



New South Wales

Legislative Assembly

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Sixth Parliament
First Session**

Wednesday, 20 September 2017

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LEGISLATIVE ASSEMBLY

Wednesday, 20 September 2017

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

The SPEAKER read the prayer and acknowledgement of country.

Notices

PRESENTATION

[During the giving of notices of motions]

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

Bills

JUSTICE LEGISLATION AMENDMENT BILL (NO 2) 2017

Second Reading

Debate resumed from 14 September 2017.

Mr PAUL LYNCH (Liverpool) (10:12): I lead for the Labor Opposition on the Justice Legislation Amendment Bill (No 2). The Opposition does not oppose this bill. It is an omnibus bill that contains miscellaneous and purportedly comparatively minor amendments to Acts and regulations related to the Justice portfolio, although I note that certainly not all of the legislation it proposes to amend is the responsibility of the Attorney. The Acts and regulations to be amended include the Bail Act, the Civil and Administrative Tribunal Act, the Civil Procedure Act, the Crimes Act, the Crimes (Appeal and Review) Act, the Crimes (Domestic and Personal Violence) Amendment (National Domestic Violence Recognition) Act, the Crimes (Domestic and Personal Violence) Act, the Crimes (Sentencing Procedure) Act, the Criminal Procedure Act, the District Court Act, the Drug Misuse and Trafficking Act, the Evidence (Audio and Audio Visual Links) Act, the Gaming and Liquor Administration Act, the Law Enforcement Conduct Commission Act, the Law Enforcement Conduct Commission Regulation, the Law Enforcement (Powers and Responsibilities) Act, the Local Court Act, the Members of Parliament Staff Act, the Mental Health Act, the Mental Health (Forensic Provisions) Act, the Oaths Act, the Police Act, and the Terrorism (Police Powers) Act.

Schedule 1.2 to the bill proposes amendments to the Civil and Administrative Tribunal Act. These amendments seem to be aimed at resolving what has become a notorious problem: dealing with disputes over leases where one party resides outside New South Wales. This issue has been raised with me by, among many others, an ex-president of the Law Society. There are other associated amendments to the Civil Procedure Act, the District Court Act and the Local Court Act.

The problem is said to stem from a New South Wales Court of Appeal decision in *Burns v Corbett; Gaynor v Burns* [2017] NSWCA 3. That case, fascinating as it is, was not about leases, although as a result of that case, some industry sources say the NSW Civil and Administrative Tribunal, known as NCAT, is currently dismissing lease applications at the rate of one per day. That Court of Appeal case involved complaints to the Anti-Discrimination Board that statements by one person in Victoria and another person in Queensland constituted vilification contrary to section 49 ZT of the Anti-Discrimination Act. The Court of Appeal decision dealt with the threshold constitutional issue of whether NCAT could hear and determine a dispute under the Anti-Discrimination Act between a resident of New South Wales and a resident of another State.

The disputes were held to be within the diversity jurisdiction conferred on the High Court by the Commonwealth Constitution. The Constitution grants the Commonwealth Parliament powers to invest any court of a State with Federal jurisdiction, as indeed they have done by legislation. NCAT, of course, is not a court of the State and in this case was only exercising State judicial power. NCAT did not have jurisdiction to resolve the complaint. To quote from the headnote to the case:

A state tribunal which is not a 'court of a state' is unable to exercise judicial power to determine matters between residents of two states because the state law which purports to authorise the Tribunal to do so is inconsistent with the conditional investment by s36(2) of the Judiciary Act of all such jurisdiction in the state courts, and, therefore, rendered inoperative by virtue of s109 of the Constitution.

As I understand it, the position is that appeals have been lodged with the High Court and the special leave applications were successful. The mechanism in this bill is that if parties cannot resolve issues through NCAT's consultation, parties will then be able to proceed in the Local Court or District Court with leave, but only in cases where NCAT does not have jurisdiction. The courts will have the same capacity to make orders as NCAT would have had if it did have jurisdiction.

This seems to be a reasonable way of resolving the problem and more expeditious than awaiting a High Court decision in the hope of the position being reversed or awaiting amendments to the Commonwealth legislation, assuming that would be effective. Whilst the most concern surrounding this matter has been in relation to tenancy issues—and that, by volume, is certainly the largest category affected—it is worth making the point that legally it is far broader than that and must include everything in NCAT's jurisdiction where one party is resident of another State. I note schedules 1.14 and 1.15 make amendments to the Law Enforcement Conduct Commission Act and legislation. It is a little curious that such a recent Act, with the commission only coming into existence on 1 July this year, has had to be amended so soon. The amendments relate to a full-time inspector of the Law Enforcement Conduct Commission [LECC] being able to delegate their functions and to issue identity cards to staff.

Schedule 1.8 amends the Members of Parliament Staff Act. The Attorney in his second reading speech said this was to allow a Presiding Officer to dismiss a staff member of a member of Parliament [MP], rather than leaving that solely in the discretion of the member. It is said that this can be done after the Presiding Officer consults with the member. Granted that the form of consultation is not specified, it could well be merely cursory or a matter of form. The basis for termination is misconduct. That includes things that occur when the staff member is not on duty, before they commenced working with the MP, and before this section came into effect. Misconduct includes a conviction or finding of guilt for a serious offence, which is defined as an offence punishable by imprisonment for 12 months or more.

There are also amendments to the Drug Misuse and Trafficking Act. Schedule 1 of that Act is amended to permit compliant low-tetrahydrocannabinol [THC] hemp seed food products. Schedule 3 is amended by the addition of a provision validating any amendment made or purporting to be made to schedule 1 to be, and always to have been, validly made. This stems, according to the Attorney's second reading speech, from advice from Parliamentary Counsel that seven regulations are likely outside the regulation-making powers of section 44 of the Drug Misuse and Trafficking Act, which establishes a regulation-making power to amend schedule 1. This amendment validates those regulations. The Opposition does not oppose the bill.

Mr STEPHEN BROMHEAD (Myall Lakes) (10:18): I speak in support of the Justice Legislation Amendment Bill (No. 2) 2017 and commend the Attorney General, Mark Speakman, for bringing forward this legislation. The object of this bill is to make various amendments to a number of Acts and regulations within, or with provisions relating to matters within, the Justice portfolio. The Attorney General, in his second reading speech, noted the bill would update and improve the operation of the New South Wales justice system by improving the efficiency and operation of legislation affecting the courts and other Justice portfolio agencies. Legislation of this nature forms part of the periodic review of legislation within the Justice portfolio. It makes a number of minor and miscellaneous amendments to Acts and regulations.

I turn to the sections relating to improving debt recovery processes in New South Wales and then I will look at the amendments to the Civil Procedure Act 2005 in schedule 2 to the bill. The bill has a number of amendments that improve the efficiency of the debt recovery process while ensuring that the system continues to balance the interests of both creditors and debtors. In the last Parliament I was a member of the Legal Affairs Committee, chaired by Bryan Doyle, that inquired into debt recovery in New South Wales and made a number of recommendations to Parliament. The provisions of this bill relate to recovery of judgement debts. This means that a court judgement has been entered in favour of the plaintiff and the plaintiff is now enforcing the court judgment.

A robust and effective debt recovery system is critical to upholding the rule of law. Court orders are binding in nature and it is important that the winning party is able to enforce a judgement made in his or her favour. It is in the best interests of everyone that the enforcement process is fast, fair and effective. The system must support creditors to recover their money quickly so they can return to their original position. At the same time, the system must provide a level of protection to debtors who are experiencing financial hardship. The debt recovery process in New South Wales must strike a balance between these two objectives.

The amendments in this bill will: codify administrative practices developed over time by the Sheriff's Office so that best practice is enshrined in law; protect the most vulnerable from the unintended consequences of garnishee orders that can lead to severe hardship; remove the perverse incentive for people to declare bankruptcy to protect personal items from being seized and sold under writ for the levy of property; and give the court greater flexibility to deal with significant changes in the circumstances of debtors.

In preparing these amendments the Government has drawn on the excellent work of two reports. These were the report of the Legal Affairs Committee inquiry into debt recovery in New South Wales to which I referred earlier and the Report on the Statutory Review of the Civil Procedure Act 2005. Those reports considered proposals to improve the efficiency and fairness of the debt recovery processes. In response, the Government convened a debt recovery working group to consider the recommendations arising from those reports. The working group included representatives from the debt collection and legal communities, and from the banking and government sectors, including the Australian Collectors and Debt Buyers Association, Australian Bankers Association, Financial Rights Legal Service and Office of State Revenue. This diverse group represented the interests of both creditors and debtors. The group unanimously agreed that the amendments in this bill be brought forward.

I take this opportunity to thank the working group for its time and its expert advice. The group's assistance has been invaluable and will ensure that these reforms work in practice. Debts are a very common legal problem, which most people experience at some stage in their lives. Despite this, the debt recovery process can be complex and is unfamiliar to many. Many people simply do not know what to do. In these cases, LawAccess NSW is a valuable source of information and assistance. LawAccess NSW is a free government telephone service and website that provides legal information, referrals and in some cases advice for people who have a legal problem. LawAccess NSW can help both creditors and debtors with the debt recovery process. People can download sample letters of demand and fact sheets about what to do if it is necessary to go to court.

LawAccess's commitment to excellence and customer relationship management was recognised this year, when it was named winner of the national 2017 Best Government Contact Centre award. This is an excellent achievement and one that is well deserved. I extend my congratulations to the team at LawAccess NSW on their ongoing commitment to the New South Wales community. I encourage everyone to visit the LawAccess NSW website or give their expert telephone operators a call the next time they face a legal problem. These amendments will improve the operation of the debt recovery system, making it faster and fairer for all parties. New section 34C (3) refers to the jurisdiction and functions of authorised court. The authorised court has, and may exercise, all of the jurisdiction and functions in relation to the substituted proceedings that the Tribunal would have had if it could exercise federal diversity jurisdiction, including jurisdiction and functions conferred or imposed on the Tribunal by or under this Act or enabling legislation.

Section 34C (4) provides:

- (a) the authorised court is to be constituted as provided by its relevant courts legislation instead of as provided by this Act or enabling legislation,
- (b) a party to the substituted proceedings is not required to pay any fees in relation to the commencement of the proceedings in the authorised court other than the fees referred to in section 34B (3) (b) unless the authorised court determines that additional fees are payable under its relevant courts legislation because of a substantial alteration in the nature of the claims in the proceedings,
- (c) the legislation applicable to appeals against decisions of the authorised court apply to decisions of the court in the substituted proceedings instead of Divisions 2 and 3 of Part 6,
- (d) if the authorised court is the District Court—the practice and procedure applicable in the District Court under its relevant courts legislation (and any laws applicable in relation to contempt of court) apply to the substituted proceedings instead of Parts 4 and 5, any enabling legislation, the procedural rules and practice directions,
- (e) if the authorised court is the Local Court—the practice and procedure applicable in the Local Court under its relevant courts legislation applies to the substituted proceedings instead of Part 4, any enabling legislation, the procedural rules and practice directions, except that:
 - (i) the rules of evidence are to be applied to the proceedings if they would have been required to be applied if the proceedings were before the Tribunal, but the Local Court may, if it decides that it is appropriate to do so in the circumstances, not apply the rules of evidence if they were not required to be applied by the Tribunal, and
 - (ii) a person who is not an Australian legal practitioner can, with the leave of the Local Court, represent a party to the proceedings, but only in the circumstances that the Tribunal would have been permitted to allow it if the proceedings were before the Tribunal, and
 - (iii) a person who could have been made a party to, or intervened in, the proceedings if the proceedings were before the Tribunal can, with the leave of the Local Court, also be made a party or intervene, and
 - (iv) the Local Court may award costs in the proceedings only in the circumstances that the Tribunal would have been permitted to award them (and the costs are to be assessed in the same way as they would have been) if the proceedings were before the Tribunal,
- (f) the authorised court may make orders giving effect to any settlement reached by the parties even if that settlement was reached before the substituted proceedings commenced,

- (g) the power of the authorised court to make orders as to costs in relation to the substituted proceedings includes a power to make orders with respect to:
 - (i) the application for, and the granting of, leave for the application or appeal to which the substituted proceedings relate to be made to the court, and
 - (ii) any step taken in the Tribunal before leave was granted,
- (h) any other modifications (including to the provisions of this Act or other legislation) as may be prescribed by the regulations for substituted proceedings of the kind concerned.

Section 34C (5) reads:

- (5) The Minister is not to recommend the making of a regulation for the purposes of subsection (4) (h) unless the Minister certifies that:
 - (a) if the proposed amendments affect the exercise of jurisdiction or functions by the Tribunal—the President has agreed to the amendments, and
 - (b) if the proposed amendments affect the exercise of jurisdiction or functions by the District Court—the Chief Judge of the District Court has agreed to the amendments ...

The bill assists with good order and justice in New South Wales. I commend the bill to the House.

Mr JAMES GRIFFIN (Manly) (10:28): I speak in support of the Justice Legislation Amendment Bill (No. 2) 2017. A number of amendments in this bill will enhance protections for victims of domestic violence. Only this morning I spoke in support of the Manly Women's Shelter and on recent research and figures from the NSW Bureau of Crime Statistics and Research [BOCSAR] relating to the significant decrease in the number of domestic violence incidents reported in my electorate. However, one incident of domestic violence is one too many. I commend the Attorney General and his team—in particular Tom Loomes, Mary Klein and Bran Black—who have worked incredibly hard on this legislation and are doing a fantastic job.

I will now go through the amendments in detail. Schedule 1.6 item [1] and item [2] enable courts to hear and determine apprehended violence order proceedings if the defendant is not present at any subsequent mention of the proceedings as well as the first return date. Under section 57 of the Crimes (Domestic and Personal Violence) Act 2007 courts have the discretion to hear and determine apprehended violence orders on the first return date if the defendant does not appear. Schedule 1.6 item [1] and item [2] amend section 57 of the Crimes (Domestic and Personal Violence) Act 2007 to broaden the circumstances in which a court can hear and determine apprehended violence order proceedings in the absence of the defendant to include any subsequent mention of the proceedings.

The amendment enhances the protection of victims of personal violence by enabling orders to be made as early as possible. This will minimise periods of uncertainty for victims, which is important. The amendment reduces unnecessary delays caused by the court being unable to determine the matters at mention dates and having to adjourn to a future hearing date. It will save court time and resources. This amendment is a sensible extension of the existing discretion under section 57 to hear and determine orders on the first return date. The amendment ensures consistency with sections 190 and 196 of the Criminal Procedure Act 1986, which provides courts with the discretion, in summary proceedings, to hear and determine criminal proceedings in the absence of the defendant either on the first return date or at any subsequent mention. Schedules 1.6 item [3] and item [4] specifically relate to broadening the circumstances in which courts can vary existing apprehended violence orders.

Section 40 of the Act requires the court to make an interim apprehended violence order for the protection of the victim when a person is charged with a serious offence. Section 39 requires the court to make a final apprehended violence order when a person pleads guilty to or is found guilty of a serious offence. For the purpose of these provisions "serious offence" is defined to include a domestic violence offence, stalking, intimidation and other serious offences including attempted murder, sexual assault offences and child sex offences. Charges and convictions against defendants indicate risk to the victim sought to be protected by the apprehended violence order.

It is appropriate for the court to have powers without separate proceedings being commenced to make a fresh apprehended violence order. Section 75 of the Act sets out the powers of courts to vary existing apprehended violence orders. A court can vary an existing apprehended violence order with or without an application after a defendant pleads guilty to or is found guilty of stalking, intimidation or a domestic violence offence. The court's power to vary a domestic violence order currently applies in fewer cases than the requirement for the court to make an apprehended violence order, if one does not already exist. Schedules 1.6 item [3] and item [4] amend section 75 of the Crimes (Domestic and Personal Violence) Act 2007 to allow courts to vary existing apprehended violence orders in a broader range of cases. This amendment achieves consistency between sections 39, 40 and 75 by amending section 75 so the power to vary existing orders applies in all circumstances where a person pleads

guilty to or is found guilty of a serious offence and is not confined to stalking, intimidation and domestic violence offences.

Providing courts with broader discretion will enhance protection for victims of domestic and family violence. Courts will be able to vary existing orders in respect of other serious offences, including attempted murder, sexual assault offences and child sex offences. An additional amendment to section 75 (2) removes a redundant reference to the District Court's jurisdiction under section 91. The reference to the District Court was removed from section 91 and accordingly the cross-reference in section 75 (2) no longer has any utility. I support the Justice Legislation Amendment Bill (No 2) 2017. I toured the Manly Women's Shelter and saw the tremendous work that is being done by staff in the area of domestic violence, which places them under a great deal of stress. These are important amendments. I commend the Attorney General and his team for the work they have done on this bill.

Ms JENNY AITCHISON (Maitland) (10:35): My contribution to debate on the Justice Legislation Amendment Bill (No 2) relates in particular to the Crimes (Domestic and Personal Violence) Act 2007. The Labor Party is committed to the prevention of domestic violence. Opposition members will work with the Government to reduce crime and ensure that perpetrators are brought to account but, most importantly, that victims and survivors are looked after. The amendments will streamline the apprehended domestic violence order process—a resolution of the Coalition of Australian Governments—to improve processes for those victims and survivors of domestic violence who need to cross borders. Temporary Speaker Aplin would be aware of those issues in his electorate of Albury.

I have been to Albury and met with someone who has experienced those difficulties. The Labor Party supports the streamlining of this process. The Victorian Government has implemented new legislation in support of changes to achieve a better process nationally for victims of domestic violence. There is still more work to be done. I draw to the attention of the Attorney General, who is in the Chamber, a matter that is frequently raised in my electorate and I am sure in other electorates—how apprehended domestic violence orders and their enforceability can deal properly with emotional and/or financial abuse. This issue is exercising the minds of many people. Schedule 1.6 will amend the Crimes (Domestic and Personal Violence) Act 2007 as follows:

- (a) to give the court the discretion, if the defendant does not appear at the first return date or any subsequent mention of the proceedings, to proceed to hear and determine the matter on the first or subsequent day on which the matter is listed for mention... This schedule takes away some of the power that perpetrators have had to string out these cases by not appearing. This occurs time and again in the Family Court, where perpetrators are using delays in the system due to a lack of funding to string out these cases. It becomes a case of the last person standing at the end of the day, who still has the financial capacity to fight the case and who puts up with the emotional abuse, stress and intimidation involved in such cases. The Attorney General does not have the capacity to change the Family Law Act but he has colleagues at the Federal level who do—an issue to which we need to turn our attention. Last year Parliament enacted legislation and made groundbreaking changes by including in the definition "domestic violence" the words "emotional and financial abuse". We need provisions in our legal system to ensure that a poor resourcing of courts does not lead to systemic abuse of that system by perpetrators. When court cases are strung out it means that justice delayed is justice denied. That is an important aspect.

A number of my constituents have talked to me about their experiences of financial abuse. They do not know to whom they should report the matter because the police do not place perpetrators of financial abuse on apprehended domestic violence orders [ADVOs]. If they did, how do they stop the financial abuse happening? It is beyond the ability of the police to undertake that role. For example, one constituent told me that she owned a small business with her partner who liquidated the business and went bankrupt. Allegedly, her partner gave all the assets from the business to his mates. He continued having a lovely time completing cash jobs while the victim of that crime was left to raise a family, having no access to the business that she played an integral part in setting up and working in for many years. As these are complicated issues of abuse, dealing with them in court is perhaps not the best system. I would be interested to hear the Attorney's views on that issue.

I would also like the Attorney General to address how we deal with issues of emotional abuse that fall under domestic violence orders. I have spoken to police officers about particular cases when an ADVO has been put in place and the perpetrator is emotionally abusive. I am still receiving reports from people that the police tell them to sort it out themselves or to perhaps write a book to get the experience off their chest. These are not appropriate responses to emotional abuse. The police have also told them that they cannot get involved in people's arguments. The police do not understand or acknowledge the deep power imbalances in domestic violence relationships. The women in those relationships—because it is mostly women—are not able to stand up for themselves or fight back because they have endured years of emotional and physical abuse and other forms of abuse and violence. It is a wicked problem. I do not expect the Attorney to have an answer, but I am interested to hear how the Government is dealing with the issue of changes to ADVOs in the bill.

Mr MARK SPEAKMAN (Cronulla—Attorney General) (10:42): In reply: I thank the member for Liverpool, the member for Myall Lakes, the member for Manly and the member for Maitland for their

contributions to debate on the Justice Legislation Amendment Bill (No 2) 2017. The member for Liverpool made the comment that the NSW Civil and Administrative Tribunal [NCAT] is dismissing one matter per day because of the diversity jurisdiction issue. To put that into context, it is estimated that this represents approximately 0.3 per cent of all applications commenced in NCAT. While the impact of the decision on affected parties is significant, the estimated number of affected matters represents a small percentage of total applications received by the NCAT. The NCAT is an informal, low-cost and accessible forum for the resolution of disputes. Any solution to the NCAT's jurisdictional problems must preserve these essential characteristics and functions for the majority of tribunal users who are unaffected by the Court of Appeal decision.

The proposal in this bill achieves that balance. The bill will update and improve the operation of the New South Wales justice system by clarifying criminal procedure and improving the efficiency and operation of legislation affecting the courts and other Justice portfolio agencies. In particular, the bill will make minor amendments to a number of Acts to improve civil debt recovery in New South Wales, to improve and to clarify court processes for domestic violence matters, to enhance criminal investigation and internal procedures for law enforcement agencies, to improve the ability of the newly appointed Inspector of the Law Enforcement Conduct Commission to perform his statutory functions, and to address the NCAT's lack of jurisdiction to exercise judicial power in matters between interstate residents. The bill will clarify criminal and civil procedure, improve the operation of legislation affecting the courts, and assist agencies within the Justice cluster to carry out their functions more effectively and efficiently. I commend the bill to the House.

TEMPORARY SPEAKER (Mr Greg Aplin): 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.

ROAD TRANSPORT AMENDMENT (DRIVER LICENCE DISQUALIFICATION) BILL 2017

Second Reading

Debate resumed from 12 September 2017.

Mr PAUL LYNCH (Liverpool) (10:45): I lead for the Opposition in debate on the Road Transport Amendment (Driver Licence Disqualification) Bill 2017. The Opposition does not oppose the bill. The object of the bill relates to amendments to the Road Transport Act. In particular, it deals with driver licence disqualification. It also deals with other sanctions that may be imposed on drivers in some circumstances. The bill's overview particularly points to the following provisions. The bill gives the Local Court power to remove outstanding driver licence disqualification periods in some circumstances; abolishes the habitual traffic offenders scheme; provides for clearer delineation and flexibility of periods of disqualification for unauthorised-driving offences; reduces the maximum periods of imprisonment that may be imposed for unauthorised-driving offences; and enables additional sanctions concerning vehicles to be imposed for unauthorised-driving offences and in relation to recidivist unauthorised drivers.

Many of these provisions represent a lessening of penalties. Some provisions increase sanctions, but on any objective view they are outweighed by the softening of provisions. One is inclined to note that this is no longer the 1990s. The proper issue in considering legislation in the criminal justice space is not whether it is simply more or less tough or severe. It is a question of what works. As I said, the Labor Party certainly does not oppose the bill. I am not in the business—if I can put it this way and if I can be explicit—of attacking the Government from the right on this bill.

Mr Geoff Provost: Well done!

Mr PAUL LYNCH: It is worth making that clear. The Attorney General in his second reading speech placed much emphasis on the origin of the legislation in report No. 3/55 of the Legislative Assembly Committee on Law and Safety entitled "Driver licence disqualification reform". That was a committee obviously with a Government majority, then chaired by the now Deputy Premier and with several Labor members. It made unanimous recommendations. It commenced its inquiry in June 2013 and reported in November of that year. The Government response, dated June 2014, accepted the broad thrust of the report and made commitments which, over three years later, are to be found in the bill before the House.

The committee report made what can probably be described as entirely sensible comments about the disqualification regime. Under the current system: mandatory disqualification cannot be set to fit the

circumstances of the particular case; some of the lengthier automatic disqualifications are disproportionate; unauthorised drivers are not necessarily dangerous; 700 people were imprisoned in 2012-13 for unauthorised-driving offences; the lengthy period of disqualification is ineffective as a deterrent; and in the year before the tabling of the report, 52 per cent of people who had their licences cancelled had this occur because of non-payment of fines for offences that had nothing necessarily to do with traffic matters. As I say, these unanimous views are reasonable. I must say, I find it slightly curious and not a little ironic in this context that in previous years this Government tried to introduce a plethora of mandatory sentences for various offences, and wanted licence restrictions placed on people who were convicted of graffiti offences.

Mr Geoff Provest: Be nice.

Mr PAUL LYNCH: As I said, I am not attacking the Government from the right. Thankfully, that is not the view of the report to which I referred. Of course, there are precedents for much of this approach. For example, the Sentencing Council in 2006 issued an interim report entitled, "The Effectiveness of Fines as a Sentencing Option: Court-imposed Fines and Penalty Notices". That report was critical of the habitual traffic offenders scheme, and this bill abolishes that scheme. There are currently about 17,000 people who are declared habitual offenders. No other State or Territory in Australia has such a scheme.

The scheme is in division 3 of part 7.4 of the Road Transport Act, and was previously in the Road Transport (Drivers Licensing) Act. It is a good example of the behavioural psychologist approach taken by what is now Roads and Maritime Services of merely piling on extra penalties with no discretion to force behavioural change in individuals. Frankly, the real world is neither that simple nor that simplistic, despite the support given to such a view by both sides of the House over many years.

Schedule 1.14 repeals division 3 of part 7.4 of the principal Act—the portion that contains the Habitual Traffic Offenders scheme. Schedule 1.15 provides a mechanism to remove some driver licence disqualification periods. Proposed section 221B provides that the Local Court may, on application, remove all licence disqualifications to which a person is subject if he or she has not been convicted of any driving offence during a relevant period. The court must take a number of factors into account. These include the safety of the public, the whole of the driving record, any conduct of the person after the disqualification, the nature of the offence giving rise to disqualification, and any other relevant circumstances. That last category is itemised to include the impact of disqualification on the person's capacity to carry out family or carers duties and to travel for employment, business, education or training, and bearing in mind the applicant's health and finances and the availability of alternative forms of transport.

The Local Court must consider that it is appropriate to order the removal of restrictions. Section 221D provides that a person cannot apply for a removal of disqualification if he or she has been convicted of one of a number of specified offences. These are generally more serious offences and do not have to be the offence generating the disqualification. They include: murder or manslaughter by use of a motor vehicle; an offence comprising or including causing death, grievous bodily harm or wounding by use of a motor vehicle; predatory driving; driving recklessly or at a speed or in a dangerous manner in a police pursuit; negligent driving causing death or grievous bodily harm; intentional menacing driving; or failing to stop and assist after a vehicle impact causing death or grievous bodily harm.

Schedules 1.16 and 1.17 clarify aspects relating to immediate licence suspension notices. Periods of disqualification and sentences are reduced and moderated by this bill. Section 53 (3) of the principal Act is amended so that the maximum period of imprisonment for driving while never having had a licence is reduced from 18 months to six months. The automatic disqualification of three years for a second or subsequent offence in section 53 (4) is abolished. Section 54 (1), (3) and (4), which deals with driving while disqualified or suspended, or having a licence refused or cancelled, are amended by reducing the maximum penalty of two years to 12 months and 18 months to six months imprisonment.

Section 54 (5), which deals with driving while a licence is cancelled or suspended for non-payment of fines, is amended by removing imprisonment altogether for a first offence and reduces the maximum penalty from two years to six months for a second or subsequent offence. New section 205A provides default and minimum periods of disqualification for various unauthorised driving offences. Currently, automatic mandatory periods are applicable. This provides greater judicial discretion so that the punishment can be made to more appropriately fit the crime. Driving while disqualified sensibly is treated more severely than driving while a licence has been cancelled.

The minimum period of disqualification for section 53 (3) second and subsequent offences is three months. In section 54 (1), (3) or (4) the first offence minimum is three months; in section 54 (1), (3) or (4), the second offence is six months; in section 54 (5) the first offence is one month, and in section 54 (5), the second or subsequent offence is three months. Schedule 1.12 inserts a new section 207A the effect of which is that

disqualification periods are concurrent rather than cumulative unless the court specifically orders otherwise. In practical terms this reduces the likelihood of absurdly long disqualification periods.

Schedules 1.18, 1.19 and 1.20 increase sanctions and actions against disqualified drivers, in contrast to other provisions in this bill. This will amend part 7.6 of the principal Act, which deals with sanctions concerning vehicles—that is, sanctions applied by the police. Section 239 sets out the sanctions applying to sanctionable offences, most notably a three-month vehicle sanction. Section 238 is amended to include as sanctionable offences, an offence that occurs when a disqualified driver is caught exceeding the speed limit by more than 30 kilometres per hour or when a person is charged with driving while disqualified or unlicensed three times within five years. Section 239 is amended so that in these cases the three-month sanction period is extended to six months.

Section 242 provides for the impounding of vehicles that are caught by the sanction period. Section 248 provides a three-month impounding period. This bill amends section 248 to provide an extension of the three months to six months if the driver was disqualified and the sanction was imposed for a sanctionable offence committed by the driver. I note that the provisions under section 249 are not altered. The current provisions concerning vehicles in these situations that are not owned by the driver concerned are not altered. The Opposition does not oppose the bill.

Mrs MELINDA PAVEY (Oxley—Minister for Roads, Maritime and Freight) (10:53):

I acknowledge the contribution of all members to debate on the Road Transport Amendment (Driver Licence Disqualification) Bill 2017. It is heartening to see members on both sides of the Chamber agreeing to legislation that results in the betterment of our community. This is one of those examples. We are reforming the driver licence disqualification framework to ensure that penalties for driver licence disqualification are fairer and more effective in reducing unauthorised driving and repeat offending. The reforms will make disqualification periods and maximum penalties for unauthorised driving more proportionate with other driving offences. The reforms will reduce reoffending by expanding the power of police to impose roadside sanctions on disqualified drivers and encouraging disqualified drivers to comply with their disqualification and return to lawful and regulated driving. The amendments will improve the current driver disqualification scheme to make it more proportionate with other driving offences and focus on repeat and dangerous drivers.

The current driver disqualification framework increases the risk of reoffending. Evidence shows that long disqualifications can operate as a perverse incentive for people to drive before their disqualification ends, thereby breaching the law. With all sides contributing and working together, the Committee on Law and Safety provided a report that has been seminal in developing this legislation. Evidence provided to the committee in 2013 suggested that longer licence disqualification periods have little or no deterrent effect and in some cases may increase the risk of reoffending. It results in unfair and disproportionate penalties. In its 2013 report the Committee on Law and Safety found that due to disqualification periods being cumulative rather than concurrent some unauthorised drivers serve lengthy licence disqualification periods—sometimes more than 10 years—which is harsher when compared to other jurisdictions. For example, in Queensland individuals who have committed unauthorised driving offences can serve their disqualification periods concurrently.

It contributes to the overrepresentation of Aboriginal people in prison. Aboriginal communities, young people and vulnerable groups are sectors of the community which are particularly affected by the current laws. Some sectors of the community can find it difficult to obtain a licence, which can lead to unauthorised driving becoming more prevalent in those communities. A 2015 study by the Bureau of Crime Statistics and Research found that 14 per cent of offenders who were driving while disqualified identified as Indigenous. The reasons can be many but there are examples of young people, even in their twenties, being caught driving unlicensed because they simply did not have the capacity to find their birth certificate. That was some of the evidence given to the Committee on Law and Safety. This legislation hopes to address those anomalies.

The reforms introduced by this bill will ensure that the framework governing unauthorised driving offences and further driving offences address these shortcomings. The proposed amendments also include a number of safeguards to ensure that dangerous and reckless drivers are kept off the road. This is not being soft; it is just being sensible. Those who are a danger to society will be kept off the roads. Courts will retain strong powers to impose tough penalties, including imprisonment, for serious driving offences such as drink and drug driving. Police will have greater powers to impose vehicle sanctions, such as confiscating numberplates or impounding the vehicles of those who continue to drive while unauthorised, and disqualifying drivers who commit serious driving offences. This Government is committed to protecting the community. I refer to the scheme that enables drivers to apply to a court to have their disqualification lifted.

The Government will ensure that disqualified drivers who have been convicted of the most serious driving offences, such as those causing death or grievous bodily harm, will never be able to apply to have their disqualification lifted. Any driver convicted of a serious safety offence, such as street racing or speeding by more

than 30 kilometres per hour, will have to comply with their disqualification period for four years before being eligible to have their driver disqualification period lifted. All other disqualified drivers will have to comply with their disqualification period for two years before they can apply to have their disqualification period lifted. The court will give consideration to a person's previous driving record and to public safety before making a decision to lift such a disqualification. Drivers who have their disqualification lifted will still need to apply to Roads and Maritime Services and complete the required road safety and knowledge tests to get their licence back.

This Government is also abolishing the Habitual Traffic Offender Scheme which is disproportionate and ineffective. Habitual traffic offender declarations are automatically imposed when drivers are convicted of three relevant driving offences in a five-year period. The disqualification period applies in addition to any other disqualification period imposed for the third offence. No other Australian jurisdiction has an equivalent scheme and there is no evaluation that supports the retention of the scheme. This scheme can also create crushing periods of disqualification, severely limiting employment prospects. The effects of long-term licence disqualification in rural, regional and remote communities that have limited access to public transport can be devastating.

In this context, the current disqualification framework can severely limit the ability of people in those communities to gain employment, care for their families and more broadly contribute to and participate in society. I represent one of the communities that may be severely affected by these types of arrangements. The disproportionate effects of unauthorised driving sanctions in regional parts of New South Wales are particularly acute for Aboriginal communities. More than 14 per cent of those sentenced and almost a third of those imprisoned for unauthorised driving identify as Aboriginal. Finally, while disqualified driving or driving without ever having been licensed is unlawful and should be punished, it is important that the penalties are proportionate in order to be effective at reducing unsafe driving and repeat offending.

The reforms will address these issues by returning people to lawful and regulated driving and making penalties for unauthorised driving fairer and more proportionate with other New South Wales penalties. We are ensuring that penalties for disqualified driving are fairer and more proportionate by providing disqualified drivers who have complied with their disqualification for a minimum period with an opportunity to apply to the Local Court to have their disqualification lifted early, thereby giving those people a clear path to return to lawful driving. In regional communities, which do not have the same levels of public transport as Sydney, being able to drive lawfully is extremely important to leading a full and meaningful life.

This reform package is just one of the many important initiatives that this Government is delivering. Road safety is a key priority of the New South Wales Government. Included within the Premier's Priorities is at least a 30 per cent reduction in fatalities on New South Wales roads by 2021. We are investing a record \$282 million in road safety in 2017-18—thanks to the speeding fines of motorists—including \$19.2 million in Federal funding for public education and awareness campaigns, road upgrades and improvements through the Safe Roads program, as well as high-visibility enforcement. Our road safety programs play a vital role in educating road users, enforcing important road rules and creating safer roads to keep people safe. It is my honour to commend the bill to the House and thank everybody who was worked on it across departments. This is one of those good times when government agencies have not been working in silos. Rather, officers from Roads and Maritime Services, the Attorney General's Department and the NSW Police have been cooperating in a full and thorough way, which is why the Attorney General has carriage of this bill that amends the Road Transport Act. It is my pleasure to commend the bill to the House.

Mr DAVID HARRIS (Wyong) (11:02): I speak in debate on the Road Transport Amendment (Driver Licence Disqualification) Bill 2017, particularly in my capacity as the shadow Minister for Aboriginal Affairs. I acknowledge the work of the Minister for Roads, Maritime and Freight and the Attorney General for bringing this bill to the House.

Mr Geoff Provest: Love is in the air.

Mr DAVID HARRIS: It is. Sometimes the Parliament can act together to do what is right and correct. This is one of those occasions. Aboriginal people in our State experience rates of incarceration far above the general population. Unlicensed driving is one matter that contributes to those high numbers. Unlicensed driving is prevalent in Aboriginal communities because, as others have mentioned, public transport is often limited or does not exist and people must travel long distances to access services. Many Aboriginal people also have difficulty obtaining or maintaining a licence due to the associated costs. As the Minister said, some people drive unlicensed through sheer necessity, although we do not condone it. It is a double-edged sword: they have to do it, they get caught and they end up in the prison system.

Many people in the Aboriginal community find it difficult to maintain a licence once they have obtained one. Seventy four per cent of past licence holders and 43 per cent of current licence holders have indicated that their licence has been suspended or cancelled at some point, with 21 per cent of past licence holders having lost

their licence on more than one occasion. Forty per cent of members of the Aboriginal community—a significant proportion—have an outstanding debt with the State Debt Recovery Office. Others have suggested that they have limited financial capacity, and that the cost of licensing and registration are beyond them. In a qualitative study, many suggested that they struggled to afford their licence renewal and therefore opted for a single year renewal. In addition, the cost of car registration and insurance was beyond the reach of many. Literacy was also identified as a problem in Aboriginal people obtaining a licence.

A key factor in Aboriginal people driving with a suspended licence or without a licence is simply that they have little choice if they need to shop or attend medical appointments. Ironically, some people have been caught driving unlicensed to parole meetings they were attending to try to stay out of jail. All of those factors have contributed to the situation that this legislation seeks to address. As the Minister said, this bill is not about weakening penalties. It is about looking at alternative ways of dealing with the issue. Not a single person here wants unsafe or dangerous drivers to be on the road. I believe that under this legislation that will not happen. It is important to know that this is just about looking at the problem from a different angle.

It is interesting to highlight some of the factors affecting Aboriginal people. A study conducted in the Dubbo region between 2006 and 2012 analysed 264 cases involving Aboriginal clients of the Aboriginal Legal Service. The exercise revealed that 46 per cent of those who were driving whilst disqualified and were sentenced in that period had been given prison sentences. That figure rose to 60 per cent when suspended sentences were taken into account. The study, which included all matters in which the Aboriginal Legal Service had acted in Dubbo and New South Wales circuit courts since 2006, showed that jail sentences for Indigenous people were not only handed out more often but were also longer than the State average.

The study showed that the jailing rate for Aboriginal Legal Service Dubbo clients was 46 per cent, whereas the rate for all people convicted in local courts for driving whilst disqualified across New South Wales between April 2008 and March 2012 was only 15 per cent, according to the Judicial Commission of New South Wales. More than one-third of the Aboriginal Legal Service clients in the Dubbo region who received jail terms were sentenced to terms of imprisonment of 12 months compared with a 26 per cent State average. Seventeen per cent were sent to jail for 18 months compared with only 8 per cent of the general population. The study found that Aboriginal people were getting harsher sentences and their circumstances were often not properly taken into account. Dubbo-based Aboriginal Legal Service lawyer Stephen Lawrence said that the sentences being handed down for driving whilst disqualified were disproportionate. Mr Lawrence said:

These statistics show sentencing trends completely out of kilter with community expectations.

These jail rates are what the community might expect for violent assaults, drug dealing and serious frauds, not for disadvantaged people who drive a car in remote communities when they shouldn't.

Indeed, this study shows that Aboriginal people sentenced in the Dubbo area over the last six years have, on average, been treated more harshly than people convicted statewide of unquestionably more serious Local Court offences such as dangerous driving causing grievous bodily harm, possession of child pornography, supplying heroin and aggravated indecent assault. The Minister mentioned the committee that met in 2014. It came forward with its recommendations after taking data like this into account and understanding that we must do things at all levels to address the disproportionate number of Aboriginal people in incarceration. Statistics demonstrate a disturbing trend in the number of Aboriginal women being incarcerated. This legislation provides an opportunity for alternatives. As I have said, it does not excuse or allow dangerous drivers or those who should not be on the road to drive, but the number of people who are currently incarcerated for these types of offences should not be so high.

The jail system exposes people to many factors that impact upon their lives, including the plight of their families whilst they are in jail and how they will be affected when they are released. The jail system exposes people to many factors that impact upon their lives—and the lives of family members—whilst they are in jail and after they are released. Hopefully, this legislation will help to turn those statistics around. I again thank everyone involved from Roads and Maritime Services and the NSW Department of Justice for their hard work on this legislation. It is often more difficult to prepare legislation that looks at alternatives to punitive consequences, particularly in a world where the right-winged media wants everyone thrown in jail for every offence. I am pleased to see bipartisan support for this legislation, which will make a real difference to people in our community, particularly Aboriginal people.

Mr GEOFF PROVEST (Tweed) (11:11): I make a contribution to debate on the Road Transport Amendment (Driver Licence Disqualification) Bill 2017. It is pleasing to see bipartisan support for this legislation, as it can change the lives of people in our community. Previous speakers have referred to the high level of incarceration for these types of offences, particularly of people from Indigenous communities. That was a factor behind this legislation. On a number of occasions I have witnessed the Traffic Offenders Program in operation in my electorate, and no doubt Temporary Speaker Aplin is aware of that program in his electorate of Albury. In the Tweed, former Tweed-Byron local area commander Michael Kenny runs the program. As part of the program, a doctor from the local emergency department shows graphic footage of the long-term effects of car accidents.

Overall, the Tweed has a fairly good record, with recent statistics showing that we are below the State average for death rates in New South Wales, namely, 3.8 fatalities over the past five years.

When time permits, I accompany general duties police in my electorate on their Friday or Saturday night shifts. I have witnessed domestic violence firsthand, but there is nothing more graphic than attending a car accident. On one occasion we attended the scene of an accident involving a young unlicensed driver. Fortunately, he survived. But it was sobering for me, standing in the rain holding up a drip for the young man and seeing his blood leak onto the road. His mum and dad eventually arrived and they too witnessed the trauma. No other vehicle or person was involved in that accident, but a mum and her kids or an elderly person could inadvertently be involved in such a situation. That young man was a classic example of a repeat offender who paid no attention to his disqualification and who continued to drive. Hopefully, this legislation will make a difference.

I turn now to the bill. These reforms to the driver licence disqualification framework will ensure that the penalties for driver licence disqualification are fairer and more effective in reducing unauthorised driving and repeat offending. The reforms will make disqualification periods and maximum penalties for unauthorised driving more proportionate with other driving offences. They will reduce reoffending by expanding the power of police to impose roadside sanctions on disqualified drivers and encouraging disqualified drivers to comply with their disqualification and return to lawful and regulated driving. Getting a driver licence is a privilege, and any privilege in life needs to be earned. Everyone who has a driver licence started with a learner permit. Those of us who have been involved in teaching our children to drive understand the stress of having young drivers on the road. The amendments in this bill will improve the current driver disqualification scheme by making penalties more proportionate with other driving offences and focusing on repeat and dangerous drivers.

It has been shown that long disqualification periods can operate as a perverse incentive for disqualified drivers to drive and to be in breach of the law. Evidence provided to the Legislative Assembly Committee on Law and Safety in 2013—I currently chair the committee, and I appreciate the good work they did at that time—suggested that longer licence disqualification periods have little to no deterrent effect and, in some cases, may increase the risk of reoffending. As Mr Temporary Speaker Aplin and I live in regional areas, we know about the tyranny of distance—although the electorate of Albury is considerably larger than the Tweed—and the temptation to drive whilst disqualified is great when people need to get to work or attend medical appointments. In a 2013 report of the Legislative Assembly Committee on Law and Safety on driver licence disqualification, the committee found that given disqualification periods are cumulative rather than concurrent, some unauthorised drivers serve lengthy licence disqualification periods, sometimes more than 10 years. This is a harsher penalty in comparison to other jurisdictions. For example, in Queensland, individuals who have committed unauthorised driving offences can serve their disqualification periods concurrently.

Aboriginal communities, young people and vulnerable groups are other sectors of the community who are particularly affected by the current laws. In some communities where people may find it difficult to obtain a licence, unauthorised driving is more prevalent. A 2015 study by the Bureau of Crime Statistics and Research found that 14 per cent of offenders driving whilst disqualified identified as Indigenous. The reforms in this bill ensure that the framework governing unauthorised driving offences and further driving offences will address those shortcomings. We are here to serve the good people of New South Wales, and no doubt in a year or two an analysis will be done of the effectiveness or otherwise of this legislation. I commend the bill to the House.

Mr JAMIE PARKER (Balmain) (11:18): I speak on behalf of The Greens to the debate on the Road Transport Amendment (Driver Licence Disqualification) Bill 2017. We agree with and support the bill. We recognise the impacts that the existing scheme has on many in our community and we believe that this is good policy that deserves our support. The bill will change the penalties for driver licence disqualification in line with recommendations from the Legislative Assembly Committee on Law and Safety report in 2013. Currently, mandatory disqualification periods are imposed for repeatedly driving without a valid licence, and they often add up to a very long time.

I am addressing this bill in particular because of a resident in my electorate who has a crushing disqualification period of more than a decade. She is a mother of a lot of children and this lengthy disqualification destroys her capacity to support her family and to drive her children to and from appointments and various events and activities. While she recognises that she did the wrong thing, her offences happened many years ago. This bill will provide her an opportunity to redeem herself and to drive again, which is very important to her. I was surprised how draconian the Habitual Traffic Offenders Scheme is and how it makes life very difficult for people with a poor driving record, particularly those who have been convicted of driving without a licence. I was amazed that these disqualifications can add up to much longer periods than disqualifications for drink-driving offences or in some cases for negligent driving.

This legislation is a positive step for the Government to take to address this issue and I welcome the opportunity to discuss it. There are a range of reasons why people may drive without a licence, but courts do not

have the discretion to suspend licences. The Greens in this House support the judiciary being able to make decisions based on the merits and context of particular cases. We do not support mandatory sentencing and mandatory directions in our judicial system. We believe judges are well placed to hear cases and to determine penalties based on the merits of a particular case. The Habitual Traffic Offender scheme was introduced by Labor in 1998 during the big law and order "we are going to get tough on crime" process. This is an example of how it can take decades to get back on track after the implementation of poor government policy.

As previous speakers have said, people living in rural and regional areas, particularly in remote communities, are reliant on cars for work, health and education, and in some cases people have difficulty in getting a licence. People with driving convictions end up without a licence and their consecutive disqualifications add up to a very long time. Aboriginal Australians make up 14 per cent of all those charged, and a third of those are imprisoned for driving without a licence. That is a shocking statistic. What kind of society do we live in where our First Australians, who make up such a small proportion of our population today, are so heavily overrepresented in these statistics?

The bill reduces the excessive penalties for driving without a licence and provides a pathway for a person to have their disqualification period lifted by a local court after they have completed a minimum disqualification period of between two and four years. In effect, it provides a pathway for someone to get their licence and to obey the road rules. Multi-decade sentences—for example, one person's licence has been suspended until 2042—do not provide any incentive to reform. The resident in my electorate to whom I referred earlier has said that the level of suspension in her case is such that if she drives without a licence and gets another suspension it does not really matter, she could be suspended to 2056 or 2090. But it could lead to imprisonment or some other form of punishment. She has already served a very long period of suspension and still has more than 10 years to go. This bill gives her an opportunity to use this mechanism to enable her to fulfil her role as a mother and to be able to support her children through transport and work.

Under the Habitual Traffic Offender scheme, people who are convicted of three relevant driving offences, including the offence of drive unlicensed, second offence, are disqualified for five additional years. This has resulted in those who repeatedly drive without a licence accumulating, in some cases, decades of licence disqualification. No other jurisdiction has this scheme. It was introduced here when there was a big law and order problem with hoons. At that time, hoons were a hot issue and the then transport Minister Carl Scully was under a lot of pressure from the media, with News Limited running a campaign. The Government introduced the scheme to target hoons. However, the impact of the scheme has been much broader and has had very negative consequences.

The bill will set an automatic six-month and a minimum three-month disqualification period for certain offences but will allow the court to reduce or increase the disqualification period, as per other offences, in line with the person's circumstances. The bill will enable a disqualified driver to apply to the local court to have their disqualification lifted after serving a minimum term and it will reduce the maximum period of imprisonment for various offences. The Minister made all the provisions of the bill clear in his second reading speech. In a moderate way, the bill expands police powers to allow police to confiscate registration plates and cars and to impose sanctions when a disqualified driver exceeds the speed limit.

In conclusion, this is a positive bill. Obviously, it came from the Staysafe committee and I suspect many people have worked behind the scenes in both the Attorney General's department and the Roads and Traffic Authority of NSW. I acknowledge the work of all those officers who are in the service of the people of New South Wales. These public servants can rightly say they have done something very positive for this State in moving the Government forward, supporting the Minister and ensuring that this legislation is brought to the House. I commend the bill to the House.

Mr ADAM CROUCH (Terrigal) (11:25): I speak in support of the Road Transport Amendment (Driver Licence Disqualification) Bill 2017. From the outset, I acknowledge the outstanding work of the Staysafe committee, of which Mr Temporary Speaker Aplin is the chair. We are seeing bills such as the one before the House being brought forward through the hard work of committees such as Staysafe. I commend the hardworking secretariat of the Staysafe committee. It is a well-run committee that provides real outcomes for the people of New South Wales. I also acknowledge from the outset that those opposite support this bill. It is pleasing to see bipartisan support for this bill.

I note the wonderful contributions of the Minister for Roads, Maritime and Freight, the member for Oxley, and my parliamentary colleague the member for Tweed. The member for Tweed, as a regional member of Parliament, outlined the difficulties regional areas face. The Central Coast is no different. In the past 12 months there have been 11 fatalities on Central Coast roads. That is 11 too many. Young people as well as older, more experienced drivers are dying on our roads. In a lot of cases driver mismanagement or driver error is to blame, but sometimes, unfortunately, we see repeat offenders involved.

I have had lengthy discussions with Danny Sullivan at the Brisbane Water Local Area Command. The level of frustration that they face as first responders on the Central Coast is growing on a daily basis. Both he and I are frustrated that the message is not getting through to some motorists that if they drive in an irresponsible way and do not drive to the conditions the outcomes could be tragic for them or, even worse, for an innocent victim who is involved in an accident caused by them. Recently, a 47-year-old driver lost his life on the Central Coast—a father and family man, who will not be going home to his wife and children because of what appears to be driver error. It is a tragic outcome.

This bill is a good start to addressing the issues because, as has been outlined by previous speakers, we are seeing repeat offenders. The Brisbane Water Local Area Command will welcome these changes because they give police even stronger powers to deal with offending drivers on the Central Coast, where the numbers of those who engage in speeding and reckless driving has reached new heights. The proposed amendments include a number of safeguards to ensure that dangerous and reckless drivers are kept off our roads. Naturally, the courts will retain strong powers to impose tough penalties, including imprisonment, for serious driving offences such as drink- and drug-driving. Police will have greater powers to impose vehicle sanctions, such as confiscating numberplates and impounding vehicles, on those who continue to drive while unauthorised and disqualified drivers who commit serious driving offences. In my electorate, people are vigilant and are more than happy to report irresponsible driving to the police. As a community, we will not tolerate it anymore.

In relation to the scheme whereby drivers can apply to court to have a disqualification lifted, it must be made clear that under these reform measures disqualified drivers who have ever been convicted of the most serious driving offences involving death or grievous bodily harm, or a high risk of death or grievous bodily harm, will never be eligible to apply to have their disqualification lifted. Any driver who has been convicted of a serious safety offence including street racing, speeding by more than 30 kilometres an hour or certain drink- or drug-driving offences will have to comply with their disqualification period for four years before becoming eligible to have their driver disqualification period lifted.

I note, Mr Temporary Speaker, your comments earlier about spending time with police officers in the Tweed. I had the same privilege of spending a night with officers in the Brisbane Water Local Area Command and I note that the member for Port Macquarie is here and she has done the same thing. I encourage any member of this House to spend time with our frontline officers and see what they have to deal with on a nightly basis, especially the tragedy caused by irresponsible driving and the images it leaves in the minds of police. These are things that police officers can never unsee. When they are the first people at a fatal accident, they are the ones who have to deal with broken bodies and the even more difficult task of informing the families and parents of those loved ones who, due to irresponsible behaviour and tragic circumstances, will never be coming home. Our police feel a lot of frustration at having to deal with such things. It takes an enormous toll on them. I recommend that every member of Parliament who has the opportunity spends time with the team at their local area command because they speak as one on this issue. They are extremely frustrated at having to deal with irresponsible driving.

We have a duty as members of this House to highlight this issue at every opportunity we get. Whether it be through double demerit points on long weekends—especially on country roads and regional roads—or through other methods, we must highlight these dangers. I take every opportunity to remind our local community through our radio stations, and especially over long weekends, to drive to the conditions, slow down and take it easy. I do not know how many times we have said this, but we still see the recidivist offenders who have multiple charges against them go out and drive irresponsibly. This bill goes a great way towards addressing this issue. All other disqualified drivers will have to comply with their disqualification period for two years before they can apply to have their disqualifications lifted. The court will consider a person's previous driving record and public safety before making the decision to lift a disqualification. Drivers who have their disqualifications lifted will still need to apply to Roads and Maritime Services and complete the required road safety and knowledge tests in order to get their licences back.

I have discussed many examples from the Central Coast. Another example is of a 32-year-old director of a small business, who lost his licence when he was a young man. He continued to drive while disqualified to maintain his apprenticeship as there was no public transport in his area. We have these issues on the Central Coast just as you would have in the Tweed, Mr Temporary Speaker. When this apprentice was 23, he was caught four times driving a 50cc motor scooter. He was disqualified from driving until 2023 by the court and he went to jail for eight months. He was not charged with any other driving offences. Due to the operation of the Habitual Traffic Offender Scheme, his disqualification was extended to 2041. This young man is now both a father and an employer. It is very difficult for him to look after his family and to run his business without a licence. The reforms will address situations like his. He is a driver who has the ability to be rehabilitated.

We are abolishing the Habitual Traffic Offender Scheme. We are ensuring that penalties for disqualification are fairer and more proportionate. We are providing for disqualified drivers who have complied

with their disqualification for a minimum period to apply to the Local Court to have their disqualification lifted early. We are providing people who want to be rehabilitated with a clear way to get their licence back and drive responsibly. They understand what they have done wrong. They are the people that we need to assist, and this bill will go towards doing that. However, tough penalties will still be in place for those recidivist offenders who wish to flout the system. Those people need to be put on notice. There will be zero tolerance of their behaviour from both local area commands and from our courts because—as we have all seen, as members of Parliament—those people have blatantly ignored the system and put many others at risk.

The Road Transport Amendment (Driver Licence Disqualification) Bill 2017 is a good step forward. I note your contribution, Mr Temporary Speaker, and the words of the good member for Oxley. As another regional member, she also will have seen these situations occurring. This bill has bipartisan support, which goes to show that good legislation can be brought forward through good committee work. I highlight the good work of the Staysafe committee and the member for Albury who chairs that committee. I served on the Staysafe committee as well and I find it rewarding to see all of that work and public consultation being brought forward by Ministers in a good bill. This is how good government delivers good legislation, which hopefully will have a good outcome for our entire community and especially those on the Central Coast. We have had 11 deaths in 12 months and that is an intolerable situation. I commend this bill to the House.

Mr MARK TAYLOR (Seven Hills) (11:35): It is a pleasure to make a contribution to debate on this most important bill, the Road Transport Amendment (Driver Licence Disqualification) Bill 2017. I acknowledge the excellent contribution by the member for Terrigal, who outlined his experience with the local area command on the Central Coast when he spoke about going out and about with those officers as they do their excellent duty, night and day, on the Central Coast. I note that the member for Port Macquarie—who is also in the Chamber—indicated that she also attended on such occasions. I note that you, Mr Temporary Speaker, have done the same. It is an outstanding piece of community activity by members in their local electorates, endeavouring to gain a full and comprehensive understanding of the community that they represent. It is an absolute credit to those members. Having served as a police officer prior to entering Parliament, I understand how significant it is to frontline personnel in all of our services that they are supported by local representatives in such a way. I am sure that they strongly feel that support.

Road safety is an issue right across New South Wales. It goes to the heart of each and every member of our community. Over the years the road toll has significantly decreased. You would be aware, Mr Temporary Speaker, of the difficulties we have had on the Pacific Highway and on a number of our other major roads over the years. Fortunately, that toll has been brought down by a mixture of education and enforcement, but still more can be done to reduce the horrible impact that incidents on our roads have on families and loved ones. I note the personal contributions from the member for Terrigal about the effect that road accidents can have not only on family and friends but also on frontline officers. Road safety is always important and always at the forefront of this Government's mind.

The purpose of this bill is to introduce reforms to driver licence disqualification laws aimed at reducing unauthorised driving and repeat offending. The changes will provide new ways to return people to lawful and regulated driving as well as provide stronger powers for police to impose roadside vehicle sanctions. The bill was brought forward in this House by the Attorney General and the Minister for Roads. As a regional member of this House, the Minister for Roads certainly understands the impact of driver licensing and the various ways it impacts different members of our community. Holding a licence is a privilege, not a right in our society, which one can only gain after passing certain examinations, both theoretical and practical. The privilege of being granted a licence should not be taken lightly. However, losing that licence certainly has a different impact.

People who reside in major metropolitan areas of Sydney that have many transport options face a different situation from those who live in far-flung regional areas, such as perhaps in western New South Wales, where there are few public transport options. The effects of not having a licence varies in the community so the courts must have discretion to ensure that the sanctions imposed are relevant to the offence, the effect on the offender and the protection of the community, which should always be at the forefront of any sentencing consideration.

In 2013 the Legislative Assembly Committee on Law and Safety tabled a report containing recommendations to address issues with the current driver licence disqualification framework. The bill implements the previously announced Government response to the committee's recommendations, except that drivers who have committed the most serious driving offences, such as those involving death and grievous bodily harm, will never be eligible to have their licence disqualification periods lifted. That goes to the heart of community expectations that the most serious offenders are always treated in a serious manner by our courts, and I support the courts in that process.

All these measures have been informed by detailed consultation. The Government response to the committee report was developed by a working group involving justice and transport agencies, the State Debt Recovery Office, the Public Interest Advocacy Centre, the Aboriginal Legal Service, Transport for NSW, Roads and Maritime Services, and Salvos Legal. As was appropriate, the Department of Justice engaged in further consultation with Legal Aid NSW, the New South Wales Bar Association, the Law Society of New South Wales, the chief magistrate of the Local Court and the chief judge of the District Court in 2016 and 2017.

The non-holding of a driver's licence or the inability to obtain a driver's licence due to disqualification or previous suspension has varying effects on different members of the community, so extensive consultation is necessary when considering laws administering justice in this area. Six reforms to the Road Transport Act 2013 are proposed in the bill. Disqualified drivers who remain compliant with their qualification period for either two or four years, depending on the seriousness of their offences, will be eligible to apply to the Local Court to have their remaining disqualification periods lifted. Drivers convicted of serious driving offences are excluded from the reform. That is one of the underlying principles of sentencing. There should be some light at the end of the tunnel for those who have committed offences. Crushing sentences should not be imposed upon offenders, because they will be more likely to reoffend. If there is light at the end of the tunnel they are more likely to comply with their sentence and, if I can use the colloquial term, get their life back in order and get back on the road.

Mr Mark Coure: Good term.

Mr MARK TAYLOR: Thank you. New South Wales police will have stronger powers to penalise repeat unauthorised or disqualified drivers who commit certain serious driving offences, such as exceeding the speed limit by more than 30 kilometres an hour or driving whilst disqualified or unlicensed three times in a five-year period, by imposing on-the-spot vehicle sanctions such as confiscating numberplates and impounding vehicles. What better action can be taken by the police than immediately removing those offenders from the road? Giving police those sanctions and confiscating numberplates means those offenders are immediately removed from the road, something the community would demand.

I note that exceeding the speed limit by more than 30 kilometres an hour is considered a serious offence, and so it should be. Some people are under the false impression that they are good drivers and are capable of controlling their vehicle. Obviously some people are more skilled than others but physics come into play where drivers are unable to stop a motor vehicle within a certain period of time. Once a certain speed is reached the distance in which a vehicle is able to stop becomes an issue. Regardless of the skill of the driver, in unforeseen circumstances the driver will not be able to stop the vehicle in time and an incident will occur, which is why speed limits are set.

The Habitual Traffic Offender Scheme will be abolished. The scheme requires an automatic five-year extension of the disqualification periods for individuals who commit three relevant serious driving offences within a five-year period. Analysis from the Bureau of Crime Statistics and Research found no evidence to suggest that longer licence disqualification periods reduce the likelihood of an offender appearing before the courts. That goes to the heart of my earlier comment about the need for light at the end of the tunnel in these matters so that offenders are able to get back on the road. [*Extension of time*]

One may ask why we are removing the Habitual Traffic Offender Scheme. It is because the scheme is disproportionate and ineffective. Declarations are automatically imposed when drivers are convicted of three relevant driving offences in a five-year period. The disqualification period applies in addition to any other disqualification period imposed for the third offence. Under the current framework habitual traffic offenders have their licence disqualified for five years. This is in addition to any penalty or disqualification period that was imposed for the offence that led to the declaration. This scheme can create crushing periods of disqualification, severely limiting employment prospects. That is particularly relevant to those in country and regional areas.

The scheme has a disproportionate impact on certain marginalised groups in the community, particularly young people who need licences to obtain employment or those in regional areas. A habitual traffic offender declaration operates as a double penalty as the person has already been punished for the offences giving rise to the declaration. Further, this sanction becomes meaningless when people are disqualified for very lengthy periods of time. No other jurisdiction within Australia has an equivalent scheme and no evaluation supports the retention of the scheme. The evidence shows that lengthy disqualification periods are not a deterrent and have a disproportionate impact on vulnerable people and those in regional and rural areas.

The Government seeks to remove the habitual traffic offenders framework because it is ineffective. This reform package makes changes to driver licence disqualification laws to reduce unauthorised driving and repeat offending. I conclude by indicating support for frontline police; they do this work every day, particularly those in the highway patrol command, which I believe may be still based at Huntingwood in Western Sydney. Mr Temporary Speaker Provest would know, coming from the Tweed, about the operations conducted on the

Pacific Highway during holiday periods that have a significant impact on the lives of people, keeping them safe as they journey mostly north to enjoy their holidays but also south. Our police are always out there, north, south, east or west, carrying out their job of looking after our loved ones and family members. They do that through traffic law enforcement. I commend the service of those people on the front line and commend these amendments to the Road Transport (Driver Licence Disqualification) Bill 2017 to the House.

Mr MARK COURE (Oatley) (11:48): I speak to the Road Transport (Driver Licence Disqualification) Bill 2017 and begin by acknowledging previous speakers, in particular the member for Seven Hills. This is an important amending bill and I thank members on both sides of the Chamber. I understand those opposite support this bill as well. The bill will introduce reforms to driver licence disqualification laws aimed at reducing unauthorised driving and repeat offending. The changes will provide new ways to return people to lawful and regulated driving and provide stronger powers for police to impose roadside vehicle sanctions. In 2013 the Legislative Assembly Committee on Law and Safety tabled a report containing recommendations to address issues with the current driver licence disqualification framework in New South Wales. The bill implements the previously announced Government response to the committee's recommendations, except for drivers who have committed the most serious driving offences, such as those involving death or grievous bodily harm, who will not be eligible to have their driver licence disqualification periods lifted.

All measures have been informed by detailed consultation. The Government's response to the committee report was developed by a working group involving many key stakeholders such as Justice, transport agencies, the State Debt Recovery Office, the Public Interest Advocacy Centre, the Aboriginal Legal Service—which does a wonderful job in New South Wales—Transport for NSW, Roads and Maritime Services, and Salvos Legal. In 2016 and 2017 the Department of Justice engaged in further consultation with Legal Aid NSW, the New South Wales Bar Association, the Law Society of New South Wales, the chief magistrate of the Local Court and the chief judge of the District Court with regard to the report that was tabled. In this bill there are a number of reforms proposed as amendments to the Road Transport Act 2013. I will highlight how the reforms will benefit the Aboriginal, remote and regional communities. The current disqualification framework disproportionately impacts a large range of community groups, including those living in rural, regional and remote areas of New South Wales, Aboriginal communities and young people.

The effects of long-term licence disqualification in rural, regional and remote New South Wales communities that have limited access to public transport can be devastating. In this context the current disqualification framework can severely limit the ability of families in these communities to gain employment, to care for their families and to contribute to and participate in the local community. The effects of unauthorised driving sanctions in regional parts of New South Wales are particularly acute for Aboriginal communities. More than 14 per cent of those sentenced and a third of those imprisoned for unauthorised driving identify as Aboriginal. Some sectors of the community, particularly Aboriginal people, can find it difficult to obtain a driver licence. Obstacles include limited access to cars and licensed drivers able to supervise learners, and difficulty obtaining identity documents such as birth certificates.

On 3 August 2017 this Government announced an outreach program led by the Registry of Births, Deaths and Marriages to assist disadvantaged communities in obtaining free birth certificates. The combined impacts of the driver licence disqualification framework can lead to unauthorised driving becoming more of an issue in those communities. The reforms will address these issues by returning people to lawful and regulated driving and by making penalties for unauthorised driving fairer and proportionate with other New South Wales penalties. Disqualified drivers will be able to apply to the Local Court to have the remaining disqualification period lifted after complying with the disqualification for a defined period, either two or four years. These reforms provide for those living in regional, rural and remote areas, Aboriginal communities and young people an incentive and opportunity to return to lawful and regulated driving. For example, the reforms will benefit those living in remote regions of New South Wales where the nearest school may be 10-plus kilometres away and the nearest hospital 32 kilometres away.

A mother or father may have been caught four times for driving without a licence, each time for taking his or her children to school or to a doctor. This mother or father has complied with their disqualification period for the past two years, but the overall disqualification does not end until 2024. That is another seven years of not being able to drive his or her kids to school or the hospital for medical emergencies. There are checks and balances in place. The reforms provide this mother and father with the opportunity to apply to the Local Court to have their disqualification period removed. The applicant will need to prove to the court that he or she has complied with the disqualification for the set period. This situation can be distinguished from that of a disqualified driver who has continued to drive throughout the disqualification, continues to commit other driving offences and poses a risk to community safety. In these circumstances the Local Court will refuse to lift the applicant's disqualification period.

For disqualified drivers in rural and remote communities in New South Wales who have demonstrated that they remain compliant with the disqualification period in those communities with limited access to public transport, this increases their opportunities to turn their lives around and access employment and education. Another benefit of this legislation will be to reduce Aboriginal over-representation in the judicial system. The current system contributes to the over-representation of Aboriginal people in the criminal justice system. More than 14 per cent of those sentenced and almost one-third of those imprisoned for unauthorised driving identify as Aboriginal. The bill will afford police more powers to crack down on those who do the wrong thing with on-the-spot vehicle sanctions. They are the three key benefits of the reforms. I support the Road Transport Amendment (Driver Licence Disqualification) Bill 2017.

Mr STEPHEN BROMHEAD (Myall Lakes) (11:57): I support the Road Transport Amendment (Driver Licence Disqualification) Bill 2017. The bill amends the Road Transport Act 2013 primarily in relation to driver licence disqualifications. The bill confers on the Local Court the power to remove outstanding driver licence disqualification periods and abolishes the Habitual Traffic Offenders Scheme. It seeks to provide greater clarity and flexibility around the period of licence disqualification for unauthorised driving offences and reduces the maximum periods of imprisonment that may be imposed. It creates additional sanctions for unauthorised driving offences and recidivist unauthorised drivers.

In 2013 the Legislative Assembly Law and Safety Committee tabled a report on driver licence disqualification reform and identified a number of problems. These included that long disqualification periods were not necessarily effective and that the current laws may also disproportionately disadvantage certain groups, including Aboriginal people and those living in regional and rural areas. In 2014 the Government responded to the committee's report. It largely agreed with the recommendations. In his second reading speech the Attorney General stated that the bill will implement the Government's response through six key reforms.

The aim of the reforms is to create a fairer and more balanced system by providing an incentive for people to return to lawful driving and to punish serious driving offenders. The existing maximum penalties for most unauthorised driving offences are similar to the penalties for drink-driving offences. As at July 2017 more than 270 people were in custody for an unauthorised driving offence. Although driving while disqualified or driving without a licence is unlawful and should be punished, it is important that the penalties are proportionate so that they effectively reduce unsafe driving and repeat offending. The reforms will ensure that the maximum penalties are proportionate to the seriousness of the offence. Lower maximum penalties will mean that when an offender is imprisoned for unauthorised driving, they will generally spend less time in custody. This will ensure that the prison system can focus resources on managing more serious offenders who have committed offences that pose a direct and greater risk to community safety.

The bill does not reduce penalties for drivers who have committed the most serious driving offences, such as those involving death or grievous bodily harm. They will never be eligible to have their licence disqualification periods lifted. The amendments have been made following detailed consultation. The Government response to the committee report was developed by a working group involving justice and transport agencies such as the State Debt Recovery Office, the Public Interest Advocacy Centre, the Aboriginal Legal Service, Transport for NSW, Roads and Maritime Services [RMS], and Salvos Legal. The Department of Justice engaged in further consultation with Legal Aid New South Wales, the New South Wales Bar Association, the Law Society of New South Wales, the Chief Magistrate of the Local Court and the Chief Judge of the District Court. This bill was drafted as a result of those consultations.

One can understand a person being disqualified from driving after committing serious traffic offences and that disqualification being regarded as a significant penalty. Many people do not start off with a serious traffic offence; for example, they could start with the non-payment of a fine and, as a result, their licence is suspended. The reason can also be that they do not receive the letter suspending their licence or for other circumstances—

Mr Mark Coure: A change of address.

Mr STEPHEN BROMHEAD: They may have changed their address and did not inform RMS of that change and, therefore, the penalty notice was sent to the wrong address. It could be that they received the penalty notice but because of their particular life circumstances they thought it was imperative that they continue to drive. For example, in country towns and regional areas schools and hospitals are many miles away. If a child gets sick people may arrange for the local pharmacist to open the chemist shop so that they can buy medication for their sick child. A person's licence may be suspended because of non-payment of a fine or some other matter, not because they were drink-driving. If they are picked up by the police, an automatic disqualification period will be imposed for driving whilst suspended. That is the start of the slippery slope for people in country and regional towns, particularly Aboriginal people and others who have a low socio-economic status.

I am a member of the Public Accounts Committee and last year we received reports and heard evidence at public hearings from the RMS. We spoke about providing courses to Aboriginal people so that they can obtain a driver licence. Often there is no public transport in many country and regional towns, and for that reason people have to drive to attend job interviews or to buy groceries from the local supermarket. It is important to remember that not all drivers are disqualified from driving because of a horrendous traffic offence or drink-driving. Sometimes they are disqualified from driving because of their particular life circumstances and because they do not live close to public transport. We can only hope that people do not commit a second and third offence, but the disqualification periods are cumulative, and habitual offenders who continue to drive while suspended have more time added to their disqualification periods.

For example, if they receive three disqualified driving offences, that adds up to six years. If another five years is added, what hope do they have of being able legally to obtain a licence? If no public transport is available where they live, they have no option other than to drive while suspended otherwise they cannot get to work, take their kids to school or sports events, or go to the supermarket to buy groceries. For those reasons, I support the amendments. In 2003 the Manning-Great Lakes Traffic Offenders Program was introduced and has helped to decrease the number of repeat offenders. We hope that the reports and the working group will also help to alleviate a lot of problems. I thank the Attorney General for introducing the bill. I commend the bill to the House.

Mr RON HOENIG (Heffron) (12:05): It is refreshing to see the Road Transport Amendment (Driver Licence Disqualification) Bill 2017 being debated in the House. The bill seeks to ameliorate a range of oppressive penalties. I would hazard a guess that it is the first time in 30 years this has happened. I commend the Committee on Law and Safety for its 2013 report. I also commend the Attorney General and the shadow Attorney General for the informed way in which they have proposed changes to harsh legislation that has become more harsh over the past 30 years.

When this Parliament imposes penalties and sanctions for criminal conduct and/or driving offences, it does so in an effort to deter others from committing the same offences. It also punishes those who have offended against the law. The punishment must always be proportionate. It has always been my view that that punishment should be determined by the judicial arm of government and that it should not shackle the judicial arm of government. Our three tiers of government must trust the judicial arm and the judiciary to impose penalties and punishment in accordance with the range set by this Parliament.

When the Parliament starts imposing mandatory penalties for a range of offences and removes the discretion from our courts, it is the current law on disqualification that this bill addresses that becomes harsh and oppressive. All magistrates sitting in the Local Court know how to impose a penalty for breaches of the Crimes Act or a disqualification for breaches of the Road Transport Act. They also know the rights of appeal related to those penalties that are available to offenders or, alternatively, the prosecuting authorities.

It is time to start winding back some of those harsh sanctions. It took a committee of this House to make these recommendations and it required a measure of courage to adopt them but there is more to do. It was heartening to hear from a former member of the constabulary about the oppressive penalties that were imposed before he was elected as a member of Parliament. Those penalties were similar to the oppressive penalties that were imposed when I appeared for a number of people who received jail sentences for committing such offences.

As the Attorney General observed in his second reading speech, long disqualifications are not a deterrent and never have been for young, indigent and Indigenous people. A number of years ago when I was a young solicitor I remember magistrates saying that they would never impose lengthy disqualifications on traffic offenders as it sets them up to fail. This Parliament effectively took away that discretion from the courts. As we start increasing the penalties for traffic offences and we increase disqualification periods, we will take away that discretion from courts and send a message to the Court of Criminal Appeal that issues guideline judgements.

The Court of Criminal Appeal has issued guideline judgements in respect of offences involving high concentrations of alcohol, and magistrates are bound to impose harsh and unfair penalties. This legislation will ameliorate some of the harsh penalties that are imposed on young people and Aboriginal offenders. An Aboriginal offender who was known to the local police drove whilst disqualified to pick up a child in trouble and is now residing in the cells at Bega. After his arrest he was sentenced by the magistrate and appealed to the District Court but spent about six or eight months in custody before I was able to persuade the court to release him.

As the member for Myall Lakes said earlier, lengthy disqualification periods impact heavily on those who live in rural parts of the State—something that needs to be clearly understood by this Sydney-centric Parliament. The impact of lengthy disqualification periods is different for people living in metropolitan Sydney than it is for people living in rural towns. In the city young offenders can always call an Uber or a taxi, but people in rural or regional New South Wales do not have that luxury if they have to travel substantial distances for

employment or education. The Attorney General said in his second reading speech that 13 per cent of a court's time is spent dealing with disqualification cases, which is a huge waste of public resources.

This bill will wind back harsh sanctions that have become even more oppressive over the years, but this is only the first step. The Attorney General and the Government, with the support of the Opposition, must normalise oppressive penalties and examine other unfair penalties and sanctions. We must be able to trust the judicial arm of government. Avenues of appeal are always available to the Crown or to offenders. If the courts cannot be trusted to impose the right sorts of penalties, the Parliament must intervene. The Attorney General and a number of Government members have already referred to oppressive penalties that affect the young, the Indigenous and the indigent.

Mr LEE EVANS (Heathcote) (12:15): I speak in debate on the Road Transport Amendment (Driver Licence Disqualification) Bill 2017 which has as its purpose the reform of the current driver licence disqualification law that is aimed at reducing unauthorised driving and repeat offending. The changes will provide new ways to return people to lawful and regulated driving and provide stronger powers for police to impose roadside vehicle sanctions. In 2013 the Legislative Assembly Committee on Law and Safety tabled a report containing recommendations to address issues relating to the current driver licence disqualification framework. The bill implements the previously announced Government response to the committee's recommendations except that drivers who have committed the most serious driving offences, such as those involving death or grievous bodily harm, will never be eligible to have their licence disqualification periods lifted.

The current system results in unfair and disproportionate penalties. Evidence shows that it may increase the risk of reoffending as drivers disqualified for long periods currently have little incentive to comply with their disqualification period. The current system also has a negative social impact where long disqualification periods affect a person's education and employment prospects. This is particularly the case in regional and rural areas where public transport options may be limited. The current system also contributes to the over-representation of Aboriginal people in prison and imposes a significant burden on the criminal justice system, increasing the pressure on our courts and the prison system.

In about 2013-14 I met with members of my local highway patrol who told me that when young Aboriginal drivers are learning to drive there are often no licensed drivers in the community—they have all been disqualified. Learner drivers are often disqualified from driving when they do not have a licensed driver with them. They are repeatedly disqualified as they drive while unlicensed to assist family members to meet their commitments. After they have been charged several times for driving without a licence they end up in jail and enter into a world of pain from which they rarely recover. That is what occurs when they do not have a licensed driver to accompany them when they are learning to drive. These people are then subject to a life of angst, pain and inconvenience. When they get out of jail they are still unable to obtain a licence for another 30 or 40 years, so they end up reoffending and returning to jail. For somebody to be in prison for being caught taking their mum or aunty to a doctor's appointment on several occasions is pretty tough. The reforms in this bill follow on from the Committee on Law and Safety report on driver licence disqualification in 2013, which was subject to extensive consultation with key stakeholders.

I now turn to the proposals in the bill. The first is to allow certain disqualified drivers who have been offence free for the required period of two or four years, depending on the offences that resulted in the disqualification period, to apply to a court to have the disqualification removed. Drivers convicted of the most serious driving offences, including those involving death or grievous bodily harm, will not be eligible to apply. The second proposal is to abolish the Habitual Traffic Offenders Scheme. Under the scheme, a person convicted of three relevant offences can be disqualified for an additional five-year period that is added to the person's existing disqualification. There is no evidence that the scheme deters reoffending, and lengthy disqualification may reduce a person's motivation to reform their behaviour. Thirdly, penalties for unauthorised driving will be amended to make them more commensurate with other driving offences.

The fourth proposal involves expanding current police powers to impound motor vehicles or confiscate numberplates to include a disqualified driver who is caught speeding by more than 30 kilometres per hour over the limit, or a person who drives while disqualified or having never been licensed and has previously been convicted of either of these offences on two or more previous occasions within the past five-year period. In these cases the impoundment or confiscation period will be three months. Where a disqualified driver commits an offence under the current vehicle sanctions regime—for example, speeding by more than 45 kilometres per hour over the limit or carrying out conduct associated with street racing and police pursuits—the impoundment or confiscation period will be six months rather than the three months that applies to a licensed driver who commits those offences. Essentially, driving whilst disqualified will be treated as an aggravating factor.

As I said, of all the things the Government will do this term these changes to our law could have the biggest impact. It is hoped that the number of people jailed for driving offences will drop and we will be able to

stop people from breaking the law and becoming recidivist offenders. We also hope to educate people throughout the process so that they can turn their lives around. I am involved in a high school with a high population of western New South Wales Aboriginal students. All of them are learning to drive in Sydney so that they can go back to their communities as licensed drivers, which is somewhat unusual in most western New South Wales communities. Driving in Sydney is obviously a lot different from driving in Wilcannia, so the students will know how to drive safely in a range of conditions. Their licence will be a precious thing that they can keep and use to help their communities.

I commend the Attorney General and the committee for their work on this fantastic reform. As the member for Heffron said, in years to come this will change people's lives for the better. The reforms in the bill provide a more balanced system which will assist disqualified drivers to refrain from reoffending and return to lawful driving while at the same time providing the NSW Police Force with increased powers to deal with offenders at the roadside. I commend the bill to the House.

Mr PHILIP DONATO (Orange) (12:24): On behalf of the Shooters, Fishers and Farmers Party I support the Road Transport Amendment (Driver Licence Disqualification) Bill 2017. I commend the Attorney General, who I note is at the table, for his work on the bill. The object of the bill is to provide a legislative framework to amend the Road Transport Act 2013 with respect to driver licence disqualification and other sanctions that may be imposed under that Act particularly for offences relating to unauthorised driving. The bill includes provisions relating to habitual offender traffic declarations, disqualification periods, reducing maximum periods of imprisonment, enabling additional sanctions, and providing police with additional powers relating to enforcement, detection and prevention.

It is well documented that preceding my success at the November by-election last year I worked as a Local Court police prosecutor for 16 years. The Attorney General would no doubt have come across police prosecutors during his time as a member of the legal fraternity. The majority of traffic offences proceed in the Local Court. Of course more serious matters proceed in higher jurisdictions, but bread-and-butter traffic offences are heard in the Local Court. In my 16 years as a police prosecutor, which included several years working in metropolitan Sydney and about 12 years predominantly in the Central West and western areas of New South Wales, I have seen many traffic matters come before the court.

It is fair to say from the outset that a driver licence is a privilege, not a right, and maintaining public road safety will always be the main priority. However, we must also ensure that as lawmakers we consider all members of the community whom our legislation affects. Disqualification periods are necessary as a punitive measure to punish offenders for certain prescribed traffic offences; however, the punishment should be proportionate to the objective criminality of the offending conduct. It should also address the principles of sentencing contained in section 3A of the Crimes (Sentencing Procedure) Act.

I have witnessed several convicted traffic offenders being imposed lengthy periods of disqualification, not including habitual traffic offender declarations that Roads and Maritime Services may impose at a later date. In many cases I have seen people disqualified from driving for a term that would exceed their natural life expectancy. Some men and women aged in their thirties and forties are currently disqualified until 2060, 2070 and even 2080. With the accumulation of habitual traffic offender declarations it can be a slippery slope. Under that scheme five years can be added on top of the court-imposed disqualifications when there are three or more offences within a five-year period. Often those periods are crushing and provide people with little or no prospect of ever lawfully obtaining a driver licence. Knowing they will likely never get a licence causes some people to continually disobey court orders and thumb their nose at authorities. As I said, they know they have little prospect of ever legally obtaining the proper authority to drive on the road.

These amendments will provide some degree of hope to disqualified drivers that if they can show a period of non-offending behaviour they can make application to the local court to lift part of the disqualification period. A magistrate will be able to take into account subjective factors such as a person's driving history, age, employment and family circumstances—indeed, all those issues that a judicial officer takes into consideration when deciding whether or not to vary or lift a further period of disqualification. This is even more important in regional areas, where I have worked and which I now represent as a member of Parliament. Disqualification periods are often seen as more punitive in regional and rural areas, where there is a lack of public transport and people need a licence to get to and from work and to take members of their family to school and/or recreational and sporting activities.

The current scheme entrenches the offence for disadvantaged groups and disproportionately affects young people and vulnerable people, particularly Indigenous people. It severely limits their ability to maintain or gain employment and to be able to meaningfully care for their families or contribute to their community. The bill provides police with additional powers—and as a former police officer I welcome these changes—to prevent further ongoing offences. Police will have the power to contemporaneously confiscate numberplates and/or

vehicles of those who are detected offending. As previous speakers said, our police do an outstanding job and they should be resourced with the appropriate legislation and tools to go about their jobs in the best possible manner to detect offenders and to protect the community.

The Attorney General said in his second reading speech that this bill will reduce unauthorised driving and repeat offending. As the member for Seven Hills said, it provides light at the end of the tunnel as opposed to a crushing period of disqualification where an offender believes they will never be able to lawfully obtain a licence. It is an incentive to offenders if they know there is a possibility of obtaining a licence if they can resist the temptation of driving—of taking the keys from the wall or off the dining room table—and comply with the elements of the disqualification that has been imposed on them. It is an incentive if they know they may be able to gainfully and lawfully make an application to get a licence earlier and again become a meaningful contributor to society.

I have seen the slippery slope that many people face, especially in remote areas where persons continue to disregard disqualification orders and are ultimately incarcerated. This is a problematic issue in very remote areas where the police often know who does not have a licence. In remote areas, these people are easy to detect and, unfortunately, are often incarcerated. The opportunity to lead a law-abiding life is something all members in this place welcome. I note that the Attorney General is in the Chamber, and I thank him for introducing this bill. I thank also the committee involved in its introduction as well as the other stakeholders who were engaged. I commend the bill to the House.

Mr MICHAEL JOHNSEN (Upper Hunter) (12:34): I make a contribution to debate on the Road Transport Amendment (Driver Licence Disqualification) Bill 2017. The proposed amendments include a number of safeguards to ensure that dangerous and reckless drivers are kept off the road. The courts will retain strong powers to impose tough penalties, including imprisonment, for serious driving offences such as drink- and drug-driving. The member for Orange said that he has heard of an 80-year disqualification—

Mr Philip Donato: No, to 2060.

Mr MICHAEL JOHNSEN: I recently came across an article written in 2003 about serial offenders. It states:

A serial traffic offender was yesterday banned for almost 1,000 years in a case described as "ridiculous" by the magistrate.

[That person] faced Redfern Local Court for the offence of driving while disqualified no less than 30 times.

Clearly, that person, who was a father of one at the time, was a danger to himself and not in a position to provide for his family. He was caught driving around Waterloo. In the inner-city area there are plenty of transport options but this person was happy to flout the law. It is very different in rural and regional areas, such as my electorate and that of the member for Orange. People in rural and regional areas make mistakes and are disqualified but they often need their vehicles because these areas do not have the public transport options that are available in the city and metropolitan areas. We need laws to keep habitual offenders and the worst drivers off the road but we also need a degree of flexibility to allow those who have made mistakes and who admit to having made those mistakes to see the error of their ways. People who have learnt from their mistakes should be given the opportunity at an appropriate time to be able to find a job and look after their families, and that is particularly important in regional and rural areas.

The bill will give police greater powers to impose vehicle sanctions such as confiscating numberplates and impounding the vehicles of those who continue to drive whilst unauthorised or disqualified drivers who commit serious driving offences. Disqualified drivers who have been convicted of the most serious driving offences, involving death or grievous bodily harm or a high risk of death or grievous bodily harm, will never be eligible to apply to have their disqualification lifted under the reform measures, and nor should they. Any driver convicted of a serious safety offence, including street racing, speeding by more than 30 kilometres per hour or certain drink- or drug-driving offences, will have to comply with their disqualification period for four years before becoming eligible to have their driver disqualification period lifted. In balancing that argument, it is important to note that in the Upper Hunter the top three contributors to the road toll are: speeding, 56 per cent; fatigue, 20 per cent; and alcohol, 25 per cent.

Many of us have a degree of sympathy for those who drive when they are very tired, for example, driving long distances after a long shift at work. In my electorate people drive in excess of a hour each way to work a 12-hour shift in a coalmine. That is a long day—a 14-hour, sometimes longer, day. It is tragic when people are involved in an accident caused by fatigue and a serious injury or a death occurs. But there is no excuse whatsoever for the high rates of fatalities due to speeding or as a result of a person drinking alcohol and then driving. This Government, with the support of the Opposition, is going to ensure that there is a degree of flexibility in penalties for people who make a mistake, which will provide them with the opportunity to learn from their mistakes. But

that flexibility will not apply for people who continuously flout the law—for example, people who continually speed, people who continually drink and drive, and people who continually take drugs and drive, putting people's lives at risk, including their own, and impacting their families when such tragic events occur.

All other disqualified drivers will have to comply with their disqualification period for two years before they can apply to have their disqualification period lifted. The court will consider the person's previous driving record and public safety before making a decision to lift the disqualification—giving people the ability to learn the error of their previous ways. Drivers who have their disqualification lifted will still need to apply to Roads and Maritime Services and complete the required road safety and knowledge tests to get their licence back. For example, take the scenario of a 31-year-old owner of a small business. He lost his licence as a young man—these things happen—but he continued to drive whilst disqualified to maintain his apprenticeship as there was no public transport in this area. As I said, it is common to have no public transport options in my electorate.

When this man was 23, he was caught four times driving a motor scooter. He was disqualified from driving until 2023 by the court and he went to jail for eight months. He was not charged with any other driving offences. Due to the operation of the Habitual Traffic Offender Scheme, the disqualification was extended to 2041. This young man is now both a father and an employer. It is very difficult for him to look after his family and to run his business without a driver licence. These reforms will address situations like that. We will abolish the Habitual Traffic Offender Scheme; we will ensure that penalties for disqualified drivers are fairer and more proportionate; and we will provide for disqualified drivers who have complied with their disqualification for a minimum period to apply to the local court to have their disqualification lifted earlier.

The bill will provide people with a clear pathway to return to lawful driving. All of us make mistakes from time to time. As I said, in a rural area like mine, driving long distances is a major component of daily life and is necessary for employment. This bill will provide an opportunity for people who do make a mistake and may be disqualified to be able to get their life back in order and to do the right thing not only by them and their family but also by the community, and to acknowledge that other people's safety is as important as their own. There is no excuse for speeding and drink-driving, and those who continue to do that should be disqualified for a long period of time. But those who make a one-off mistake deserve the opportunity to fix that mistake.

Mr NICK LALICH (Cabramatta) (12:44): I make a contribution to the debate on the Road Transport Amendment (Driver Licence Disqualification) Bill 2017. This bill confers on the Local Court the power to remove outstanding driver licence disqualification periods; abolishes the Habitual Traffic Offender Scheme; provides for clearer delineation and flexibility of periods of driver licence disqualification for unauthorised driving offences; reduces the maximum periods of imprisonment that may be imposed for unauthorised driving offences; and enables additional sanctions concerning vehicles to be imposed for unauthorised driving offences and in relation to recidivist unauthorised drivers.

As a member of the Legislative Assembly's former Committee on Law and Safety and a current member of the current Joint Committee on Road Safety—the Staysafe committee, as it is called now—I believe the amendments brought forward in this bill are very important. As a society and as a community, we obviously want to provide deterrents to people who drive whilst disqualified or suspended. But the system must not make things harder for our community to function, particularly if it punishes certain community members more than others, not by design but due to circumstance. In 2013, the Law and Safety Committee's report on driver licence disqualification reform identified a number of problems with the current disqualification laws. Reform was recommended, and finally the Government is taking action—four years after the report was tabled and three years after the Government gave its response.

One of the key findings of the 2013 report was that long disqualification periods were having a serious negative impact on individuals' mobility, their access to education and employment, their ability to fulfil their employment obligations and even their access to essential goods and services. Evidence has shown that long disqualification periods, such as those under the current scheme, are not a deterrent to unauthorised driving and substantially increase the risk of reoffending. People in rural and regional areas are also adversely impacted, as any licence disqualification will affect them much more than people living in cities, who have constant access to public transport. Another group marginalised by the current system are those of Aboriginal descent, with more than 14 per cent of those sentenced being Indigenous and almost a third of those imprisoned for unauthorised driving offences. Prison sentences should not be a common form of penalty for unauthorised driving. To imprison drivers convicted of driving offences should be the last resort because it is just putting them with low-life people in the prison system who may lead them astray in other more criminal ways. I am happy to see that this bill will take care of that issue.

This bill will give local courts the power to remove driver licence disqualification periods if the person has been offence free, taking into account public safety issues, the person's complete driving record, and family and employment options. However, the bill does not relate to offences causing death or grievous bodily harm.

The bill also abolishes the severe Habitual Traffic Offender Scheme, and the maximum period of imprisonment has been reduced. Currently, there is also a mandatory disqualification for people driving while unlicensed or disqualified. The bill changes this to a default period which has its own new minimums. The bill is a combination of tougher sanctions and reasonably looser sanctions, all in the hope of a better system to administer the punishments of those who drive whilst disqualified. The Opposition does not oppose the bill.

Ms MELANIE GIBBONS (Holsworthy) (12:48): I speak in support of the Road Transport Amendment (Driver Licence Disqualification) Bill 2017. I begin by noting that in 2013 the Law and Safety Committee conducted an inquiry into the current driver licence disqualifications and in late 2013 released its findings, which included a number of recommendations for change. The committee's report was extensive and drew evidence from a number of stakeholder agencies. I thank the committee for all the work that they undertook. I also thank the Attorney General, who is in the House, for bringing this bill to the House. This bill has the purpose of changing the penalties for driver licence disqualification. I thank the Minister for Roads, who I know has worked closely with the Attorney General to ensure that this bill is fit to bring to the House and fit for the people of New South Wales.

The proposed changes to driver licence disqualification seek to ensure that penalties are reasonable and more effective in decreasing unauthorised driving and repeat offending. Unfortunately, the current driver licence disqualification framework increases the risk of reoffending. Evidence has shown that the longest disqualifications are not a deterrent to unauthorised driving, and some people have disqualification periods of more than 10 years in addition to fines and imprisonment terms. In my capacity as a State member of Parliament, I previously met with a resident who had his driver licence disqualified for a sizable amount of time. He continued to drive despite the disqualification and was subsequently charged several times. When I inquired as to why he was still driving even though the courts had ordered him not to drive, he advised me that because his licence had already been cancelled for a long time he could not see himself ever getting his licence back and thought he might as well drive when he wants to.

He had a family to provide for, an unwell family member to care for and his job took him to different areas of Sydney, so he could not easily organise transport options. As he did not see himself getting his licence back in the foreseeable future, he felt there was no hope for him and so he might as well drive. This bill will hopefully put an end to that kind of mentality. This bill will make it so that he can see a light at the end of the tunnel. It could change a system that currently provides no disincentive for people who misbehave and instead create a system that incentivises reform. I am glad to see that this bill helps rectify this issue. The man I spoke of saw no reason to change his behaviour or to bide his time on his disqualification period, and this bill should help to change that.

To assist with providing incentives for offenders to reform and remain compliant with the disqualification period, this bill will allow drivers to apply to the Local Court to have their remaining disqualification period lifted. Depending on the seriousness of the offence, offenders will need to remain compliant with their disqualification period for at least two years or four years before they can apply to have their disqualification period lifted. Although this disqualification could be lifted, in order to ensure that the driver understands the road rules and to get their licence back they will still need to apply to Roads and Maritime Services to complete the required road safety and knowledge tests. To provide confidence to the community and to assist with providing community safety any disqualified driver who has ever been convicted of serious driving offences involving a death or serious harm caused to someone else will never be eligible to have their disqualifications lifted early.

To bring New South Wales into line with other States, this bill also abolishes the Habitual Traffic Offender Scheme. It is important to note that no other Australian jurisdiction has a scheme like this and different pieces of evidence suggest that lengthy disqualification of licences does not have a deterrent effect on unauthorised driving. Under the current scheme, anyone who is convicted of three relevant serious driving offences in a five-year period will be disqualified for five years unless a court rules otherwise. Currently, the court can also order a person to be disqualified for longer periods, including disqualification for life. These disqualification periods also apply on top of existing disqualification periods. Disqualification periods are also cumulative, which means that they do not start until all other disqualification periods have expired. The result of this is lengthy, automatic and excessive hardship on drivers, sometimes for more than 10 years. This definitely takes away the light at the end of the tunnel for those drivers and I understand how people who have a family to provide for can find it a disincentive to reform.

The current system disproportionately affects the youth in our community, unemployed residents and people living in rural, regional and remote areas. It also significantly affects people who have limited public transport options. It is very easy for those people to pick up the keys and go rather than think about the long-term ramifications of their actions. The effects of long-term disqualification for those in rural, regional and remote New South Wales communities or those who have limited access to public transport can be devastating. The

current disqualification framework severely limits the ability for people in these communities to gain employment, to care for their families and to participate in their community or in society. The disproportionate effects of unauthorised driving sanctions in regional parts of New South Wales are particularly acute for Aboriginal communities. More than 14 per cent of those sentenced for unauthorised driving and almost a third of those imprisoned for unauthorised driving identify as Aboriginal. I am particularly glad to see this issue addressed in this bill.

This bill also revises the maximum penalties for unauthorised driving offences. Currently, the maximum prison sentence for driving while disqualified, suspended or cancelled is 18 months for the first offence and two years for a second or subsequent offence. An amendment is provided in this bill to ensure that penalties applied for unauthorised driving will be made fairer and more proportional. Currently, repeat unauthorised driving penalties in New South Wales are similar to the State's maximum penalties for very serious offences such as high-range drink driving. Through this amendment, a proportionate level of maximum penalty will be applied due to the seriousness of the driving offence. When a court is making a decision on penalty, it will be able to clearly distinguish between driving while unlicensed or disqualified and more serious offences such as drink-driving and drug-driving. The bill will also ensure that the maximum period of imprisonment that may be imposed upon people who drive without a licence is decreased.

The proposed amendment would reduce the current imprisonment term from 18 months to six months and reduce the maximum imprisonment terms—currently up to two years in some cases—to 12 months. A period of imprisonment of six months will apply only for a second or subsequent offence in the case of the cancellation or suspension of a licence for non-payment of a fine. I note that this system will still be tougher than the penalties that now apply to low-range drink-driving offences. A lot of work has gone into this bill, as I said at the start. I thank the chair and members of the Law and Safety Committee, the Attorney General, the Minister for Roads, Maritime and Freight, and the Minister for Aboriginal Affairs and their staff and departments for bringing this bill to the House. I hope to see this bill bring safer roads for the people of New South Wales and I hope that it will help provide incentives to stop offenders from reoffending in the future. I commend the bill to the House.

Visitors

VISITORS

TEMPORARY SPEAKER (Mr Lee Evans): I welcome to Parliament the Consul-General of Austria, Mr Karl Hartleb, and a delegation of the Austrian Consulate General's office.

Bills

ROAD TRANSPORT AMENDMENT (DRIVER LICENCE DISQUALIFICATION) BILL 2017

Second Reading

Debate resumed from an earlier hour.

Mr KEVIN CONOLLY (Riverstone) (12:58): I support the Road Transport Amendment (Driver Licence Disqualification) Bill 2017. As we have heard from previous speakers in this debate, the current law has an unintended consequence in that it prevents the incentive for reform or for people to conduct themselves appropriately and abide by the law. Any law that provides that kind of disincentive to proper behaviour is not the best of laws. We must be realistic in our role and that is to provide not only firm, strong deterrents to illegal behaviour but also intelligent ones. The law must be smart enough to respond to different circumstances and ensure that it is working towards the goals that we have set.

The proposed amendments follow on from an inquiry into driver licence disqualification reform conducted by the Legislative Assembly Committee on Law and Safety. The committee's comprehensive report made a number of recommendations for reform. The findings in the report highlight a common theme emerging from the evidence presented to the committee—that is, the current licence disqualification system provides little, if any, incentive for a disqualified person to comply with an order not to drive because the threat of imposition of an additional period of disqualification provides little, if any, deterrent. The offender reaches the point where it seems to make no practical difference.

Under the current law, persons have been disqualified for up to 20 years or more. Unfortunately, we have seen that the threat of imposing an additional disqualification period on those people has had virtually no effect, as they reach the point where the thought of not being able to obtain a licence legally until 25 or 30 years into the future is just too much to contemplate. That is why the primary aim of these reforms is to introduce incentives for the rehabilitation of these offenders. It is anticipated that, if people are given the chance to rejoin the licensing scheme, they will revise their driving habits to avoid returning to the spiral of reoffending and associated penalties.

The proposed reform measures are also directed to closing the gap in improving employment and educational opportunities, particularly for people living in regional and rural New South Wales. Licence disqualification rates are much higher in regional and rural areas; the impact on individuals and their families is much greater where public transport options are very limited. While I understand the situation pertaining to regional and rural New South Wales, it remains a significant challenge for residents of outer urban electorates such as Riverstone to find public transport options, particularly if they do shiftwork or want to get around on the weekend outside peak hours. It is not always easy for these people to find alternative means of travel and thus it is very hard to hold down a job. That therefore may be a pretty basic incentive for some to go outside the law in order to reach their workplace. Such disincentive exists even in outer urban areas, where distance may also be an issue.

However, I should make it clear that this Government is not going soft on dangerous drivers as these reforms will in no way affect a court's ability to impose harsh penalties for serious driving offences. The Government recognises that the current system of licence disqualification can be unduly severe on individuals and it has listened to the many experts who contributed to the law and safety committee inquiry, which recommended that changes be made. I shall now expand on how the Government's proposed driver licence disqualification reform measures will operate. The first major component will be to introduce a new power to the courts to order that any outstanding disqualification periods are removed for people who complete a minimum offence-free waiting period and who do not represent a major safety risk to the community. Offenders who have been convicted of the most serious driving offences involving death or grievous bodily harm or high risk of death or grievous bodily harm will not be eligible to have their disqualification periods removed. These offenders will be required to serve out their full term before an application for a driver licence will be considered.

Offenders convicted of other driving offences, such as drink-driving or high-level speeding, will have to serve a minimum four-year sentence-free period before making an application. When no serious safety offence has been committed, the offence-free period that the person must serve will be two years. This means that only those who have demonstrated their willingness to rehabilitate will have the opportunity to reapply for a licence earlier than would otherwise be the case. Those who continually commit driving offences will, through their own behaviour, deny themselves the opportunity to be relicensed earlier under the scheme. It is also worth noting that all drivers returning to the licensing regime will be required to undergo knowledge and driving tests before a driver licence will be issued. The knowledge that the court can order that unserved periods of disqualification be revoked provides encouragement to do the right thing—something the current provisions do not do. A disqualified driver who otherwise might be tempted to drive illegally may think twice, knowing that compliance may result in him or her being able to again drive legally.

I turn now to the other major component of the Government's reform package—that is, the abolition of the Habitual Traffic Offender Scheme. The scheme was introduced in September 1998 as a response to what was seen as the courts imposing lenient penalties on serious offenders. The scheme imposed, by statute, an additional five-year period of disqualification once an offender was convicted of a third serious driving offence. Any period of disqualification imposed because of the declaration was in addition to any period imposed by the court for the third offence. No other Australian jurisdiction has a scheme like this. This type of scheme could be seen as illogical because courts generally can disqualify drivers for any period, including for life. The threat of additional disqualification periods under the scheme was intended to deter drivers from committing multiple serious driving offences. However, subsequent reviews of the scheme have shown that this has not happened. In its 17 years of operation the scheme has received broad criticism from the community and others, including the NRMA, the magistracy, the Law Society of New South Wales and individual members of the legal profession. [*Extension of time*]

It is worth noting that during the Legislative Assembly Committee on Law and Safety inquiry the chief magistrate of the Local Court suggested that the scheme should be abolished, and this view was shared by many magistrates. In the chief magistrate's opinion, the scheme's automatic five-year period of licence disqualification after conviction on top of the disqualification for the relevant offence appears tantamount to a form of double jeopardy. Abolishing the scheme does not mean that a driver cannot be subject to similar extensive disqualification periods. In the case of serious driving offences, no upper limit is placed on the courts in ordering a period of disqualification. When a court sees fit it may, in some cases, disqualify a person for life.

At the same time that the habitual traffic offender scheme was introduced in 1998, the penalties for unauthorised driving offences such as driving while disqualified, cancelled or suspended were increased significantly. Jail terms were tripled to 18 months in the case of a first offence, and quadrupled to two years in the case of a second or subsequent offence. The automatic disqualification period of six months for a first or a second or subsequent offence was increased to three years for a first offence and to five years for a second or subsequent offence. While the maximum disqualification period that a court could impose remained unchanged at unlimited, the minimum disqualification periods also increased from six months for either a first or a second or subsequent

offence to 12 months for a first and two years for a second or subsequent offence. These increased penalties meant that offenders were barred from re-entering the licensing scheme for longer periods, which increased the incidence of reoffending.

The jail terms and minimum disqualification periods applying to unauthorised driving offences are substantial and align with those for high-range drink-driving or negligent driving causing death. These are substantially more serious offences than driving unauthorised, and the current penalty for unauthorised driving could be seen as disproportionate, particularly where the unauthorised driver is committing no other offence. The proposed changes to the penalties for unauthorised driving offences largely return the penalties to the pre-September 1998 levels—that is, an automatic disqualification period of six months and a maximum jail term of six months for a first offence. However, there is nothing prohibiting the courts from imposing a longer disqualification period if it sees fit. The penalties for the offence of unlicensed driving were also increased in September 1998. A new offence was introduced with the element of never having been licensed in the previous five years. This offence attracted an increased penalty. The penalty for unlicensed driving essentially went from having a monetary fine only to having an automatic disqualification period of three years and a maximum jail term of 18 months. [*Time expired.*]

Mr MARK SPEAKMAN (Cronulla—Attorney General) (13:08): In reply: I thank the following members for their contributions to the debate: members representing the electorates of Liverpool, Oxley, Wyong, Tweed, Balmain, Terrigal, Seven Hills, Heffron, Oatley, Myall Lakes, Orange, Heathcote, Upper Hunter, Cabramatta, Holsworthy and Riverstone. As to the timing of the Road Transport Amendment (Driver Licence Disqualification) Bill 2017, since the Government's response in 2014 we have been refining the proposals to ensure that they meet the policy objectives and uphold community safety.

The eligibility criteria for applying to have a disqualification lifted or reduced have been further developed. Offenders who pose a significant road safety risk must serve their disqualifications in full. The Government has made preparations for the scheme's implementation that include scoping and implementation of significant information technology [IT] changes to the agency databases. The databases contain new forms of website content. Funding allows for additional Legal Aid NSW and Aboriginal Legal Service staff in regional areas and the development of communications and publications. It is crucial to ensure that the framework required to support the reforms is in place ahead of implementation and is ready to commence.

The driver licence disqualification working group, which includes representatives from the Chief Magistrate's Office, Legal Aid NSW, the Aboriginal Legal Service, Roads and Maritime Services, Transport for NSW, the NSW Police Force, the New South Wales Judicial Commission and the Department of Justice, has been in place for a number of months. It has ensured that the legislation, IT framework and communications materials are in place ahead of commencement and that eligible applicants are made aware of the scheme. Among other things, the current disqualification framework disproportionately impacts a range of community groups, including those living in regional, rural and remote areas, Aboriginal communities and young people.

The disproportionate effects of unauthorised driving sanctions in regional parts of New South Wales are particularly acute for Aboriginal communities. More than 14 per cent of those sentenced and almost one-third in prison for unauthorised driving identify as Aboriginal. The reforms will address these issues by returning people to lawful and regulated driving and making penalties for unauthorised driving fairer and more proportionate with other New South Wales penalties. Some sections of the community, particularly Aboriginal people, can find it difficult to obtain a driver licence. The obstacles include limited access to cars and licensed drivers to supervise learners and difficulties in obtaining identity documents such as birth certificates. The Government was pleased to announce on 3 August that an outreach program led by Births, Deaths and Marriages is being implemented to assist people in disadvantaged communities to obtain free birth certificates.

To summarise, the current driver licence qualification framework, first, increases the risk of reoffending, with evidence showing that long disqualification periods are not a deterrent to unauthorised driving. Secondly, it has a serious adverse social impact, particularly on vulnerable people and people in regional and rural areas. Thirdly, it contributes to the over-representation of Aboriginal people in the criminal justice system. Fourthly, it is harsher by comparison with other jurisdictions and, fifthly, it imposes a significant burden on the criminal justice system, with 12 per cent of people sentenced in New South Wales being sentenced for unauthorised driving offences. The measures detailed in the bill will make the community safer by giving roadside police greater powers to impose vehicle sanctions, such as confiscating numberplates and impounding the vehicles of those who continue to drive while unauthorised or are disqualified drivers who commit certain dangerous driving offences.

These measures will allow police to take swift action in appropriate cases. The reforms will also give disqualified drivers a clear way to return to lawful driving if they have remained compliant with their disqualification period for a minimum period. Community safety is a key consideration in allowing the return to driving. Drivers who have had their disqualification lifted early are required to apply to Roads and Maritime

Services and to complete standard road safety tests to get their driver licence back. Courts will retain strong powers to impose tough penalties, including imprisonment for serious offenders. These reforms present a more proportionate approach to penalties for driver licence disqualification. I thank all members who have contributed to this debate, and 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.

Visitors

VISITORS

TEMPORARY SPEAKER (Mr Lee Evans): I welcome to the gallery Campbelltown Mayor George Bricevic, Councillor Karen Hunt, Deputy Mayor Meg Oates, children Ross and Kim, and General Manager Lindy Deitz.

Community Recognition Statements

TRIBUTE TO FAY LOWE

Ms JENNY LEONG (Newtown) (13:15): I draw the attention of this Parliament to the enormous contribution made to the Newtown community and the generations of children and families of Australia Street Infants School by Miss Fay Lowe. Miss Fay started as the preschool cook at Australia Street Infants School in 1973 and stayed for 39½ years. In that time she has cooked more than 7,000 meals and provided care, support and a friendly face to many students and their parents. A post about Miss Fay on Humans of Newtown has been flooded with memories of Miss Fay's chicken, cookies, cakes, pumpkin soup, vegemite sandwiches and her constant and reassuring presence to all those preschool students venturing into the world of school for the first time. Miss Fay has made Australia Street Infants School a home away from home for so many children for many decades. On behalf of the Newtown community, I offer thanks for the love and respect that Miss Fay has shown the community throughout her time at Australia Street Infants School.

SUTHERLAND SHIRE LOCAL BUSINESS AWARDS

Mr MARK SPEAKMAN (Cronulla—Attorney General) (13:16): I congratulate Total Access Solutions, winner of Business of the Year at the Sutherland Shire Local Business Awards. With more than 50 combined years experience, Total Access Solutions specialises in solving difficult, high-access and roof safety needs, with clients in the electorate of Cronulla and across the Greater Sydney region. From humble beginnings in his backyard, Stuart White has transformed the company, which now boasts 30 staff, a factory in Caringbah and a fleet of vehicles. I congratulate managing director Stuart White and the team at Total Access Solutions on their remarkable achievement.

I congratulate Vito Valore from Motorcycle Accessories Supermarket Caringbah, winner of the Youth Award at the recent Sutherland Shire Business Awards. Vito joined Motorcycle Accessories Supermarket Caringbah in 2016 and his passion for motorcycles is reflected in the continual positive feedback received from customers about his knowledge, understanding and patience. Vito's desire and passion for the motorcycle industry is growing day by day. I congratulate Vito Valore and Wilson, store manager of Motorcycle Accessories Supermarket Caringbah and mentor to Vito.

I congratulate Cincotta Chemist, Caringbah, winner of the best pharmacy award. Operating on the Kingsway, Caringbah, Cincotta Chemist offers expert health advice from experienced professionals, a large range of products and superior service. Qualified pharmacists and trained staff provide a personalised service to assist consumers. I congratulate the staff at Cincotta Chemist, Caringbah, on their accomplishment.

TRIBUTE TO ROBERT "DUTCHY" HOLLAND

Ms SONIA HORNERY (Wallsend) (13:17): Robert "Dutchy" Holland is remembered as a gentleman and one of the Hunter's own. Dutchy spent most of his cricketering life in Newcastle with his beloved Southern Lakes Cricket Club, where he had stints as president, secretary and treasurer. Aged 32, Dutchy was finally selected to play for New South Wales. Most young cricketers dream of pulling on the baggy green, and in 1984 Dutchy lived the dream when, at 38, he became Australia's third oldest test debutant. He went on to play 11 tests and two

one-day matches for Australia. Tragically, brain cancer took Dutchy from us. He will be fondly remembered as one of the game's true noblemen.

MID COAST DAIRY ADVANCEMENT GROUP

Mr STEPHEN BROMHEAD (Myall Lakes) (13:17): I inform the House of the work of the Mid Coast Dairy Advancement Group, which is both the largest and oldest New South Wales regional dairy group in this great State. The majority of the dairies are family-owned businesses and milk from the region goes mostly into the New South Wales fresh milk market. The region produces one-third of New South Wales' fresh milk. The region has six different processors now operating in the area: Murray Goulburn, Norco, Woolworths, Hastings Co-op, National Foods and Parmalat. This year the Mid Coast Dairy Advancement Group celebrated 30 years of support for the dairy industry, and both the annual dinner and trade show were well attended. I congratulate Tim and Julie Bale, Guy Denning, Natasha Yarrington, Sam Nicholson and Josh Hack on all their efforts in advancing the mid coast dairy industry.

TRIBUTE TO COUNCILLOR MEG OATES

Mr GREG WARREN (Campbelltown) (13:18): I acknowledge a truly remarkable woman who has given so much to the City of Campbelltown. I refer to my dear friend Councillor Meg Oates, who on 26 September this year will celebrate 30 years as a councillor on Campbelltown City Council. During this time she has served as mayor for four separate terms and currently is serving as deputy mayor of our great city. While Meg is a proud life member of the Australian Labor Party, her main priority and motivation has always been her undertakings on council and her pride in Campbelltown and its people. I ask the House to join me in thanking Councillor Oates for her 30 years of distinguished service to the people of the City of Campbelltown, and note that she continues to contribute to our people and beautiful city. There is no greater example of the nature of our good people than Meg Oates and the contributions she has made to Campbelltown and our region.

BLACKTOWN BY-ELECTION

Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (13:19): I wish the House to note that the Australian Labor Party [ALP] has endorsed Councillor Stephen Bali as its candidate for the upcoming Blacktown by-election. The announcement was made on Friday 15 September even though, according to council papers dated 30 August, Councillor Bali was on a council-funded trade delegation to Asia from 12 to 16 September. This suggests that Councillor Bali may be the first person to win preselection in absentia. He appears to be the Leader of the Opposition's Manchurian candidate. Councillor Bali's endorsement is further evidence that the ALP is paying lip-service to its 50 per cent gender quota, with only three of the Opposition's 12 seats in Western Sydney going to women. Given that Councillor Bali has a practice of holding Blacktown council meetings as far away as Castle Hill and Prospect, we may see him doorknocking in our electorates.

TEMPORARY SPEAKER (Mr Lee Evans): Order! Members will come to order. They are wasting their own speaking time.

CANTERBURY AND DISTRICT SOCCER FOOTBALL ASSOCIATION VOLUNTEER AWARDS

Mr JAMIE PARKER (Balmain) (13:20): I bring to the attention of the House the volunteer recognition awards dinner held by the Canterbury and District Soccer Football Association. It was a fabulous evening that recognised all volunteers in the district. I was pleased to present three awards, in particular the Cec Barlow Award, which is named in honour of the former president of the club who held the role from 1933 to 1963—which was 31 unbroken seasons. More than a decade ago, Paul Avery of Balmain began volunteering as a team manager. He eventually moved to establish an in-house development program in his current role of registrar. He was presented with this year's Balmain and District Cec Barlow Award in recognition of his love for the game and club.

I congratulate Andrew Williams, with whom I have worked closely over the years. He has many seasons under his belt as the administrator of the Leichhardt Saints Football Club. I congratulate the Russell Lea Women's Soccer Club for winning this year's Bert Harvey Fair Play Award. I ask members to join me in congratulating all the volunteers and club members who work hard for the Canterbury and District Soccer Football Association.

SENIOR VOLUNTEER OF THE YEAR HELEN WILLIAMS

Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (13:21): I am pleased to congratulate Werrington resident Helen Williams for being named the 2017 Senior Volunteer of the Year for the Sydney Outer West and Blue Mountains region. The Volunteer of the Year awards aim to recognise those who dedicate themselves to their local communities. Helen was nominated by Clairgate Public School in St Clair for volunteering at the school for the past 10 years. As a foster carer, Helen has the ability to form connections with students at the school, particularly those in out-of-home care. Helen

enjoys assisting students with their learning and participating in school events such as holiday celebrations and school performances.

For the past 40 years Helen has also spent her weekends volunteering for local soccer club St Marys Rangers. She has also knitted approximately 300 beanies for premature babies. It is not hard to see why Helen was named Senior Volunteer of the Year. She is a compassionate individual who volunteers to enrich her local community for its social good. I thank Helen for her contributions to the Nepean region, Clairgate Public School, Westmead Children's Hospital and St Mary Rangers, and to all the children she has helped over those years.

BEAN CYCLED

Ms JODIE HARRISON (Charlestown) (13:22): Shopping mecca Charlestown Square is a place one would least expect to find a mushroom farm. Bean Cycled was created by dynamic sister and brother duo Leisha Mongan and Steven Parkinson. Bean Cycled saves hundreds of kilograms of coffee waste from landfill every week and uses it instead to grow mushrooms sustainably. In the loading dock and spare storage rooms at Charlestown Square, a special lab has been set up that mimics the conditions in which mushrooms grow most successfully. Once the mushrooms have sprouted, which takes four to six weeks, they are sold to local restaurants. The twice-used coffee grounds are then distributed to schools and community gardens to use as nutrient-rich compost. I had the pleasure of seeing the mushrooms and I thank Leisha for taking the time to show me her incredible produce. I commend Leisha and Steven for this creative and sustainable initiative.

KIAMA KODAK SHOP

Mr GARETH WARD (Kiama) (13:23): I acknowledge David and Julie Hall of Kiama, who have owned and operated the Kodak shop in Terralong Street for more than a decade. The store, which has been an institution in town for 28 years, will close in mid-October. It is the last remaining retail shop on the South Coast to process film. David and Julie are well-known and well-respected local identities in Kiama. David is known for his many years of work at the *Kiama Independent* as a journalist, particularly in sports journalism, and Julie is known for her work in the Kodak shop. Julie always greets people with a smile and warm conversation. The shop will be missed by many of our local residents. I thank David and Julie Hall for their distinguished service to the Kiama community over many years. I take this opportunity to acknowledge in the gallery members of the Probuss Club of Shoalhaven who are visiting Parliament today.

MARCONI STALLIONS

Mr GUY ZANGARI (Fairfield) (13:24): I commend and congratulate the Marconi Stallions on their recent 5-1 victory over the Mount Druitt Town Rangers in the PlayStation 4 National Premier League [NPL]2 New South Wales competition. Despite the Stallions being stuck in NPL 2 for the past two years, this commanding victory will now propel them back into National Premier League 1, with their hiatus being officially over. They have played the entire season a cut above the rest, having finished the season an astounding 18 points ahead of the rest of the pack. As it has been reported, premierships, tick; promotion, tick. With the grand final win, the Stallions have completed the trifecta. The results speak for themselves and the Marconi Stallions have proven that they are a tier above the rest and deserve to be in NPL 1.

Next year, the Stallions will play in the top grade National Premier League competition. They already have their sights set on building and enhancing their team for the next season to give it a solid shot. It is a longstanding local team and our community is ecstatic and thrilled that the Stallions have won the premierships and will return to NPL 1 next year. Congratulations to the Marconi Stallions on their phenomenal season. We are all looking forward to seeing them play in NPL 1 next year.

BREAKWATER BALL

Mr JAMES GRIFFIN (Manly) (13:25): I speak in support of an important event in the Manly electorate. The Breakwater Ball will be held at the iconic International College of Management in Manly on Saturday 14 October. It will raise funds to support two pillar organisations that are dear to my community—the Queenscliff Surf Life Saving Club and Lifeline Northern Beaches. Both organisations support people all year round in their own distinct way. These organisations help keep people safe, provide vital support to people most in need and generate a sense of belonging that is important in our busy modern society. I visited and spent time at Lifeline Balgowlah and also enjoyed speaking at the annual general meeting of the Queenscliff Surf Life Saving Club and being introduced to its members. Both of these organisations go above and beyond the call of duty for our community. It takes significant effort and long hours behind the scenes to make the Breakwater Ball a success. I am grateful to the organisers and sponsors who are donating their time and resources to bring this event to life to support these important Manly institutions.

CASINO HIGH SCHOOL

Mr CHRISTOPHER GULAPTIS (Clarence) (13:26): I offer my congratulations to Casino High School students who competed at the Ekka in Brisbane last month. In one of the largest displays of stud beef cattle in the Southern Hemisphere, the team from Casino High School won the open class beef cattle competition with two steers. The Angus cross steer took out first place in class two and a Brangus steer in class three won the carcass competition as well as the title of Champion Lightweight Carcass. This is a huge achievement for this team and proves once again that Casino is the beef capital of Australia. Well done to Riley Randall, Colby George, Jonathan Neal, Phoebe McMillan, Nathaniel Harper, Tayla Dawson and Casino High School teacher Chelsea Wenham. In particular, I congratulate Casino High School on running animal husbandry classes that provide young people with an opportunity to enter the cattle industry.

KEITH BONGERS NINETIETH BIRTHDAY

Ms TANIA MIHAILUK (Bankstown) (13:27): Last Sunday I was delighted to attend the ninetieth birthday celebrations of one of my great constituents, Mr Keith Bongers. Keith is a longstanding volunteer, community advocate and lay preacher at Bankstown Uniting Church. I first had the pleasure of meeting Keith in 2010 when I was Mayor of Bankstown and able to recognise his outstanding volunteering efforts and community service with an Australia Day honour. For the past two years Keith has been assisting new migrants settle in our community by teaching English as a second language. Even at the age of 90, Keith is continuing to support many of UnitingCare's programs to support the less fortunate in our community. Keith is a model citizen in our community. I thank Keith's family—including his wife, Shirley, and four children, Allison, Phillip, Susan, and Roselyn—and my good friend Reverend Gaby Kobrossi for inviting me to join them for Keith's ninetieth birthday celebrations. Happy birthday, Keith.

NORTH SHORE COMMUNITY AWARDS

Ms FELICITY WILSON (North Shore) (13:28): I congratulate the outstanding volunteers recognised last week by the North Shore Community Awards, hosted by my Federal colleague the member for North Sydney. The sports awards were won by: Mina Ferguson from Waverton, a Monte Sant' Angelo Mercy student who is ranked in the top 50 in the world for sailing; Tully White from North Sydney, another Monte Sant' Angelo Mercy student who is the open women's longboard champion at the Australian Surfing Nationals; and Paul Tout from North Sydney, a coach at North Shore Rowing Club. Community awards went to: Jessica Elliott from Cremorne, a Monte Sant' Angelo Mercy College student who volunteers with St Vincent de Paul night patrol; Chris Blower, Maureen Meers, Jacqui Axford and Susan Ping Kee, who are all volunteers with the wonderful Fine Music FM; Barbara Noden and Diane Fischer, who both volunteer with Stanton precinct; Joan Street, who volunteers with Lavender Bay precinct, among other initiatives; Greg Blainey, from the Waverton Hub; Elizabeth Kirkby and John Seale from the Crows Nest Centre for Meals on Wheels; Mark Kilmurry, from the Ensemble Theatre; Jay Allen, from the Melanoma Institute; Jason Aisbett, from Northside Community Services; and Clare Arnold from the Uniting Local Area Co-ordination Team.

TRIBUTE TO DIANA COHEN

Mr EDMOND ATALLA (Mount Druitt) (13:29): I recognise Mrs Diana Cohen for her continued service to the Cancer Council NSW over the past 22 years. Mrs Cohen, from Bidwill, has been volunteering for the organisation since 1995 after her own initial battle with breast cancer. Her efforts for not only the Cancer Council NSW but also Daffodil Day and Relay for Life have been a source of inspiration to the local community. The Mount Druitt community and I send our thoughts and prayers to Mrs Cohen in her current breast cancer battle, and her family.

RUGBY LEAGUE PLAYER KAEO WEEKES

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (13:30): Today I make special mention of a remarkably talented young man, Kaeo Weekes, who is a rising star of the New South Wales Rugby League. Kaeo Weekes plays for the Manly Warringah Sea Eagles as five-eighth and also for the Asquith Magpies Rugby League Club in the under 16s under his father Chris Weekes' outstanding leadership as coach. On top of this, Kaeo has just represented New South Wales in under 16s Origin and played exceptionally well, contributing to the team's overall victory with a final score of 22-16. His New South Wales Blues coach, the great Brad Fittler, has described Kaeo as a remarkable player who shows great promise for his age, being incredibly fast with brilliant kicking skills. I cannot wait to see where Kaeo's rugby league career takes him, and I wish him all the best. I hope he does not forget us when he is famous!

WAKAKIRRI PRIMARY SCHOOL CHALLENGE

Mr ANOULACK CHANTHIVONG (Macquarie Fields) (13:31): I acknowledge and congratulate Ingleburn, Macquarie Fields, Leumeah and Curran public schools in my electorate on their participation in this year's Wakakirri Primary School Challenge, New South Wales Wollongong region. The Aboriginal word "wakakirri" means to dance a story, according to Cobar's Waangaaypuwan people. The performance is an enriching experience for students and is Australia's largest story dance festival, involving more than 20,000 students from every State and Territory. The participating schools in my electorate performed exceptionally well, with Curran Public School gaining the additional honour of performing at the Wakakirri Awards at Sydney Olympic Park Sports Centre. I acknowledge the extraordinary talent and dedication of everyone involved. The fantastic results achieved at this year's Wakakirri are due to the tremendous efforts of students, teachers, parents and the community. The Wakakirri experience is one that students will never forget and a story that will be shared for years to come. Our students continue to make us proud.

TRIBUTE TO STEPHEN TUCKER

Ms MELANIE GIBBONS (Holsworthy) (13:32): I recognise Stephen Tucker, a Moorebank resident, for his heroic actions on his way to work on Wednesday 6 September. The 25-year-old was on his daily commute to work when he spotted a worrying cloud of smoke above a house in Sydenham. Stephen was one of the first people to rush to the aid of the elderly couple trapped inside the house. He and two other men managed to drag a man and a woman, believed to be in their seventies, from the burning house. I congratulate Stephen on his heroic instincts and courageous efforts on that early Wednesday morning. Stephen says he could not live with himself if he knew there were people inside and he had not tried to help. He is exactly the kind of person we appreciate. Stephen is a very courageous member of our community, and I thank him for his selfless actions.

CLANS ON THE COAST CELTIC FESTIVAL

Ms KATE WASHINGTON (Port Stephens) (13:33): Last weekend I had a terrific time attending the tenth annual Clans on the Coast Celtic Festival in Nelson Bay. The hugely successful event attracted nearly 2,000 visitors and showcased the impressive culture and heritage of Celtic Australians. There was tug of war, strong accents, caber toss and strongman events, Irish folk bands, highland dancers, Celtic pipe and fiddle bands, a Celtic dog parade and historic re-enactments throughout the day. I congratulate and thank Ron Swan, whose passion and energy has contributed to the success of the festival for over a decade, as well as chieftain Graeme Sutherland, who officiated over the events. To top off an incredible day, one of the event organisers and a friend of mine, Adam Nicholas, married his partner, Michelle, in a beautiful traditional village Scottish wedding. Adam selflessly gives a lot of his time to our community through a range of volunteer capacities, so it was fitting to see so many Celtic friends from far and wide there for the special day. I wish Adam and Michelle happiness, joy and a lifetime of haggis—I mean, love.

TRASH FREE TUESDAYS

Mr ADAM CROUCH (Terrigal) (13:34): I acknowledge the outstanding Toni Skinner, principal of Chertsey Primary School, on the initiative known as Trash Free Tuesdays. This program is designed to make students more aware of waste and get them thinking about their environment, and to promote ways they can be more environmentally sustainable and efficient. It encourages students to bring lunches that do not generate a lot of rubbish and to use reusable containers, such as lunchboxes and drink bottles. I commend Principal Skinner on this innovative education program for her students which will increase their awareness of preserving the environment.

MARRIAGE EQUALITY PLEBISCITE

Mr TIM CRAKANTHORP (Newcastle) (13:35): I congratulate a Novocastrian who is putting her heart and fence on the line for marriage equality. Kath Fielden from Maryville recently invited her neighbours to help her paint her picket fence in rainbow colours to demonstrate their support for marriage equality. They have aptly named it the "Fence of Love". Kath has spoken publicly about her mother falling seriously ill and how constantly having to define the status of her same-sex relationship added to the stress of her final days. It was gut-wrenching to hear of Kath's heartbreak when describing the health system's inability to recognise her mum's partner, Maggie, as next of kin. I am proud to stand beside Kath in strong support of marriage equality. I commend Kath for supporting those in our community who may be feeling more vulnerable than usual at the moment. Love is love, and this change is long overdue. I will be voting yes when I receive my postal vote for this most significant of issues.

SUTHERLAND SHIRE LOCAL BUSINESS AWARDS

Mr MARK SPEAKMAN (Cronulla—Attorney General) (13:36): I congratulate Newton Real Estate, winner of the best real estate agency at the Sutherland Shire Local Business Awards. Founded in 2001, Newton Real Estate has become one of the most respected agencies, with strong local knowledge and a highly trained team. Newton Real Estate focuses on client synergy and services the community by providing a tailored strategy all while maintaining a high standard of ethics. I congratulate the director, David Newton, as well as the team at Newton Real Estate.

I congratulate Groundbake, winner of the best bakery award at the recent Sutherland Shire Business Awards. Groundbake specialises in traditional sourdough bread, utilising only premium ingredients and age-old artisan traditions. The business is situated in Surf Road, Cronulla, where it has been operating for four years, selling to local consumers as well as supplying numerous restaurants and cafes in Cronulla. I congratulate the staff for their ongoing excellence as a high-quality and well respected bakery.

I congratulate The Press Cronulla for winning the best café award at the Sutherland Shire Business Awards. Established in 2016, The Press operates in Cronulla Plaza, offering a variety of healthy juices, vegetarian foods, salads and coffee, all the while focusing on being environmentally friendly. It thrives on its maxims of "fresh", "nourishing" and "happy". I congratulate general manager Josh Moarbes and the staff at The Press Cronulla for their achievement.

I congratulate Shire Travel, winner of best holiday and travel at the Sutherland Shire Business Awards. Operating on the Kingsway, Caringbah, Shire Travel staff are experts in the field of travel and are always travelling and exploring to look for the next hotspot. With staff having more than 130 years of combined industry experience, Shire Travel is the only Virtuoso agency in the St George and Sutherland Shire area, allowing clients to enjoy exclusive privileges at over 1,200 Virtuoso hotels, resorts and cruises worldwide.

QUEEN'S SCOUT AWARD RECIPIENT HUGH CRAWFORD

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (13:37): The Queen's Scout award is a prestigious award given to those Venturer Scouts who truly demonstrate their ability to understand a goal and organise a way to reach it despite the complications they may come across during that process. There are challenges that must be accomplished within four major awards that the recipient must complete: personal growth, leadership development, community involvement and adventurous activities. Hugh Crawford is the first Berowra Venturer to attain the Queen's Scout Award since 2011, making this achievement even more extraordinary. Hugh should be commended for his dedication, hard work and perseverance. He is an outstanding young man and I have no doubt we will see a lot more of Hugh contributing to our community for many years to come. He is from a fantastic family who contributes greatly to my community in Hornsby. I take this opportunity to congratulate Hugh on this outstanding achievement and wish him every success in his very bright future.

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 to the public gallery Mr Karl Hartleb, the Consul-General of Austria in New South Wales, who is accompanied by the Deputy Consul-General, Ms Shanay Hubmann, and delegates from Austria to the World Chambers Congress, Richard Schenz, Ralf Kronberger and Maximilian Burger-Scheidlin, guests of the Deputy Speaker and member for Lismore. I also welcome Mr Stephen Knoll, MP, member of the South Australian House of Assembly for Schubert and the shadow Minister for Police and Correctional Services, and shadow Minister for Road Safety, guest of the Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs and member for Baulkham Hills.

I welcome students and teachers from Holy Trinity School in Inverell, guests of the Minister for Tourism and Major Events, and Assistant Minister for Skills and member for Northern Tablelands. I welcome a delegation from the Shoalhaven Probus Club, guests of the Parliamentary Secretary for the Illawarra and South Coast, Parliamentary Secretary for Education and member for Kiama. I also welcome students and teachers from Barnier Public School, Parklea Public School, Quakers Hill East Public School, St Joseph's Primary School, Riverbank Public School, Norwest Christian College, John XXIII Catholic Primary School and Mary Immaculate Primary School, guests of the member for Riverstone. I also welcome Miss Samira Huque who is undertaking work experience with the member for Strathfield and is a guest of the member for Strathfield.

I welcome a group of students from the University of Sydney who are studying the course Parliament and Democracy and viewing question time as part of their studies. I also welcome students from the University of Sydney Business School.

Announcements

MEMBERS OF PARLIAMENT CONDUCT

The SPEAKER (14:20): I wish to make the following statement to the House in relation to a notice of motion given in the Chamber this morning when I was asked to investigate an incident that occurred last Thursday. I will update the House on that investigation.

Prior to question time last Thursday two members of the Legislative Assembly made complaints to me about another member who had allegedly physically removed a Parliament staff member from a lift and another member verbally abusing the same staff member. I have viewed and reviewed the available evidence and believe an incident as described to me occurred. It should also be noted that the footage shows lift lights had ceased flashing at the time the incident occurred. Members should note that signs outside the lifts indicate that lifts are for the exclusive use of members during divisions—as I pointed out to the member for Fairfield today—and staff of the Parliament should be aware of this provision for members.

However, this incident was not during a division and lights which flash prior to question time had ceased to flash. The member of staff does not wish to make a formal complaint at this stage but it should be noted that since this event occurred other members have approached me about members directing staff and guests of the Parliament to remove themselves from lifts. I request that members demonstrate respect for staff of the Parliament and indicate that lifts are to be used exclusively by members only when lights are flashing during divisions. This was not the case last Thursday when the incident occurred. Members would note that this has been an upsetting investigation.

Question Time

NORTHERN BEACHES TUNNEL

Mr LUKE FOLEY (Auburn) (14:26): My question is directed to the Premier. Given that further leaked transport documents reveal that the cost of the Northern Beaches tunnel is now up to \$6.5 billion, will the Premier confirm that its construction will be subsidised by tolls paid by M5 motorists?

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

Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:26): I will first make a statement of fact: In all the time I have been a Minister and the Leader of the Opposition has held his position he has not supported a single infrastructure project. That is because those opposite are lazy, lazy, lazy when it comes to infrastructure. He and the former Deputy Director General of Transport for NSW should know about this very well. I do not know what piece of paper the Leader of the Opposition is waving around today, but they should know as well as anybody else that there are—

The SPEAKER: Order! The member for Maroubra and the Leader of the Opposition will cease interjecting.

Ms GLADYS BEREJIKLIAN: I make a correction: The member for Maroubra supports the extension of the light rail. I will give him that.

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

Ms GLADYS BEREJIKLIAN: The Leader of the Opposition does not see merit in building any infrastructure in New South Wales. He does not see merit in building the railways or road networks of the future. He does not see merit in making sure that all areas of Greater Sydney and New South Wales should have the benefit of extra infrastructure no matter their postcode. When it comes to Western Sydney, members opposite should hang their heads in shame. They had 16 years to build the M4. Did they improve the M4 or M5 motorways? No, they did not. What about the Sydney Metro or the Sydney Metro West? Time and again they did nothing for Western Sydney infrastructure. I am incredibly proud that we—

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

Mr Luke Foley: I dare you to run in Blacktown.

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

Ms GLADYS BEREJIKLIAN: We are building a hospital that Labor never did, buddy. We are spending hundreds and hundreds of millions of dollars. Labor did not support the Blacktown community but we are. We are building the hospital and we are doing it bigger and better than those opposite could ever do.

The SPEAKER: Order! The member for Londonderry will cease interjecting.

Ms GLADYS BEREJIKLIAN: Opposition members must not get around much if they have not seen what is happening at Blacktown Hospital.

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

Ms GLADYS BEREJIKLIAN: The member for Seven Hills was there with me recently, as was the member for—

The SPEAKER: Order! The member for Bankstown will be removed from the Chamber if she continues to interject.

Ms GLADYS BEREJIKLIAN: But I digress; I was talking about infrastructure in Western Sydney. I am extremely proud—

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

Ms GLADYS BEREJIKLIAN: We have worked our guts out to bring the budget into order. We have worked our guts out to make sure that one-third of our infrastructure spend—

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

Ms GLADYS BEREJIKLIAN: One-third of our infrastructure spend goes to rural and regional New South Wales, one-third goes to Greater Sydney and one-third goes specifically to Western Sydney. We have done more and will continue to do more than those opposite could ever imagine. We have all seen the record of when those opposite were in government—they axed, axed, axed projects. Where is the fast west metro they were going to build? Where are the express services to Parramatta? Where is the express line to Penrith they were going to build? There is nothing. I am so proud of Blacktown Hospital, which we are redeveloping. I am proud of the Westmead health precinct, which is gathering international attention. I am proud of Nepean Hospital. In fact, there is not a hospital in Western Sydney that we have not done something about.

The SPEAKER: Order! The member for Shellharbour will come to order. The member for Blue Mountains will come to order.

Ms GLADYS BEREJIKLIAN: It shows the true colours of those opposite if all they can do is wave around a dodgy piece of paper for Western Sydney—lazy, lazy, lazy.

The SPEAKER: Order! The House will come to order. I will remove members from the Chamber without warning if they fail to listen to the answer in silence.

JOBS GROWTH

Mr MARK TAYLOR (Seven Hills) (14:32): My question is addressed to the Premier. How is the record investment in infrastructure driving a jobs boom in New South Wales?

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

Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:32): I thank the member for Seven Hills for his question. I am pleased to continue with the theme of my previous answer. It is always a pleasure to visit, with the member for Seven Hill and others, the infrastructure projects in Western Sydney in which we are investing. In fact, we recently went on a nice tour of Winston Hills where we spoke to local residents about issues of concern to them. Across the State people care about a number of things but there is one thing in particular that every household cares about—jobs, jobs, jobs.

Mr Ryan Park: That is three things.

Ms GLADYS BEREJIKLIAN: We know that the member for Keira cannot count. The best thing a government can do to secure jobs is not only to stimulate the economy but also to invest in infrastructure. As we have heard from those opposite, they do not really have any plans for infrastructure in this State. In contrast, every time we build a new project we are creating thousands and thousands of jobs. And that number does not include the staff who will be employed once the projects are completed or the businesses that will provide supplies or amenities for those projects. Last Monday I joined a number of my parliamentary colleagues, including the

Minister for Transport and Infrastructure, at the NorthConnex site. It was incredibly pleasing to see that more than half of the tunnelling for that project has now been completed. The construction of the NorthConnex project will generate 7,500 direct jobs. That means 7,500 families will benefit as a direct result of those jobs and the quality of life of the people in this State will be improved when that infrastructure is opened.

I am also incredibly proud of the 10,000 jobs that will be created during construction of the WestConnex project—4,000 jobs on the new M4 and 6,000 jobs on the new M5. Not only will the residents of Western Sydney benefit from reduced congestion and a better quality of life but also 10,000 jobs will be created as part of that project. I know the Minister for Western Sydney, the member for Parramatta and many others are very excited that at least half of the jobs created during construction of the WestConnex project will be in Western Sydney. Local jobs for the local community are being created through that local project. Another project close to our heart, and one that I had a bit to do with, is the Sydney Metro Northwest. Members on both sides of the House are excited about that project—those opposite pretend they are not excited but we know they are because I have read about it in newsletters. Some 8,000 jobs will be created during construction of the Northwest metro. We expect the Sydney Metro City and Southwest, which goes all the way to Bankstown—I still do not know why the Labor Party will not support better transport services to south-west Sydney—

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

Ms GLADYS BEREJIKLIAN: Those opposite do not think that the residents of south-west Sydney deserve a turn up and go, modern metro service.

The SPEAKER: Order! The member for Bankstown is on three calls to order.

Ms GLADYS BEREJIKLIAN: That part of the metro project will generate another 13,500 jobs. Not only will that improve the quality of life for residents in south-west Sydney, reduce travelling times, provide better amenity and world-class services; it will also generate an extra 13,500 jobs. The CBD and South East Light Rail project is also creating another 10,600 direct jobs. It is easy to roll those numbers off one's tongue but every job we create will mean that another family will be better off. But there is more to come. I am excited by the jobs we will be creating in the construction of the second Sydney airport. About 11,000 jobs will be created in the construction of the Western Sydney Airport but tens and tens of thousands of jobs will be created in the aerotropolis around that precinct. [*Extension of time*]

In Western Sydney the fastest growth is happening west of Parramatta. People will be able to head west, not east, for the best jobs in this State. That is extremely exciting. I know from talking to representatives of the best and brightest companies nationally and internationally that they are already excited about being involved in that precinct. Those on this side of the House appreciate that infrastructure not only improves lives but also creates jobs. Indeed, it creates opportunities and generations of people in this State will be very proud. I am extremely proud of our record but it is at risk because of those opposite. They do not support one infrastructure project or say that any project is good for the people of New South Wales. That is a shame. Those on this side of the House understand what this infrastructure is doing for this State and this nation. It comes as no surprise that our infrastructure is creating jobs and enormous growth but in every other Australian State business investment is down 20 per cent. In New South Wales business investment is up 10 per cent—that is, double digit growth from the previous year and the year before that.

I assure the people of New South Wales that we will continue building at a faster rate. We will continue to ensure that the people of New South Wales have the infrastructure and services they need. But all that is at risk because of those opposite. When it comes to major projects, all those opposite have done is talk about bits of paper and about axing projects. We build; they axe. We are the party of the worker, the party of construction, the party of small business. We will continue to build and deliver for the people of New South Wales. The lazy Opposition can continue to play its games.

CBD AND SOUTH EAST LIGHT RAIL PROJECT

Ms JODI McKAY (Strathfield) (14:39): Let us continue the infrastructure theme. My question is directed to the Premier. Given the decision last week of the NSW Civil and Administrative Tribunal that ruled against her attempt to conceal information about the CBD light rail project, when will the Premier release Jock Murray's health report on the project?

Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:40): I am extremely proud to talk about this project. This project will support major infrastructure and public transport amenity to thousands and thousands of people on a daily basis. I know the University of New South Wales is extremely excited, I know the community around the hospital precinct is extremely excited and I know that businesses across the route are extremely excited. There is no doubt that all major projects are complex. I remember when we were building the south-west rail line those opposite could not bring themselves to support that project. They kept saying it was going to be delayed and

there were going to be cost overruns. But guess what? We delivered the south-west rail line months ahead of schedule and \$300 million under budget.

Ms Jodi McKay: Point of order: My point of order relates to Standing Order 129. The question relates specifically to Jock Murray's health report and whether the Premier is going to release that report.

The SPEAKER: Order! According to the standing orders, I can only require that the Premier remain relevant, as she has been. There is no point of order.

Ms GLADYS BEREJIKLIAN: I will return to the light rail project. When those opposite were in opposition they kept talking about the inner west light rail extension and how they were going to build it, but they never did it. When we came into government those opposite left us with a track that we had to rip up and redo because they had stuffed it up. Not only did that project get delivered on time and on budget after Labor's abysmal attempts but also the Minister for Transport, gladly, has put on more services because it is oversubscribed. That is what light rail is about. We know people enjoy using those services, and every update I receive on that project tells me that the project is on time and on budget. I am proud of that fact.

The SPEAKER: Order! The member for Strathfield will cease interjecting.

Ms GLADYS BEREJIKLIAN: We will continue to work on these complex projects. It is a shame that those opposite do not know how to read a balance sheet and they do not know how a project works. If they are ever on the Treasury benches, heaven help the people of New South Wales because their track record in light rail is abysmal. I was disappointed with the member for Newcastle yesterday because he had a chance to—

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

Ms GLADYS BEREJIKLIAN: The member for Newcastle had a chance to talk about the success of light rail in his community.

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

Ms GLADYS BEREJIKLIAN: This is another example of Labor members saying, "Do not build light rail; it is terrible" and now they are saying to us, "We want an extension to Newcastle". It is just like the member for Maroubra saying, "Do not build the light rail in the city; it is terrible, but make sure you extend it to Maroubra". Similarly, in Parramatta, they are saying, "Light rail is terrible but why are you not extending it to all parts of Western Sydney?" Whenever we talk about infrastructure we know which side of the House has credibility. I am happy for those opposite to ask me or any member of my team a question on infrastructure every day this Parliament sits because it is a reminder of how good we are at building infrastructure.

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

Ms GLADYS BEREJIKLIAN: I say to the Leader of the Opposition: Next time he wants to call the CBD light rail project a vanity project, he should talk to students at the University of New South Wales; he should talk to patients and staff at the hospital; he should talk to all those people in the city, in Western Sydney and in other parts of Sydney who want to go to major events—whether it is the Turf Club, Randwick, Sydney Football Stadium or anywhere else. When the Leader of the Opposition opens his mouth to talk about infrastructure we know that nothing will come out. This Opposition is lazy, lazy, lazy.

JOBS GROWTH

Ms MELANIE GIBBONS (Holsworthy) (14:45): My question is addressed to the Minister for Transport and Infrastructure. Will the Minister update the House on the number of jobs created as a result of this Government's commitment to build infrastructure across the State?

Mr ANDREW CONSTANCE (Bega—Minister for Transport and Infrastructure) (14:45): I thank the good member for Holsworthy for her question—what a great question about infrastructure, particularly in Western Sydney and south-west Sydney where we are creating thousands of jobs. Only in the last week or so the Premier and I visited Sydenham where we issued the environmental impact statement for the Sydney Metro City and Southwest, which will deliver a fantastic train service between Bankstown and Sydenham. All 11 stations will be fully accessible along that route for communities in the future. In essence, the delivery of a metro train—a turn-up-and-go service with a train every four minutes—will triple the services to particular stations. This great outcome will be achieved at the same time as we are delivering the Sydney Metro Northwest and Sydney Metro City.

With this type of investment—close to \$20 billion—we are generating 30,000 infrastructure jobs with the Sydney Metro project alone. As well, a number of young people and apprentices will be getting a first start in

their working life through this Government's financial management and investment in the metro project. More than 500 young people under the age of 25 are employed on the Sydney Metro Northwest project and, on top of that, 20 per cent of the workforce is from Greater Western Sydney. On the Sydney Metro City and Southwest it is expected that 8 per cent of the workforce will be under the age of 25.

The SPEAKER: Order! I call the member for Cessnock to order for the first time. He will cease interjecting.

Mr ANDREW CONSTANCE: That alone shows the dedication of this Government to giving those first job starters a real opportunity to develop skills as they contribute to transformational infrastructure for the State. It is also pleasing that a project such as NorthConnex is training more than 300 workers in its specialised training hub. Across the board we are investing at record levels—some \$73 billion over the next four years and \$41.5 billion in roads and public transport. But, most importantly, we are not only building and investing for communities but also investing in jobs growth.

Due to the mega projects we are building—WestConnex, NorthConnex, Sydney Metro and the light rail—there are now 55,000 people with jobs as a result of that construction. It goes to show that by investing in the way we have, by recycling capital through transactions such as the poles and wires—which was opposed by those opposite—we are able to generate thousands of jobs. I noted what the Premier said when the Leader of the Opposition opposed these projects. It means that the Leader of the Opposition wants to see 55,000 families thrown on the job scrapheap if he wants to cancel these projects. It is not good enough that he is quite unfit—

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

Mr ANDREW CONSTANCE: Is it not interesting that the member for Beijing down in the corner is talking about security issues? I thank him for that. How is that public relations company operating from your office, mate? Is it generating a few jobs for that chop-chop tobacco?

The SPEAKER: Order! The Minister will resume his seat.

Mr Paul Lynch: Point of order: My point of order relates to Standing Order 75. Members must refer to other members by their correct titles.

The SPEAKER: Order! I uphold the point of order. The member for Kogarah will cease interjecting. I call the member for Maroubra to order for the second time.

Mr ANDREW CONSTANCE: Not only does the Leader of the Opposition have a policy of cancelling projects, he also has a policy of cancelling jobs and he has an anti-public transport policy. We have some daft ideas coming from those opposite.

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

Mr ANDREW CONSTANCE: The member for the Blue Mountains wants to put 40-year-old trains back into the community, the member for Campbelltown wants to cancel services and the member for Maroubra is at odds with the Leader of the Opposition on the light rail policy. I have questions on notice from the member for Newcastle who wants me to extend the Newcastle light rail to places like Newcastle airport despite having opposed it at every step. It will not work, Crackers. It is a silly idea. *[Extension of time]*

The SPEAKER: Order! The House will come to order.

Mr ANDREW CONSTANCE: The member for Strathfield wants us to build more lifts. There will be more on that later, I suspect. The point I make is that we have a policy of generating 55,000 jobs and the Opposition has a policy of cancelling those jobs. We will continue to invest in infrastructure. Those opposite should be careful about raising the subject of lifts this afternoon. This Government is about job generation and investment across the board—across New South Wales from the country to the city. We will continue to invest in thousands of jobs across the State. Is it not a great shame that those opposite want to cancel every one of those 55,000 jobs?

THE NATIONALS ELECTION PREFERENCES

Mr MICHAEL DALEY (Maroubra) (14:51): My question is directed to the Deputy Premier. Given his predecessor's principled commitment in this House last week to refuse a preference deal with One Nation in the seat of Dubbo, will he now rule out a preference deal between The Nationals and One Nation in other electorates and follow the lead of the real leader of The Nationals?

The SPEAKER: Order! The member for Canterbury and the member for Bankstown will cease interjecting or they will be removed from the Chamber.

Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (14:52): I thank the member for Maroubra for his question. If he waits until question No. 5, I will have more to say on this issue. The question has been asked by an Opposition member who went against the sensibilities of his own backbenchers in a preference deal with the Shooters which saw the Shooters elected to this House. The Shooters are an extreme party and their ideology does not fit well with those opposite; yet in the Orange by-election those opposite chose to preference the Shooters and to put The Nationals last. Those opposite want to talk about preference deals but I have a lovely photograph of the member for Maroubra cuddling up to the Shooters' candidate. In the photograph they are probably organising preference deals again. But it does not stop there. The picture shows Shooters' candidate the Hon. Robert Borsak at dinner with the member for Maroubra, having a few bevies.

The SPEAKER: Order! The Deputy Premier will resume his seat.

Mr David Harris: Point of order: The convention of the House is that members should not use pictures that cannot be documented in *Hansard*.

The SPEAKER: I regard the use of photographs as props. I ask the Deputy Premier not to use the photographs as they are considered to be props.

Mr Michael Daley: Point of order—

The SPEAKER: The member for Maroubra and I were having a conversation so I did not see the Deputy Premier using a prop.

Mr Michael Daley: My point of order relates to Standing Order 129. Could the Deputy Premier advise the Hon. Robert Borsak that it is his shout and he owes me a beer?

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

Mr JOHN BARILARO: The member for Maroubra wined, dined and cuddled up to the Shooters' candidate to do a deal. But it does not stop there. We know that he is not the leader—

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

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

Mr Philip Donato: Point of order: My point of order relates to Standing Order 75. I have said many times in this House that I know it hurts the Deputy Premier to refer to us by our proper title, which is the Shooters, Fishers and Farmers Party—

The SPEAKER: Order! I uphold the point of order. The member for Orange will resume his seat. I ask the Deputy Premier to refer to members by their proper titles.

Mr JOHN BARILARO: For decades we had a proud Shooters Party. Now they are forsaking the shooters and they are including farmers. The member for Maroubra was cuddling up to a member of the Shooters, Fishers and Farmers Party. The member for Maroubra does not have the authority because he is not the leader, so those opposite sent in the big guns. In this photograph the Leader of the Opposition and member for Auburn, Luke Foley, is cuddling up to the member for Orange because they are working out a dirty deal for the electorates of Cootamundra and Murray. They are working out a grubby deal to make sure—

The SPEAKER: Order! The Deputy Premier will resume his seat. Stop the clock. The member for Orange will come to order. We do not need members contributing to the noise in the House, as the member for Orange is doing. He will cease interjecting. The Minister for Transport will come to order.

Mr JOHN BARILARO: The question was about a preference deal with a party that does not exist in New South Wales at the moment; it is not registered. But goodness gracious, we have revealed it all. We have revealed the preference deal between the Labor Party and the Shooters. That is right; the Shooters and Labor are in bed again playing politics rather than looking after the people of Cootamundra and Murray.

WESTERN SYDNEY JOBS GROWTH

Dr GEOFF LEE (Parramatta) (14:58): My question is addressed to the Minister for Western Sydney, Minister for WestConnex, and Minister for Sport. How is the WestConnex project helping to drive jobs growth in Western Sydney?

Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (14:59): I thank the member for Parramatta for his question because there is no doubt that WestConnex is delivering a jobs boom across Western Sydney. What we are seeing with the delivery of

WestConnex is that over 10,000 people will be employed in the delivery of this project over its life. We are making sure that we will leave a jobs and skills legacy for the people of New South Wales by making sure that over 1,000 traineeships and apprenticeships will be delivered through the course of the WestConnex project. We are doing that through the WestConnex Training Academy, which is a fantastic partnership between WestConnex and the contractors that are delivering the M4 and the M5, as well as TAFE.

It is not only these jobs that are being delivered directly through this project, it is also the thousands of jobs that are supported through the contracts that this project is going to deliver. I can inform the House that over 1,600 businesses have signed contracts well in excess of \$1.6 billion across what is now Australia's largest infrastructure project. These are real jobs in the communities that every single one of us represent, and they are not just on the project; small and medium businesses are also getting a slice of the action. Over the life of the project we will see more than \$20 billion worth of economic benefit coming to New South Wales. More than 50,000 tonnes of steel is being produced and used across WestConnex. That is 19,000 kilometres of steel bars, enough steel bars to reach from Sydney to London. For the employees of businesses such as OneSteel and Arrium Steel based out at Rooty Hill, this project has basically saved their jobs. Members should not take my word for it; they should take the word of OneSteel general manager, Neil Gibson, who said:

Our mills suffered a significant downturn post the global financial crisis, but the WestConnex project means we have employed more people and lifted production.

This is about the livelihoods of our people, and their families, this means a lot for our workers who are the heart and soul of this company.

Those workers are not just the heart and soul of the company; they are the heart and soul of the communities we represent across Western Sydney and throughout New South Wales. Plenty of steel is coming from the Illawarra, which is making sure that this project is absolutely an Australian project. Through the delivery of WestConnex we are improving travel times for people right across Sydney, and that will generate jobs as well. It will also support small businesses by helping them to get around the city and to more jobs every day. Our projects across Western Sydney are all about jobs. The Treasurer said yesterday that 67,000 jobs have been generated in Western Sydney since the election. That is more jobs than have been generated in South Australia, Western Australia and Tasmania combined.

As the very proud member for Penrith, I will give a good example on my own home patch. In 2011, when we formed Government, the unemployment rate in the Penrith local government area was 6.2 per cent and today it is 4.1 per cent. With those 67,000 jobs across Western Sydney, we are making sure more people across our communities have a job. What is Labor's alternative policy to WestConnex? We have heard those opposite say they do not support WestConnex, they do not like it. Labor delivered the M7—a large piece of infrastructure delivered with both Commonwealth and State government funds—with a toll. That is how the M7 was built, over the same distance and time that we are proposing for the upgrades to the M4, the M5 and the M4-M5 link. I was pleased to finally hear what the position of the Labor Party will be after the 2019 election if elected. Channel 7 managed to ask this very important question last night. This is Labor's policy solution. For all Opposition members across Western Sydney, this is their message about tolling on the M4 and the M5 after the election: "We'll look into it." [*Extension of time*]

The SPEAKER: Order! The House will come to order.

Mr STUART AYRES: There we have it. "We'll go out there. We'll tell them we're opposed to the toll but we won't actually get rid of it; we'll just look at it. We'll look at the toll for another 45 years." Labor's fraud has just been exposed. It has absolutely no intention of changing the toll on the M4 or on the M5, but it has every intention of looking at it. That is what it has said. That is a great policy solution: "We'll look at it." How about we try that for Health? Let us try that in the hospitals to ensure more surgeries and reduced waiting times: What is Labor's policy? "Oh, we'll look at that." How about crime? Let us make our community safer. "We will look at that too." What about education? Let us improve the quality of education in New South Wales; let us lift the quality of people getting through the HSC. "We'll have a look at that too."

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

Mr STUART AYRES: Every single person now knows that those opposite have no policies different to this Government's when it comes to the M4 or the M5. Labor will charge the toll and will run the most deceptive and fraudulent campaign all the way to the election. It has been exposed, not by us but by Labor. It had no intention of telling anyone. Not only has Labor now told everyone that its campaign on the M4 is an absolute fraud, it has told everyone that it is not ready to govern in New South Wales.

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

INLAND RAIL ROUTE

Mr DAVID HARRIS (Wyong) (15:05): My question is directed to the Premier. Does the Government support proposals to move the route of the inland rail west from Albury and Wagga Wagga so that it goes through the Murrumbidgee Irrigation Area?

The SPEAKER: Order! The House will come to order. The Premier has the call.

Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (15:06): I got the sense when the member for Wyong asked me the question that he was not quite sure where those places were.

Mr David Harris: Point of order: My point of order is Standing Order 129. My family has a house in Wagga Wagga and I lived in the Murrumbidgee Irrigation Area for five years.

The SPEAKER: Order! There is no point of order. I will place the member for Drummoyne and the Deputy Premier on calls to order if they do not cease shouting. Government members will cease shouting across the Chamber. I call the member for Drummoyne to order for the second time. I call the Deputy Premier to order for the first time.

Ms GLADYS BEREJIKLIAN: We get it now. They will axe projects except if it helps them out personally.

Mr David Harris: Point of order—

The SPEAKER: Order! I call the Minister for Transport to order for the first time. I call the Leader of the House to order for the first time. I call the Minister for Transport to order for the second time. I call the Treasurer to order for the first time. I call the member for Drummoyne to order for the third time. I hope the member for Wyong has a reasonable point of order this time.

Mr David Harris: My point of order is Standing Order 75. My wife's family comes from the Murrumbidgee Irrigation Area, so I have no conflict of interest.

The SPEAKER: Order! There is no point of order. The House will come to order. The Premier has the call.

Ms GLADYS BEREJIKLIAN: I think the member for Wyong was mistaken about a point of order versus validation of the comment I made about self-interest. We know the member for Wyong is on shaky ground on this question but I hope he would also know that this has been a Federal Government project for many years. Regional communities have been consulted and will continue to be consulted. I remember it being discussed for at least the last decade. Members can rest assured that when it comes to regional communities, the Government has spent billions of dollars, and we will continue to do so.

As to connectivity, regional roads, regional rail, hospitals, schools and the 100 new health facilities that we have upgraded or built—many of them in rural and regional New South Wales—and when it comes to infrastructure and providing what rural and regional New South Wales need, the Liberal-Nationals Government is the only side of this House with the capacity to deliver. This question demonstrates the self-interest of an Opposition that will do anything for a headline or a political point but will not build the infrastructure that rural and regional New South Wales require. The Opposition does backroom deals on preferences and waves around bits of paper, but it does not get the job done when it comes to infrastructure and creating jobs in rural and regional New South Wales. No matter which electorate or postcode is in need, this Government will deliver.

RURAL AND REGIONAL TOURISM

Mr KEVIN HUMPHRIES (Barwon) (15:10): My question is addressed to the Minister for Tourism and Major Events and Assistant Minister for Skills. Will the Minister explain to the House how the New South Wales visitor economy supports jobs growth, particularly in remote, regional and rural areas?

Mr ADAM MARSHALL (Northern Tablelands—Minister for Tourism and Major Events, and Assistant Minister for Skills) (15:10): I thank the member for Barwon for the question and I congratulate him and the community of Broken Hill on hosting the Broken Heel Festival earlier this month. It is a terrific event that is supported by the New South Wales Government. It attracted a huge number of people to a beautiful part of the State.

Mr Kevin Humphries: I am a new man, Minister.

Mr ADAM MARSHALL: You are a new man, member for Barwon; I congratulate you on that as well. The question that the member asked is about an important issue. This side of the House knows that tourism plays a critical role in the New South Wales economy, particularly in rural and regional New South Wales. It attracts

visitors and drives local economies and in country New South Wales it creates thousands of local jobs. Under the stewardship of this Government, the tourism industry has grown to support 94,000 businesses, of which 36 per cent are in rural and regional New South Wales. One in 14 jobs in this State are in the tourism sector. That is nearly 270,000 jobs, and 53 per cent of those are in rural and regional New South Wales—a great many in the electorate of Barwon.

I was pleased to see the figures released by Tourism Research Australia confirming that this State remains the number one destination for domestic tourists. For the first time in Australian tourism history this State broke new ground. It is the first State to receive over 30 million single-State domestic visitors in a 12-month period. From July 2016 to the end of June this year, New South Wales welcomed 30.1 million visitors, who stayed a record 97 million nights and spent more than \$17 billion during their stay. Throughout the history of Tourism Research Australia statistics, no other State or Territory has recorded such figures.

The figures are fantastic and come on the back of record statistics for international visitation to New South Wales. It shows that New South Wales is the tourism and events capital of the country. It does not happen by accident. It comes on the back of another record budget for tourism in this State. I can proudly say that New South Wales spends more on tourism and major events in New South Wales than the Commonwealth Government spends promoting all of Australia internationally. That is how important it is for this State's economy.

The number of visitors to rural and regional New South Wales continues to increase, proving it is the most popular of any regional location. More people visit regional New South Wales than visit regional Queensland, regional Victoria, regional Western Australia and regional South Australia combined. That is how many people are visiting the beautiful inland areas. Regional New South Wales loves seeing tourists and extra visitors but no place enjoys them more than the community of Deniliquin in the south of the Murray electorate. When we think of Deniliquin, we think of the Deni Ute Muster, one of the premier rural events encapsulating the uniqueness and vibrancy of rural life. The Deni Ute Muster in the Murray electorate receives support from this Government, and that will continue over the coming years.

The SPEAKER: Order! There is too much audible conversation in the Chamber. Members are being disrespectful to the Minister.

Mr ADAM MARSHALL: Over the next three years the Deni Ute Muster is expected to attract more than 28,000 international and domestic overnight visitors and generate \$18 million for the New South Wales and Deniliquin visitor economy. The member for Dubbo will be pleased because at the next Deni Ute Muster Shannon Noll, the Sunny Cowgirls and Lee Kernighan will be performing. [*Extension of time*]

The events will include whip cracking, show and shine, circle work and woodchopping—all the things we love about rural New South Wales. There will be some chopping of the river red gums.

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

Mr ADAM MARSHALL: Visitors can take in the Neddy Kelly Trail at Jerilderie, the stunning natural beauty of the Edward River, the Murray Valley National Park and the wonderful wineries and restaurants in the south of the Murray electorate. This Government will continue to support events such as the Deni Ute Muster throughout the south of the State, as it helps to grow the visitor economy and bring more international and domestic visitors into regional and rural New South Wales. This Government is committed to growing the figures, investment, and jobs in rural and regional New South Wales that result from a growing tourism sector. It is turbocharging local economies, generating jobs and driving investment in that part of the world, and it will continue to do so.

OLD BYRON SHIRE HOSPITAL SITE

Ms TAMARA SMITH (Ballina) (15:17): I direct a question to the Minister for Health and Medical Research. Will the Minister commit to the Byron Bay community that the old Byron District Hospital site will not be sold to private interests but instead will be kept in public ownership and leased to Byron Shire Council for a peppercorn rate?

Mr BRAD HAZZARD (Wakehurst—Minister for Health, and Minister for Medical Research) (15:17): I thank the member for Ballina for her question. The new Byron Central Hospital is an amazing facility. It is \$88 million worth of excellent hospital.

Mr John Barilaro: Who committed that money?

Mr BRAD HAZZARD: I am asked by the Leader of The Nationals who committed that money. For 16 years of the Labor Government absolutely nothing happened. They looked into it.

The SPEAKER: Order! The member for Rockdale will cease interjecting. I call the member for Rockdale to order for the first time. I call the member for Swansea to order for the first time.

Mr BRAD HAZZARD: The former member for Ballina, Don Page, was a good mate of mine and worked very hard on that project. As I recollect, that hospital was opened in May 2016. Nothing happened under a Labor Government, but we now have a fabulous facility. I visited it not that long ago and the midwifery unit has two or three large ceramic birthing baths that make it a standout facility. It has excellent beds, wards and facilities. The old hospital was in Mullumbimby and the Byron District Hospital was in Shirley Street. The community is interested in what is happening with that hospital site, as one would expect, because it was a much-loved community facility. I appreciate the member for Ballina raising the question in Parliament today but the issue has been raised by Ben Franklin, The Nationals member in the other place.

Mr Stephen Bromhead: He is a good local member.

Mr BRAD HAZZARD: He is working hard. That is not to say that the member for Ballina is not working hard. A community meeting was held a few weeks ago. A chap called Chris Hanley, who began the Sydney Writer's Festival, is well known in the community and he brought together 50 people with Ben Franklin. They have put an oral proposal to me, which came originally from Ben Franklin. I have not received anything in writing, but I am conscious of the fact that the community would like to have an opportunity to acquire the site. Shirley Street is worth a few dollars and in view of the fact that taxpayers paid \$50 million for the benefit of the new hospital, I have to weigh that up against whatever is proposed for the old hospital site. I indicated to Ben Franklin, and I also make this undertaking to the member for Ballina, that Property NSW and I will look at the opportunities. I read in one of the newspapers—in fact, Ben Franklin raised this issue—

Mr Jamie Parker: Come on, mate. How many Ben Franklins are you going to talk about? Who is going to run against Tamara?

The SPEAKER: Order! The member for Balmain and the member for Newtown will come to order.

Mr Clayton Barr: The Labor member should be recognised.

Mr BRAD HAZZARD: That is not to say that the local Greens member is not working. The Labor members would not be working. I recollect that the *Byron Shire Echo* reported that Ben Franklin said that there was a possibility that the site would be given to the community, but for a reasonable payment.

Mr Troy Grant: It is actually the Hon. Ben Franklin.

Mr John Barilaro: The most honourable.

Mr BRAD HAZZARD: The most honourable Ben Franklin. The issue was that they would look at what money they could raise. I am happy to look at it, take it steadily and ensure that the property is not sold prior to us looking at what the community is proposing. If we can enable the community to obtain it for the purpose of a homeless centre, as I read in the *Byron Shire Echo*, then we will do it. The difference between us and the Labor Party is that we are fair dinkum. The Labor Party looked into everything for 16 years and did absolutely nothing.

The SPEAKER: Order! Members will come to order.

COOTAMUNDRA BY-ELECTION

Mr ANDREW FRASER (Coffs Harbour) (15:23): My question is addressed to the Deputy Premier. Will the Deputy Premier rule out any preference deal with the Australia First Party due to the known history of its candidate for Cootamundra?

Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (15:23): I thank the member for Coffs Harbour for his important question relating to preferences. He has been in this place for a long time. He knows how important preferences are and the damage they can cause many communities. I am glad to see that the Leader of the Opposition has again joined us in the House. He has been out of the Chamber for the past 15 or 20 minutes. He is not interested in the answers that question time delivers for our communities.

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

Mr JOHN BARILARO: Opposition members might laugh, but Jim Saleam, who is the Australia First Party candidate for Cootamundra, is otherwise known as a fraudster. He was jailed for three years in 1991 for organising a shotgun attack on the home of an African National Congress representative. We only have to Google his name to see that this man has a long history of being a racist, an extremist, a criminal, a fraudster and a bigot. He has attacked churches, houses and people.

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

Mr JOHN BARILARO: In 2010 the *Sydney Morning Herald* published an article with more than 50 different sources that revealed this man to be a Nazi sympathiser, that he was responsible for racist graffiti, death threats and attacks on the Pitt Street Uniting Church. He has spread hateful propaganda on other races, calling them the major enemy of the Australian people, and that it is a matter which is certain to be decided by guns through national war and possibly civil war. This man is not fit to stand for office as the candidate for Cootamundra.

What is more disturbing is that yesterday Firearm Owners United published an advertisement in the Cootamundra paper and also online which talks about putting The Nationals last. That ad was retweeted by the Shooters, Fishers and Farmers Party candidate for Cootamundra and he thanked Firearm Owners United for its support. If we break that down, the Shooters are saying, "Put The Nationals last", which means it will preference the Australia First Party and Jim Saleam, who is a racist, a bigot and an extremist. The question to be asked of the Shooters is: Will it preference the Australia First Party ahead of The Nationals, or will it continue the campaign of putting The Nationals last? It is more than that. It is not only what the Shooters do but what the Labor Party does.

Mr Luke Foley: Point of order: Given the Deputy Premier has asked, for the record, the Labor Party will put Jim Saleam last.

The SPEAKER: Order! There is no point of order. The Leader of the Opposition will resume his seat or he will be removed from the Chamber.

Mr JOHN BARILARO: It is great to hear the Labor Party say it will put Jim Saleam last. The question is: Will the Labor Party also not preference the Shooters? The Shooters indicated it will put The Nationals last, which means it will preference Jim Saleam.

The SPEAKER: Order! The member for Keira is on three calls to order.

Mr JOHN BARILARO: That is the question for the Labor Party. Let us recall what Eric Roozendaal said about Jim Saleam.

The SPEAKER: Order! Members will come to order. All members on one or two calls to order are now deemed to be on three calls to order.

Mr JOHN BARILARO: Eric Roozendaal was also concerned about Jim Saleam and his party. He sought an assurance from Labor's national secretary that the Labor Party would never give preferences to Saleam. But it will give preferences to Saleam through giving preferences to the Shooters.

The SPEAKER: Order! The member for Canterbury is on three calls to order.

Mr Philip Donato: Point of order: First, it is Standing Order 75. I ask that the Minister refer to my party as the Shooters, Fishers and Farmers Party.

The SPEAKER: Order! I ask the Deputy Premier to do so.

Mr Philip Donato: Secondly, my point of order relates to Standing Order 129. I cannot see how any of this is relevant. We will not preference the Australia First Party before The Nationals.

The SPEAKER: Order! The member for Orange will resume his seat. Government members will come to order. In the first instance I uphold the point of order and in the second instance I rule there is no point of order.

[Extension of time]

Mr JOHN BARILARO: The question was in relation to the Australia First Party and Jim Saleam. The problem is Labor is doing a backdoor deal in preferencing through the Shooters' Jim Saleam. Walt Secord from the Legislative Council said, "We have the unusual position of the Labor Party electing Australia's first lower House Shooters party MP." How do those opposite now feel about that when the Leader of the Opposition, as I showed in the photos earlier, has done deals with the Shooters in relation to preferences that could go to Jim Saleam? It is okay for the Leader of the Opposition to say, "We are going to put Jim Saleam last", but the question to the Shooters, Fishers and Farmers Party is: Will they put Jim Saleam last? That is the question for those opposite.

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

Mr JOHN BARILARO: I remind the Leader of the Opposition that in 2011 he said, "The Greens' decision not to swap preferences with Labor will deliver a far Right upper House controlled by the book burners and elephant shooters." That is what he calls the Shooters, but at least I call them the Shooters. That is in the

party's name, but he is calling them the "elephant shooters". The member for Wagga Wagga was correct when he described the Shooters as revealing a disturbing extremism. I ask the members representing the electorates of Granville, Maitland, Blue Mountains and Summer Hill if they are going to allow their leader to do a dirty backdoor deal with the Shooters to Jim Saleam who is a racist, a bigot, and a Nazi sympathiser? On Google one will see he is not a man fit for office. My final question is: Will the Shooters put Jim Saleam last or will they continue their campaign of putting The Nationals last, which means they will be preferencing Jim Saleam?

Personal Explanation

MEMBER FOR FAIRFIELD

Mr GUY ZANGARI (Fairfield) (15:31): By leave: Prior to question time, Madam Speaker, you and I had a conversation regarding staff members and visitors accessing lifts during divisions and pre-question time. I place on the record that the statement you made may have led to a misunderstanding that I was personally involved in the incident. I place on the record that I was not involved in the incident, as you know.

The SPEAKER: It was not my intention to indicate in my remarks that the member for Fairfield had anything to do with the incident.

Petitions

PETITIONS RECEIVED

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

Gardens of Stone Stage 2 Reserve

Petition requesting the Legislative Assembly support the Gardens of Stone Stage 2 Reserve proposal, received from **Ms Trish Doyle**.

Reduction of Highway Noise at Valla Beach

Petition requesting the Roads and Maritime Service reduce highway noise at Valla Beach, received from **Mrs Melinda Pavay**.

Speed Camera Installation at Linden

Petition requesting the installation of a speed camera on the Great Western Highway at Linden, received from **Ms Trish Doyle**.

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

BaptistCare Centre, Point Clare

Petition requesting the development of the BaptistCare facility in Point Clare be compliant with State environmental planning policies, received from **Ms Liesl Tesch**.

Sussex Inlet Community Church

Petition requesting an investigation into the sale of the Sussex Inlet Community Church and calling for protection of community land used by churches, received from **Mrs Shelley Hancock**.

Business of the House

COOTAMUNDRA LOCAL AREA COMMAND

Reordering

Mr GUY ZANGARI (Fairfield) (15:33): I move:

That the General Business Notice of Motion (General Notices) given by me this day [Local Area Commands] have precedence on Thursday 21 September 2017.

We know that the Cootamundra community has voiced its concerns with residents reportedly fearful over the uncertainty of their local area commands. We know that the Labor candidate for Cootamundra, Mr Charlie Sheahan, has been speaking with residents about the need for more police officers in the area and about the future of policing in the community. We know that members of the Shooters, Fishers and Farmers Party have been talking with local residents over the uncertainty of the proposed local area command [LAC] amalgamations. We also note that The Nationals candidate for Cootamundra, Stephanie Cooke, said she would not support a merger if it did not guarantee increased police numbers, and that is why my motion deserves precedence tomorrow.

I also note that what is good for the goose is good for the gander. The member for Upper Hunter launched a community survey on his website about the restructure of local area commands. He said, "Decisions need to be made here in the Upper Hunter" regarding policing in that area. What is good for the Upper Hunter certainly should be good for the community of Cootamundra. He continues, "... help me make clear to the Minister" who is in the Chamber and is very quiet "and Government that the community and myself are opposed to any changes in our local area command." That is also why my motion deserves precedence tomorrow.

Do not take my word for it; take it from the member for Wollondilly. The member for Wollondilly said he could not see how the proposed amalgamation of Camden and Campbelltown would effectively service his community. Once again, if it is not good for Camden and Campbelltown how can it be good for Cootamundra and Wagga Wagga? The member for Camden is in the Chamber and he said he does not know much about the proposed mergers. Surprise, surprise, he does not know much at all. Do not take it from me; take it from a resident of Cootamundra. Mr Smith from Cootamundra said—

Mr Brad Hazzard: Point of order: If the member for Fairfield wishes to attack a member he should do so by way of substantive motion.

The SPEAKER: Order! I uphold the point of order. The member for Fairfield will be careful about the statements he is making.

Mr GUY ZANGARI: I have the documents that contain those aforementioned members stating what I said. But do not take it from me, take it from Mr Smith from Cootamundra, who said they needed Wagga Wagga to tackle the shortage of numbers— [*Time expired.*]

Mr ANDREW FRASER (Coffs Harbour) (15:36): My motion should have precedence tomorrow. The member for Fairfield talked about every other electorate in the State, which does not relate to the motion he gave notice of in this House today. My motion delineates that the Labor Party and The Greens by preferencing the Shooters, Fishers and Farmers Party will preference Australia First. Whilst the Leader of the Opposition indicated today that he would put them last the reality is he knows that under preferential voting he will preference the Shooters, Fishers and Farmers Party. We saw their love-in during question time today. The preference will go to the Shooters, Fishers and Farmers Party but will not flow onto the Australia First Party. He has given the House as clear indication that he is playing politics with the lives of the people in Cootamundra and Murray.

The people of Murray and Cootamundra need to have a member who is in government. I remember an adage from 27 years ago that one needs to be in government to really get things done. The Shooters, Fishers and Farmers Party's name has been changed over the years to become the Shooters, Fishers, Farmers, Nurses or whatever the latest local issue can be tagged onto their name yet they take objection when they are referred to as the Shooters. The Fishers arm of the party came from a meeting attended by Bob Brown in Coffs Harbour when he said he would support the Fishers. Has he been back? No, he has not. They will stick their head up on any issue but they do not follow through. Today the Shooters, Fishers and Farmers Party, according to its candidate and not refuted by its leader, is prepared to support a racist, known Nazi sympathiser in Cootamundra and do a deal with the Labor Party at the same time.

Mr Guy Zangari: He already said he wouldn't.

Mr ANDREW FRASER: Then rule out the Shooters, Fishers and Farmers Party. Rule out any preference deal with the Shooters in order to not run the risk of giving anyone who supports an organisation such as the Australia First Party an opportunity to come here. We know he is not fit to be here, but I wonder whether a man who has been sentenced to 3½ years jail actually qualifies to be a member of this place. I urge members to support my motion.

The SPEAKER: The question is that the motion standing in the name of the member for Fairfield have precedence on Thursday 21 September 2017.

The House divided.

Ayes36
Noes46
Majority.....10

AYES

Aitchison, Ms J
Car, Ms P
Cotsis, Ms S
Dib, Mr J

Atalla, Mr E
Catley, Ms Y
Crakanthorp, Mr T
Donato, Mr P

Barr, Mr C
Chanthivong, Mr A
Daley, Mr M
Doyle, Ms T

AYES

Finn, Ms J
Harrison, Ms J
Kamper, Mr S
Lynch, Mr P
Mehan, Mr D
Parker, Mr J
Smith, Ms T F
Washington, Ms K

Foley, Mr L
Haylen, Ms J
Lalich, Mr N (teller)
McDermott, Dr H
Minns, Mr C
Piper, Mr G
Tesch, Ms L
Watson, Ms A (teller)

Harris, Mr D
Hornery, Ms S
Leong, Ms J
McKay, Ms J
Park, Mr R
Scully, Mr P
Warren, Mr G
Zangari, Mr G

NOES

Anderson, Mr K
Barilaro, Mr J
Conolly, Mr K
Crouch, Mr A
Elliott, Mr D
Gibbons, Ms M
Griffin, Mr J
Humphries, Mr K
Lee, Dr G
Notley-Smith, Mr B
Pavey, Mrs M
Provest, Mr G
Sidoti, Mr J
Taylor, Mr M
Ward, Mr G
Wilson, Ms F

Aplin, Mr G
Berejiklian, Ms G
Constance, Mr A
Davies, Ms T
Evans, Mr L
Goward, Ms P
Gulaptis, Mr C
Johnsen, Mr M
Maguire, Mr D
O'Dea, Mr J
Perrottet, Mr D
Roberts, Mr A
Speakman, Mr M
Toole, Mr P
Williams, Mr R

Ayres, Mr S
Bromhead, Mr S (teller)
Coure, Mr M
Dominello, Mr V
Fraser, Mr A
Grant, Mr T
Hazzard, Mr B
Kean, Mr M
Marshall, Mr A
Patterson, Mr C (teller)
Petinos, Ms E
Rowell, Mr J
Stokes, Mr R
Upton, Ms G
Williams, Mrs L

PAIRS

Hoenig, Mr R

Brookes, Mr G

Motion negatived.

LABOR PARTY BY-ELECTION PREFERENCES

Reordering

Mr ANDREW FRASER (Coffs Harbour) (15:44): I move:

That the General Business Notice of Motion (General Notice) given by me this day [By-election Preferences] have precedence on Thursday 21 September 2017.

My motion should have precedence tomorrow due to the reasons I have already outlined.

The DEPUTY SPEAKER: The question is that the motion standing in the name of the member for Coffs Harbour have precedence on Thursday 21 September 2017.

The House divided.

Ayes45
Noes36
Majority.....9

AYES

Anderson, Mr K
Barilaro, Mr J
Conolly, Mr K
Davies, Ms T
Evans, Mr L
Goward, Ms P

Aplin, Mr G
Berejiklian, Ms G
Coure, Mr M
Dominello, Mr V
Fraser, Mr A
Grant, Mr T

Ayres, Mr S
Bromhead, Mr S (teller)
Crouch, Mr A
Elliott, Mr D
Gibbons, Ms M
Griffin, Mr J

AYES

Gulaptis, Mr C
 Johnsen, Mr M
 Maguire, Mr D
 O'Dea, Mr J
 Perrottet, Mr D
 Roberts, Mr A
 Speakman, Mr M
 Toole, Mr P
 Williams, Mr R

Hazzard, Mr B
 Kean, Mr M
 Marshall, Mr A
 Patterson, Mr C (teller)
 Petinos, Ms E
 Rowell, Mr J
 Stokes, Mr R
 Upton, Ms G
 Williams, Mrs L

Humphries, Mr K
 Lee, Dr G
 Notley-Smith, Mr B
 Pavey, Mrs M
 Provest, Mr G
 Sidoti, Mr J
 Taylor, Mr M
 Ward, Mr G
 Wilson, Ms F

NOES

Aitchison, Ms J
 Car, Ms P
 Cotsis, Ms S
 Dib, Mr J
 Finn, Ms J
 Harrison, Ms J
 Kamper, Mr S
 Lynch, Mr P
 Mehan, Mr D
 Parker, Mr J
 Smith, Ms T F
 Washington, Ms K

Atalla, Mr E
 Catley, Ms Y
 Crakanthorp, Mr T
 Donato, Mr P
 Foley, Mr L
 Haylen, Ms J
 Lalich, Mr N (teller)
 McDermott, Dr H
 Minns, Mr C
 Piper, Mr G
 Tesch, Ms L
 Watson, Ms A (teller)

Barr, Mr C
 Chanthivong, Mr A
 Daley, Mr M
 Doyle, Ms T
 Harris, Mr D
 Hornery, Ms S
 Leong, Ms J
 McKay, Ms J
 Park, Mr R
 Scully, Mr P
 Warren, Mr G
 Zangari, Mr G

PAIRS

Brookes, Mr G

Hoenig, Mr R

Motion agreed to.*Motions Accorded Priority***MURRAY VALLEY STATE FOREST****Consideration**

Mr CHRISTOPHER GULAPTIS (Clarence) (15:48): My motion deserves to be accorded priority because many regional communities depend on the timber industry for their survival. This certainly applies to communities in the Riverina. We know that Labor Party members do not understand how regional communities work or how they survive. We also know that they do not care. Labor members do not care about country people, but members on this side of the House do. We live in regional communities. We know that our communities rely—

The DEPUTY SPEAKER: Order! Stop the clock. Speakers will be heard in silence. I remind members that some are on three calls to order. The next member who interjects will be removed from the Chamber.

Mr CHRISTOPHER GULAPTIS: We know that our regional communities rely on local jobs, which are created by local industries like the timber industry. Much of New South Wales was opened up by early timber-getters who were venerated and revered. They were hard workers and often the backbone of our rural communities. In fact, they were so revered that we hung photos of our early timber-getters on public walls—we have all seen them. They established many regional communities across New South Wales and the Labor Party now wants to rewrite history and exterminate them.

Labor wants to destroy them and the communities they created. It wants to close the industry down because Labor's heart lies in the city. Labor does not understand the timber industry—the only trees they see are on the sidewalk when their dogs are piddling on them. We all remember Luke Foley's great announcement for the North Coast prior to the 2015 election—a great, big koala national park. He was happy to close down the timber industry, throw thousands of timber workers onto the scrap heap and destroy North Coast regional communities to get Greens preferences. He was only concerned about his survival and to hell with the communities he ravaged.

Labor does not understand that timber is a renewable industry—cut down a tree and it grows again. Timber was used as building material before Moses wore short pants. It is a great building material. As I said, it is renewable. If it is managed effectively it will keep growing. It is well-known that a well-managed forest has a healthier biodiversity than our national parks. That is why Nathan Rees converted the Murray Valley State Forest into a national park. He and his Labor mates did not care about the timber workers or the communities that relied on the industry to survive. All he was concerned about was Greens votes. Labor's policy is not based on evidence or science but on pure politics, and it leaves rural communities devastated. Those on this side of the House understand regional communities. That is why the Deputy Premier recently announced the sale of the stockpile wood to be used by the local industry. Do not waste it, put it to good use. It is a great resource. It will create local jobs and bring prosperity to those regional communities Labor confined to the scrap pile.

M5 TOLL

Consideration

Mr GREG WARREN (Campbelltown) (15:52): It is always a pleasure to follow the member for Clarence, as embarrassing as his contributions are, in the priority debate. My motion should be accorded priority for no better reason than to expose this shameless, incompetent, useless Government that could not manage its way around a project. We learnt during budget estimates that the M5 toll is to be extended beyond 2026 to 2060. That is a shameless act. We only found that out because the Minister for WestConnex dropped a bomb—he did not mean to—on his colleagues. The poor old member for Camden was blindsided and the member for Wollondilly knew nothing about it. Not only did the Minister for WestConnex drop a bomb on his colleagues but also, most importantly, he dropped it on the hardworking people of the Macarthur and south-west Sydney who have already paid for this road. I condemn the Government for this shameless act.

This will put more costs on our already frustrated motorists—it is as if they are paying for a car park now—and not one upgrade to the M5 will come with it. This toll, which is to be paid for by the people of Campbelltown, will pay for the not \$100 million but billions of dollars of incompetence of this Government, including billion dollar blowouts in the WestConnex. Hundreds of millions of dollars in light rail costs will be paid for by the people of south-west Sydney, the people of Camden, Macquarie Fields and Wollondilly. The Premier can keep on talking; no-one is listening to her. If the people of south-west Sydney were to ask the Premier how the weather was outside and she told them the sun was shining, they would take an umbrella with them.

The Berejiklian Government is forcing commuters from the Macarthur region to pay for this road twice. We are getting another 40 years of tolls without any upgrades proposed for our stretch of the M5. That money will be spent on projects like the cross-harbour tunnel, WestConnex and projects in the eastern suburbs. I repeat, this is a shameless act. The M5 motorway is a vital piece of transport infrastructure for the community and the economy of the Macarthur region. Each week more than 70 per cent of working people in Campbelltown travel outside the area. A commuter travelling from Campbelltown and the Macarthur region to the city via the M5 each day for work will be paying \$2,208 per year to travel on a road that will not receive any improvements, as the Minister for WestConnex has conceded. And that figure does not include the toll that the Minister plans to introduce on the M5 East section of the motorway. This Government is out of touch. This is yet another example of its inability to manage a project.

The DEPUTY SPEAKER: The question is that the motion as moved by the member for Clarence be accorded priority.

The House divided.

Ayes46
Noes36
Majority..... 10

AYES

Anderson, Mr K
Barilaro, Mr J
Conolly, Mr K
Crouch, Mr A
Elliott, Mr D
Gibbons, Ms M
Griffin, Mr J
Humphries, Mr K
Lee, Dr G
Notley-Smith, Mr B

Aplin, Mr G
Berejiklian, Ms G
Constance, Mr A
Davies, Ms T
Evans, Mr L
Goward, Ms P
Gulaptis, Mr C
Johnsen, Mr M
Maguire, Mr D
O'Dea, Mr J

Ayres, Mr S
Bromhead, Mr S (teller)
Coure, Mr M
Dominello, Mr V
Fraser, Mr A
Grant, Mr T
Hazzard, Mr B
Kean, Mr M
Marshall, Mr A
Patterson, Mr C (teller)

AYES

Pavey, Mrs M
Provest, Mr G
Sidoti, Mr J
Taylor, Mr M
Ward, Mr G
Wilson, Ms F

Perrottet, Mr D
Roberts, Mr A
Speakman, Mr M
Toole, Mr P
Williams, Mr R

Petinos, Ms E
Rowell, Mr J
Stokes, Mr R
Upton, Ms G
Williams, Mrs L

NOES

Aitchison, Ms J
Car, Ms P
Cotsis, Ms S
Dib, Mr J
Finn, Ms J
Harrison, Ms J
Kamper, Mr S
Lynch, Mr P
Mehan, Mr D
Parker, Mr J
Smith, Ms T F
Washington, Ms K

Atalla, Mr E
Catley, Ms Y
Crakanthorp, Mr T
Donato, Mr P
Foley, Mr L
Haylen, Ms J
Lalich, Mr N (teller)
McDermott, Dr H
Minns, Mr C
Piper, Mr G
Tesch, Ms L
Watson, Ms A (teller)

Barr, Mr C
Chanthivong, Mr A
Daley, Mr M
Doyle, Ms T
Harris, Mr D
Hornery, Ms S
Leong, Ms J
McKay, Ms J
Park, Mr R
Scully, Mr P
Warren, Mr G
Zangari, Mr G

PAIRS

Brookes, Mr G

Hoenig, Mr R

Motion agreed to.

The DEPUTY SPEAKER: I extend a very warm welcome to the former member for Murray-Darling, Mr John Williams.

MURRAY VALLEY STATE FOREST**Priority**

Mr CHRISTOPHER GULAPTIS (Clarence) (16:00): I move:

That this House:

- (1) Acknowledges that the former Government under Nathan Rees converted the Murray Valley State Forest into a national park, crushing the local timber industry.
- (2) Supports the Government's decision to allow the sale of stockpiled wood for use by local residents.

The forestry industry is the cornerstone of many regional communities; it employs more than 22,000 people and it is worth \$2.4 billion annually to the New South Wales economy. New South Wales timber is among the best in the world and it is critical that we keep up with the demand for high-quality products. I implore the Opposition to look around the Chamber. What do they think this desk is made from? It is not made from Asian rainforest timber; it is made from Australian timber. If those opposite had their way, we would not have this desk here. That is why the Berejiklian-Barilaro Government is committed to building a stronger, more competitive and sustainable forestry industry in New South Wales.

Mr Stephen Kamper: It is the same timber in your skull.

Mr CHRISTOPHER GULAPTIS: I thank the member for Kogarah; that is lovely coming from him. However, the forestry industry in New South Wales is under siege by Labor and The Greens because we know that they want to shut down the industry. We know what forestry was like under Labor. Under the premiership of Nathan Rees we saw a failure of policy with the Murray Valley National Park. Before the Government had even been handed the final scientific report, it was announced as a national park in order to gain a cheap political win with The Greens. We know that it is all about politics over policy and about politics over regional communities. There was no consideration for the local environment and local timber industry. It attracted all the usual praise

from the usual radical environmentalists. However, those who live and work in the regions know that it has not been fantastic for the environment, nor has it been fantastic for the community.

Mr Clayton Barr: It is not bad for them though.

Mr CHRISTOPHER GULAPTIS: If we have a forest that is not thinned out, it is not managed and it is thick and congested, there is no biodiversity in it. It needs ecological thinning. Opposition members would know that if they lived in the country. What now exists is a forest in a state that is not natural; it is too dense for the red gums to be sustainable and it has created a need for ecological thinning. It has left behind a huge stockpile of 13,000 tonnes of red gum logs. On the North Coast, wood supply agreements entered into by the Labor Government under Bob Carr left the industry in a mess and devastated local communities, like those in my electorate, with thousands of jobs lost in the community.

The New South Wales Liberal-Nationals Government is committed to building a stronger, more competitive and sustainable forestry industry in New South Wales. Last month in Murray, the Deputy Premier and Minister for Lands and Forestry announced, as a first step in resolving the longstanding Murray Valley issue, that the stockpile would be made available to the local community and the local timber industry. The Government will keep considering the evidence while we work today with the community down in the Murray to ensure that the best outcome is achieved.

Recently at a meeting in Launceston, the Minister for Lands and Forestry, along with other forestry Ministers, put out a statement of support for the forestry industry. The joint statement recognised the role that the industry plays in creating regional jobs. The New South Wales Government has a forestry industry roadmap. Investment decisions in the forestry industry are made over long time frames; that is why it is critical that we work with industry on a long-term roadmap for growth and ecological sustainability.

In August 2016 we released the New South Wales Forestry Industry Roadmap to help direct government through legacy issues of the past, while also supporting industry to invest in research and development, technologies and improvements, to develop innovative new products and to capitalise on new commercial opportunities. The roadmap includes strategic actions around four key pillars: regulatory modernisation; balancing supply and demand; improving community understanding and confidence; and industry innovation and new markets. Through the roadmap, we can grow the industry's confidence by making calculated and transparent decisions in the best interests of all stakeholders.

The rigorous process to revitalise the forestry bill is underway and we will continue to consult with stakeholders on the full range of native forestry regulations as part of the reform process. Consultation continues on the new native forestry bill. The bill's purpose is to regulate the native forest industry so it can be more ecologically sustainable. Whilst there are some concerns with the bill, the Government is listening and will continue to have discussions with industry to work together to achieve the best possible outcome. [*Time expired.*]

Mr LUKE FOLEY (Auburn) (16:05): I move:

That the motion be amended by adding the following after paragraph (2):

- (3) Congratulates The Nationals for its steadfast refusal to revoke the Murray River National Park declaration.
- (4) Condemns timber industry activists and the Shooters, Fishers and Farmers Party for their ongoing campaign to revoke the national park.

Credit where credit is due. In 6 ½ years of government, The Nationals have been steadfast in their support for the Murray Valley National Park. We can disregard everything the member for Clarence just said—we know there is a by-election and The Nationals have to engage in throwing a bit of red meat to their base, but look at their actions in government. The people of Murray know that if they vote Labor, Nationals or Greens at the by-election, they are voting for nature conservation. They should know that if they vote for the Shooters, Fishers and Farmers Party they are voting for a return of timber cutting in the towns of the Murray. I congratulate The Nationals on standing up for nature conservation in New South Wales. I say to the Shooters, Fishers and Farmers Party: They will not win because there is bipartisan support in this House for the river red gum national parks. I do not congratulate The Nationals often, but credit where credit is due. I quote from official government documents. The website of the Office of Environment and Heritage states:

The forests of the Riverina are culturally and spiritually significant to Aboriginal people, and many places, plants and animals are immensely important to the local and regional communities.

The river red gum reserves contain wetlands of state, national and international significance, and support threatened flora and fauna species, and species that are protected under bilateral agreements with other countries.

Those are the words of the Berejiklian-Barilaro Government which I endorse. The outgoing member for Murray, Mr Piccoli, sat in the Cabinet for the first six years of the life of this Government and when a report of a Legislative

Council committee, under the leadership of Mr Brown of the Shooters, Fishers and Farmers Party, recommended the revocation of the river red gum national parks, this is the official government response—no doubt with The Nationals member for Murray having a key hand in authorising these words. On the recommendation of imposing a moratorium on the creation of new national parks or the extension of any existing national parks, Messrs Barilaro, Piccoli and all the members of the Cabinet signed up to this—their words:

Not supported

The NSW Government does not support implementing a moratorium on the creation of new national parks as it:

- is inconsistent with goals set out in *NSW 2021* to conserve biodiversity and native vegetation through the establishment of national parks. The Nationals stand with Labor in demanding more national parks in regional New South Wales. Good on you, Nationals. Shame on you, Shooters, Fishers and Farmers Party. The Government also said, in answer to a push from Mr Brown and his colleagues in the other place, that the New South Wales Government "does not support logging in national parks and has no plans to allow it through implementation of tenure swaps or other means".

So we will make our decision about preferences based on many issues. We must mark The Nationals down for the theft of water from their own constituents in Murray and places like Pooncarie, but we also must balance that against their strong record on nature conservation in the national parks of the Murray River. We have a lot to think about. We might keep the Government guessing. I salute The Nationals. A vote for Labor, The Nationals or The Greens at these by-elections is a vote for national parks in the south of New South Wales.

Mrs MELINDA PAVEY (Oxley—Minister for Roads, Maritime and Freight) (16:10): I stand with the Australian Workers Union and the Construction, Forestry, Mining and Energy Union [CFMEU] and their motion at the Labor conference this year to support jobs, to support workers and to support the hardwood timber industry. I stand with those good workers that those opposite are walking away from because all the Leader of Opposition has done today is play politics. It is all about politics. We have been in government for six years, but we have done so much hard work in those six years undoing the problems that those opposite left in this State, including problems in the communities along the Murray River.

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

[Pursuant to sessional order the member for Maitland left the Chamber at 16:11.]

Mrs MELINDA PAVEY: Communities along the Murray have been penalised and hurt by this decision, which was made in the final days of Nathan Rees' premiership before Kristina Keneally had the numbers supplied by Eddie and Joe. Nathan Rees wanted to leave a legacy. Spurred on by Frank Sartor, they ignored the Natural Resources Commission recommendations on improving the sustainability of that important part of the State. Those recommendations dealt with both the environmental needs of the area and the community's need for jobs, economic development and opportunities. That is what they ignored because it was about politics and it was about Nathan Rees wanting to leave a legacy so he could point to his premiership and city voters and say, "I did something." What he did was create ghost towns along the Murray River.

We have worked hard to ensure that we improved the situation and allowed some of the thinnings from the area that was State forest and is now national park to be used for more than just firewood. Those thinnings can be used to sustain a magnificent industry, revitalising it and encouraging it to grow once again so we can use that magnificent timber. Anybody who understands river red gum will know it is a magnificent hardwood. It is a beautiful product that deserves to be a part of Australia's floorboards, cupboards and furniture. Those opposite wish to lock it up and let it burn. That is the danger. The biggest threat in that part of the world is hot fire that would be thermonuclear in its explosiveness because of the way the forests have been managed. We have fixed that.

We are actively ensuring that we take the politics out of this debate—politics that were displayed by an inner-city member who does not understand communities, the need for jobs or how to manage a forest to ensure the best outcome for the environment and the communities that rely on its timber. We are standing up for those communities. We are doing it in a smart, honest and clever way so we can ensure their viability in the future. All those opposite care about is politics. Even the Construction, Forestry, Mining and Energy Union and the Australian Workers Union called them out. The member for Cessnock knows that he has let his communities down. He does not care about the timber industries. He knows that his party has let country people down.

Mr Clayton Barr: You have not changed your policies.

Mrs MELINDA PAVEY: We have changed our policy in regard to that. We now allow thinnings to be harvested and used properly so that industry and jobs can return to that community. Those opposite have criticised us for that and for standing up for those communities. They should not do that because their decision was based on pure politics. It was about a legacy issue for Nathan Rees and not about the best outcomes. The best outcomes

were in the Natural Resources Commission document, which describes improved reforms that ensure the future viability of these forests and communities.

Ms TRISH DOYLE (Blue Mountains) (16:15): This motion is about a great initiative under a great Premier and how great it is to grow our national parks and support ecosystems. This is about the iconic mighty red gums and unique forests. The Murray Valley National Park was created on 1 July 2010 in a major win for environmental conservation. We welcome the fact that over the past six years The Nationals have taken no action whatsoever to strip the red gum forests of their conservation status. This motion should be about understanding that while The Nationals paid lip-service to returning to commercial logging, in truth they have taken no steps to do that. We congratulate The Nationals once again on saying one thing in the electorate of Murray and doing the opposite in Sydney. Once again it gives me great pleasure to speak in this place about national parks as they are a standing legacy of Labor's environmental record in New South Wales.

I have made note in the past in this place that New South Wales would be unrecognisable today without the huge estate of national parks gifted to the people of this State by former Labor governments and former Minister for the Environment Bob Debus. Bob Debus's work as environment Minister during the 1990s and 2000s is the lasting and enduring legacy of a man who is rightly revered as one of the greats of this Parliament. More than 350 new national parks were declared by Bob Carr and Bob Debus in that time. Between 1995 and 2011, Labor added more than three million hectares to the national park estate. As has been mentioned in this place before by the former member for Marrickville, when Bob Debus was Minister for the Environment he gazetted more national parks in one day than the former Coalition Government gazetted in its entire term of office.

I am delighted to see the lapdogs and doormats of The Nationals trying to kick up a stink about Labor's legacy on environmental issues because it gives us the opportunity to reflect on the excellent work of the Labor Government and the wonderful legacy left by Bob Carr and Nathan Rees for our environment. This motion is about The Nationals being a sorry lot. They come into this place and whinge about preference deals, they whinge about being challenged in formerly safe seats and they whinge about being forced to work hard in by-elections. That is what this motion is about.

Mr ANDREW FRASER: I seek leave to make a contribution.

Leave not granted.

Mr CHRISTOPHER GULAPTIS (Clarence) (16:19): In reply: As stated by the member for Oxley, what we saw from the Leader of the Opposition was pure politics. He wants to move a motion to congratulate The Nationals on their steadfast refusal in government to revoke the Murray River National Park declaration. If he is fair dinkum why does he not revoke it? If Labor is so concerned about it, why does Labor not revoke it? Who locked up the forests? Labor locked up the forests. Who closed down regional communities? Labor closed down regional communities. One cannot close down an industry and keep a regional community open. The two do not correlate. People living in a regional area get that concept. Labor has forced mills to close and workers to be on the bread line.

Who wants to lock up more forests? The Leader of the Opposition wants to lock up more forests. Who wants to close down more regional communities? The member for Maroubra does because he just put up his hand to close down more forests. Labor does not care about the impact on regional communities. That is the reason Labor does not represent the regions and is not in government. Labor needs to win regional seats to get into government and it is a long way from doing that.

Mr Clayton Barr: What about Grafton jail?

Mr CHRISTOPHER GULAPTIS: Yes, what about Grafton jail? We are getting a brand new jail, which will employ 600 people and it will have plenty of room for others like Eddie Obeid and Ian Macdonald, if members opposite want to talk about jails. Government members care about the timber industry; we want to support the timber industry. We want vibrant regional communities; we want a sustainable industry and we know timber is a sustainable industry. When a tree is cut down it will grow again.

Mr Michael Daley: No, it won't.

Mr CHRISTOPHER GULAPTIS: Have a look out in the bush. They have been cut down and they are still growing; they are still harvesting.

Mr Michael Daley: If you chop a tree down it will grow again?

Mr CHRISTOPHER GULAPTIS: Another one will grow in its place; that is what a managed forest is.

Mr Michael Daley: It will not grow again.

Mr CHRISTOPHER GULAPTIS: No wonder members opposite are in opposition; they have no idea about forestry management. They should have a look at how forests are managed; they do it in a mosaic pattern. They will log one area and come back in 15 or 20 years time and relog it because it has grown again. It has been growing since Methuselah was a baby. Why do members opposite think koalas are in forests? It is because they seek the fresh shoots, the new growth, and they can scramble along the ground. This is like talking to kindergarten kids. [*Time expired.*]

The DEPUTY SPEAKER: The original question is that the motion as moved by the member for Clarence be agreed to, upon which the member for Auburn has moved an amendment. The question is that the amendment be agreed to.

The House divided.

Ayes34
Noes43
Majority.....9

AYES

Atalla, Mr E
Catley, Ms Y
Crakanthorp, Mr T
Doyle, Ms T
Harris, Mr D
Hornery, Ms S
Leong, Ms J
McKay, Ms J
Park, Mr R
Scully, Mr P
Warren, Mr G
Zangari, Mr G

Barr, Mr C
Chanthivong, Mr A
Daley, Mr M
Finn, Ms J
Harrison, Ms J
Kamper, Mr S
Lynch, Mr P
Mehan, Mr D
Parker, Mr J
Smith, Ms T F
Washington, Ms K

Car, Ms P
Cotsis, Ms S
Dib, Mr J
Foley, Mr L
Haylen, Ms J
Lalich, Mr N (teller)
McDermott, Dr H
Minns, Mr C
Piper, Mr G
Tesch, Ms L
Watson, Ms A (teller)

NOES

Anderson, Mr K
Barilaro, Mr J
Constance, Mr A
Davies, Ms T
Elliott, Mr D
Gibbons, Ms M
Griffin, Mr J
Kean, Mr M
Marshall, Mr A
Patterson, Mr C (teller)
Provest, Mr G
Sidoti, Mr J
Taylor, Mr M
Ward, Mr G
Wilson, Ms F

Aplin, Mr G
Bromhead, Mr S (teller)
Coure, Mr M
Dominello, Mr V
Evans, Mr L
Goward, Ms P
Gulaptis, Mr C
Lee, Dr G
Notley-Smith, Mr B
Pavey, Mrs M
Roberts, Mr A
Speakman, Mr M
Toole, Mr P
Williams, Mr R

Ayres, Mr S
Conolly, Mr K
Crouch, Mr A
Donato, Mr P
Fraser, Mr A
Grant, Mr T
Johnsen, Mr M
Maguire, Mr D
O'Dea, Mr J
Petinos, Ms E
Rowell, Mr J
Stokes, Mr R
Upton, Ms G
Williams, Mrs L

PAIRS

Hoenig, Mr R

Brookes, Mr G

Amendment negatived.

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

The House divided.

Ayes43
Noes35

Majority.....8

AYES

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

NOES

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

PAIRS

Brookes, Mr G

Hoenig, Mr R

Motion agreed to.*Private Members' Statements***NORTH-SOUTH RAIL LINK**

Ms PRUE CAR (Londonderry) (16:34): I want to discuss the urgent need for the State and Federal governments to commit to the North-South Rail Link. The North-South Rail Link will connect the future Western Sydney airport to the Western rail line in my electorate and further to the outer north and the south of suburban Sydney. While I am cautiously optimistic about the benefits of the coming airport to Western Sydney, the State Government must meet this investment with the correct public transport options to ensure Western Sydney benefits from the airport.

It is disappointing that the State Government has been so slow to move in guaranteeing public transport for the outer growth corridors of Sydney. It is disappointing that rail has not featured prominently within the State Government's position for the Western Sydney airport. This must change. Now is the time for the Premier and the Minister for Transport to act and to provide certainty for the region. If it is done properly, I and Western Sydney believe that there is potential for generations of people to benefit from this vital piece of infrastructure. We do not want to repeat history by building a rail link after the airport is operational. The roads will not cope with the burden of an international airport in Western Sydney; public transport must be part of the solution.

The rail line must operate from day one. The North-South Rail Link is not only about ensuring people can move to and from the Western Sydney airport by rail; there are many other benefits for the region if we act now on the rail link. Infrastructure such as this has the potential to act as a powerful catalyst for serious economic growth, new housing and employment generation. From Rouse Hill to Penrith to the airport and all the way to the south of Sydney we are beginning to see pockets of housing and employment growth that will define the future of Sydney. This growth will only succeed if the Government moves forward on the North-South Rail Link.

It is up to the Government to ensure that we have public transport and to provide basic services to Western Sydney. There is no denying that investing in large-scale infrastructure projects such as the North-South Rail Link will boost employment. The Western Sydney Rail Alliance estimates that 120,000 new jobs could be added to the region, but only if we get it right. With the right investment and direction from Government, this is the tip of the iceberg for Western Sydney's capability. In a region suffering from a growing jobs deficit, we cannot afford to wait any longer. This rail link will act as a catalyst for urgently needed new housing stock that will address the growing Sydney housing crisis. A rail line of this size and significance needs higher density zoning in order to create hundreds of thousands of properties within close proximity to the rail line. These are the suburbs of the future and the future of Sydney's housing market.

These are exciting times for Western Sydney. Western Sydney needs the rail link; we understand this. The Government has been too slow to act and time is running out. I welcome the commitment by the Federal Opposition that if elected it will work with the New South Wales Government to build rail infrastructure in Western Sydney. Federal Labor has committed \$400 million to begin the process for this vital North-South Rail Link. I will await the anticipated Western Sydney City Deal to judge how seriously this Government regards this vital project. I call on the Government to reserve the North-South Rail Corridor as a priority and to fund this essential piece of infrastructure for Western Sydney.

MACARTHUR ABORIGINAL KIDS DAY

Mr CHRIS PATTERSON (Camden) (16:38): I recently attended the Macarthur Aboriginal Kids Day, known as MAK Day. The inaugural day in 2016 was the initiative of the then relieving principal, now principal, of Currans Hill Public School, Sandra Wilson. Sandra has been a champion of this and is a wonderful principal within my electorate. Sandra wanted to bring together Aboriginal students who attended primary school in the Macarthur region so that they could learn about their Aboriginal culture.

The perfect setting in the Macarthur area this year was the Australian Botanic Garden at Mount Annan, which is the jewel in the crown of the Macarthur region. The garden, which is set on 400 hectares of land, has grown over the past 29 years and it now has approximately 2,000 native plants. It has become a major scientific research and conservative centre for flora in New South Wales. The garden was an idyllic location for the event. More than 160 students attended from Currans Hill Public School, Mawarra Public School, Spring Farm Public School, Camden Public School, Elderslie Public School, Camden South Public School, Mt Annan Public School, Greenway Park Public School, Narellan Vale Public School, Oran Park Public School, Cobbitty Public School, Harrington Park Public School, Narellan Public School and Campbelltown Performing Arts High School.

The day began with an opening ceremony in the Sorry Garden, led by local elders, and a performance by the Campbelltown Performing Arts High School, which sang the national anthem in our first language. All students were then divided into five groups and each group was named after a native plant in our First language. There were five rotating activities, including a bush tucker garden, building a gunya, cooking lessons using native plants, weaponry talks, and talks about native bee and animal food sources. All activities were run by the Department of Education and botanic garden staff. Aboriginal elders showed us how to use a didgeridoo, and I admit it is not as easy as it looks.

The day gave the elders an opportunity to teach the younger generation about traditional Aboriginal culture. I thank the elders for the time which was important to the children. I thank my colleague the Hon. Sarah Mitchell, MLC, Minister for Early Education and Minister for Aboriginal Affairs, for her kind donation of \$2,000 towards costs for the day. It paid for buses so that every child could attend at no cost to the schools. I also thank her for taking the time to visit Currans Hill Public School to hear what the day was all about. I congratulate Sandra Wilson, principal of Currans Hill Public School, for organising such a wonderful day. Many others who were involved also did a tremendous job.

They were Lesley Marks, the Aboriginal Community Liaison Officer and Department of Education event coordinator; Department of Education Aboriginal education staff were Aunty Carol, Tony Rudd and Vicky Bowen; Melissa Slarp, the Education and Community Programs Officer from Australian Botanic Garden Mt Annan; Environmental Education Officer Katrina Creak, Nathan Matthews, Brian Trench, Meg Taylor and Tristen Cannell from Camden Park; Jessica Barrett, Brittany Murphy and Lisa Ford from Currans Hill Public School; Mavis Ward from Narellan Public School; Darren Martin from Harrington Park Public School; Justine

Cook from Cobbity Public School; Tamara McGowan and Kate Nicholson from Mt Annan Public School; Debbie Gibson from Camden Public School; Alexandra Gruar from Mawarra Public School; Katie Hogan from Camden South Public School; Alison Mitchell from Elderslie Public School; Stuart Betts from Oran Park Public School; Carmen Fenech from Greenway Park; Michelle Sarjana and Lisa Cibilic from Narellan Vale Public School; and Vanessa Cox and Uncle Charlie from Spring Farm Public School. Each of these dedicated and caring staff members from the public schools, Aboriginal elders and botanical garden staff helped make this wonderful day a success.

Mr GARETH WARD (Kiama) (16:43): I thank the member for Camden for his excellent address on MAK Day. As Parliamentary Secretary for Education, I congratulate him on his outstanding support for his local schools. The member for Camden talks frequently about his schools with great pride. I also congratulate him on his support of Aboriginal people. I commend Sandra Wilson of Currans Hill Public School for organising MAK Day. It is 50 years since Australia voted overwhelmingly to ensure that Aboriginal people could be included as citizens of this great country. It is important that we continue to close the gap through better understanding and education in our schools. By undertaking the activities that the member for Camden has outlined, we can give the newest generation an insight into how Aboriginals lived, their understanding of this land and how they have nurtured it for thousands of years. I commend the member for Camden for his advocacy, his support and his encouragement for closing the gap in New South Wales.

NORTH SHORE WINTER SPORTS

Ms FELICITY WILSON (North Shore) (16:45): I congratulate and celebrate the countless members of the North Shore community on being involved in our local sporting clubs. Sports and sporting pursuits are a cornerstone of our community, and this winter sporting season has been as successful and enriching as any. From young children to young professionals, mums and dads, and retirees, sport holds a special place in our community. As the winter season draws to a close, it is a delight to look back at the victories, pursuits and joy that is local sport. From netball to the Australian Football League [AFL] to rugby union, North Shore winter sports have a long and enduring tradition in our community.

Our two local netball clubs, Mosman and North Sydney, are brilliant and engaging, and they both had a spectacular season. I recognise Mosman Netball Club for managing to field no fewer than 10 seniors teams in the grand finals and for the AI team coming away with a 2017 championship title. Congratulations also to the North Sydney Netball Club on its achievements this season. As a member of a seniors team at the North Sydney Netball Club, I was a little bit jealous of Mosman's victory, but I congratulated the players nonetheless and hopefully North Sydney will perform better next year.

Like netball, AFL shares a long and beloved history in our community. I recognise Mosman Swans Junior AFL, which this year had a total of seven teams reaching the grand finals. Impressively, the club had a record number of players and teams in some age groups and displayed strong sportsmanship throughout the entire age range, which is telling of its energetic community. I recognise and celebrate the culture of rugby in our North Shore community and the thrilling season that drew to a close recently. The Mosman Senior Rugby Club and Mosman Junior Rugby Club had another exciting year. The Mosman Senior Rugby Colts team narrowly lost its finals match whilst the fifth grade was victorious in its championship game. The Mosman Junior Rugby Club had a successful run as well. The highlight was taking home the inaugural Spit Bridge Shield in its gala day against the Seaforth Raiders, which I was fortunate enough to attend.

Norths Football Club, which is our rugby union club on the other side of the North Sydney electorate, had a similarly exciting season. The Shoremen first grade team made it all the way to the grand final of the Shute Shield and narrowly missed out on the championship to the Warringah Rats. I was excited to witness the nailbiting match at the North Sydney Oval. The club put on a great performance on and off the field. The sea of red and black was a true testament to the strong and vibrant community supporting its local rugby league teams. I acknowledge the work of Sydney Rugby Union and, in particular, David Begg, for supporting local rugby clubs. The spirit of community that a vibrant sporting culture creates is an integral part of any local culture. The Berejiklian Government is committed to fostering and supporting that spirit. With this ethos in mind, the new community grants scheme for sporting clubs has recently opened, giving local sporting clubs across the State, including in the North Shore community, an opportunity to apply for funding to improve their facilities and expand their services.

These grants aim to increase regular and ongoing participation in sport and active recreation. I encourage my local incorporated not-for-profit sport clubs to apply for grants before 6 October so they can have an opportunity to fulfil different projects such as sports club development, which includes training for coaches and officials; community sports events, which promotes participation in sport and physical activity; sports access, which provides funding for uniforms and equipment; and facility development, which improves existing facilities and also assists in the establishment of new ones. I have encouraged all of the local sporting clubs to prepare

a proposal and apply for funding because we want to ensure that our community makes the decisions about how it benefits from the funding proposals. With opportunities like these, and such passionate local sporting clubs in North Shore, our culture and community is only moving from strength to strength. To all the clubs that have just finished their winter sporting season I say congratulations, and to all the volunteers, referees, club members, players and supporters that make local sport a reality thank you. We cannot wait for the brilliant season ahead.

WILLIAMTOWN LAND CONTAMINATION

Ms KATE WASHINGTON (Port Stephens) (16:49): It has now been more than two years since the residents of Williamtown, Salt Ash and Fullerton Cove were told that the surface water and groundwater on and beneath their properties is contaminated by chemicals which were used on the RAAF Base Williamtown for roughly 30 years in firefighting foams. The residents were the last to know about the contamination, with the Federal, State and local governments all being aware well before it was revealed to residents. Hunter Water embargoed two of its bores because of the contamination more than a year before residents were told. The Environment Protection Authority [EPA] first received notification in 2010 from Defence that contamination was leaving the base. But the public was not informed until late 2015, and so residents continued to draw water from their own bores completely unaware that it posed a risk to their health.

From the outset, there has been a sense of deep betrayal by State and Federal agencies. Two years on, the betrayal continues. It has been two years since residents were told and the State and Federal governments still cannot sort out who is responsible for what. Two years on and the sickening buck-passing continues at the expense of residents who are anxious and desperate for solutions. Two years on and the agencies doggedly hold onto an arbitrary red line which supposedly clarifies the area affected by contamination. Yet we know that residents who live outside the red zone have test results that show 10 times the national average of poly-fluoroalkyl substances [PFAS] in their blood.

In budget estimates recently, Barry Buffier, the Chair and Chief Executive Officer of the NSW Environment Protection Authority answered questions in relation to the Williamtown contamination. The Hon. Penny Sharpe, my good colleague and shadow Minister for the Environment, asked Mr Buffier what the EPA is doing to test outside of the red zone, in light of the elevated blood test results. Mr Buffier responded unhelpfully, "What I would point out to you is that the polluter in Williamtown is Defence." So the residents turned to Federal Senator James McGrath, who has been charged with the responsibility of heading up a new Federal PFAS taskforce. They raised the same issue with him about residents living outside the red zone who have elevated levels of the toxins in their blood. What was the Senator's response this week? He replied, "The matter you have raised falls under the responsibility of the NSW EPA."

So that is how residents who are living outside the red zone, with significantly elevated levels of PFAS in their system, are being treated by the State and Federal governments. The buck-passing is simply disgusting. And I have to say, the engagement and response to this issue by the Minister for the Environment, the Hon. Gabrielle Upton, has been nothing short of appalling. To date, she has chosen not to visit the affected site nor meet with any of the affected residents. And neither did her predecessor. This is where we are at: two years since my community was told of contamination leaving the RAAF Base and at least five years since both levels of government were aware, the buck-passing continues.

But the story gets much worse. Residents living on the other side of the red line had been given advice that everything was okay, that they could eat their eggs and vegies, and that they had nothing to worry about. This is advice that was given by the NSW EPA to residents outside the red zone. Those residents have since learnt that they have elevated levels of contamination in their blood. With at least 50 people now known to have had or currently have a form of cancer within a relatively unpopulated five kilometre stretch of road over the past 15 years, it is getting increasingly difficult to believe that there is not a correlation between the contamination leaving the base and those cancers.

As if the State and Federal response to date was not sickening enough, we know, and Barry Buffier confirmed at budget estimates, that the contamination continues to flow from the RAAF base onto surrounding properties. Let me make it clear, this is not a blind demand to expand the red zone. We want solutions for everyone affected and not blind ignorance in an effort to minimise liability. On behalf of the residents who are impacted by the contamination, I demand that the EPA simply does its job, which is to protect the environment and people. We understand that Defence has responsibility for its own land. But as soon as it is not Defence land where my community live, responding to and managing population incidents lies squarely within the remit of the EPA. That is undeniable. Frankly, my community is sick of the buck-passing and ducking responsibility in an effort to minimise liability. Now we wear red ribbons in support of the people living in and around the red zone. People across my community are putting on their red ribbons because, goodness knows, this Government and the Federal Government are providing no support whatsoever.

YAEGL PEOPLE NATIVE TITLE

Mr CHRISTOPHER GULAPTIS (Clarence) (16:54): I have a good-news story. I inform the House of the momentous decision of the Federal Court to grant native title to the intertidal zone up to 200 metres out to sea from Woody Head in the north to Wooli in the south to the Yaegl people in my electorate of Clarence. This is a first in New South Wales. I commend the court for its decision and congratulate the claimants on their persistence and dedication to making this dream come true. They lodged their claim in 2015, and on 31 August 2017 Justice Jayne Jagot granted native title when the Federal Court sat at Pilot Hill, Yamba. I felt very privileged to be there together with hundreds of others when the decision was handed down. The smiles and jubilation was infectious. Justice Jagot said, "They are all proud Yaegl people ..." when she described those who had provided evidence on which she based her decision "... saltwater people, living their culture and passing it on to the younger generation." She went on to say:

Today, the law of Australia acknowledges and recognises that the waters offshore and surrounding the Dirrangun are also Yaegl country—astonishingly beautiful Yaegl country if I may say.

Two years ago Yaegl people were granted native title rights and interests in the land which they had previously claimed in 2015 and on 31 August 2017 the Yaegl people were granted their seaward claim. Justice Jagot went on to say:

The evidence of the Yaegl people in support of their claims ... filed with the court shows how the sea forms a part of their lives, permeates their culture and is an integral part of their rich traditional customs or laws: explaining how the landscape was created and how it must be treated and cherished for all time.

The decision means that Yaegl people have the right to access, to remain on and to traverse those areas; to access resources in those areas and to take, use, share, offer and exchange resources, including traditional trade, in those areas for non-commercial purposes; to maintain and to protect places, objects and areas of importance or significance under traditional laws and customs on those areas; and to be accompanied by others on those areas. The native title rights and interests will coexist with the legal rights of others, including fisherman with fishing licences and members of the public who access and use the area. The Yaegl people's native title rights and interests will be held by the Yaegl Traditional Owners Aboriginal Corporation on behalf of the Yaegl people.

I knew it was going to be a big occasion as soon as I approached Pilot Hill. I had to park hundreds of metres away from the venue and when I arrived there were hundreds of people gathered. I could not but be caught up in the wonderful atmosphere. All had happy faces and smiles and the kids were running around having a great time. The Yaegl elders were very proud and happy and took front-row seats in the giant marquis on Pilot Hill. The broader community was also represented by the Clarence Valley mayor and general manager as well as former Federal member and New South Wales Minister Harry Woods. We were all proud of this decision. We knew it was the right decision.

To my mind this was real reconciliation. This gave true meaning to Welcome to Country and was not tokenistic. We cannot change history but we can right the injustices of the past by recognising Native Title and Aboriginal land claims. We need to acknowledge the culture of our Indigenous people and we are doing that by teaching language and culture at our schools, by recognising significant cultural sites in our planning processes, and by training and employing aboriginal people to work on significant infrastructure projects. That is certainly happening on the Pacific Highway upgrade, which has a substantial Aboriginal workforce.

This relationship is reciprocated by the Indigenous nations whose traditional land is along the Pacific Highway upgrade route. They have held smoking ceremonies at site offices so that the highway workers can acknowledge the heritage of the land they are working on. This represents a mutual respect of two very different cultures and is very important to Aboriginal people, who certainly did not get that respect in the past. This is a practical and honest way to shape our future, recognise the injustices of the past and work towards providing respect and equal opportunities to our Indigenous and non-Indigenous people.

The DEPUTY SPEAKER: I compliment the member for Clarence on his private member's statement relating to the Yaegl people's declaration. On 29 August at Tabulam, following years of fighting and hard work by the elders, the Western Bundjalung nation also had its area declared. It was a memorable day. I agree with everything the member for Clarence said. Mary Torrens entrusted me with a coolamon and clap sticks to present to the Premier in recognition of all government departments that worked to ensure that the claim could be made. I know the Premier very much appreciated that token.

DUBBO THEATRE COMPANY SIXTIETH ANNIVERSARY

Mr TROY GRANT (Dubbo—Minister for Police, and Minister for Emergency Services) (17:00): I offer my sincere and warm congratulations to the Dubbo Theatre Company on its sixtieth anniversary and thank its members for their contribution to arts and culture in our region. The Dubbo Theatre Company celebrated its

recent milestone with an encore performance showcasing some of the 169 productions that the company has performed in its 60 years. People might hold a stereotypical view that a western country town such as Dubbo does not have an artistic and cultural soul. Nothing could be further from the truth. We have a rich artistic and cultural tradition. We particularly love the performing arts, and there are few better at putting on a production than the Dubbo Theatre Company.

The Dubbo Theatre Company started out as the Dubbo Amateur Theatre Group in 1957. Formed by a reading group known as the Trinity Players, the company has played an important role in the social history of our area. To put it in context, 1957 was just a year after Bruce Gyngell uttered the famous words "Good evening, and welcome to television" on Channel 9. Mainstream television was still a few years away from regional areas and groups such as the Dubbo Theatre Company gave people a reason to socialise, interact and perform. It has done that extraordinarily well over its 60 years. The company has been very active in performing an extensive list of shows. It began with a bang that was followed by some lean years in the late 1960s when regional television took hold; however, from 1970 onwards the company blossomed and it has not looked back.

On this milestone occasion it is appropriate that I recognise the founding members of the company. I particularly acknowledge Joyce Schneider, whose drive and energy helped to establish the excellent Dubbo Regional Theatre where the company now performs. The Dubbo community was at first sceptical about the theatre and the significant investment it would require. To its great credit, the council persevered and wisely invested ratepayers' money in what is a magnificent facility. No State or Federal money was used. The theatre has been an outstanding success and hosted performances by Opera Australia, the Australian Ballet, the Sydney Symphony Orchestra, Bell Shakespeare and many other professional groups. Many famous singers and actors have performed there. When I was Minister for the Arts people often told me that there was no better stage, fly system or green room in New South Wales. Individuals from the Dubbo Theatre Company played an integral role in making sure that a facility of such high quality was built in our region. It is having an enormous benefit.

During its history the company has honoured those who have made a significant contribution by awarding the Bruce Gordon trophy. In 1998 Bruce Gordon passed away following a 40-year contribution to the company and each year a trophy is awarded in his name to a member who has excelled in any area of endeavour with the company. A wonderful list of local performers and actors have contributed to the Dubbo Theatre Company. Every community needs diversity in its sporting and cultural offerings. I am extraordinarily grateful to the Dubbo Theatre Company for filling a special place in the cultural life of Dubbo and in the hearts and minds of all residents.

SEVEN HILLS ELECTORATE INDIAN AUSTRALIAN COMMUNITY

Mr MARK TAYLOR (Seven Hills) (17:05): Seven Hills is home to people from many cultures and heritages. Today I recognise the wonderful Indian Australian community, which is supported in the Seven Hills area by many organisations including the Council of Indian Australians. On Saturday 12 August I was fortunate enough to celebrate the Anniversary India Day Dinner, hosted by Premier Gladys Berejiklian at Bowman Hall in Blacktown. The good member for Parramatta was also in attendance. The dinner was an extravagant event with great performances showcasing the incredible cultural diversity of Indian Australians. The event also allowed many community members to network and raise money for charity.

The Council of Indian Australians was established in 2011 and aims to work as a representative body for the community at local, State and Federal levels. The council works to promote Indian Australian cultural relations across our community. It assists many Indian Australians with employment, education and justice issues. Furthermore, the council regularly hosts community events, bringing together leaders and government to promote various causes. The council believes in integration and participation of Indian Australians in the general community and advocates for a more open and inclusive multicultural Australia. Recently, the New South Wales Government supported the Council of Indian Australians with a \$2,000 grant to assist it to acquire banners, chairs, tables, printers and other equipment to help deliver support services to the communities it serves.

On Sunday 20 August I attended the United Indian Associations Inc. 2017 India Australia Friendship Fair at Blacktown Showground. The United Indian Associations Inc. is another organisation supporting India-Australia relations in New South Wales. Specifically, the association represents various linguistic and regional associations to promote harmonious relationships amongst Australians and the flourishing Indian Australian community. It does this through sporting ventures, social interaction, recreation and voluntary activities. The friendship fair was a great success and certainly demonstrated the association's values in action.

The annual fair aims to increase social interaction and engagement with the general community. The United Indian Associations Inc. is one of the channels of communication between the Indian Australian community and the Commonwealth and New South Wales governments. It advocates on welfare, social and economic matters affecting the community. Its other aims are to celebrate cultural events and activities.

Additionally, it hopes to develop and maintain a community sports and recreation centre in New South Wales for the use and benefit of their members and the wider community.

An important time of the year is about to occur for the Indian Australian community—namely, Deepavali festivals will be held from early to mid-October throughout Western Sydney. I note that the Council of Indian Australians is holding a celebration of Deepavali on 7 October at Harris Park and a weekend-long celebration hosted by the Hindu Council of Australia in Parramatta Park on 14 October and 15 October. The member for Parramatta and I will be joining in celebrations with that fantastic community. Deepavali means "row of lights". Deepavali is the festival of lights and is the most widely celebrated Indian event in Australia and around the world.

The history of Deepavali dates back to ancient India and symbolises the victory of "good over evil, light over darkness and knowledge over ignorance". I also take this opportunity to thank the Minister for Multiculturalism, Mr Ray Williams, for his continuous and ongoing support for migrants in the Seven Hills community. The Minister has deep connections with the different cultural groups in Seven Hills and I regularly receive very positive feedback from those groups following his visits. He is always around and I commend the valuable work the Minister is doing in his portfolio in the electorate of Seven Hills.

Dr GEOFF LEE (Parramatta) (17:10): I congratulate the Australian Indian community on its productive contribution to making Australia such a wonderful place and I commend the member for Seven Hills for bringing this important private member's statement to the attention of the House. I commend also the Assistant Speaker for his renowned work in the Sikh community in Coffs Harbour and Australia. I congratulate president Mohit Kumar and the Council of Indian Australians [CIA] and all the volunteers for the wonderful evening at Bowman Hall to raise much-needed funds for the community. The CIA does great work in promoting harmony and diversity in our multicultural society. Finally, I wish everyone all the best for Deepavali and I encourage people to visit Harris Park to enjoy the festivities.

SYDENHAM TO BANKSTOWN URBAN RENEWAL CORRIDOR STRATEGY

Mr JIHAD DIB (Lakemba) (17:11): In the past year, I have had many residents share with me their concerns about the proposed Sydenham to Bankstown Urban Renewal Corridor Strategy. I have also had many people share with me their visions, suggestions and recommendations about the future of our community and, as their local member, I am obliged to raise their concerns. My electorate of Lakemba in the growing south-west Sydney region has some of the most diverse suburbs in Australia and residents have lower household incomes compared to the rest of Sydney. With this comes a different set of urgent priorities such as affordable housing and greater access to jobs and services. Access to and the expansion of access to improved transport, social infrastructure and green space are further critical issues that local people have raised with me. I speak to those issues tonight.

Currently, there are no affordable housing targets in the proposed plans and newly built apartments will be more expensive than the older ones. That could mean the new properties will potentially be unaffordable for residents who already live in these suburbs, as well as for those who want to access the housing market. Property prices have skyrocketed across Sydney. Property values have increased in Punchbowl, Wiley Park and Lakemba and there is no guarantee that the proposed rezoning and housing supply will result in property becoming more affordable. I call on the Department of Planning to take the necessary steps to ensure that affordable housing targets are created and that low- and middle-income earners have an opportunity to purchase entry level properties along the corridor. Young people and families should also be given the opportunity to buy a property in areas where they grew up or are closely connected to.

We have detailed plans for 35,400 new dwellings. The most recently released environmental impact statement [EIS] talks about a capacity of 50,000 to 90,000 new dwellings, yet there is no clear and serious plan for required social infrastructure. Our local schools are currently operating at or over capacity. This should be taken into consideration by the Education and Planning departments before plans are put in place to increase dwellings and, in turn, the population to more than 100,000 people in the corridor. According to a social infrastructure report of the Department of Planning in 2015, we will need 36 new primary schools and 12 high schools along the corridor to meet that requirement and the Canterbury and Bankstown hospitals, which are already under strain, will need an additional 177 hospital beds. I repeat, currently there are no plans and there is no demarcated space for new hospitals or expansion of resources like ambulance stations to meet the demands of the projected increased population. No new fire stations, police stations, childcare centres and aged-care facilities have been identified in this plan—other than to say they will be needed. Where will they be put? Surely that should be first.

Our roads and residential streets already suffer from huge congestion. The Government has not attempted to improve our roads or to commit to more public transport options. We hear about the Metro service but there has to be more than that, and the train line will have to be ripped up to build the Metro. I call on the Government

to provide more accessible public transport options and improvements in linking the north and the south of my electorate. Everywhere one looks the area is congested—whether on Stacey Street, King Georges, Belmore or Canterbury roads one cannot move. There is no guarantee—no matter how much the Government agrees—that people living in high- and medium-rise dwellings will opt to not own a car. Ensuring these new developments have ample off-street parking options must be a priority and a consideration when determining the rezoning of streets around railway stations.

There is also a lack of identified pockets of green space, but we have heard about linear parks. Linear parks are a green walkway; they are not an active space. If people cannot have a game of cricket or football then it is not a park. A park has to be big enough to throw a frisbee or to do something. We need active space where the local soccer, cricket, football and netball clubs can play sport. Residents are uncertain about this; it is being rushed. In conclusion, I will list my main concerns: discrepancies and confusion about the draft publications; no clear strategy for delivering affordable housing; no newly identified spaces for social infrastructure; increases in traffic and no improved public transport options; no newly identified green spaces or guaranteed prioritising of environmental concerns; and impacts to residential properties. I call on the Department of Planning and Environment to pause the progress of this strategy and release plans that demarcate space for vital infrastructure needs.

PARRAMATTA ELECTORATE ACHIEVEMENTS

Dr GEOFF LEE (Parramatta) (17:16): Tonight I acknowledge some of the wonderful organisations and events in my electorate of Parramatta. I begin by congratulating the North Rocks Carlingford Little Athletics Centre on receiving the 2017 Community Club of the Year award. Little Athletics was nominated for its outstanding recent initiative to have a dedicated special needs group. I commend the efforts of President Fergus Tilt and Vice President Ben Waldron. I also take this opportunity to recognise the achievements of former president Garry Dennis, who served commendably for five years, and all the volunteers and parents who work so hard each weekend to make this such a successful club.

Little Athletics benefits many local kids who enjoy the fun and exercise that come from outdoor activity. The tremendous efforts of the club volunteers are much appreciated. I also acknowledge the club's successful New South Wales Government grant applications, which have provided uniforms, a defibrillator and improvements to the club's grounds and I look forward to working with them to build a new clubhouse. I also acknowledge the Cumberland Women's Health Centre [CWHC] at Harris Park. Manager Salma la Baz and her team do a wonderful job. The centre, which is a not-for-profit community-based organisation, was established 26 years ago to provide women's health services and domestic violence specialist response services to women in the Parramatta, Holroyd, Auburn and Hills areas.

Initially the CWHC was known as the Cumberland Women's Health Association. A group of local women and representatives from different organisations in the Parramatta, Holroyd and Baulkham Hills areas were concerned about the gaps in service provision for women's health and the association was formed on 15 December 1986 at a meeting for the Western Sydney Area Assistance Scheme. When the centre first started in the early 1990s, it focused on providing services to oppose violence towards women, particularly domestic violence, support for new and emerging groups within the community, and activities for the elderly. These were recognised as areas where there were gaps in service provision, especially the provision of crisis assistance in the four Cumberland regions, and they remain the focus of the centre.

The Cumberland Women's Health Centre is a truly community-based and grounded organisation and I congratulate it on its successful funding application for more than \$300,000 for a number of years. I thank the Minister for Health for his commitment to Cumberland Women's Health Centre. Tonight I recognise the good work of the Gujarati Brahman Samaj of NSW Inc. [GBS]. GBS is committed to giving back to the community and in its short history it has hosted several successful fundraising campaigns. In 2011, GBS raised more than \$10,000 for the Queensland Flood Relief Appeal and in 2012 it raised more than \$5,000 for the Children's Hospital at Westmead.

In April 2013 GBS held a charity fundraiser and donated more than \$5,000 to the Matthew Talbot Homeless Services; and in October 2013, GBS organised another charity event, raising more than \$3,000 for beyondblue. This is truly an organisation that looks after people in need. Further, in 2014, GBS raised more than \$5,000 for Smarpan Inc., an organisation supporting children with special needs; in 2015, GBS raised more than \$5,000 for Cystic Fibrosis NSW; and in 2015 it raised much-needed funds for Vaishnav Sangh of Sydney. GBS has organised a fundraiser for the Motor Neurone Disease Association of NSW, to be held later this month.

The fundraiser will be a traditional Indian dance and music event known as the Indian Garba dance, to celebrate the important Hindu festival of Navratri, which signifies love and blessings by the Mother Goddess Durga. I congratulate all the volunteers and the organising committee. I specifically mention the president, Dr Sunil

Vyas; the vice president, Mukesh Pandya; the secretary, Ajay Trivedi; and the treasurer, Arjun Mehta, for their important work and their leadership, and I thank all the committee for putting on such important events to raise much-needed funds for the community.

TRIBUTE TO VICKI SCOTT

Mr DAVID MEHAN (The Entrance) (17:21): Tonight I pay tribute to Vicki Scott, who was a Labor-elected councillor on Gosford City Council from 2004, serving three terms until the council was dismissed in 2016 prior to the amalgamation of that council with Wyong council to form the Central Coast Council. Vicki has left a tremendously positive legacy from her term on council. She is well regarded in the community for her advocacy for a playground strategy in that part of the Central Coast. She chaired a committee on that strategy until 2016 and she was pleased to see 35 new and improved playgrounds delivered during her time as chair.

She co-founded the Status of Women Committee on Gosford City Council—the first of its kind in New South Wales—and was its chair between 2007 and 2016. The committee inaugurated the observance of International Women's Day on the Central Coast, which is now an annual and well-attended event and part of our community calendar. She was also a noted progressive voice on council in relation to staffing matters and was pivotal in seeing parental leave and domestic violence leave given to staff on that council, despite Labor only ever holding two seats, and never a majority, on Gosford City Council.

One of her last and most notable campaigns was against the attempted sell-off of public land by an outgoing and missed-by-nobody general manager who attempted to sell off a large number of parcels of public land owned by Gosford City Council. Vicki was instrumental in opposing that sell-off. I gladly assisted her in that and in doing so we preserved a large number of parks that had been set aside for community recreation. Vicki's contribution to the life of the Central Coast through her work on the council was positive and she leaves a lasting legacy there.

Vicki was honoured to have received the McKell Award last year. She also received the State Government's Women in Local Government Award 2012 in the Elected Representative—Metropolitan category. Her community service is wide. For 18 years she was on the State board of the New South Wales Parents and Citizens Federation and she is currently on the board of Coast Shelter and Kids Day Out and chairs the Gosford Community Services board. Vicki deserves the thanks of the entire Central Coast community. She has left a legacy of achievement by achieving progressive change and improvement from a minority position on Gosford City Council. She is an example to us all in the Labor movement of what can be done from a minority position. On behalf of the Central Coast, I thank her for her service, and on behalf of this place, I thank her for her services to the community.

HILLS BASKETBALL ASSOCIATION

Mr RAY WILLIAMS (Castle Hill—Minister for Multiculturalism, and Minister for Disability Services) (17:25): Basketball is the second largest participation sport in Australia. There are now more than 400,000 registered basketball players across our country, with an estimated 350,000 who play socially. Basketball is truly everyone's game. It is a game that can be played by anybody, regardless of gender or age, and includes players who are able-bodied and players with disability. Along with the players, there are many thousands of volunteers who are regular coaches, referees, statisticians, scorekeepers, officials and administrators.

With more than 3,900 registered players, Hills Basketball Association in my electorate has become the second largest basketball association in New South Wales. The growth of this sport in Castle Hill has been nothing short of astounding, with thousands of our local residents utilising the Hills Sports Stadium every week. The existing facility hosts more than 8,000 visitors each week, including 480 local competition teams and 27 representative teams. There are 700 people registered for weekly Hornets Academy skills sessions, with plans underway to expand this program as new courts come on line, with a target of almost 1,000 participants by 2018. The association had outgrown the current stadium and, with Government grant support, the \$4.3 million extension is almost complete. It will enable the association and the Hills Hornets club to meet the demands of the thousands who participate in the sport weekly.

The expansion will increase the number of full-size courts to six, which will equal that of Penrith, which currently has the largest basketball facility in New South Wales. There will be a 500-seat grandstand on the new show court, a refurbished entrance, an expanded foyer and canteen, a purpose-built first aid room, a new outdoor area, new storerooms, a new room for referees and academy coaches, as well as a new training and function room. Everyone at Hills Basketball is beyond excited as this is a project literally years in the planning and one that is needed desperately, given the waiting lists for competitions and development programs.

Even though the venue has struggled with capacity, Hills Basketball Association has continued to be a trailblazer in the sport, and has made a huge impact in the local community and beyond. The association has sourced extra courts in the local area to ensure games can be played, and it has talked to local schools about partnering with them to upgrade more basketball courts to further grow the sport. Under the incredible leadership of Mr Steve Burke, general manager, who must take much of the credit, Hills Basketball Association also conducts a wide range of innovative training programs, various camps, extensive school programs and programs for people with a disability and is keen to further promote the sport from a multicultural perspective. For example, this month Hills Basketball Association will conduct the annual North West Schools Challenge for primary school children in years 3 to 6, which will once again operate with capacity numbers.

Hills Basketball Association also developed the pioneering "I Am A Girl" campaign, which encourages women not only to play basketball but to take on leadership roles within the sport. Hills Basketball boasts an incredible number of women in its association. Approximately 33 per cent of all players in the association are female, with a staggering 45 per cent in representative teams. Forty per cent of Hills Basketball Association's referees are also women. The I Am A Girl campaign was recently adopted by Basketball NSW and aims to provide a marketing platform to further encourage females of all ages to play, referee, coach, officiate and administrate basketball. It is an amazing program that provides pathways for and assists in the development of female role models. Hills Basketball Association has proved it can be done, and that it can be done successfully. The program is now being rolled out through clubs and associations across New South Wales.

From a competitive perspective, Hills Basketball Association is hard to beat. With the season starting to wind down, there are only State championships and State cups remaining. Two of the five senior teams and 12 of 20 junior teams made the finals, with seven Hills Basketball Association teams competing in the grand finals last weekend. The end result was 12 Boys 1, 12 Boys 3, 14 Boys 3, and 18 Girls 2 winning Metropolitan Junior League titles. They have two teams heading to State Championships Division 1 and three teams off to State Cup Division 2 in coming weeks and I wish them all very well.

In supporting organisation like Hills Basketball, the New South Wales Government is supporting a vibrant part of the local community and providing the opportunity to promote healthy activities for our young people. Once the new Hills Basketball Stadium opens it will become the crown jewel of sports facilities in the Castle Hill area. I invite everyone to visit this stadium to see first-hand what can be done to expand an existing venue into a state-of-the-art facility that is purpose-built to meet growing demand. I congratulate the Hills Basketball Association on the incredible work it has done over the years in leading, supporting and growing this sport. As the second largest association in New South Wales, it leads by example. Its reputation is of the highest standard and it is renowned for proactively and positively addressing issues that others may perceive as obstacles. It has created incredible opportunities and pathways for more young people to participate in sport in my electorate of Castle Hill. Well done to everyone at Hills Basketball. They deserve all the accolades they receive.

SYLVANVALE DISABILITY SERVICE SEVENTIETH ANNIVERSARY

Mr MARK SPEAKMAN (Cronulla—Attorney General) (17:30): I congratulate Sylvanvale on its seventieth anniversary. Tonight I am privileged to be able to attend Sylvanvale's seventieth anniversary chairman's dinner at Parliament House. This evening will be both a celebration of Sylvanvale's past achievements and an opportunity to look forward to continuing the progress it has made for its clients. Sylvanvale assists those living with a disability by providing them with support services that enable them to reach their goals and achieve their potential by supporting their choices and delivering personalised support. Operating at more than 50 locations across Sydney, Sylvanvale has grown from humble beginnings as a group of families at a church hall in the Sutherland shire.

Sylvanvale began in 1947 as a children's centre at the Sutherland Baptist Church when a group of parents formed an organisation that would improve the quality of life for their children with a disability through education and social inclusion. The organisation continued to grow in the years ahead, expanding its Flora Street centre and opening a boarding house in Kurrajong in 1963. In the decades since, Sylvanvale has expanded across Sydney and the Blue Mountains and now offers a great number of services that assist people with a disability by helping them to learn skills and by providing them with therapy and respite care that supports clients and their families.

Today, Sylvanvale has more than 750 clients, about two-thirds of whom are in the south-eastern Sydney region. Sylvanvale provides services including life skills development, shared living and community participation. Sylvanvale is committed to contributing to a community-wide shift in attitudes to disability, first, by increasing awareness that people with a disability have the same fundamental rights as all Australians; secondly, by ensuring—as far as practicable—that people with a disability have the same right to equality as all Australians; and, thirdly, by supporting self-advocacy and advocating for people with a disability to experience full inclusion in social, economic, sporting and cultural life within their community.

Sylvanvale's successful businesses include Sylvanvale Catering, which supplies functions, meetings and events with a variety of sweet and savoury food and this year celebrates its twenty-fifth year in business. Enterprising Women was formed at Sylvanvale two years ago and is already selling soaps, succulent plants and other handmade goods online and at markets. Although all these programs aim to improve the skills of participants, the variety of programs also recognises the diversity of interests among clients and works to engage them as individuals. These businesses have not only developed skills and training for people with a disability but also increased awareness about Sylvanvale in the community. Key to Sylvanvale's vision is a community that works to support those with a disability to live the life they choose and the success of these businesses exemplifies how the people of the Sutherland shire are helping to empower a wide range of people in pursuing their own goals.

The success of all these programs at Sylvanvale is made possible only through the hard work of its volunteers and staff and support from partnering organisations. I thank the numerous businesses and community groups in the shire that have supported Sylvanvale across 70 years and recognise the important work of this charity. The employees and volunteers across Sylvanvale's facilities are at the heart of the personalised service that has empowered their clients and helped them to reach their goals. I commend Leanne Fretten, chief executive officer of Sylvanvale, Sylvanvale chairman Jeff McCarthy and all the staff and volunteers at Sylvanvale. I commend deputy chairman David Kelly—who has served for more than 15 years in this role—and Lorna Stone, OAM, who served as chairman from 1999 to 2014.

Sylvanvale is eager to expand access to its services as it continues to transition to the National Disability Insurance Scheme [NDIS]. The Commonwealth's investment in the NDIS is estimated to double the size of the disability services market and will encourage personal choice and control for clients at Sylvanvale and people with a disability across New South Wales. The New South Wales Government also funds Sylvanvale with more than \$30 million annually which supports its services and programs including early learning and childcare, day programs and accommodation services. I again congratulate Sylvanvale on its seventieth anniversary and thank it for the immeasurable difference it has made to the lives of its clients and their families.

BOTANY BAY FORESHORE EROSION

Mr STEPHEN KAMPER (Rockdale) (17:35): Tonight I refer to the ongoing issue of erosion along the shores of Botany Bay in my electorate of Rockdale. While report after report has revealed that the causes of erosion along Lady Robinsons Beach are largely related to the dredging of Port Botany bay, unfortunately efforts by the State Government have been inadequate in combating the ongoing destruction of our beaches. It was just 10 years ago that residents and visitors could relax on the beach at Carruthers Drive in Sans Souci. Now water comes up to the road at high tide and many residents who bought into the beachfront lifestyle face flooding on a regular basis. Seawater flows over the seawall and into people's houses during storms and at high tides, which is totally unacceptable.

I last met with Roads and Maritime Services [RMS] in late 2015 regarding its ongoing funding of stop-gap solutions to the erosion and sand movement problems along the Botany Bay foreshore. Our community has given the short-term solutions proposed by Roads and Maritime Services a chance but unfortunately they have proven to be a waste of money. We need a permanent solution, and it is incumbent on the State Government—which receives the benefits of Port Botany—to stump up the cash, make good and take responsibility for the destruction of our beaches caused by the port. Efforts by the RMS over the past few years have largely involved transporting sand from one end of the bay to the other, costing taxpayers around half a million dollars per year. Sadly, this short-term fix has proven to be a case of throwing good money after bad, as the transported sand is washed away within weeks of RMS efforts, even though engineering reports relied on by the RMS stated that this fix would work for most of the year.

Port Botany is a State-significant economic hub, and it is only fair that a small part of that economic benefit flows back to protect and remediate our beautiful natural environment surrounding the bay and particularly our beaches, which provide so much enjoyment to the local community. It is a sad situation to have jetties sitting on sand and water lapping against rocks where there used to be beaches. The entire character of the bay has changed and the State has an obligation to fix this. My community is not asking for a handout from the State, but the fulfilment of the long-standing understanding between the former Rockdale Council, its successor Bayside Council and the State Government that money would be set aside from the profits of Port Botany to deal with the externalities of the port, particularly its impact on water and sand movement within Botany Bay.

While eight groynes were provided for by the State Government in 1997 as part of the restoration of the foreshore, in recent years repairs have not kept up with damage caused by waves and storm surges and many of these are badly in need of repair and expansion. Furthermore, we need additional groynes which comply with the modern understanding of wave movements and sand retention techniques to prevent the total disappearance of our beaches along Botany Bay. It should not fall to the local council to deal with a State government issue. It is vital that this issue receives the Minister's immediate attention before further damage is done or, worse still, the

existing groynes are allowed to collapse, not only accelerating the rate of damage but also incurring massive additional costs in their replacement.

The erosion that has been allowed to occur is a serious safety issue, with a drowning and several near drownings occurring in recent years. Because of the massive foreshore sand movements that occur, there are dramatic drops from shallow water into deep channels with strong currents around the Dolls Point and Sans Souci areas of the beach. These led to the tragic death of Ayman Ksebe back in 2013 at Dolls Point and several near misses since. Even strong swimmers have reported the dangers of these channels to me and if Kalymnian divers such as Ross Tsounias from famed Kalymnian sponge-diving stock believe this to be dangerous, what hope do inexperienced swimmers and children have? We must protect our community and our environment from the impacts of the port on the foreshore of Botany Bay. I ask the Minister and Roads and Maritime Services to engage with Bayside Council and me to get this issue under control once and for all. Enough is enough. We need to take action now before our foreshore is lost to us forever.

Matter of Public Importance

JEWISH NEW YEAR

Ms GABRIELLE UPTON (Vaucluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (17:40): I thank the House for the opportunity in this matter of public importance to speak about Rosh Hashanah. It is a pleasure to send my best wishes to members of the Jewish Australian community who are celebrating Rosh Hashanah, the traditional Jewish New Year. Rosh Hashanah means "the head of the year" in Hebrew. It is a time for giving thanks, reflecting on the past and looking ahead to the coming year. It marks the beginning of a new cycle and symbolises new beginnings and hope. It is also a time where the value of family, friends and community is reaffirmed—values that are important to all of us.

Rosh Hashanah also marks the first day of the Ten Days of Repentance where Jewish people acknowledge their sins of the previous year and are judged for their sins by God. The central observance of Rosh Hashanah is the sounding of the shofar, the ram's horn, on both days of the holiday. As with every major Jewish holiday, women and girls light candles on each evening of Rosh Hashanah and recite blessings. Many Jews in my electorate of Vaucluse will attend the Dover Heights Shule, the Central Synagogue in Bondi Junction, Bondi Mizrahi Synagogue and Emanuel Synagogue in Woollahra, to name a few. Much of the day is spent in the shule or synagogue where the Jews pray that God will grant them a sweet new year. Rosh Hashanah includes eating festive meals such as the bread traditionally baked into round challah loaves, often sprinkled with raisins and dipped in honey, slices of apple dipped in honey, pomegranates and sweet carrot-based dishes. On the second night of the holiday people break bread. They dip it in honey and then they eat a "new fruit", something they have not tasted since the last time it was in season.

The Jewish people share a deep historical bond with New South Wales. They were amongst those on the First Fleet arriving in Sydney on 26 January 1788. They are and continue to be an integral part of our community. They are represented historically, currently and I am sure will be in the future, at the highest levels in business, academia, the arts and government. Since World War II, Jewish people have come in great numbers to New South Wales from all over the world. It is this level of immigration that has made our local Jewish community so strong today. There was also the more recent wave of immigration from South Africa. New South Wales is now home to nearly 37,000 people who follow the Jewish faith in all its diverse strands.

In my electorate of Vaucluse, where the largest and most diverse Jewish community in New South Wales resides, I see this contribution daily across a range of areas making a positive impact on the local community. The Jewish community has always been part of the fabric of my life. My mother was a Catholic. When she was a young schoolteacher in the 1950s, rather than going to a Catholic teachers college she made her way to Sydney Teachers College. At that secular teachers college many young Jewish women also were seeking tuition to become teachers in our public school system. The children of those women became my closest childhood friends. My first venture overseas when I was 23 years of age was to visit Israel with a Jewish friend.

I stayed in Petah Tikva with an Israeli family. I learned very early in my life the security threats to Israelis living so close to the West Bank. The New South Wales Government is proud of the Jewish commitment to our community, to social harmony and interface dialogue. It was in that vein that in 2011 I was pleased and proud to re-establish and launch the bipartisan group NSW Parliamentary Friends of Israel. In 2013 in that leadership role I was honoured to lead an inaugural member of Parliament mission to Israel, joined by 10 other parliamentary friends from all sides of politics.

My relationship with the Jewish community continues, as does the relationship with all members of the New South Wales Parliament. We have made a contribution to the Jewish community through funding various projects. I wish everybody a happy Rosh Hashanah and I wish them all the best for a peaceful and harmonious

year ahead. May everyone have a good year. New South Wales is a diverse community. The large Jewish community in my electorate makes a contribution that far outweighs its numbers. I send my best greetings to that community on Rosh Hashanah.

Mr JIHAD DIB (Lakemba) (17:45): It is a pleasure to contribute to this excellent matter of public importance. I acknowledge a colleague who cannot be present in the Chamber because he is participating in the celebration of Rosh Hashanah—Ron Hoenig and with his wife, Christine, and their families. I wish them all the best for this holy time. As the Minister has stated, this is an important time of the year for the Jewish community. It is start of the Jewish New Year. It is not so much about wishing people a happy new year as much as good luck in sealing what was a good year and hopefully what will be good in the coming year. It is about making the decision to be the best person one can be and sealing off the good year.

The value of faith, culture and family is probably never seen more than during these special times. I am not of the Jewish faith but I have had an enormous amount to do with the Jewish community. We live in a wonderful country where a member of Parliament of Islamic faith can speak about such experience. Such a thing would be impossible in certain parts of the world. It speaks volumes that such a thing is possible in this country. The Minister spoke about what happens during Rosh Hashanah. It is the traditional anniversary of the creation of Adam and Eve, with obviously prayers in the synagogue, hearing the sounding of the shofar, which is the hollowed out ram's horn to signify a call for repentance, as well as the lighting of candles. Many cultures have similar traditions and customs. It is important that we do not lose such traditions and customs as they are the touchstone that brings people together.

This is not necessarily about celebrating the year but preparing for the year ahead; it is about repenting, doing good deeds and, more significantly in this day and age when we seem to be time poor, it is an opportunity for friends and family to get together to enjoy each other's company, share a meal and pray together. It is about reconnecting with one another. It is about following these customs and traditions that are thousands and thousands of years old, whether it is washing away one's sins in a body of water, completing the readings from the *Torah*, eating a meal together of hollowed-out bread, traditional loaves of challah dipped in honey; the food symbolic at different times. There is a lot to be said about doing things the right way.

I have talked in this place about multicultural Australia but I want to mention something briefly that I have spoken about before. When I was the principal of Punchbowl Boys High School the school started a program—I am pleased that the Jewish Board of Deputies has continued the program—called the shared table project. We had an ongoing program of mums cooking with one another. A bunch of Muslim mums, some of them with a Palestinian background, came to the school on Tuesdays, which was sports day, to work with the Jewish mums from Israel and other parts of the world, and vice versa. That is what building bridges is all about. It is understanding things that are important to different cultural and religious groups and wishing each other all the best for special occasions. As I have said on a number of occasions, we are all people.

People come in different colours, from different faiths and backgrounds, but we bleed the same and want the same things: to create the best possible society. That is achieved when we get to know each other. I acknowledge Rabbi Zalman Kastel with whom I worked on the Together for Humanity Foundation. He is a dear man and friend of mine. I have enormous respect for Earnie Friedlander, OAM. His personal life story is about a new start following the holocaust; he is an amazing man. The Harmony Walk is an initiative of the Moving Forward Together Association. Vic and Nadine Alhadeff work on the Jewish Board of Deputies and I served with David Holl, on the Community Relations Commission. We would often talk and they always took the time to wish me and my family the best during Ramadan or Eid. While standing in the oldest Parliament in Australia I wish my friends in the Jewish community *l'shanah tovah*.

Ms FELICITY WILSON (North Shore) (17:50): I wish to contribute to this matter of public importance on Rosh Hashanah. I commend the member for Vacluse for raising this matter of public importance. It is a pleasure to send my best wishes to members of the Jewish Australian community who are celebrating Rosh Hashanah, the traditional Jewish New Year. New South Wales is now home to nearly 37,000 people who follow the Jewish faith in all its diverse strands. In my community, we have the Cremorne Synagogue that was founded in 1960. It is led by Rabbi Chaim Koncinski and President John Gallo. The Cremorne Synagogue is deeply engaged in our local community and I have had the pleasure of getting to know that community since my election.

Rosh Hashanah is a time for giving thanks, reflecting on the past and looking ahead to the coming year. It marks the beginning of a new cycle and symbolises new beginnings and hope. It is also a time where the value of family, friends and community is reaffirmed. They are values that are important to all of us. Traditional foods such as the challah symbolise completion or fullness, while apples dipped in honey remind people to pray for sweetness and hope. The sounding of the 100 blasts of the shofar reminds people to reflect on penitence and ask for forgiveness. The New South Wales Government is proud of the Jewish community's commitment to social

harmony, interfaith dialogue and peace in Australia. It acknowledges the leadership that Jewish organisations have shown in engaging with the people of New South Wales across cultural and religious lines.

In New South Wales we practice 146 religions, speak 215 languages and descend from 307 ancestries. We are the most culturally diverse nation on earth, yet we are the most socially cohesive and the envy of the world. It is something to be very proud of. This Rosh Hashanah I extend best wishes to all members of the Jewish faith and community across Australia, in particular, those who reside in the North Shore electorate. I acknowledge the work of my colleague the member for Vacluse as a friend to the Jewish community. The Minister has always recognised and acknowledged the importance of the Jewish community and their religious festivals and she continues to do so. I wish everyone a happy Rosh Hashanah and the best for a peaceful and harmonious year ahead. L'shanah tovah, may you have a good year.

Ms GABRIELLE UPTON (Vacluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (17:53): In reply: To bring this discussion and sharing in Parliament to a close, on behalf of the New South Wales Parliament I wish the Jewish community all the very best for Rosh Hashanah, the traditional Jewish new year. It is a time to reflect on the strong relationship which the New South Wales Parliament and the people of New South Wales have had with the Jewish community from the colonisation of New South Wales. The Jewish community were present on the First Fleet and continue that journey with us in all of our challenges and opportunities across the community of New South Wales.

The Jewish community punches above its weight. They lead the interfaith dialogue and have done so for many years. As highlighted by the member for Lakemba, I want to bring to the attention of Parliament a number of organisations and their leadership who continue the work on behalf of the Jewish community and reach out to create an understanding of issues that are challenging for the community. The Jewish Board of Deputies does wonderful work to create interfaith dialogue and understanding across New South Wales through many programs, including the B'nai B'rith, Courage to Care, Kids Helping Kids, Our Big Kitchen, Jewish House and Jewish Care. They are only some of the organisations and leadership that come to mind. If I were to single out their leadership, it would take more time than I am allowed, and I would not want to leave anybody out. So I leave it there.

The Government appreciates the work that the Jewish community does to build understanding through interfaith dialogue. The Government supports the Jewish community with security issues by way of contribution to cameras and the protection of synagogues that may be at risk, securing and building communal facilities within synagogues, and supporting Jewish community outreach organisations such as Jewish House in my electorate and Jewish Care. That support extends to their community and to the community more broadly. It is with those thoughts that I have led the discussion today about Rosh Hashanah. Again, I wish everybody in the Jewish community across New South Wales a happy Rosh Hashanah. May you have a good year and may this Parliament continue to share the strong relationship of the past into the future.

**The House adjourned, pursuant to standing and sessional orders, at 17:56 until
Thursday 21 September 2017 at 10:00.**