed to delivering for our communities. The Minister for Emergency Services does not stop thinking about what we can do, and the Premier is keen to get out and about. The Government is committed to working with the communities; we do not want to play politics. I invite those opposite to come and see me about addressing any constituent issues.

SOCIAL HOUSING

Dr GEOFF LEE (Parramatta) (14:40): My question is addressed to the Minister for Family and Community Services, Minister for Social Housing, and Minister for the Prevention of Domestic Violence and Sexual Assault. How is the Government providing social housing to our State's most vulnerable people?

Ms PRU GOWARD (Goulburn—Minister for Family and Community Services, Minister for Social Housing, and Minister for the Prevention of Domestic Violence and Sexual Assault) (14:40): I thank the member for Parramatta for his question. He is very passionate about taking care of the most vulnerable in his community and continues to demonstrate that the Liberal-Nationals Government will protect the vulnerable. This Government is determined to provide social housing to people who need it. We are committed to ensuring that the social housing system is fair so that more families can access the opportunities that are brought about by longer term accommodation. We are committed to weeding out the fraudsters and those who break the rules.

Identifying fraudsters is often a time-consuming and difficult task. Whilst Family and Community Services [FACS] works tirelessly to identify and investigate allegations of fraud, the quickest way to identify fraudulent practices is for members of the public and other social housing tenants to report to FACS or for tenants to self-report. I was pleased to announce last month the commencement of this Government's third social housing amnesty, a program that I have previously championed in a different ministerial role. Under the terms of the amnesty, tenants who report undisclosed income, assets and/or unauthorised occupants will have their rent adjusted from the date of declaration, but they will not be charged back rent and they will be protected from prosecution.

Our amnesty gives tenants a chance to come forward and do the right thing. However, should they fail to declare during the amnesty period and continue to do the wrong thing they will be found out and will face prosecution. More than halfway through the amnesty period, we already have some great results. More than 5,000 calls have been made to the amnesty hotline, resulting in \$13 million of additional income being declared and \$13.3 million in additional assets being disclosed to FACS. This will result in FACS collecting more than \$1 million of additional rent, which will be reinvested in our social housing system every year. That is a great result for the tenants and for the community. By ensuring that tenants pay their correct rent, we can invest in better services for our most vulnerable.

Let me tell the House a story that has come from the current amnesty. A tenant disclosed that they owned a property from which they received rental income. As the property is considered to be a suitable living option, the tenant has been asked to leave the social housing system. That social housing property, which is in a very high demand area, will become available for others. This is a great result for everybody. With results like that, one would expect that the Opposition would congratulate the Government on implementing this initiative. One would think that the Opposition would be jumping through hoops at the chance to help vulnerable people. Is it not in their DNA to help vulnerable people? But what did the Opposition have to say about the amnesty?

Mr John Sidoti: Nothing.

Ms PRU GOWARD: Worse. Did they stand up for people who were doing the right thing? No. Did they say that tenants who break the rules should confess? No. Did they support the amnesty? Of course not. Instead

the shadow Minister for social housing opposed the amnesty. She said that the Government "is going after vulnerable people in this State." Shame, shame, shame.

Ms Tania Mihailuk: Point of order: My point of order relates to Standing Order 129, relevance. The Minister is misleading the Parliament. Where is the Minister getting these comments? I was very strong on *A Current Affair* about this issue.

The SPEAKER: Order! The Minister is being relevant. The member for Bankstown will resume her seat. I call the member for Bankstown to order for the first time. I call the member for Bankstown to order for the second time.

Ms PRU GOWARD: The member for Bankstown had better check her records. May I say, it is another example of her sloppiness. The shadow Minister said that the Government is "going after vulnerable people in this State". Clearly, the shadow Minister would rather turn a blind eye to those who break the rules than allow well-deserving families on the waiting list to access a social housing property.

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

Ms PRU GOWARD: What an embarrassing revelation. Who does she support? What does she stand for? But the shadow Minister did not stop there. There is more. [*Extension of time*]

The SPEAKER: Order! The member for Kogarah and the member for Rockdale will come to order.

Ms PRU GOWARD: Only a week later, she was back again in the media but this time she had caught up. She must have received a call. This time she was singing from a different song sheet. She said, "People cheating the system are depriving thousands of genuine people of the opportunity of actually having a roof over their heads." She was talking about the people that the amnesty, which she opposed, was designed to catch.

The SPEAKER: Order! The member for Bankstown will not argue; this is not a debate. The Leader of the Opposition will remain silent.

Ms PRU GOWARD: What is the shadow Minister's position this week? Does she stand with the Government in supporting vulnerable families and ensuring fairness in our public housing system? The shadow Minister continues to show that the Opposition has no plan or direction for social housing in this State. Unlike those opposite, this side of the House does have a plan for social housing to improve the lives of the most vulnerable people in our community. Our Future Directions policy will renew and improve our social housing portfolio. It will create a more diversified continuum of social and affordable housing that is more flexible, innovative and contestable. Most importantly, it will provide more opportunities and greater support for social housing tenants in order to break the cycle of intergenerational disadvantage. With Future Directions, New South Wales now has the biggest social housing building program of any State or Territory in the country.

NUCLEAR POWER

Mr MICHAEL DALEY (Maroubra) (14:47): My question is directed to the Deputy Premier. On Saturday at The Nationals' policy conference, the Deputy Premier spoke positively about the use of nuclear power in New South Wales. Yesterday, however, he was repudiated by an authority on these matters—Don Harwin, the Minister for Resources and Minister for Energy and Utilities.

The SPEAKER: Order! The member for Maroubra will ask the question or resume his seat.

Mr MICHAEL DALEY: Deputy Premier, after this authoritative rebuff, do you stand by your comments in favour of building nuclear power plants across regional New South Wales?

The SPEAKER: Order! Members will cease interjecting. Members who do not remain silent will be directed to leave the Chamber. I direct the member for Keira to remove himself from the Chamber for a period of two hours.

[*Pursuant to sessional order the member for Keira left the Chamber at 14:49.*]

Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (14:49): I would generally say that those opposite are on cue but this is the second question time since the article appeared. I thought this question would have been asked yesterday. It is a typical response of mistruth and fearmongering from those opposite.

The SPEAKER: Order! I cannot hear the Deputy Premier. I warn Opposition members that they will be removed from the Chamber if the noise continues.

Mr JOHN BARILARO: I wish those opposite had listened to the whole speech of the Minister for Resources, and Minister for Energy and Utilities. I acknowledge that the member for Maitland made a trip to

Broken Hill, and she might still be there. Those opposite have missed the point. Right now in this State and nation we have a looming energy crisis that will impact not just on households but also on businesses and industries.

Mr Michael Daley: That is not what Don said.

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

Mr JOHN BARILARO: This side of the House, especially The Nationals, take a range of issues to their party conferences and debate them on the conference floor. The bigger picture in relation to energy is not just nuclear energy but the cost of living for households.

The SPEAKER: Order! I call the member for Canterbury to order for the first time. There is too much audible conversation in the Chamber.

Mr JOHN BARILARO: A mature society needs to have mature conversations. To tackle the big issues we need to look to the big solutions. The Labor members who tweeted in support of having a conversation around nuclear energy should put up their hands. This is about having a conversation—not in this place but within the community. Those opposite believe that all wisdom lies with them.

The SPEAKER: Order! Opposition members are making too much noise. If the noise continues, without warning I will direct members to leave.

Mr JOHN BARILARO: We should seek engagement with the community in order to have a broader conversation around energy.

Mr Stephen Kamper: Point of order: My point of order is taken under Standing Order 129, relevance. The Minister has made no reference to the leading authority.

The SPEAKER: Order! There is no point of order. The Deputy Premier is being relevant. I call the member for Rockdale to order for the third time.

Mr JOHN BARILARO: This is about having the guts to have the conversation on many issues—for example, about nuclear energy as part of the energy debate. We as leaders do not have all the answers. We have to take the fearmongering and mistruth out of the energy debate and look at the science. All I am asking is that we have the conversation about the options for energy generation. There is room for renewables and for coal. We know the view of those opposite on coal. When John Robertson was the Leader of the Opposition and the current Leader of the Opposition, Luke Foley, was a member of the upper House, they wanted to shut down the coal industry. They were developing a policy to take to the 2015 State election that would see coal phased out. Those opposite believe that they have the answers, but the truth is—

Ms Jenny Leong: They always say good things in opposition.

The SPEAKER: The member for Newtown should not take the bait.

Mr JOHN BARILARO: I have put on the table the energy issues that are relevant to households and businesses. Members know that we must address energy supply in this State and this nation. We should have a competitive advantage in energy on the global market because we are a resource-rich nation. When we talk about advanced manufacturing some say we are doomed, but if we applied scientific evidence and were prepared to have the conversations—

Mr John Robertson: Mate, you're the Homer Simpson of New South Wales.

Mr JOHN BARILARO: Says the bald man who looks like Homer Simpson.

The SPEAKER: Order! The member for Blacktown will refrain from name-calling.

Mr JOHN BARILARO: As a former sparky, he knows we have a looming energy crisis, and that the Leader of the Opposition looks like Monty Burns. This is about having a conversation. There will be members on this side of the Chamber who will have a different view to mine. There will be people in the community who support my view and others who do not. I have received many emails from those who support nuclear energy stating that they want the conversation. We have to look at the options across the board.

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

[Pursuant to sessional order the member for Bankstown left the Chamber at 14:54.]

NSW AGEING STRATEGY 2016-2020

Mr MICHAEL JOHNSEN (Upper Hunter) (14:55): My question is addressed to the Minister for Mental Health, Minister for Women, and Minister for Ageing. What is the Government doing to respond to the changes brought about by an ageing population and to support older people living in New South Wales?

Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (14:55): I thank the member for Upper Hunter for his question and for his advocacy on behalf of his community. We are all getting older; that is the truth. We are also living longer.

The SPEAKER: Order! Members who think this is funny can leave the Chamber. I direct the member for Canterbury to remove herself from the Chamber for a period of two hours.

[Pursuant to sessional order the member for Canterbury left the Chamber at 14:55.]

The SPEAKER: Order! The clock will be reset. The Opposition members who were cackling should not be proud of themselves.

Ms TANYA DAVIES: By 2031, one in three residents of New South Wales will be aged over 50 years and one in five will be aged over 65 years. The greying of our community is a reality and it will mean significant changes for people in our community. We are not downplaying or underestimating the impact that this will have on our community and our economy. It will bring challenges but it will also bring opportunities. This Government is determined to ensure that everyone in our community not only lives longer than ever before but also lives healthier, happier and better connected lives in their communities. In response to this reality, the State's very first Ageing Strategy was launched in 2012 by the then Minister for Ageing, Andrew Constance.

Building on this success, the NSW Ageing Strategy 2016-2020 was launched in October last year. The strategy highlights the areas of focus for policies and demonstrates that this Government is tackling this challenge. It contains not only immediate projects but also long-term planning. Some of these achievements to date are the ever-expanding Tech Savvy Seniors program, the establishment and building up of the Elder Abuse Helpline and Resource Unit and the welcomed Liveable Communities Grants program. These activities, as part of a broader strategy, underpin all New South Wales policy, projects and support given to the ageing population in this State. Further efforts in conjunction with major reform areas are also taking place, with a focus on planning, transport, community participation, health, disability, community services, carers and volunteers.

I will focus on one of my favourite projects, which is bringing older people into the digital age. I had the pleasure of launching the 2017 Tech Savvy Seniors Regional Road Show last week in my electorate at the St Clair High School. The roadshow has travelled to 10 regional locations across New South Wales to deliver training to more than 200 seniors. The impact of this regional roadshow on the community was highlighted yesterday in this House by the member for Bathurst, my good friend Paul "Tooley" Toole. Getting your mum, dad, grandparents, family, friends or even perhaps yourself online and connected via the internet is a strong focus of this strategy.

We are working to close the digital divide and bridge obvious learning gaps for thousands of older people across the State. This is crucial because we can empower these citizens within our communities, suburbs and streets to stay connected to the wider world, to access information and services, to remain connected with family and friends. At the 2015 election this Government committed \$2 million to boost the very successful Tech Savvy Seniors program, and we are delivering on that election commitment. With our partner Telstra, the Tech Savvy Seniors program has delivered more than 50,000 training places since its launch, with seniors learning to use technology such as computers, tablets and smart phones. As we age, we know it is vital to help older people maintain their independence.

To address the challenges associated with this, the Government committed \$4 million over four years to improve accessibility for older people in local communities. I am proud to say that this Government is delivering on this election commitment. Year one of the Liveable Communities Grants Program funded 24 projects at a total cost of \$1.8 million. A further \$1 million has been awarded to successful grants for year two of this program in 2017. One of the funded organisations, the Playgroup Association of NSW, will pilot and establish a model of community-led intergenerational playgroups in aged care facilities. I know firsthand that these programs are highly valued by our community. I am blessed to have parents and parents-in-law who help look after my young family to enable me to be in this role. *[Extension of time]*

The SPEAKER: I hope the members who are moaning will be in a position where they speak in the House and hear moans from the other side of the Chamber.

Ms TANYA DAVIES: I do not know why members opposite are against seniors. Intergenerational care is a key component to enable seniors in our community to stay socially connected. It also helps support families and it leads to better health and social outcomes for all involved. Finally, I update the House on the extraordinary

success of the NSW Seniors Card. At the 2015 election this Government committed \$2 million to expand this program with more discounts and deals than ever before. We are working hard to assist older people with the cost of living and to support them to continue to stay active, healthy and socially connected.

The NSW Seniors Card program is one of the most commonly used services in New South Wales by residents over the age of 60. The NSW Seniors Card recently hit a milestone: 1.5 million seniors cards are in use in our community, enabling residents to access discounts and deals from more than 4,700 participating businesses. Since the election we have announced a number of exciting partnerships, including discounted broadband internet with Telstra and discounts on gas and energy options with AGL and Powershop, to name but a few. I look forward to continuing to deliver savings for seniors. We know we have an ageing population: We are responding quickly to the short-term challenges and planning carefully for the long-term opportunities. I am proud to be part of a Government that is working hard to remove barriers to the continued participation of ageing members of our community.

NUCLEAR POWER

Ms YASMIN CATLEY (Swansea) (15:03): My question is directed to the Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business. Given the Minister's call for a debate about nuclear power, will the Minister agree to a public debate with the Leader of the Opposition in The Nationals electorate of Lismore on the merits of his plan to build nuclear power stations across regional New South Wales?

Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (15:05): I thank the member for the question and for the polite way in which she asked it. The first thing is that locking down a date will be difficult because the Leader of the Opposition does not disclose his diaries. That will be the hard part. Most importantly, if Labor wants to debate energy, let us talk about coal seam gas exploration licences [ELs]. They were dished out on the North Coast by those opposite like drunken sailors throwing confetti—ELs here, ELs there. They took the money, threw it into consolidated revenue and funded projects to shore up their city seats.

Those opposite do not want to talk about those licences. We know what happened with the revenue, and we know that part of the Opposition's energy resource conversation was about how to line the pockets of people like Ian Macdonald. That is the part of the conversation that the Opposition does not want to debate. The Opposition does not want to face the people of the Northern Rivers, Ballina or Lismore. The Opposition does not want to face them and talk about its track record when it came to seam gas. It was this side of the House that spent tens of millions of dollars buying back those ELs that those opposite threw out like confetti.

Ms Yasmin Catley: Point of order: My point of order relates to Standing Order 129. If the Minister is too gutless to say yes, he should just say no.

The SPEAKER: There is no point of order.

Mr JOHN BARILARO: The Leader of the Opposition hid behind his Twitter account on the weekend: "I'll debate you in Lismore!" He now has an opportunity to ask me the question here, and what does he do? He gets somebody else to do it. No guts, no glory—that is all I have to say. In 2013 an article in the *Financial Review* stated:

Resources spokesman Gary Gray—

Yes, that is right—

—and Right faction senators Mark Bishop and Alex Gallacher called for the party's approach to nuclear power and uranium exports to be discussed in a move that could provoke a damaging split with the party's Left faction.

Now Labor has shown its colours. The article continued:

Mr Gray said there was "absolutely no solution to global base load power generation that does not feature a strong role for nuclear power" and while Australia did not need to build a nuclear power station at present as power use had fallen in recent years, "in my view it is completely reasonable that nuclear options should be able to be considered".

That was Labor. That is typical. We know what the Leader of the Opposition did throughout the greyhound racing ban debate: When he was in a private room talking to greyhound owners, he said, "I would really love to ban greyhounds," but then he could not. In public he picked a political—

Mr Jihad Dib: Point of order: My point of order relates to Standing Order 129. Will the Minister debate the Leader of the Opposition?

The SPEAKER: There is no point of order.

Mr JOHN BARILARO: It is clear that, when it comes to coal seam gas, energy and resources in this State, the Opposition's track record tells a true story—a story with the headline of Eddie Obeid and Ian Macdonald. When it comes to coal seam gas ELs, Labor members were the ones who threw them around like confetti, and it was the Government side of the House that cleaned up their mess to give certainty to communities on the Northern Rivers. We need to be starting a conversation about the energy crisis we are facing and the cost of living for households and businesses in this State and in this nation. What is absolutely clear today is that the Leader of the Opposition has no guts: nor does he get the glory.

[Business interrupted.]

Visitors

VISITORS

The SPEAKER: I welcome to the gallery the former member for Patterson, Mr Bob Baldwin.

Question Time

VIVID SYDNEY

[Business resumed.]

Ms FELICITY WILSON (North Shore) (15:09): My question is addressed to the Minister for Tourism and Major Events, and Assistant Minister for Skills. Will the Minister provide an update on this year's Vivid Sydney festival and advise how the New South Wales Government is contributing to the State's economy through major events?

Mr ADAM MARSHALL (Northern Tablelands—Minister for Tourism and Major Events, and Assistant Minister for Skills) (15:10): I thank the member for North Shore for her question and her interest in Vivid and for acknowledging the important role it plays—not only in her electorate, but also in Sydney and right across this State. I am absolutely delighted to give an update to the House about Vivid Sydney this year, which is now the world's largest festival of light, music and ideas—a signature event for New South Wales, and indeed Australia—as it comes again this Friday evening to our magnificent harbour city. Commencing from this Friday we will have a 23-day celebration of creativity. Vivid will again shine a light on Sydney as Australia's cultural hub for innovation and entertainment. As was said earlier in this House by a very colourful member, the member for Drummoyne, not only is this event the world's largest festival for light, music and ideas but it is Australia's largest event. It is without peer in this country. People from right around the world travel to Australia, to Sydney, for Vivid every single year.

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

Mr ADAM MARSHALL: Most importantly, this festival has transformed what was traditionally a very quiet period for tourism and visitation in Sydney to a period that is thriving.

Ms Jodi McKay: Thank you, Labor.

Mr ADAM MARSHALL: I acknowledge the interjection of the member for Strathfield, who says Vivid was started by Labor. I am happy for her to claim the fact that she started Vivid.

The SPEAKER: Order! I remind the member for Strathfield that this is not a debate.

Mr ADAM MARSHALL: I am happy for the member for Strathfield to claim the fact—and she is right—because she announced it when she was the Minister. But if she is going to claim that, she also must claim the fact that in Labor's last three years of Government, visitation numbers to this State dropped by 3.1 per cent: They did. From 2008 to 2011 they dropped in this State. Since 2011 under a Liberal-Nationals Government, total visitor numbers have increased by nearly 24 per cent.

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

Mr ADAM MARSHALL: Twenty-four per cent growth over here on the Government side; 3.1 per cent drop over there on the Labor side.

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

Mr ADAM MARSHALL: So, Madam Speaker—

The SPEAKER: Order! Stop the clock. There is too much audible conversation in the Chamber, including from the front benches on both sides. Members will cease interjecting or they risk being ejected from the Chamber. The behaviour of members is offensive and childish. The Minister has the call and will be heard in silence on a subject of interest to all of us.

Mr ADAM MARSHALL: For the House's interest, last year Vivid saw a record crowd with more than 2.31 million people attending Vivid Sydney.

The SPEAKER: Order! The member for Strathfield will cease yelling. I direct the member for Strathfield to remove herself from the Chamber for a period of three hours.

[Pursuant to sessional order the member for Strathfield left the Chamber at 15:13.]

Mr ADAM MARSHALL: So 2.31 million visitors to Vivid last year injected more than \$110 million into the visitor economy. That includes 184,000 visitors from interstate and overseas, 17,000 of which were direct from China as a result of a very deliberate marketing push by this Government to market into one of the largest growing tourism markets anywhere in the world. I am happy to report for the rural and regional members of this place that the benefits of Vivid are not just felt in Sydney. Of those 184,000 domestic and international visitors who came to Vivid Sydney, the vast majority went on to travel to rural and regional New South Wales, delivering an additional 65,000 room nights and a direct spend of \$11.5 million into the visitor economy in country New South Wales.

We all know Vivid Sydney now delights and entertains millions of people from across the globe. This year Barangaroo will join the festival favourites—the Vivid Light Walk as well as the displays at Chatswood, Martin Place, Darling Harbour, Taronga Zoo, plus an expanded trail through Sydney's harbourside oasis, the Royal Botanic Garden. I encourage everyone in this place, indeed everyone across New South Wales and Australia, to come to Sydney over the coming weeks to enjoy Vivid Sydney, but to plan their trip ahead and to enjoy the extra public transport services that also will be available. Many try to replicate Vivid, but they cannot. Vivid is Sydney, Vivid is New South Wales. It keeps us ahead of the pack. Melbourne, Brisbane and all of the others that try to emulate what we do, they cannot. While ever the Coalition is on the Government side of the House, we will continue to support and grow Vivid because we recognise that a strong and growing Vivid is great for the New South Wales economy.

HILLSBOROUGH ROAD, WARNERS BAY, UPGRADE

Mr GREG PIPER (Lake Macquarie) (15:15): My question is directed to the Minister for Roads, Maritime and Freight. I should note that it is probably on behalf of the member for Charlestown too. Noting that it is now 12 months since the tragic death of 15-year-old Lake Macquarie girl Jade Frith on Hillsborough Road at Warners Bay, will the Minister advise the stage the planned road upgrade is at and when we will see work start on much-needed improvements?

Mrs MELINDA PAVEY (Oxley—Minister for Roads, Maritime and Freight) (15:16): I thank the member for Lake Macquarie for his question on behalf of Jade, a resident of his electorate, and her family. I also acknowledge the member for Charlestown on this occasion. It has been a very difficult period since 26 April last year. To lose such a magnificent young woman in the prime of her life on her way to swimming practice has obviously had a terrible effect on the community. Through the work of people like the members for Lake Macquarie and Charlestown and community members, there has been a lot of work going on within Roads and Maritime Services on that section of road. Because of that advocacy and because of the situation, I am expecting that we will have an announcement in this year's budget on that front to improve safety in this section of road.

I am currently reviewing the strategy for the road corridor for Charlestown to Warners Bay. It identifies short, medium and long term road investment priorities to address safety, travel time, reliability and incident management challenges on this road corridor. I expect that we will have that corridor strategy released by the end of this year. We are paying great attention to that. On the issue of pedestrian fatalities, last year was a very bad year on New South Wales roads for pedestrian fatalities but this year we are tracking much better. One is always too many, but we are nine better than we were this time last year, which is important in terms of our focus on Towards Zero.

I was joined yesterday by the police Minister as we launched 18 new drug testing vehicles through NSW Police funded by our community safety strategies to ensure that we continue all efforts, whether it is pedestrian, speeding or fatigue campaigns—whatever we can do to drive the road toll to a lower point. That is something I know all members of this House would agree to. It is also incumbent on us to take personal responsibility to make safer choices. I always encourage people to do that. I thank the member for his question. It has been a very difficult time for the family and that community. I expect that there will be some work announced in this budget that will give some relief.

SCHOOLS INFRASTRUCTURE

Mr CHRIS PATTERSON (Camden) (15:19): I address my question to the Minister for Education. How is the Government delivering vital school infrastructure across the State, including the Oran Park High School?

Mr ROB STOKES (Pittwater—Minister for Education) (15:19): I thank the member for Camden for his excellent question, which is about a matter of real interest to him, his community and all members of this House. Everyone is excited about the growth occurring in Camden, and we must ensure that there are schools to cater for it. That growth is occurring across the State, but it is particularly evident in Sydney. The projected growth over the next 20 years means we will require an extra 725,000 new homes, which will result in a 21 per cent increase in school enrolments over the next 15 years. We will need to provide 7,200 extra classrooms.

This Government is committed to planning for those needs as they arise. Already over the past five or six years, the Government has announced and provided funding for 32 new or relocated schools and 67 major upgrades to schools. As part of that work, the Government has invested almost \$5 billion, which is an unprecedented capital infrastructure investment in schools. Already, 15 new or relocated schools have been opened or reopened and 39 major upgrades have been completed. That work is already funded and underway. When it is completed it will provide an extra 1,500 classrooms accommodating another 29,000 students.

Nowhere is the growth we are seeing across New South Wales more evident than in the member's wonderful electorate of Camden, which is the fastest growing community in New South Wales. That is not surprising given the local member's work in his electorate. Over the next 20 years, the population in the south-west and Macarthur will grow from about 373,000 to more than one million. Because of the unique demographics— young families are moving into the area—over the next 20 years there will be a 40 per cent increase in the number of children under the age of five. There will be a more than 50 per cent increase in enrolments in public schools and non-government schools in the region due to the growth we are experiencing and the demographics of that growth.

The Government has plans to address this increased demand for schools. For the benefit of the House, I will mention some of the significant investments in education that this Government is making in the south-west and Macarthur. Funding has been provided for upgrades to the Ajuga Special Purpose School; the Bardia Public School; the Campbell House Special Purpose School; the Cecil Hills Public School; the Oran Park Public School; the Prestons Public School; the William Stimson Public School; the Glenfield High School; the Wilton Public School; the Hoxton Park High School; the Glenfield Park Special Purpose School; the Spring Farm Public School; a new special purpose school at Narellan; a new primary school at Gledswood Hills; and a selective high school at Glenfield. As the member for Camden indicated, the Government is also delivering a new high school at Oran Park, which, as I said, is one of the State's fastest growing areas. In 2011, there were only 169 residents in Oran Park, and by 2036 it will have a community of almost 26,500 people.

It is great to be able to plan a community from the beginning and to provide the education facilities required as new land is released, as new homes are built, and as new jobs are created in that beautiful part of greater Sydney. It is no wonder that schools are being delivered as houses are springing out of the ground. I have already mentioned the Oran Park Public School, but we have also seen the establishment of St Justin's Catholic Primary School, Mount St Benedict College, and the Oran Park Anglican College. That is now being rounded out with the establishment of the Oran Park High School next to the existing primary school, which has been operating for a couple of years.

This is a great opportunity to integrate education facilities around that precinct, which has an agglomeration of schools and educational experience from kindergarten to year 12. I had the opportunity to meet with the local member, Mayor Lara Symkowiak and Ron Moore, the general manager of the Camden Council, to ensure that the community's parking needs are taken into account with the development of the new high school. The high school will accommodate about 2,000 students. It will be a very big school with all the benefits that come with a development of that size. [*Extension of time*]

There will be collaborative social learning areas, five science laboratories, food technology laboratories, a central resource library and subject libraries in various parts of the school, and sports courts. There will be opportunities to share those facilities and surrounding facilities, including the Sir Jack Brabham Park. This is an exciting opportunity to build not only the hard, physical infrastructure that a great community needs but also the social infrastructure that is required to generate real social inclusion and cohesion in that growing part of greater Sydney. [*Time expired.*]

SOCIAL HOUSING**Supplementary Answer**

Ms PRU GOWARD (Goulburn—Minister for Family and Community Services, Minister for Social Housing, and Minister for the Prevention of Domestic Violence and Sexual Assault) (15:25): By leave: Earlier in question time today, I was effectively accused by the member for Bankstown of misleading the House. I refer the House to the Channel 7 news story presented by Brian Seymour on 15 February 2017 about the announcement of the public housing amnesty. The shadow Minister was on camera and her words were: "This is a government that's just reaped billions in stamp duty in recent years and they're going after vulnerable people in this State." The member for Bankstown has such a poor memory that she cannot remember what she said, she has no policy rudder, or she is a liar. She should go.

*Documents***UNPROCLAIMED LEGISLATION**

The SPEAKER: In accordance with Standing Order 117, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 24 May 2017.

*Petitions***PETITIONS RECEIVED**

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

Pig-dog Hunting Ban

Petition requesting the banning of pig-dog hunting in New South Wales, received from **Mr Alex Greenwich**.

Slaughterhouse Monitoring

Petition requesting mandatory closed-circuit television for all New South Wales slaughterhouses, received from **Mr Alex Greenwich**.

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**.

Surry Hills Light Rail Station

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

Murrumbidgee Local Health District

Petition requesting that the Murrumbidgee Local Health District revert to Wagga Wagga Base Hospital and include "A Regional Referral Hospital" under this name, received from **Mr Daryl Maguire**.

National School of Art

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

Privacy Laws

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

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

VIVID SYDNEY

Reordering

Mr JOHN SIDOTI (Drummoyne) (15:28): I move:

That the General Business Notice of Motion (General Notice) given by me this day [Vivid Sydney] have precedence on Thursday 24 May 2017.

As members will be aware, this week marks the return of Vivid to Sydney in 2017. The festival will commence its 23-day celebration when the lights are turned up at 6.00 p.m. on Friday 26 May 2017. As Vivid Sydney is now the world's largest festival of light, music and ideas, and a signature event on the New South Wales events calendar, it is important that all members tomorrow recognise and congratulate those who work so hard and diligently to make this event a resounding success each and every year.

Vivid Sydney is a unique annual event, featuring an outdoor gallery of extraordinary lighting sculptures, a cutting edge contemporary music program, some of the world's most important creative industry forums and, of course, the spectacular illumination of the Sydney Opera House sails. The multi-award winning winter festival makes Sydney the envy of the world. It puts our fantastic city on the map, while providing a significant injection to the State's visitor economy. Last year alone a record 2.31 million people attended Vivid Sydney, delivering more than \$110 million in visitor spend to the New South Wales economy. This includes 184,000 overnight visitors from interstate and overseas that attended last year, including 17,000 visitors from China alone, which as we know, is an ever-growing and key market for tourism in this State.

It is a festival which has something to offer for everyone, from a program of multi-genre music, stimulating ideas from global thinkers and creators, dazzling light art across the city and tourism dollars pouring into our city's businesses. Vivid Sydney's status as a significant event for our great city and its huge economic benefits are something all members of this House should be aware of and support. I hope the Opposition will join me in taking the opportunity tomorrow to acknowledge the fantastic contribution that each and every one involved in Vivid Sydney 2017 is making to this great city and our great State.

Dr HUGH McDERMOTT (Prospect) (15:31): I ask that my motion have precedence tomorrow. This motion is about our children, about our children's future. The number of demountable classrooms in this State's public schools has risen to more than 4,665; that is just classrooms. There are more than 1,000 other demountables in our schools, as the Minister knows. That means that close to 100,000 of our schoolchildren are taught in them daily. That is an enormous number.

Mr Rob Stokes: Ten per cent.

Dr HUGH McDERMOTT: No, it is not 10 per cent. There are 780,000 students enrolled in 2,211 public schools across the State and of that number 100,000 are taught in demountables. This is wilful neglect of this State's education system. Overcrowding in schools is at crisis levels and the school maintenance backlog sits at around \$775 million. There are some schools whose maintenance backlog alone is more than \$1 million. This is due to the continued failure of the Coalition Government to plan for the expected 160,000 additional students over the next 15 years.

We also have 1,462 demountables, more than a third of the total number, that have been in place for more than a decade. Members opposite can blame the Labor Party as much as they want for the past, but those demountables have been there for more than a decade—every year of this Government and the previous Liberal Government. Let us look at some of the worst of them. The Cherrybrook Technology High School has 33, the Matthew Pearce Public School, Baulkham Hills, 28; the Carlingford Public School, 28; and in my electorate of Prospect, the Girraween Public School has 28—and that is just a handful at the top.

Our children deserve a clear shot at a decent education and a better life and they will not have it when infrastructure is in such a state. Demountables are meant to be a temporary solution for growing communities but what we see here is reliance on making cheap and ineffective demountable classrooms a permanent structure within our schools. This Government has fallen behind in delivering new classrooms in the booming regions of

Western Sydney especially, but throughout the State. It will take at least 45 years to catch up, the way things are going.

Mr Gareth Ward: You might be back in government then.

Dr HUGH McDERMOTT: I assure the member for Kiama we will be in government in two years. He will be on the Opposition side. Our children deserve far better than this.

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

Dr HUGH McDERMOTT: It is time this Government listened to the needs of our community. However, do not take my word for it. The previous Minister, who sits there quietly because he knows how bad this is, said that students are being let down. He stated:

Many of these demountable classrooms have been around for decades and are now ... falling apart. Every parent knows that the demountable classrooms are a poor alternative to learning in a real classroom.

The DEPUTY SPEAKER: The question is that the motion of the member for Drummoyne have precedence on Thursday 25 May 2017.

The House divided.

Ayes50

Noes34

Majority..... 16

AYES

Anderson, Mr K
Barilaro, Mr J
Brookes, Mr G
Coure, Mr M
Dominello, Mr V
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

Aplin, Mr G
Berejiklian, Ms G
Conolly, Mr K
Crouch, Mr A
Elliott, Mr D
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

Ayres, Mr S
Bromhead, Mr S (teller)
Constance, Mr A
Davies, Ms T
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

NOES

Atalla, Mr E
Catley, Ms Y
Daley, Mr M
Doyle, Ms T
Harris, Mr D
Hoenig, Mr R
Lalich, Mr N (teller)
McDermott, Dr H
Parker, Mr J
Scully, Mr P
Warren, Mr G
Zangari, Mr G

Barr, Mr C
Chanthivong, Mr A
Dib, Mr J
Finn, Ms J
Harrison, Ms J
Hornery, Ms S
Leong, Ms J
Mehan, Mr D
Piper, Mr G
Smith, Ms T F
Washington, Ms K

Car, Ms P
Crakanthorp, Mr T
Donato, Mr P
Greenwich, Mr A
Haylen, Ms J
Kamper, Mr S
Lynch, Mr P
Minns, Mr C
Robertson, Mr J
Tesch, Ms L
Watson, Ms A (teller)

PAIRS

Hancock, Mrs S

Aitchison, Ms J

PAIRS

Henskens, Mr A

Foley, Mr L

Motion agreed to.*Visitors***VISITORS**

The DEPUTY SPEAKER: I recognise in the gallery Jill Perkins from Ebor, together with Lindy Humphries, guests of the member for Barwon. I welcome them to the gallery this afternoon.

*Motions Accorded Priority***REGIONAL TRANSPORT INFRASTRUCTURE****Consideration**

Mr KEVIN HUMPHRIES (Barwon) (15:41): Nothing is more important than fixing country roads. That is why this motion deserves priority. I am speaking not just about country roads but also about country rail freight and all the good news about infrastructure that we were able to deliver and build upon at Broken Hill last week. Last year—I think the Minister for Roads, Maritime and Freight alluded to this before—254 people died on country roads. That is 254 people too many—two-thirds of the State road toll, even though country New South Wales has only a third of the population. Obviously, New South Wales is the connector between Queensland and Victoria and other States, and a lot of people travel on our roads.

It is important to acknowledge this priority and debate this matter because this year's historic budget for roads and rail freight was close to \$10 billion. The last time Labor was in government the roads and freight budget in this State was less than half of that—less than \$5 billion. Whilst the Barwon electorate did pretty well, Labor pretty much threw in the towel—they gave up on country and regional New South Wales. When we debate this priority motion today we will be reminding those opposite of roughly where that \$10 billion is going. I remind members that it takes a good budget and good economic and financial management to be in a position to put \$10 billion—a large chunk of that going into country roads—into New South Wales roads and rail freight. We must also remember that, on top of this, the Federal Government will be a co-contributor, as will local councils and private investors, largely because of the Restart NSW fund that this Government set up.

Through Federal Government arrangements, our productivity increases have triggered further financial incentives and payments to come back into New South Wales. Much of that funding will flow into regional New South Wales. When I last spoke about roads in this House I talked about Gundabloui Road in far western New South Wales. The five people who live on that road know where it is; it is a very important road. The member for Cootamundra and I will elaborate on that road and others when this debate is given priority. We will talk about the budget and outline further growth for regional roads, freight infrastructure and truck washes in New South Wales. If we are afforded the ability to debate this motion—I am sure we will be—I look forward to outlining it to the House shortly.

LOCAL GOVERNMENT ELECTION CAMPAIGN SPENDING

Mr TIM CRAKANTHORP (Newcastle) (15:45): I believe that my motion should be accorded priority because the Berejiklian Government has failed to honour the solemn promise given by former Premier Baird to legislate for local government campaign spending caps. This Berejiklian Government needs to adopt the Opposition's policy to ban developers and real estate agents from being elected to councils. This Government, through its inaction, is aiding and abetting corruption in New South Wales. On Monday, the shadow Minister for local government, the Lord Mayor of Newcastle and I were in Newcastle and called on this Government to implement Labor's policy on dodgy developers.

Our laws will stamp out corruption or the perception of corruption in local government decision-making. But this law should not be put forward by Labor; it should have been put forward by those on the other side of the Chamber. Former Premier Baird vowed to legislate for local government spending caps, but what do we see coming from the Berejiklian Government? Nothing. What do we hear coming from the Berejiklian Government? Nothing. The Opposition bill is about representatives serving the community, not themselves. We had three by-elections in the Hunter in 2014, all of them developer driven. The reasons behind those three by-elections were all associated with a local identity whose described himself as "the walking ATM" for local State members of Parliament. What does that do for public confidence and good governance, let alone the cost to taxpayers?

Just in case members have forgotten, 10 Liberal parliamentarians went to the crossbench or resigned from the party in New South Wales as a result of the ICAC inquiry into alleged illegal donations. In the Hunter alone there were Garry Edwards, Andrew Cornwell, Craig Baumann, Tim Owen—the list goes on. Local government elections will be held in September this year, and many Hunter councils are participating in those elections. The Hunter is at the forefront of dodgy developers and brown paper bags. This legislation is vital to ensure that nothing like this ever happens again. This Premier and her Government must stand with Labor in condemning local government corruption, and take action immediately. I ask members to support my notice of motion and stamp out corruption.

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

The House divided.

Ayes49
Noes33
Majority..... 16

AYES

Anderson, Mr K
Barilaro, Mr J
Conolly, Mr K
Crouch, Mr A
Donato, Mr P
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
Speakman, Mr M
Toole, Mr P
Ward, Mr G
Wilson, Ms F

Aplin, Mr G
Bromhead, Mr S (teller)
Constance, Mr A
Davies, Ms T
Elliott, Mr D
Gibbons, Ms M
Griffin, Mr J
Hodgkinson, Ms K
Kean, Mr M
Marshall, Mr A
Patterson, Mr C (teller)
Petinos, Ms E
Rowell, Mr J
Stokes, Mr R
Tudehope, Mr D
Williams, Mr R

Ayres, Mr S
Brookes, Mr G
Coure, Mr M
Dominello, Mr V
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
Sidoti, Mr J
Taylor, Mr M
Upton, Ms G
Williams, Mrs L

NOES

Atalla, Mr E
Catley, Ms Y
Daley, Mr M
Finn, Ms J
Harrison, Ms J
Hornery, Ms S
Leong, Ms J
Mehan, Mr D
Piper, Mr G
Smith, Ms T F
Washington, Ms K

Barr, Mr C
Chanthivong, Mr A
Dib, Mr J
Greenwich, Mr A
Haylen, Ms J
Kamper, Mr S
Lynch, Mr P
Minns, Mr C
Robertson, Mr J
Tesch, Ms L
Watson, Ms A (teller)

Car, Ms P
Crakanthorp, Mr T
Doyle, Ms T
Harris, Mr D
Hoenig, Mr R
Lalich, Mr N (teller)
McDermott, Dr H
Parker, Mr J
Scully, Mr P
Warren, Mr G
Zangari, Mr G

PAIRS

Berejiklian, Ms G
Roberts, Mr A

Aitchison, Ms J
Foley, Mr L

Motion agreed to.

REGIONAL TRANSPORT INFRASTRUCTURE**Priority**

Mr KEVIN HUMPHRIES (Barwon) (15:54): I move:

That this House:

- (1) notes the Government's record investment in country roads, rail and truck washes across regional New South Wales; and
- (2) acknowledges that the Government is getting on with the job of delivering the infrastructure that regional New South Wales needs and deserves.

I will outline where some of the \$9.7 billion in the New South Wales roads and freight budget is being spent because it is important to remind people of the commitment that the Liberals and Nationals have made with our Federal colleagues. New South Wales is taking the lead in improving the quality of life of people who live in country areas. It does not matter whether they live in Brewarrina, Broken Bay, Parramatta or Parkes: We are all committed to improving our infrastructure, which means improving road safety and our ability to efficiently move people and produce from A to B.

A total of \$2.1 billion will be injected over this 12-month period into fast-tracking major upgrades to key regional highways. That includes the fully-funded Pacific Highway, which would not have occurred in a timely manner if the Liberals and Nationals were not in Government in this State. It includes the Princes Highway, the Central Coast Highway, the Great Western Highway, the Newell Highway—which I live near—the New England Highway, the Oxley Highway, the Mitchell Highway, the Kamilaroi Highway, the Gwydir Highway, the Kidman Way out west, the Kings Highway in the south, the Riverina Highway and Silver City Highway in the far west of the State, the Cobb Highway and the Bells Line of Road.

In this 12-month period alone \$2.1 billion will continue to be invested in those roads. Additionally, \$240 million will be invested in upgrading and maintaining major regional freight rail lines. Last week, the Minister for Roads, Maritime and Freight was in Narrabri where we announced the completion of the \$40 million rail line to Walgett. This is a good example of what that funding is being spent on. The rail line will allow the timely transport of grain for export, particularly in the north-west of the State. An amount of \$111 million will go to support productivity and safety for road freight in numerous regional New South Wales areas, including the Bridges for the Bush program. Certainly my own electorate has been a recipient of much of that funding in recent years. The Government has invested \$16 million of co-funding in truck washes across New South Wales. A number of those sites were announced in Broken Hill on Saturday by the Minister, including a truck wash in Broken Hill, which previously did not have a truck wash within 900 kilometres east or west of it. Previously the closest truck washes were in South Australia and Dubbo. That is a major improvement.

One of the programs I will concentrate on is Fixing Country Roads. I note that the member for Cessnock is here. Fixing Country Roads is a \$300 million program of new funds. As we recycle assets in New South Wales at least 30 per cent of that must be used in regional projects. A total of \$90 million has been announced to date and today the Minister for Roads, Maritime and Freight announced \$4.45 million of funding to the Cessnock City Council as part of the New South Wales Government's commitment to fixing country roads. I am sure the member for Cessnock will be delighted to hear that. That investment will be used to upgrade and widen Frame Drive into an 11-metre carriageway from the intersection of Gingers Lane to Orange Street in Abermain. I am sure the member for Cessnock will be keen on that. That is part of a larger plan to create a stronger transport route which will connect Cessnock directly to the Hunter Expressway.

I have additional good news: \$30 million for the Barwon electorate was also announced during the week. One of my favourite parts of that funding round was \$21.3 million to connect the Brewarrina township in north-west New South Wales by sealing the Goodooga Road. Some 96 kilometres of the road will be sealed to run through to Goodooga and Hebel to connect us to the Queensland transport system. Today's announcement is good news for regional and country New South Wales. It is all about running a tight fiscal and monetary policy and making sure that our country areas get their fair share. The Nationals put forward this project to make sure that money is reinvested into country New South Wales. [*Time expired.*]

Mr DAVID HARRIS (Wyang) (16:00): I move an amendment to the motion of the member for Barwon as follows:

That the motion be amended by adding the following paragraph:

- "(3) condemns the Government for committing only 30 per cent of proceeds from a potential sale of the Snowy Hydro to regional New South Wales."

I have a lot of respect for the member for Barwon and the member for Cootamundra. It is a shame that this Government abolished regional Ministers because both members would make excellent regional ministers. They represent their areas very well, but unfortunately they are not served so well by their masters in Macquarie Street, namely, the NSW Liberal Party which has deliberately back-ended projects in regional New South Wales. City projects have commenced and are underway but the ones promised for regional New South Wales will start in the future. Members do not have to take my word on that point. In her 2016 report on State finances, the then Auditor-General of New South Wales, Margaret Crawford, pointed out that in 2015/16 only 10 per cent of the committed funds were actually being directed to rural New South Wales.

The city has billion-dollar projects with billion-dollar overruns that are going at a million miles an hour. In regional New South Wales there are lots of promises, lots of commitments and long lists, but much of the work is yet to start. Again, members do not have to believe me; they only have to listen to Fiona Simson, President of the National Farmers Federation, when she said that there needs to be more transparency around the funding of regional infrastructure, which has been starved of cash since the local road network was transferred from the States to councils. The National Farmers Federation is a friend of The Nationals, yet it criticises the Government for its lack of transparency. Ms Simson went on to say:

Across the state and across Australia the backlog of infrastructure spending in the bush is in the millions if not billions.

I often travel around regional New South Wales. I am heading out to Moree and Tamworth in the next few weeks on one of my regular visits. Regional mayors tell me that they are furious that the NSW Liberals—they do not blame The Nationals—

Mr Gareth Ward: Name them. Name the mayors.

Mr DAVID HARRIS: Orange, Wagga Wagga, Bathurst, Moree, and I can go on. All those people said that they are angry, not with The Nationals—except to say that The Nationals are not arguing hard enough on their behalf—but with the NSW Liberals. They see the NSW Liberals as Sydney-centric, blowing billions of dollars on projects like the WestConnex, while country New South Wales is waiting for infrastructure spending to start. The mayors are starting to lose confidence that the infrastructure spending will begin. A great example is the proposed sale of the Snow Hydro project. The Leader of the Opposition, Luke Foley, put on the record that Labor, in government, would commit 100 per cent of the proceeds from that sale, which could be between \$4 billion to \$5 billion, to go to regional infrastructure funding. In contrast, the Deputy Premier and Minister for Regional New South Wales, John Barilaro, has committed 30 per cent.

Even though 41 per cent of the State's population lives in rural and regional New South Wales, this Government will give them only 30 per cent of the proceeds from that sale. This Government is having the sale of the century—everything that is not bolted down and most of the stuff that is bolted down is being sold—and regional New South Wales is being sold down the river. Regional New South Wales is not getting its fair share in a timely fashion. Unfortunately, former Ministers who took on their Liberal masters in Sydney are now sitting on the backbench. They were demoted for their efforts, and their demotion is a sad loss. The member for Barwon and the member for Cootamundra have always stood up for their electorates but this Government punished them for their efforts.

Ms KATRINA HODGKINSON (Cootamundra) (16:05): The contribution of the previous speaker, the member for Wyong, was a joke. When I came into this place in 1999, then Labor Premier Bob Carr said, "You know what, regional New South Wales gets too much funding. We are coming into an Olympics year and we are just going to borrow a bit of that funding." That funding never came back to the regions. In 2004, Joe Tripodi, the then Minister for Roads and Bridges, got rid of the Country Timber Bridge Program. He eliminated it and that funding went back to the cities. In fact, we were unable to trace a lot of that funding.

It was not until The Nationals came to government in 2011 that Duncan Gay, the then Minister for Roads and Freight, got the rebuilding country bridges program up and running. It was delightful to be a part of an important announcement by Duncan Gay on 8 August 2016 in relation to \$400 million for fixing country rail, including \$15 million to fund 10 pilot projects to kickstart our country rail program. I was delighted that \$5 million of that funding was allocated to my electorate of Cootamundra to fix the Maimuru to Demondrille railway line, which was closed in 2008 by the then Labor Minister for Transport, David Campbell. It was a disgrace that the Minister closed so many branch lines. He should have known better but he had to bow to his Cabinet masters. We now have \$5 million to reinstate that 56-kilometre section of the Cowra line and \$1.5 million for the rail siding extension at Barellan, which services a major grain receival site.

A lot of people may not be interested in these projects, but the extension of this grain receival site will mean greater storage at that rail siding for grain growers. City members may not find this exciting, but it is very exciting for country members. It will mean much more effective grain transportation. I was excited to hear the member for Barwon talk about a \$10 million joint initiative between the State and Commonwealth governments

for truck wash-out facilities. The Fixing Country Truck Washes program will support a \$552,000 new truck wash on the Barellan Road at Narrandera, with the balance of \$995,300 in funding to support new truck washes at the Cowra and Cootamundra saleyards. These are desperately needed for biosecurity and will mean that truck drivers who have to wash their trucks will not have to travel an extra hour to Wagga Wagga or Griffith. We have been calling for these initiatives for a long time. This is an important motion and I beseech every member to support it.

Ms TRISH DOYLE (Blue Mountains) (16:08): The Berejiklian Government is desperately in need of a morale boost after successive question times that have left Government members feeling a bit flat and lifeless. The Government has had such a poor showing of late that it is a bit embarrassing. So we have this pathetic, backslapping motion which is designed to cheer up members like the Minister for Transport and Infrastructure, Andrew Constance. The Minister is a little glum; he always looks unhappy. He walks the corridors of this place like a morose and sullen poltergeist because he knows how hopeless and incompetent this Government is.

Mr Gareth Ward: Point of order: Clearly he is morose because he has to look at you lot.

The DEPUTY SPEAKER: What is the member's point of order?

Mr Gareth Ward: My point of order is that calling the Minister for Transport and Infrastructure names is totally unnecessary and not relevant to the motion.

The DEPUTY SPEAKER: The member will refer to other members by their electorate or their title.

Ms TRISH DOYLE: It is pretty sad that the only positive that Government members can point to, when they slap one another on the back with nonsense motions such as this, is their record of pork-barrelling in regional electorates. Unemployment in the bush might be rising and the economy outside Sydney is stuffed, but The Nationals have had plenty of ribbon-cutting ceremonies to keep them busy during the weeks that Parliament does not sit, so they are happy. The motion before the House mentions the delivery of infrastructure in regional New South Wales. I represent a seat that straddles the divide between outer metropolitan Sydney and regional New South Wales. In my electorate the Government is not delivering infrastructure investment; it is botching it. Premier Berejiklian signed up for new trains that will not fit the tracks. When the Minister for Transport and Infrastructure was asked on Ray Hadley's radio program who was to blame for these fat trains that do not fit the tracks, the Minister very quickly blamed Ms Berejiklian. "It was Gladys's fault", he said.

I do not care if it is the fault of the Premier or Minister Constance. As far as the people of the Blue Mountains are concerned, the entire Government is incompetent. It is incompetent because it bought trains that do not fit the tracks. It is incompetent because it sold the Land and Property Information Office and chose to blow the money on inner-city stadiums. It is incompetent because when Malcolm Turnbull reneged on a funding deal for our schools, this Government just accepted it. Earlier today it was mentioned that people in regional communities like Charlestown and Lake Macquarie have been waiting for traffic congestion and traffic corridor studies since 2015. My electorate is still waiting too. *[Time expired.]*

Mr KEVIN HUMPHRIES (Barwon) (16:11): In reply: I thank the member for Wyong, the member for Cootamundra and the member for Blue Mountains for their contributions. The member for Wyong reminded us that the Government is getting on with the job. Members on this side of the House represent billion-dollar electorates in rural New South Wales where the Government is building infrastructure, most of which has been completed. I thank the member for Cootamundra for reminding us that under Labor the Roads budget was overseen by the inner-city faction of Eddie Obeid and Joe Tripodi and virtually nothing was spent in regional New South Wales at that time. I thank the member for Blue Mountains for reminding us that under Labor the Great Western Highway had something like 15 contractors working on it. It was a Liberal-Nationals Government that brought that project to fruition. That has been a good result for the people of the Blue Mountains, and they should say thank you.

I want to remind members of projects across the Barwon electorate, which include \$1 million to seal the Grain Road in Cobarr; \$2 million to the Coonamble and Warren councils for resealing a regional road; \$5.4 million for the Walgett Shire Council to seal what is called the Buglebone Road, which connects to Burren Junction, a grain-growing area across a flood plain; and \$2 million for the Narrabri Shire Council for the upgrade of the Pilliga-Wee Waa Road and a number of bridges. I note the presence in the House of the member for Upper Hunter. His electorate received \$14 million, including \$8.3 million for The Bucketts Way. That is one of the more important freight routes in the Hunter and mid-North Coast. That funding will allow 24-metre and 26-metre B-doubles to use that route, reducing their travelling distance by about 70 kilometres and saving drivers an hour. That funding is going to the MidCoast Council and the Port Stephens Council. As well, \$5.5 million is going to the Dungog Shire Council. That is a good result.

While the Deputy Speaker is in the chair, I remind the House that the Lismore electorate received not only Fixing Country Roads funding but also funding for fixing country bridges. The Nationals and Liberals

restored that program. Recently the Government awarded the contract for the new Tabulam Bridge across the Clarence River on the North Coast. That forms part of the Bruxner Highway, which provides the main connection for road users, including heavy vehicles, between the Northern Rivers, the Northern Tablelands and the Far North West. This new bridge will improve road transport productivity and traffic efficiency, and for safety purposes it will incorporate a separate footpath. The Government is getting on with the job of putting in place the infrastructure that regional New South Wales needs and deserves.

I look forward to years of Coalition budgets in New South Wales because the Government is turning our country electorates into billion-dollar electorates. We are playing catch-up after years of neglect. It was too hard for Labor. They could not make the innovative decisions that this Government has been able to make by recycling assets and establishing the Restart NSW program. Finally country New South Wales is getting its fair share—from the Liberal-Nationals Government.

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

The House divided.

Ayes31
Noes49
Majority.....18

AYES

Atalla, Mr E
Catley, Ms Y
Daley, Mr M
Finn, Ms J
Haylen, Ms J
Kamper, Mr S
Lynch, Mr P
Minns, Mr C
Scully, Mr P
Warren, Mr G
Zangari, Mr G

Barr, Mr C
Chanthivong, Mr A
Dib, Mr J
Harris, Mr D
Hoenig, Mr R
Lalich, Mr N (teller)
McDermott, Dr H
Parker, Mr J
Smith, Ms T F
Washington, Ms K

Car, Ms P
Crakanthorp, Mr T
Doyle, Ms T
Harrison, Ms J
Hornery, Ms S
Leong, Ms J
Mehan, Mr D
Robertson, Mr J
Tesch, Ms L
Watson, Ms A (teller)

NOES

Anderson, Mr K
Barilaro, Mr J
Conolly, Mr K
Crouch, Mr A
Donato, Mr P
Fraser, Mr A
Greenwich, Mr A
Hazzard, Mr B
Johnsen, Mr M
Maguire, Mr D
O'Dea, Mr J
Perrottet, Mr D
Piper, Mr G
Sidoti, Mr J
Taylor, Mr M
Ward, Mr G
Wilson, Ms F

Aplin, Mr G
Bromhead, Mr S (teller)
Constance, Mr A
Davies, Ms T
Elliott, Mr D
Gibbons, Ms M
Griffin, Mr J
Hodgkinson, Ms K
Kean, Mr M
Marshall, Mr A
Patterson, Mr C (teller)
Petinos, Ms E
Provest, Mr G
Speakman, Mr M
Toole, Mr P
Williams, Mr R

Ayres, Mr S
Brookes, Mr G
Coure, Mr M
Dominello, Mr V
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, Mrs L

PAIRS

Aitchison, Ms J
Foley, Mr L

Berejiklian, Ms G
Roberts, Mr A

Amendment negatived.

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

The House divided.

Ayes49
 Noes31
 Majority.....18

AYES

Anderson, Mr K
 Barilaro, Mr J
 Conolly, Mr K
 Crouch, Mr A
 Donato, Mr P
 Fraser, Mr A
 Greenwich, Mr A
 Hazzard, Mr B
 Johnsen, Mr M
 Maguire, Mr D
 O'Dea, Mr J
 Perrottet, Mr D
 Piper, Mr G
 Sidoti, Mr J
 Taylor, Mr M
 Ward, Mr G
 Wilson, Ms F

Aplin, Mr G
 Bromhead, Mr S (teller)
 Constance, Mr A
 Davies, Ms T
 Elliott, Mr D
 Gibbons, Ms M
 Griffin, Mr J
 Hodgkinson, Ms K
 Kean, Mr M
 Marshall, Mr A
 Patterson, Mr C (teller)
 Petinos, Ms E
 Provest, Mr G
 Speakman, Mr M
 Toole, Mr P
 Williams, Mr R

Ayres, Mr S
 Brookes, Mr G
 Coure, Mr M
 Dominello, Mr V
 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, Mrs L

NOES

Atalla, Mr E
 Catley, Ms Y
 Daley, Mr M
 Finn, Ms J
 Haylen, Ms J
 Kamper, Mr S
 Lynch, Mr P
 Minns, Mr C
 Scully, Mr P
 Warren, Mr G
 Zangari, Mr G

Barr, Mr C
 Chanthivong, Mr A
 Dib, Mr J
 Harris, Mr D
 Hoenig, Mr R
 Lalich, Mr N (teller)
 McDermott, Dr H
 Parker, Mr J
 Smith, Ms T F
 Washington, Ms K

Car, Ms P
 Crakanthorp, Mr T
 Doyle, Ms T
 Harrison, Ms J
 Hornery, Ms S
 Leong, Ms J
 Mehan, Mr D
 Robertson, Mr J
 Tesch, Ms L
 Watson, Ms A (teller)

PAIRS

Berejiklian, Ms G
 Roberts, Mr A

Aitchison, Ms J
 Foley, Mr L

Motion agreed to.*Private Members' Statements***TRIBUTE TO MICHAEL GLEAVE**

Mr CHRIS MINNS (Kogarah) (16:27): I will read part of an email that was sent to party members in my electorate of Kogarah on the passing of Michael Gleave, a longstanding member of the Labor Party. It stated:

It is my sad duty to let you know that our dear friend and comrade Michael Gleave passed away on Friday, 12 May 2017, after a battle with cancer. Michael was an absolute stalwart of the Australian Labor Party, and he was highly regarded and deeply respected within our Party, the trade union movement, and beyond. Michael joined the Labor Party in 1974, and received Life Membership in 2014. He was Secretary of the Randwick Branch from 1975-1979, before he and his wife Cheryl moved to the

St George area in 1980. Michael was Secretary of the Kogarah Carlton branch from 1997 to 2009, and he also held the positions of President, Vice President. He was our branch delegate to Kogarah SEC several times, our delegate to Barton FEC for many years, and then our delegate to Banks FEC. Michael was regularly a delegate to the New South Wales Labor State Conference, and he was the Banks delegate to the ALP National Conference in 2015.

Michael worked on every Federal, State, and Local Government campaign since he joined the Party, and he was Booth Captain at Allawah (now known as PJ Ferry) for over 30 years. He also worked full time on the federal campaigns for Joe Riordan in Phillip in 1975, Robert McClelland in Barton in 2004, and Daryl Melham in Banks in 2013. Following a boundary change in 2014 that moved them into the state seat of Oatley, Michael and Cheryl transferred to the Homedale branch, and more recently they attended the Oatley Lugarno branch. Michael was a man of integrity, decency and depth, and he was a great friend and mentor to many of us. He was also a passionate football fan, and was delighted to see his beloved Sky Blues win the grand final last weekend.

His friendship, stories, and wise counsel will be greatly missed. Our deepest condolences go to Cheryl, and to all those who loved him.

I take this opportunity to read a report from the Community and Public Sector Union [CPSU], which is one of the largest unions in Australia, and of which Michael was president. The report states:

The staff, members and officials of the CPSU are deeply saddened by the loss of our dear comrade Michael Gleave.

Michael died early on Friday morning after a long battle with cancer.

Our thoughts and prayers are with his wife Cheryl, their family and Michael's many friends throughout the union movement, the Labor Party and beyond.

Michael was an energetic, generous and thoroughly decent man who spent his life representing working people and campaigning on a wide range of progressive issues from anti-apartheid to workers' rights to protecting public services.

A natural leader, Michael spent much of his time at the CPSU mentoring and encouraging younger union staff and delegates, sharing the insights and knowledge he'd built-up over many years in the movement.

Michael started out as a CPSU delegate in Customs, leading workplace campaigns and strikes.

After becoming an official in the NSW branch, he played a key role in the move to modernise our union and adapt to challenging times.

Michael has represented members in every area of our coverage and in more recent years became a much-respected leader within the Members Service Centre. He retired from the CPSU in July 2013.

Away from work Michael was a passionate sports fan who regularly crossed the globe to support his beloved Socceroos and was recently thrilled to see Sydney FC win the grand final. He was equally passionate about music and everything Cuban—from politics to rum!

He will be sadly missed.

I pay tribute to Michael Gleave's enormous contributions to the labour movement and to the Labor Party. Michael was a true believer; he was committed to the ideals of community and, dare I say it in this place, socialism. I was not always on the same side of inter-party debates, but I knew him to be an honest and generous debater. He was tireless in his pursuit of a better Australia. He gave that most precious of gifts in pursuit of his ideals—his labour and his time. Vale Michael Gleave.

I had the opportunity to attend Michael's memorial service at Sutherland last week. The service was attended by many people who had come to pay their respects to a man who made an enormous contribution. I am sure that he and his wife, Cheryl, would like this place to acknowledge the decency and dedication of the men and women who work at the Calvary Hospital, the Catholic palliative care hospital in the electorate of Rockdale. Michael had many friends, including members here today. His most recent contribution to the Labor Party was as a tireless campaigner against the member for Oatley. He always did that with good cheer and humour. He always behaved with the decency that comes with someone committed to democracy and to the Labor Party. We have lost a thoroughly decent person.

Mr MARK COURE (Oatley) (16:32): I thank the member for Kogarah for informing the House of the passing of Michael Gleave. I have known Michael on and off, primarily during election campaigns, for close to 20 years, and particularly during my two terms as a local councillor. My thoughts and prayers are with Michael, his wife, Cheryl, and his family. Michael was a thoroughly decent guy. As the member for Kogarah said, he was a campaign director for many local Labor candidates over the years, including Michael Platt and the Labor Party's Kogarah City Council team. He did a great deal for the local community and for the Labor Party.

INNER WEST CENTRAL SPORTING FACILITY

Mr JOHN SIDOTI (Drummoyne) (16:33): I gives me great pleasure to draw to the attention of the House a project that will be beneficial not only in my electorate but also across Sydney. I like Wests Tigers, but my preferred team is the Sydney Roosters. Since 2003, Wests Tigers has based its administrative and training facilities at Concord Oval. The club shares the site with West Harbour Rugby Union and the Inner Lions Soccer Club Women's League. Concord Oval is more than 30 years old, it is dilapidated, and it is at the end of its life.

The City of Canada Bay Council recognises that the oval infrastructure is no longer suitable or aligned to its current and proposed future use, and it is seeking to redevelop the site. As a result, the Inner West Central facility—a multipurpose, high performance training and community facility—has been developed by Wests Tigers, the Police Citizens Youth Club and the City of Canada Bay. This major sport, leisure and community precinct is designed to cater for elite sports and current and projected community needs that are largely being driven by the projected population growth in the Kings Bay and Burwood areas. Wests Tigers are awaiting the outcome of the final application to the State Government's New South Wales National Rugby League [NRL] Centre of Excellence Program. It is seeking \$40 million in funding to support capital investment in club training and administrative facilities to enable the project to be realised.

Why is the project so great? The Inner West Central facility is based on an exemplar model bringing together elite sport, a community group with impeccable credentials in delivering facilities, and programs to benefit the community and local government. This model delivers outstanding facilities, efficiencies across multiple users, and a focus on sustainability and commercial opportunities for all parties. Inner West Central will be a hub of activity in the region and a destination for elite sport, pathways sport and the community. The project will deliver a facility that is not only best practice in terms of innovation and the integration between elite grassroots support but also will be iconic and will raise the profile of the inner-west region and Wests Tigers.

Why is the project so important to Wests Tigers? The club represents a considerable catchment in the State's inner-west and south-west. The club, its stakeholders and its fans deserve better. The club's existing facilities are well past their use-by date and are substandard for professional sport in this country. The club's vision is to develop a single club identity and a stronghold in the inner west. The project is integral to achieving its objectives. It will allow the club to truly establish itself as a force in the NRL and affiliated competitions, and to become more competitive both on and off the field. It will provide the opportunity to integrate club, National Rugby League and community programs into the facility, and the capability to embrace the local community's needs.

It is Wests Tigers' turn. The club has operated in a suboptimal setting for too long. This region of Sydney has become a sporting hub for teams and clubs across New South Wales. It has a state-of-the-art \$7 million hockey field, Concord Oval, and Cintra Park Tennis Centre. The netball competition alone attracts 3,000 people on a weekend. This sporting precinct will provide future generations with facilities that will breed champions. I hope that the Government looks favourably on Wests Tigers' application. I commend the Minister for Sport for establishing a fund which will make all rugby league teams in the NRL competitive and provide facilities that will make the area a sporting centre of excellence.

NIOKA PALLIATIVE CARE UNIT

Mr KEVIN ANDERSON (Tamworth) (16:38): Palliative care is everyone's business. On Monday 22 May, I was privileged to be joined by the Parliamentary Secretary for Regional and Rural Health, Leslie Williams, in hosting talks with health professionals and stakeholders from across the region at a palliative care roundtable designed to shape policy on how we deal with palliative care in the community. We recognise that delivering palliative care in the Hunter New England health district—and, in particular, in the Tamworth electorate—has its own challenges. The needs of patients and regions differ greatly. One of our top priorities is to provide better end-of-life care and more tailored, community-based palliative care services for our patients. Approximately 50,000 people die each year in New South Wales and that figure will double by 2056. Palliative care manages pain and other distressing symptoms for people approaching the end of their life.

What we need to do is look at how we better provide for those who choose to spend the last days of their lives at home. Tamworth Rural Referral Hospital has a specific palliative care unit called Nioka and it has been built as part of the brand-new redevelopment of the hospital. It is warm, caring, friendly and peaceful and comes under the specialist services of Dr Phil Hungerford and his team. For those who choose to use Nioka at the hospital, there is that service. For those who choose to end their life at home, we need to get better at communication and connection with people who are receiving palliative care, along with their general practitioners [GPs], social workers, registered nurses, family and friends.

We need to ensure communication about pain management and about the process is delivered better. At present, the framework is there from the referral from the GP to the pain management component, relaying that to the patient, which then involves the family. The framework is there but there is a breakdown in communication and connectivity. Our suggestion is that we include social workers, registered nurses, assistants in nursing or volunteers to provide that very important conduit of communication and information flow between the family, the GP and the hospital.

When someone spends every day with someone receiving palliative care in their home, it is very difficult to notice change. Because of this, every few days that patient needs to be contacted by someone separate such as

a social worker, a community nurse, a registered nurse, a volunteer or the GP, to check on the welfare of that patient. That person will then be able to pick up any changes in the patient, and that may include a change in pain management and medication. That can then be discussed with the patient as well as the family, friends and carers of the patient. That then can be related back to the GP and, ultimately, if hospitalisation is required, that information flows directly to the hospital and the nursing staff there who understand the continuity of care of that patient.

We are working hard to increase the communication, the information flow and the continuity of care for those people who choose to spend the last few days of their life at home. We look forward to coming back with a discussion paper following the roundtable held in Tamworth to better inform and better equip our health professionals with the resources they need to provide that very important service. Again, I thank our nursing staff and I thank those who are providing palliative care at Nioka in the Tamworth Rural Referral Hospital. They do a magnificent job. We need to get better at the community component, and I look forward to continuing to do that.

DENISTONE EAST PUBLIC SCHOOL POOL

Mr VICTOR DOMINELLO (Ryde—Minister for Finance, Services and Property) (16:44): Today I speak with regard to a school in the Ryde electorate, the Denistone East Public School, and its pool. Fifty years ago, parents and indeed the entire community banded together to recycle bottles and raise funds to build what was then a very ambitious project—a school pool. There were bottle collection days and working bees to sort the bottles. Eventually this very committed group of parents built their school pool for their children and for the children that were to follow. As a result of their enormous effort and work, the Denistone East Primary School Pool was opened 1965.

The pool was in constant use and demand with generations of students learning to swim and participating in training and lifesaving courses, as well as having fun at the weekend sessions on Saturday and Sunday afternoons. Many in my local area would remember Mr Joseph Howard—Joe Howard—the Ryde High School science master, whose commitment to fitness and sport led him to teach swimming in his spare time at before and after school swimming classes. In fact it is not uncommon to hear locals exclaim, "I learnt to swim in that pool!"

As time progressed, the need to refurbish the pool and the surrounding infrastructure became increasingly evident. Again the community rallied. With the support of the school's executive and teachers, parents and community members, the parents' and citizens' association president, Anna Pleadin, and her team swung into action. They embraced the need for a petition to be presented to the education Minister to show how strongly the community felt about the pool and the need for it within the community. With only four days left in the school term, the community and parents gathered more than 1,300 local signatures supporting a proposal by Royal Life Saving NSW and the education department to create a new facility where the old pool stands.

The proposal was for a learn-to-swim facility managed and run by Royal Life Saving on the site of the old pool. Students from the school will benefit from the swimming classes, as will adjoining schools and the community. This will be a fantastic community asset. The advantages of an indoor aquatic centre will enable year-round learning. The Minister for Education, the Hon. Rob Stokes, along with Royal Life Saving NSW chairman, Jim Whiteside, and chief executive, David McAllister, announced on Friday 12 May 2017 to our community that this \$4 million facility will be built. As the local member, I am pleased that my community is taking up the challenge for shared community use agreements to open up school assets for community use whilst offsetting costs and generating income. The Denistone East Public School will soon be again known in the local area as the school with the pool.

CATHOLIC SCHOOLS FUNDING

Dr HUGH McDERMOTT (Prospect) (16:46): I rise to talk about the important issue of systemic Catholic schools in the State electorate of Prospect and their impact throughout Western Sydney. They are important not only to our children in Western Sydney but also to families as a whole. For almost 200 years, Catholic schools in New South Wales and throughout Australia have provided outstanding educational opportunities to families. In the State electorate of Prospect there are five Catholic schools and an additional three Catholic schools border the electorate.

Within the electorate there are 3,198 students in Catholic schools, so approximately one in four children attends either secondary or primary Catholic schools. There are more than 200 teachers and 60 non-teaching staff, bringing the total number of staff to almost 300, so Catholic schools are a significant employer in the electorate. The three Catholic schools that border the seat of Prospect add hundreds more students. The number of children in Catholic education in the electorate of Prospect or associated with the electorate of Prospect is close to 4,000 and quite significant.

They are amazing schools with great teachers, great students and supportive families throughout that do a lot of work not only in the school itself but also in the surrounding region. The schools include St Michael's Primary School at Blacktown South. Attached to St Michael's Primary School is St Michael's Catholic Early Learning Centre, which does a significant amount of work getting children from low socio-economic backgrounds and Indigenous backgrounds into early education. They do a marvellous job. They started in a small cargo container a number of years ago. The staff there have built this into a wonderful education facility.

The Mary Immaculate Catholic Primary School in Bossley Park has an increasing number of refugee children from Northern Iraq and Syria who have been welcomed with open arms and also are not required to pay any fees, I must add. There is also St Anthony's Primary School at Girraween and St Gertrude's Catholic Primary School in Smithfield—which also takes refugee children—as well as Nagle College, a girls' educational college in Blacktown South. On the border of the electorate is Our Lady Queen of Peace primary school at Greystanes, which has a very large number of children, St Pauls Catholic College at Greystanes and the Mary MacKillop Catholic College in Wakeley. They are wonderful schools.

The Catholic school system was established to make a Catholic education affordable for all parents, regardless of where they live, their financial situation and, to be honest, their faith. The overwhelming majority of parents who send their children to Catholic schools in Australia, especially in the electorate of Prospect, are not rich. They are everyday Australians, earning everyday wages and doing what they believe will give their children the best possible education and schooling experience and best possible future. Catholic schools are not overfunded. Even with all sources of funding included, Catholic schools receive around the same overall amount of funding as do government schools—not more; the same.

Catholic educators and parents strongly support a needs-based funding model. Systemic Catholic schools already operate under a model that allocates resources to where the needs are greatest. That is the purpose of the system. It has worked well for many decades. Recently many Catholic school parents in the State electorate of Prospect have been reading the newspapers and watching television news reports and have become fearful of fee rises that as working families they simply cannot afford. The Federal Government and the New South Wales Government need to immediately provide clarity and detail about the long-term impact of the proposed Federal funding model to reassure parents that these significant fees increases will not happen.

The Federal Government saying they will not happen, without giving the full details and providing transparency of the funding plan, is not enough. Catholic schools save State and Federal governments a significant amount of money. If Catholic schools did not exist, governments would have to find the money to build and maintain schools to cater for an additional quarter of a million students across the country. We cannot afford to revert to a model of funding that pitches one system of schooling against another. It is destructive and achieves nothing. The Catholic system and the parents of children in Catholic schools want to work together to get this right and put to an end the antagonism and name-calling that has been reported in local papers recently. It is time to reset the debate and support education in New South Wales.

Dr GEOFF LEE (Parramatta) (16:51): I also support the Catholic school system. I particularly congratulate Greg Whitby, who heads the Diocese of Parramatta, for the outstanding thought leadership he has championed throughout the Catholic schools in Western Sydney. The Diocese of Parramatta teaches 24 per cent of schoolchildren in Western Sydney. Those schools are a very important shaper of the way our education system operates in Western Sydney. I commend Greg Whitby's innovative approach to schooling and pedagogy, which includes problem-based learning, open plan and flexible learning spaces and group learning activities through which children become independent learners as well as interdependent learners. I congratulate the Catholic school system in Parramatta.

COOTAMUNDRA ELECTORATE POLICING

Ms KATRINA HODGKINSON (Cootamundra) (16:52): Following recent feedback I received from civic leaders at both Narrandera and Temora, today I relay serious concerns about crime and the availability of police locally. Earlier this year a community meeting with representatives from the Griffith Local Area Command was held at Narrandera in response to community concerns that there had been a spike in local crime, and questions about whether the local police presence was adequate in such circumstances. Following this meeting the mayor, Neville Kschenka, wrote to me to formally express these concerns on behalf of the community. I also thank Councillor Jenny Clarke for liaising with my office about this matter.

I have been reliably informed that the latest in criminal activity at Narrandera has involved local businesses being broken into. These break-ins do not appear to be opportunistic, spur-of-the-moment break-ins, as some cases have involved the use of an angle grinder to get inside the premises. Understandably, the small business community is concerned about security and the impact this has had upon Narrandera's central business district. Residents, too, are quite rightly concerned about what it means for their personal safety. In the light of

such activity, it is of concern that, according to the councillors of the Narrandera Shire Council, there are limited police numbers available to respond in the immediate local area. I have been informed the Narrandera Police Station is often closed, with police assistance provided from Leeton, some 25 minutes drive away.

I note that five new probationary constables were allocated to the Griffith Local Area Command [LAC] following the latest police academy attestation parade. This is fantastic news for the Griffith LAC, and I welcome and congratulate these wonderful new recruits. However, concerns about the adequacy of numbers at Narrandera remain and have been conveyed to me at my electorate office. In this regard, Narrandera Shire Council has also contacted the New South Wales Police Commissioner seeking information about the current methodology for allocation of police and resources to the regions.

Meanwhile, at Temora the mayor, Rick Firman, and the proprietor of a prominent local supermarket have raised similar concerns with me. There have been several incidents in recent times that have required a local police presence. Unfortunately, for various reasons local officers were unavailable and the Temora community have had to rely on police attendance from Junee, which is up to one hour's drive away. Over the weekend I was informed that three individuals, all of whom have been issued with a ban from this supermarket, boldly walked into the liquor section and on multiple occasions took alcohol off the shelves and simply walked out. The team at this supermarket are worried about the availability of police locally to respond in a timely manner to such instances of crime.

I have written to the Minister about this and raised it with the local area commander. However, this type of activity is not normal for my electorate of Cootamundra in country New South Wales. I am very concerned about the issues that have been raised with me through my electorate office. I remind members of the public always to report instances of crime or suspicious activity. It is absolutely imperative to guiding the operations of local police and it is simply a matter of people contacting their local station to report what they have observed.

I also take this opportunity to note our immense respect and gratitude—and that of both the Narrandera and Temora communities—for the professionalism and the dedication of our local New South Wales police officers and respective local area commands. We thank them all for their ongoing efforts to address and mitigate instances of crime within our regional towns. As I have said, crime is not a regular occurrence within my electorate of Cootamundra, so instances such as these—particularly the theft on multiple occasions of alcohol from the shelves of a local supermarket—worry members of the local community and leave proprietors of the supermarket in fear. We have a problem on our hands, and that is why I raise the issue in the House tonight. I thank the Minister for Police for looking into the serious concerns raised about crime and police numbers in these two fantastic communities in my electorate. I thank the House for its attention.

FAIRFIELD HOSPITAL

Mr NICK LALICH (Cabramatta) (16:57): I speak on an important matter that affects people in the electorate of Cabramatta and in surrounding seats. Fairfield Hospital has received approval for the much-needed reconstruction of its ailing emergency department. However, I am advised that the plans for the new emergency department do not provide for separate triage and waiting areas for children and adults. While the treatment area is separate and there is a small separate area for children, collocated triage and waiting areas for children and adults is in violation of the recommendations of the Australasian Health Facility Guidelines, the Children's Hospital Association, the Paediatric and Child Health Division of the Royal Australasian College of Physicians, the children's charter on the provision of care for children in hospital and the Australasian College for Emergency Medicine.

There are several reasons why the collocation of adults and children causes risks. Firstly, the rights of children and young people may not be respected. Children are obviously vulnerable to physical, psychological and sexual harm. There can be interruptions to normal development if opportunities for play and education are not provided. Unnecessary trauma as a result of witnessing distressing sights and sounds may affect the mind of a young child for a long time, potentially causing long lasting psychological harm. The care of the children may be compromised if staff do not have the appropriate education or training, if the equipment is of an inappropriate size or design, or if paediatric staff and resources are diverted to adult patients. Conversely, the care of adults can be compromised if paediatric staff are forced to take care of adult patients. Adults feeling ill are disturbed by noisy or unwell children or the continued presence of the child's family members. These requirements are nothing new.

In 1958 the Australian Paediatric Association and in 1959 the Platt Report recommended that children have family-centred care in an environment separate from sick adult patients. The Royal Australasian College of Physicians tells us that the unique healthcare needs of children and adolescents are best met if they are accommodated separately from adults in developmental or age-appropriate areas. In practice, the construction of Fairfield's new emergency department should facilitate the delivery of high quality emergency care for children of all ages and, if required, their timely transfer to the Sydney Children's Hospitals Network for specialised

paediatric services. I am advised that the Fairfield Hospital emergency department [ED] sees 34,000 patients per year and that one in four of these are of the paediatric age group. However, in the development of the design plans for the new ED, no member of the paediatric department was consulted.

Children and adolescents should be cared for in a safe and appropriate physical environment which is designed, furnished and decorated to meet their needs and developmental age. They need appropriately trained staff to look after them, and should not have to be cared for with equipment that is sized for adult patients. We must recognise that even in the waiting and triage area the medical and psychological needs of children and adolescents differ from those of adults. We request that the Minister investigate this situation regarding the Fairfield Hospital emergency department rebuild and consult with the paediatric department to redesign the new ED so that children and adults have their own waiting and triage areas which adhere to and do not violate Australian Health Facility Guidelines. I acknowledge my good friend the President of the Fairfield Chamber of Commerce, Mr Vince Movizio, and thank him for bringing these matters to my attention.

ALBURY CITY BAND

Mr GREG APLIN (Albury) (17:01): Last year author Gregory Ryan sent me the manuscript for his new and fascinating book on the characters and history of the brass band era on the New South Wales-Victoria border, *150 Years Entertaining Our Community*. What became clear as I read the thoroughly detailed and lively text is that the best community organisations have extensive connections that run through their towns and cities and through the lives of the people. And those people are having fun. The Albury City Band has a proud tradition in its home city, stretching back to the nineteenth century. This is its 150th year. It has been very much the people's band, providing the soundtrack for the most important events in the life of our community: Australia Day, Anzac Day and Christmas celebrations. Dozens of times a year the band can be found out and about, putting on a show, illuminating and enlivening border events and special occasions.

The band performed at the opening of the Union Bridge across the Murray, Albury Airport and the Hume Freeway. The band always seems to find an opening. I first became involved with Albury City Band in the time of Trevor Cooper in 1988. For more than 15 years I was compere for the band's annual concert. As manager of Prime Television at the time, I remember we would sponsor a guest artist who would come to Albury to sing or play with the band. The shows were always great fun with powerful music and musical skits sometimes chosen to highlight less well-known musical instruments. The band has a history of delivering just what was needed at the time. In 1941 clarinettist and bandmaster Les Pogson got together with Jack Carter in Albury to compose a march in honour of the 2/23rd Battalion, known as Albury's Own. Albury's Mayor from the mid-60s, Alderman Cleaver Bunton said:

I cannot imagine a city without a band.

But this is no longer an impossibility. These kinds of traditions have a habit of disappearing when times change; nothing is immune. Now, when so many people seem almost addicted to carrying their music with them every time they leave home, the focus has shifted from community live music to what some call a personal soundtrack. Live music appeals to broad tastes and to those with a general love of learning about and experiencing all well-presented musical forms. There is an element of shared experience about it. The challenge for all musicians, ensembles and regional orchestras is to find their place in this new, highly personalised reality.

Yet I am encouraged by the enthusiasm always on display from the members of Albury City Band. For 150 years these musical souls have navigated tricky waters and challenged key changes. As Music Director, David Worrall has brought a new enthusiasm and musicality to the band, setting his course true and aiming high. It is said that people and organisations remain relevant by looking outward, not by pulling back from the world. This is what the Festival of the Bands on 20 May set out to achieve. And what a success it was. Eight prominent brass, wind, jazz and blues bands gathered in the city square, providing a day of concerts from three separate stages. Participants alongside Albury City Band included the Australian Army Band Kapooka, Bonegilla Blues Band, Canberra City Big Band, Footscray-Yarraville City Band, Monash Concert Band, Murray Conservatorium Big Band and Wodonga Brass.

At the anniversary dinner that Saturday night several speakers converged on the theme of looking more to the future than the past. Two of the speakers had joined the band 70 years ago. That is incredible for any organisation. They told wry anecdotes about the band on the road and clearly held joyful memories formed through musical bonds and a living harmony. As band president Frank Sergi said on the night, the band is not just a community organisation but, for many over the decades, has become family, with generations of family members involved or caught up in the life of the band. When proposing a toast I called for everyone to lift a glass to Albury City Band's next 150 years. It is not as formidable a goal as it sounds. After all, the band has weathered the changes brought by wars, economic recession and depression, the emergence and ageing of the Baby Boomers and now the impact of the Millennials.

If you know how to move quickly and think on your feet as the members of Albury City Band do, the future is yours to take. I acknowledge and thank all the members of Albury City Band for their dedication and talent, shared so generously with the border community; the band's Music Director, David Worrall, who has done a remarkable job in his short time at the helm including setting up his vision for the festival. The Festival of the Bands last Saturday was an outward-looking thrust for the band, conceived as the best way to recognise the sesquicentenary. I also recognise the leadership of president Frank Sergi, secretary Heather Street, Graham Wright and the committee. As the years roll by, it is my hope that Albury City Band will continue to prosper, publishing more books and more recordings and adding colour and movement to the border's significant public events and celebrations.

RAMADAN

Mr JIHAD DIB (Lakemba) (17:06): It is that time of year again where a relatively large proportion of my electorate participate in the month of Ramadan, the holiest month in the Islamic calendar, where Muslims abstain from eating and drinking during daylight hours. But that description only skims the surface; there is much more to this holiday than that. For many, Ramadan is a time of introspection and spiritual renewal as well as reconnecting with family, friends and community. It is also a time for generosity. It is a time to experience going without basic necessities for hours during the day and gain empathy for those less fortunate by metaphorically walking a mile in their shoes. At the end of the month Muslims donate money to those less fortunate, acting on the empathy created by a month of being less fortunate themselves.

Many of my colleagues from both sides of this House will be attending a number of dinners during Ramadan, known as Iftar. Iftar is the Arabic word for breaking the fast, and it occurs at sunset. Nothing encapsulates the spirit of Ramadan like the nightly Iftars where people come together and share a meal. I have spoken before about Lakemba during Ramadan, when Haldon Street, Lakemba's main strip, turns into a buzzing night market full of street vendors and people eating a range of foods including burgers, the famous knafeh, or just searching for their favourite Ramadan specialty. I must confess that one of my favourites is the Nutella and strawberry crêpe. They are just as delicious as they sound.

Dr Geoff Lee: It is a sometimes food.

Mr JIHAD DIB: No, it is almost an everyday food at the moment during Ramadan. It is just too delicious, member for Parramatta. As always, I welcome everyone to come to Lakemba to share in the spirit of Ramadan. It is a welcoming spirit, one that greets people of all faiths and backgrounds. As an example of just how our multicultural and multi-faith society respects one another's beliefs and practices, we join together on a number of occasions. I am especially humbled by the willingness and enthusiasm of my non-Muslim friends who, whether they are rabbis, pastors, colleagues, community leaders or just friends, share and partake in Ramadan festivities and traditions. I am always hopeful for our multicultural society when I see people from all faiths and backgrounds coming together to acknowledge one piece of the great mosaic of our nation and knowing that we would do the same in return for them.

When we recognise and acknowledge traditions important to one another, we are essentially celebrating the pieces that form us and what makes us great as a nation. It is awful that at this time we are reeling from another horrendous attack, this time in Manchester in the United Kingdom. As a result of this attack people, many of them very young, have become the innocent victims of someone who decided to use religion as a justification for an unspeakable act. Like many people in this place, I have young children, and one of my daughters could have been injured after that concert. Anybody who commits an act and uses religion as a justification is completely wrong. There is nothing in any religion that exhorts people to start hurting people, especially innocent people.

I look forward to the month of Ramadan because not only do I get to practise a bit of self-discipline—which I did not manage to do yesterday when I ate doughnuts because I am a bit of a sugar person, especially chocolate, and the member for Blacktown ate three of the doughnuts although I only offered him one—but it is a time to acknowledge organisations that bring people together, such as the Islamic Sciences Research Academy. The academy holds regular events that breach perceived divides. During Ramadan the academy will bring together young people from Muslim and non-Muslim faiths and backgrounds and those with no faith to share in the spirit of Ramadan.

I often speak about a better Australia, where we get to know each other and take the time to understand that regardless of our colour or faith or where we were born or our cultural background, it is each individual's contribution to this nation that is the most important thing. Each one of us may have a different thread, but when we put all those threads together, we create a rich and beautiful tapestry that is the envy of the world. Modern multicultural Australia is an example to the world of what we can be when we all appreciate and respect every one of us. That is what makes me a very proud Australian and very proud of the heritage I have, as are many others. I wish everybody a Ramadan Karim for the month ahead.

Dr GEOFF LEE (Parramatta) (17:11): I join the member for Lakemba in acknowledging and celebrating the month of Ramadan. We give our best wishes to the Australian Muslim community. Ramadan is a time when members of the Muslim community think about their place in society and make personal sacrifices by fasting during daylight hours. It is a time of self-sacrifice and a time to look at ways to better relate to other people, our families and friends. The member for Lakemba and I share many Iftars. One of the best things about Ramadan is sharing food after a day of fasting. I congratulate the member for Lakemba for his private member's statement, and on behalf of the New South Wales Government I wish everybody prosperity, peace and harmony for Ramadan.

MULGOA ELECTORATE POLICE AWARDS

Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (17:13): It was a privilege to attend and support the annual Rotary St Marys and Wallacia-Mulgoa Valley 2016 Police Officer of the Year Awards held on 5 April 2017 at St Marys Leagues Club. I commend the strong level of professionalism on display by both the St Marys and Wallacia-Mulgoa Valley Rotary clubs throughout the evening. I congratulate the presidents and members of those two Rotary clubs for their dedication in honouring and acknowledging our local police men and women at this particular event.

This year 12 finalists were recognised for their outstanding contribution to ensuring our community's safety and welfare, and service to the people of New South Wales. They include: Chief Inspector Michael Connolly, Probationary Constable Andrew Cooke, Detective Sergeant Terry Frost, Sergeant Mark Harvey, Detective Senior Constable Timothy Kelly, Senior Constable Jason Kirby, Constable Siobhan Luczak, Probationary Constable Linda McAskill, Senior Constable Daniel Peen, Constable Graham Shearly, Probationary Constable Alexandra Smith and Constable Jermaine Whitly. I congratulate the four officers who received the major awards on the night: Senior Constable Daniel Peen, Constable Jermaine Whitly, Probationary Constable Alexandra Smith and Sergeant Mark Harvey. These four officers have displayed a high level of commitment to serving our community and each was honoured on the night for their efforts.

This year's Peer Award was awarded to Senior Constable Daniel Peen, whose dedication to his job saw him go above and beyond the call of duty. As part of the Proactive Crime team, an off-duty Senior Constable Peen responded to a call to arrest a man shoplifting. Senior Constable Peen said he loves working in the Police Force as he is able to keep the peace and maintain safety in the community. His dedication to his job and protecting the community, whether he is on or off duty is truly remarkable. Community Award recipient Constable Jermaine Whitly was nominated for heroics during a dangerous home visit last year. He and fellow nominee Constable Luczak acted swiftly and came to the aid of a teenager armed with a knife who was going to harm himself or others. Constable Whitly thanked his wife, mother and family for their support, saying that without them he would not be doing his dream job. Constable Whitly's quick judgement skills, particularly during the home visit, ensured the safety of the community, highlighting why he is a worthy recipient of the Community Award.

Constable Alexandra Smith won the Probationary Constable of the Year Award for her work on a domestic violence case. Constable Smith, who only joined the NSW Police Force in late 2015, organised for the victim to testify via video link during the trial as she was too traumatised to confront her attacker. Constable Smith, who is 23 years old, showed her empathic nature and high levels of professionalism and maturity in dealing with distressing cases, resulting in her recognition as a recipient on the awards night. She said on the evening that being thrown in at the deep end as a young officer had been a great learning experience. I commend Constable Smith for protecting and serving the most vulnerable members of our community.

Sergeant Mark Harvey was recognised with the Leadership Award on the night for his exemplary leadership at the St Marys Local Area Command [LAC]. Sergeant Harvey has served in the NSW Police Force for just over 18 years. During his time on the force, Sergeant Harvey has shown a high degree of excellence in protecting the community and helping his fellow officers at the St Marys LAC. He is a commendable recipient of the Leadership Award.

The evening was an opportunity to recognise the outstanding work and highlight the courageous commitment of members of the NSW Police Force. I congratulate the four recipients of perpetual awards given on the night: Detective Senior Constable Anthony Blair, Leading Senior Constable David Colbourn, Chief Inspector Michael Connolly and Detective Senior Constable Timothy Kelly. I also extend my congratulations to all those officers who were nominated for awards. I thank all members of the NSW Police Force for their commitment to keeping our community safe. Their professionalism and compassion for others in this line of work are truly admirable. I take this opportunity to express my appreciation to the families and support networks of officers. Without their providing constant support for their loved ones, those officers would not be able to serve each day and protect the community effectively. I thank them all for their dedication to the Mulgoa community and to New South Wales as a whole.

INNER WEST BUS SERVICES

Ms SOPHIE COTSIS (Canterbury) (17:18): The privatisation of inner west bus services will affect my community in the Canterbury electorate. As the Leader of the Opposition stated yesterday, Sydney has had public bus services in the inner west since 1932. Residents of my electorate who rely on the public bus services are from Kingsgrove, Belmore, Campsie, Canterbury, Earlwood, Clemton Park and surrounding areas. Our areas are densely populated, and because of this Government's green lighting of the changes to planning laws we will also have more than 30,000 new dwellings in our area. The Government now wants to privatise our public transport. The Government proposes to sell off 233 Sydney bus routes that service the inner west to Strathfield and Olympic Park and through my area, in the Canterbury electorate. Yesterday the Leader of the Opposition asked a question of the Minister for Transport and Infrastructure, who I suspect has not caught a bus in the inner west. It will be interesting to hear his reply, if he has one—

Mr Nick Lalich: I doubt it.

Ms SOPHIE COTSIS: I acknowledge that interjection, that the member doubts it. The Minister has broken a written contract guaranteeing bus drivers their jobs and guaranteeing commuters—such as elderly people, parents, people getting to work and students in my area—bus services for five years. Without any consultation, public debate or warning, we learned from the media last Monday that the Government had dropped this bombshell. It has caused enormous concern and also anger towards the Government for the way it has done this. Many people in my community have phoned to support their local bus drivers whom they see every morning and every night—and, if they are students, every afternoon—as they are very concerned about this.

A few months ago the Government announced a bus rationalisation program which affected my area and that of the member for Summer Hill. Both of us have been running a campaign with a petition in relation to the proposal to remove dozens of key bus stops in the suburbs of our electorates. Over recent months we have collected thousands of signatures. Elderly people in particular are very concerned. Bus stops outside childcare centres, hospitals and many important services are proposed to go, and the Government has said absolutely nothing. Now we know that the removal of bus stops was simply fattening the pig for market. It was a precursor to this plan to privatise the bus service by stealth.

I am not easily surprised, but I am shocked at what the Government has done, and so are many residents and commuters in my electorate. Over the weekend I ran a number of mobile offices in Canterbury and Belfield, and people in those suburbs were very concerned about bus privatisation. The Government and Minister Constance, or George J. Jetson, think changing buses and bus routes will sort out congestion in our areas. That is not how it works. Traffic is now seven kilometres per hour slower on Sydney roads. This Government has done nothing to relieve traffic congestion in our local areas. In 6½ years it has come up with no coordinated plan. It has green lit development but there is no coordinated planning. There is no longer any distinct peak hour; peak hour is 24 hours a day, particularly around Canterbury Road. The Government is blaming the bus drivers for this. I acknowledge the bus drivers, the commuters and people supporting the bus drivers— [*Time expired.*]

KIAMA ELECTORATE STUDENT LEADERS FORUM

Mr GARETH WARD (Kiama) (17:23): I am pleased to inform the House that on Wednesday 10 May 2017, I held the seventh annual Kiama Electorate Student Leaders Forum at the Parliament of New South Wales. Students from seven schools across the region participated in the forum: Nowra Anglican College, Kiama High School, Bomaderry High School, Nowra Christian School, Albion Park High School, Shoalhaven High School and The Illawarra Grammar School. I acknowledge each of the 31 student leaders who participated and represented their schools with such great pride and distinction.

Starting with my old school, Bomaderry High School, I acknowledge students Luke Day, Ruby Adams, Naomi Woods, Patrick Gillen, Hollie Lewis and Janda Hinkley. I also thank their teacher and student representative council coordinator Jack Hinde for attending, as he has done on so many occasions. From Nowra Anglican College, I acknowledge students Luke Goldman, Holly Villagra, Jordan Hockey, Lucy Schreurs, Samuel Kirby and Amy Ou. I also thank teachers Rachael Tagg and David Hamaty from the college. From Kiama High School, I acknowledge students Bryce Humphries, Sharnie Heffernan, Darcy Lawton and Rhylee Bamford. I also thank their teacher and student representative council coordinator Linda McGavock for attending.

From The Illawarra Grammar School, I acknowledge students Nikhil Balaji, Alexander Grozdanov, Sotiris Haris and Lucia Hilderson. I also thank their teacher Jean Burton, dean of senior students. From Albion Park High School, I acknowledge students Abigail Bowes, Seth Phillips, Declan Hull and Breanna Payne. From Nowra Christian School, I acknowledge students Noah McMillan and Rachel Hill. I also acknowledge their school principal, Rob Bray, and his wife, Sharon, for attending the forum. I also welcome Rob to the role of

principal, and I am sure he will do an excellent job. From Shoalhaven High School, I acknowledge students April Rodda, Jayden Kelly, Nikita Lee and Jordan Boyle. I also thank their teacher Natasha Clark, head teacher of wellbeing, for attending the forum.

I thank Premier Gladys Berejiklian, who took time out of her hectic schedule to talk to students about the importance of civic leadership. I also thank the Minister for Education, Rob Stokes, for explaining his role and responsibilities with the New South Wales Government. I thank the Minister for Family and Community Services, Minister for Social Housing, and Minister for the Prevention of Domestic Violence and Sexual Assault, Pru Goward. I thank the Speaker, Shelley Hancock, who, as a former Ulladulla High School teacher, has always been an enthusiastic participant in this forum. I thank my friend the member for Sydney, Alex Greenwich, for his excellent contribution, which the students appreciated as it gave the point of view of an Independent member of this House.

The student leaders received a tour of Parliament. They had the opportunity to enjoy question time in the Bear Pit to see democracy in action and as one of the many ways in which the Government is held to account. My favourite part of the forum is hearing from the student leaders about the issues that matter to them. At the forum issues were raised such as youth mental health, tertiary education and skills, obesity, local public transport, hospitals, disability support, climate change and reducing homelessness. I also promised the students from The Illawarra Grammar School that I would table their petition, which calls for a ban on plastic bags in New South Wales. Other States and Territories, including South Australia, Tasmania, the Northern Territory and the Australian Capital Territory already have plastic bag bans in place and Queensland has committed to banning plastic bags by 2018. In my inaugural speech in this place I said:

The challenge of the leaders is to create more leaders, not more followers.

It may not be the easiest objective to achieve but it is one that all members of this place must strive for. That is why I have held this forum every year since being elected in 2011, and I will continue to do so into the future. The young people of our communities need to know that their representatives care about their views and opinions. Whilst these young leaders may not be able to vote yet, they are the custodians of our future communities. Indeed, if this group of young people is what we have to look forward to, then our future is in very capable and safe hands.

Members of Parliament are here to represent our communities. The youth of our communities far too often go unrecognised for their great work and achievements. It is important that they have a say and a chance to stand up and be heard. I profoundly understand the importance of listening to our young people, giving them a voice in government and developing the next generation of leaders. This is something we are all responsible for. I was also pleased to hear the topics raised in the student leaders debate, which related to what they would do if they were Premier for a day—not just the problems, but the solutions.

I commend all the student leaders who participated. They are certainly the leaders of tomorrow. I was thoroughly impressed by the depth of ideas and talent displayed by each of the student leaders, who proudly represented their schools. I commend the idea of a student leaders forum to all members of this place. It is important that we listen to young people and give them a voice. This platform is one that they can share with us, and I look forward to hosting the eighth annual Kiama Electorate Student Leaders Forum in 2018. I also thank my staff, Ben Blackburn, who organised the forum, as well as Zach Fitzpatrick and Nick Cusack who assisted on the day.

Dr GEOFF LEE (Parramatta) (17:28): I commend the member for Kiama for his leadership and inspiration in relation to the school forum held in Parliament. The member has been a strong supporter of education and especially of young people in his electorate. He is dedicated to promoting the leadership qualities of young people and is committed to helping more youths who aspire to become leaders. I support him in his efforts. I hesitate to say that the member may not think it is so great when these young people rise up and challenge him one day. We are here in this place for a short time and we all face the time when these young people will surpass us. I look forward to it.

THE SANCTUARY—THE HILLS WOMEN'S SHELTER

Mr RAY WILLIAMS (Castle Hill—Minister for Multiculturalism, and Minister for Disability Services) (17:29): Domestic violence is an issue that affects many families across New South Wales. Thankfully, this Government is taking a stance on the issue. The Minister for the Prevention of Domestic Violence and Sexual Assault, Pru Goward, recently announced new reforms to give greater consideration to victims of domestic violence, particularly in the legal system. In New South Wales there are some amazing people in the community who are doing incredible work to help those who are victims of domestic violence and are in need of emergency shelter and support.

In the Castle Hill area is a shelter that has a 100 per cent non-return rate. Such a rate was previously unheard of, but this shelter has done it. This is a good news story about The Sanctuary—The Hills Women's Shelter. After eight months of monumental work by the board working hand-in-hand with women's community shelters and through the support of its key partner, the Queensland Investment Corporation [QIC] Castle Towers, the doors to The Sanctuary opened for the first time on 21 April 2016. Having just celebrated its first birthday, The Sanctuary has more than achieved its goal. There are very few services in our area that offer refuge to women and their children. The Sanctuary has become a trailblazer in the services it provides and how it provides them.

At any one time, The Sanctuary provides crisis accommodation for up to three months for six women and their children. These women and their children are provided with around-the-clock care, support and assistance to be able to start a new life. Through the support of QIC Castle Towers—which has provided a purpose-built refurbished home rent free—The Sanctuary has set a new benchmark for women's shelters in the quality and environment of the home. This is an important factor as it allows women and their children to feel safe, comfortable and secure as they rebuild their lives. The women and children come to the shelter after what can be described as the worst and most horrific moments of their lives. They are under the care of the extraordinary shelter manager, Donna Cavanagh, and her team of support workers. The team includes a specialised child support worker who works around the clock, as domestic violence rarely sticks to a nine-to-five timetable.

These support workers provide care and healing hands to help these women and children get back on their feet and re-enter the world to enjoy a safe and wonderful future. It is a misconception that domestic violence is a socio-economic issue. In more affluent areas it is often hidden. The non-discriminatory nature of domestic violence is best summed up in the words of Rosie Batty, 2016 Australian of the Year, when she said, "Family violence happens to anybody, no matter how nice your house is, no matter how intelligent you are." The Sanctuary has proven day in and day out to be a fantastic service in Sydney's north-west. In the past year it has been a safe haven for 43 women and 74 children.

The Sanctuary has added 7,117 bed nights into the sector, which means that on 7,117 occasions a mother and her children have slept safely in a bed. The shelter has served 21,352 meals and churned out 4,432 loads of washing. The staff have fielded over 2,080 calls—an average of eight per day—from referral agencies and made 423 successful referrals to agencies to support its clients. The Sanctuary's iMax van, supplied by Castle Hill Hyundai, has travelled more than 3,000 kilometres. The shelter's Facebook videos have been viewed 19,687 times. The slide-down tube in the mega playland, which was generously supplied and installed by Castle Hill RSL, has been slid down too many times to count, each time eliciting squeals of delight.

As I have said, 100 per cent of the 43 women and 74 children who have taken refuge at The Sanctuary have transitioned safely to independent lives—a statistic that previously was unheard of in the shelter sector. Most importantly, lives have been forever changed in a positive way. In honour of The Sanctuary's first birthday, I congratulate the board: the chair and a councillor and mayor of The Hills shire, Yvonne Keane; the deputy chair, Robyn Waite; the treasurer, Harry Edwards; the secretary, Helen Lambert; and the public officer, Robyn Winn. Ordinary non-executive directors include Annabelle Daniel, Martin Ollis of QIC Castle Towers, Paul Hargrave, Elicha Reitsm, Elena Saadie and Danielle Rimmer. Two previous directors who played a large role in getting The Sanctuary operational include Dannielle Miller and Superintendent Robert Critchlow of The Hills Local Area Command. As a community we are very proud to have brought to life one of the very few services in our region that offer refuge to women and their children.

We will continue the fight against domestic violence in our area in this positive way. People in our area, especially the corporate sector, such as the Queensland Investment Corporation, Castle Hill Towers, have stepped up and got behind The Sanctuary. It is great to see those large corporations putting their hands in their pockets to support such an important cause. Castle Hill Hyundai deserves a great shout out, as does a wonderful organisation in our area the Castle Hill RSL. The club is always willing to support worthy causes, and there will never be a more worthy cause than stamping out the scourge of domestic violence.

Bills

LIQUOR AMENDMENT (REVIEWS) BILL 2017

Returned

The ASSISTANT SPEAKER: I report receipt of a message from the Legislative Council returning the abovementioned bill without amendment.

*Matter of Public Importance***AUSTRALIA'S BIGGEST MORNING TEA**

Ms FELICITY WILSON (North Shore) (17:35): The matter of public importance I raise tonight is Australia's Biggest Morning Tea, which is one of the Cancer Council's leading annual fundraising events. Cancer Council NSW is an independent charity and is 96 per cent community funded. I was pleased to see the large turnout this morning for our Australia's Biggest Morning Tea in the Speaker's Garden of Parliament House. I acknowledge the Speaker's many years of support for the Cancer Council, including the annual morning tea—which has raised more than \$12,000 over the past six years—as well as her ongoing support as the member for the South Coast for events such as the Shoalhaven and the Milton Ulladulla Relay for Life.

Australia's Biggest Morning Tea began in 1994 to raise funds for the Cancer Council's work in cancer research prevention, education and support services. It was particularly powerful to see the large turnout today in the Speaker's Garden and to hear from Mary Boland, who shared the personal experience of the loss of her husband, Michael Anderson, to cancer in 2010 and the importance of palliative care. The funds raised from the morning tea will help the Cancer Council continue its vital work in cancer research, prevention and support services. Public support for this event is growing. Last year, Cancer Council NSW raised \$5.1 million from Australia's Biggest Morning Tea—an increase of 6 per cent on the previous year. Other key Cancer Council annual fundraising events are Daffodil Day, Pink Ribbon Day, Girls Night In and the Relay For Life.

Looking back, a great deal of progress has been made in the fight against cancer. The late 1980s was a pivotal point in the fight against cancer. From that point forward, Australia began to introduce national screening programs and national prevention campaigns. In 1996 Australia finally recognised cancer as a national health priority and invested more in research, treatment, information and support. Since then, two of the biggest improvements, as measured by reduced death rates, have been in the fight against breast cancer and lung cancer. Early detection of breast cancer has led to significant reductions in the mortality rate and treatment has improved significantly over the past 20 years. Lung cancer rates have also declined significantly as the proportion of Australians smoking—men in particular—has decreased dramatically in recent years. The work done in discouraging tobacco use over the past 20 years should be applauded. However, more work needs to be done in the fight against this and other cancers.

The Cancer Council is a significant supporter of palliative care within New South Wales. I note that this is also National Palliative Care Week. The theme for this year's National Palliative Care Week is, "You matter, your care matters. Palliative care can make a difference." I note the future of palliative care services in New South Wales is under discussion at statewide roundtable meetings within the community and amongst health professionals. I acknowledge the work done in my electorate of North Shore for palliative care and mention the efforts of the Northern Suburbs Cancer Action Network, in particular its chair Liz Hing, which is currently running the "I Care for Palliative Care" campaign.

A metropolitan palliative care roundtable was held in the New South Wales Parliament in April this year, and Ms Leslie Williams, MP, the Parliamentary Secretary for Regional and Rural Health, is leading nine regional roundtables in Orange, Lismore, Kempsey, Broken Hill, Tamworth, Griffith, Queanbeyan, Kiama and Newcastle. I look forward to these localised discussions on what is working well, what needs improvement and innovative solutions to this very pressing issue. Once the roundtables have been held, I know that NSW Health will produce a discussion paper for public consultation in the near future, and I welcome that.

Like many members and others in the community, I have been affected by cancer, having lost family and friends to the disease. Therefore, I have personally taken up the challenge to raise funds for the Cancer Council by participating in the Stars of the North dancing competition. I am not known for my skills on the dance floor, but I could not turn down the opportunity to fundraise for and to raise awareness of such an important cause. I have been promised by my wonderful dance teachers at Sydney Dance World that in exactly one month I will be a salsa star at North Leagues Club in Cammeray, where I will be raising awareness and money for the Cancer Council. I hope that I can get a great deal of support from members in this place and people in my local community for this very worthy cause.

Ms LIESL TESCH (Gosford) (17:40): This is definitely a matter of public importance. Tomorrow people across Australia will host Australia's Biggest Morning Tea. I thank Madam Speaker for hosting a morning tea today in the Speaker's Garden. Thousands of Australians across the country will crowd into the living rooms and gardens of friends, or in the case of the Central Coast attend a Biggest Morning Tea cake stall outside Bankwest and Supre at Erina Fair and the Coast Community Connections Morning Tea at the Peninsula Community Centre. They will all help to raise money for the Cancer Council to support cancer research and services.

In Australia, one person is diagnosed with cancer every five minutes—about the time of the average tea break. On the Central Coast, 2,600 people will be diagnosed with cancer this year; that is nine every day. On the Central Coast, we will lose 907 people to cancer each year. No community is immune from the effects of cancer, and it is a condition that brings us all together. Whether it is us personally, a family member, a friend, a co-worker, a neighbour, one in two Australians will be diagnosed with cancer. Cancer touches all in our community. It is no wonder then that Australia's Biggest Morning Tea is the leading fundraising event on the coast, and this year we hope to raise \$200,000.

Every little bit helps: \$15 can help provide easy-to-understand information on treatments, practical advice and emotional support to cancer patients and their families; \$50 can ensure there is a cancer nurse available on the phone support hotline 131120 to offer information and support; \$150 can help provide transport and accommodation for people who need to travel for vital cancer treatment; \$500 can help fund a support group where people can meet and share their experiences in an emotionally supportive environment; and \$1,000 can help support groundbreaking research into new and better ways to prevent, to diagnose and to treat cancer, with the potential to save thousands of lives. Imagine what could be done with the close to \$2,000 that we raised today. With their key events at Erina Fair and the Peninsula Community Centre, and the dozens of other morning teas being held in the Gosford electorate alone, I know that the giving spirit of local residents will see that target smashed. That money will go to ensuring that locals and people living with cancer across the State are able to live with dignity and that they receive the support and treatment they need.

I was talking only yesterday in this place about the great work my predecessor, Kathy Smith, did to bring cancer treatment services to the Central Coast. It was only through her tireless campaigning, as chair of Cancer Voices NSW at the time, that the Federal Government and the State Government came together to provide \$55 million for the Central Coast Regional Cancer Centre at Gosford Hospital. Before 2012, people living with cancer locally would have to travel to Sydney or Newcastle to receive public radiotherapy treatment, or they would have to fork out tens of thousands of dollars for private treatment. Most people could not afford that, so they were forced to make the trek to the city. The cancer centre has made a massive difference.

Patients were away from their family and support networks when they needed them most. So bad was the situation that local community groups came together to provide transport services for people on the coast needing treatment. Driven by volunteers and supported by Community Transport, Cancer Council NSW, and Cancer Voices, the Shirley Shuttle ensured that people living with cancer were able to access radiotherapy services in Sydney or Newcastle and were cared for on those long trips after their invasive treatment. On a personal note, it is an honour to be here commending one of the main fundraisers for the Cancer Council, which continues to do the best work possible to improve the treatment options and to support of cancer patients and their loved ones. The positive developments in cancer control in Australia contributed to my sister Trudii and me sharing an additional 15-plus years of our mother's life with her.

Mum was a smoker for most of her adult life, and we would chuckle when she would confirm with her treating oncologist that she was now a non-smoker "since this morning". We now understand the risk of smoking and that breast cancer treatment has improved significantly in the past 20 years. That did not make it any easier when I was planning my trip to the London Paralympic Games. By that stage mum's cancer had metastasised into her bones. At a family discussion around her bed at home, we decided that I would sail the last race and then head home. I got a call from my sister in Australia after I had had my ice bath and was in bed after our first day of racing to tell me that mum had passed away. I was crying on the steps of our room when Dan, my sailing partner, turned up and said, "Liesl, I understand that the Paralympics are over for us." I looked at him and said, "More than anything else in the world, our mum would want us to race." The beautiful gold medal we brought home was not only for my mother, who fought cancer, but also for everyone who has died as a result of cancer. I commend the work of the Cancer Council in organising Australia's Biggest Morning Tea.

The ASSISTANT SPEAKER: I congratulate Madam Speaker on her continued support of Australia's Biggest Morning Tea.

Ms SHELLEY HANCOCK (South Coast) (17:45): I congratulate the member for North Shore on raising this matter of public importance. I also congratulate the member for Gosford on her heartfelt contribution to this debate. We all have similar stories to hers, but hers was particularly moving. As the member said, Australia's Biggest Morning Tea is the Cancer Council's major fundraising effort. Some things in this House make me very happy and some things make me very unhappy, on a daily basis. The things that make me happy are those which bring us together and which are above politics. We all talk from time to time about getting more funding for cancer treatment in our electorates. However, at the end of the day, we know that State and Federal governments—of whatever persuasion—are doing the best they can to provide the services we need.

That is certainly true in the Shoalhaven region. We have a beautiful new cancer care centre, which was opened in 2013. The centre has a linear accelerator [LINAC], and demand for the service was so great that only

12 months after it was installed we had to think about providing another one. The community has been behind and on board with this issue for a long time and has raised an enormous amount of funding to provide the equipment that we need. The Relay for Life in Nowra has raised \$150,000 or more. Milton-Ulladulla, which is in only its third or fourth year of fundraising, has raised \$53,000. These are extraordinary amounts of money to raise, and it happens in every electorate. Members participate in these events because we know how important it is to raise funds.

It gave me great pleasure to see so many members at today's Biggest Morning Tea in the Speaker's Garden. This is the sixth year in which we have hosted the event, and so far we have raised \$10,000. I was hoping to raise \$1,500 this morning, but we raised nearly \$2,000. As the member for Gosford said, every small donation adds up and it all helps. I have seen firsthand the work the Cancer Council does, having been a regional member of the council for many years and having travelled to Wollongong to talk about allocating the funds that have been raised. They have been allocated to provide information and treatment advice for patients and transport and accommodation for patients living in regional and remote areas.

The member for Gosford and I know that if an electorate does not have a local cancer care centre then patients must travel away from their home and families. It is vital for cancer patients to be close to supportive friends and family. I congratulate everyone who attended today's morning tea. I also congratulate a fellow called Dick Manwarring, who lives in my electorate and who organises the Code C fundraiser night in the central Shoalhaven. Over the years that Dick has been organising the event he has raised \$280,000. That is extraordinary. He brings the people of the central Shoalhaven together to raise money, and the Bay and Basin Cancer Support Group is now providing a bus service for people who want to travel to Nowra. Well done to everyone involved. We all play our part, and we all have a contribution to make as local members. This morning's event brought us all together, and it made me happy.

Mr MARK COURE (Oatley) (17:49): By leave: Many members in this House know my background: my two younger brothers and I lost a parent to cancer when we were quite young. The struggles faced by people with cancer affect not just that person but the entire family and the community groups of which the family is a part, such as school and church communities. To watch the gradual decline of someone you live with and look up to is something I would never wish on anyone. I made it my goal to help the Cancer Council in any way I could. I thank Cancer Council NSW for the great work it has done over the years. I have supported the Cancer Council by selling daffodils on Daffodil Day at the local train station, chairing the Relay for Life for 12 years in the St George area, and raising much-needed money. Last Friday, I held an Australia's Biggest Morning Tea in my electorate which raised \$2,500. The Cancer Council does an amazing job. Previous speakers have mentioned where the funding is spent, such as on medical research and helping those in need. I once again put on record the great work of Cancer Council NSW.

In Australia, 1.1 million people are either battling or have survived cancer, and there are 123,000 new cases each year. Since my mum passed away in the early 1990s, survival rates have gone through the roof. That is great news. Medical advancements, such as being able to pinpoint and treat the bad cells and not destroy the good cells, have seen an increase in the survival rate—and it will continue to increase. I am quietly confident that one day we will see a cure for cancer; I hope it is in my lifetime. Already there are vaccinations for young women at age 16. I think this is the start of things to come. I thank everyone who attended the morning tea I held and I thank the Speaker for holding Australia's Greatest Morning Tea at Parliament House. These fundraising efforts will not bring back my mum but they will help in the treatment and survival rates of people with cancer.

Mr ADAM CROUCH (Terrigal) (17:52): By leave: I put on record my acknowledgement of the member for North Shore in bringing this motion before the House and my gratitude to Madam Speaker for her generosity this morning in holding the function in the Speaker's Garden today. It was well attended by all members in this place. I also pay special tribute to Roslyn English. Ros is a powerhouse of the Cancer Council on the Central Coast. She is a strong and worthy advocate for the Cancer Council. I note my appreciation for the hard work that she and the team of the Cancer Council Central Coast do to fight the scourge that is cancer. All members are fully supportive of all the Australia's Big Morning Teas around the nation. The ones that are held on the Central Coast are particularly well attended, as the member for Gosford highlighted earlier this evening. Once again, I congratulate the member for North Shore on bringing this motion and the Speaker on holding today's Australia's Big Morning Tea. Long may they continue.

Ms SOPHIE COTSIS (Canterbury) (17:53): By leave: I acknowledge the member for North Shore for bringing forward this motion. I also acknowledge the member for Oatley who told us his personal experience of cancer as a teenager. Survival rates have increased and that is because of the funding that goes to research. It also goes to getting the message out there, especially in relation to preventative health. A few years ago my mother-in-law passed away from cancer. It is a very difficult time for families. I want to raise the importance of men and women from multicultural communities accessing information and getting cancer checks. Often, people

from non-English speaking background, particularly women, delay going to the doctor. When they do go they have major issues or it is too late.

I also want to acknowledge the Bangladeshi Australian community, who held an Australia's Biggest Morning Tea last Sunday at Parry Park, which my colleague Mr Jihad Dib and I attended. The Bangladeshi community has been holding this annual event for the past 17 years and has raised over \$150,000 in that time. They have done a great job and I congratulate them on their magnificent turnout at this event last Sunday. Both the men and women cooked for the thousands of people who turned up. I thank the Bangladeshi community for their contribution to this fundraising efforts and I also thank Cancer Council NSW.

The ASSISTANT SPEAKER (17:56): I note that an amount of \$25 that was left in the House has been unclaimed. I suggest that the money be contributed to Madam Speaker's fundraising event that was held today. I acknowledge the work that my wife has done for the Cancer Council over 28 years. She was given a death sentence 28 years ago, and she is a cancer survivor. She is the regional patron for the Cancer Council in Coffs Harbour. She opened the Cancer Council shop in Coffs Harbour and has worked there gratis for many years. The work of Cancer Council NSW in all our communities is to be commended. I especially commend it on its research to find a cure. I once again commend the Speaker for her annual morning tea event—unfortunately I was unable to attend this morning—and also commend the member for North Shore for bringing this important issue to the House.

Ms FELICITY WILSON (North Shore) (17:57): In reply: I thank all of the members who have contributed to this matter of public importance. It is very powerful to hear the personal stories of people affected by cancer. I think most people have been affected by cancer in different ways. We heard from members of this place who have lost mothers, fathers and parents-in-law and about the trauma and the impact that cancer has had on them as children or as adults and on their families. As members of Parliament, we must understand the impact of our decisions on government funding and investment in services and facilities for people accessing cancer treatment. The member for Oatley spoke about the goal of curing cancer. I hope that in the not-too-distant future that this is a fight that we, as a fairly advanced human race and with all the scientific advancements, can win and that we will defeat cancer.

I acknowledge the comments from the member for Gosford about the work that has been done in her local community in providing care for her constituents. She also spoke of the loss of her mother and the impact of cancer on her mother and her family. I acknowledge the Speaker, the member for South Coast, and the work that she has done in ensuring funding for the new cancer care centre in her area. She spoke of the significant investments to support members of her local community who need treatment who—as the member for Gosford also said—would otherwise have to travel for treatment. I also thank the Speaker for her many years of fundraising.

I am glad to hear that the work of the member for Oatley, who is deeply embedded in his community, extends beyond re-election campaigns. He has given more than a decade of support to the Cancer Council and other organisations in fundraising endeavours to defeat this disease. It was very powerful to hear him speak about losing his mother at a very young age and the effect on his family and community. I thank the member for Canterbury for her contribution. It was wonderful to hear about the money that was raised by the Bangladeshi community. I also thank Mr Assistant Speaker, the member for Coffs Harbour, for his contribution. It was wonderful to hear about all the work that his wife has done in this space. I also acknowledge the contribution of Mr Adam Crouch in support of this matter of public importance. In my own backyard, I am so fortunate that on the North Shore we do not have the challenges that people face in regional areas. We have a health super precinct in our backyard at Royal North Shore Hospital. I lastly pay tribute to everybody who works at Cancer Council NSW, who works in treating patients with cancer and who provides support at Royal North Shore Hospital in our precinct. Thank you all very much.

**The House adjourned, pursuant to standing and sessional orders, at 18:01 until
Thursday 25 May 2017 at 10:00.**