New South Wales

Legislative Assembly

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(HANSARD)

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First Session

Wednesday, 11 October 2017

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LEGISLATIVE ASSEMBLY

Wednesday, 11 October 2017

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

The SPEAKER read the prayer and acknowledgement of country.

[*Notices of motions given*.]

Bills

CRIMES (SENTENCING PROCEDURE) AMENDMENT (SENTENCING OPTIONS) BILL 2017

JUSTICE LEGISLATION AMENDMENT (COMMITTALS AND GUILTY PLEAS) BILL 2017

CRIMES (HIGH RISK OFFENDERS) AMENDMENT BILL 2017

First Reading

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

Second Reading

Mr MARK SPEAKMAN (Cronulla—Attorney General) (10:12): I move:

That these bills be now read a second time. The Government is pleased to introduce the Crimes (Sentencing Procedure) Amendment (Sentencing Options) Bill 2017, the Justice Legislation Amendment (Committals and Guilty Pleas) Bill 2017 and the Crimes (High Risk Offenders) Amendment Bill 2017. The Government is committed to a tough and smart criminal justice system that puts community safety first. These bills are an important part of that work. They mark the most significant criminal justice reform agenda seen for many years. The reforms are underpinned by the commitment of $200 million and will achieve a tough and smart justice system in four ways. First, the reforms will change how offenders are sentenced to ensure they are supervised where necessary. Too many offenders are leaving court without supervision, including domestic violence offenders. Too many offenders are not being made to attend the evidence-based programs we offer to reduce their risk of reoffending.

Secondly, a new regime will address indictable offences at the early stage of the justice process by the early appropriate guilty plea reforms. Thirdly, if offenders pose an unacceptable risk to the community upon completing their sentence of imprisonment, the reforms will ensure a more robust scheme enabling post-sentence supervision in the community or detention in a correctional centre of a small cohort of high-risk sex and violent offenders. Fourthly, my colleague the Minister for Corrections will introduce reforms that will implement stronger decision-making regarding parolees and smarter management of them. These reforms are underpinned by evidence about what works and an informed but extensive consultation process. The review of sentencing, parole and early appropriate guilty pleas undertaken by the Law Reform Commission is the foundation of these reforms. On my behalf, the Department of Justice also led a review of the framework governing the post-sentence supervision and detention of high-risk offenders. These reforms and the investment by the Government will change the way we deal with offenders throughout the justice process from the beginning until the end.

I turn first to the Crimes (Sentencing Procedure) Amendment (Sentencing Options) Bill 2017, which will introduce new, tough and smart community sentencing options that will promote community safety by holding offenders accountable and tackling the causes of offending. These reforms build on the Law Reform Commission's comprehensive report into sentencing in 2013. We know from Australian and international research that community supervision, combined with programs that target the causes of crime reduce offending. We know that community supervision is better at reducing reoffending than leaving an offender in the community with no supervision, support or programs. We also know that community supervision is better at reducing reoffending than a short prison sentence.

The Law Reform Commission's report on sentencing showed us that some of our existing community-based sentences are not achieving results. For example, there are significant problems with suspended prison sentences—44 per cent of them are unsupervised and only require offenders to be of good behaviour. In effect, this is a slap on the wrist. Many offenders are not receiving the supervision and programs under a suspended sentence that would compel them to address their offending behaviour in the community. A 2014 study of suspended sentences by the Bureau of Crime Statistics and Research concluded that the earlier reintroduction of suspended sentences in New South Wales had increased rather than reduced the prison population. Other sentences such as home detention orders and intensive correction orders give offenders intensive supervision that tackles their offending behaviour. However, at the moment these orders have structural issues that stop many offenders

with complex needs from accessing these orders and, instead, they are given short prison terms or suspended sentences. These sentencing reforms will help offenders receive the supervision and programs that address their offending behaviour, resulting in less crime and fewer victims.

The bill will replace the current community-based sentences with a new range of community sentencing options. First, we are strengthening the intensive correction order. It will be available for offenders sentenced to up to two years imprisonment and will require all offenders to submit to supervision. As well as mandatory supervision, the intensive correctional order will have a range of additional conditions to help courts ensure that offenders address their offending behaviour and are held accountable. Courts will be required to impose at least one of these additional conditions and may impose further conditions where necessary to support the safe and effective management of the offender in the community. With the new intensive correction order, offenders who would otherwise be unsuitable or unable to work will be able to access intensive supervision as an alternative to a short prison sentence.

Suspended sentences will be abolished as a sentencing option. They do not hold offenders accountable, 44 per cent of them are not supervised and they have been found to increase the New South Wales prison population. Home detention will no longer be a separate sentence. It will be available as an additional condition of the intensive correction order. The same conditions that currently apply to home detention orders will apply to offenders who have a home detention condition on their intensive correction order.

Secondly, the bill will introduce a new community correction order to replace section 9 good behaviour bonds and community service orders. The community correction order will be a more flexible order so that offenders can receive supervision to tackle their offending behaviour and be held accountable. Courts will be able to tailor the sentence to impose a range of conditions. As with the new intensive correction order, where offenders cannot work or where there is limited available work, other conditions can be imposed as part of a community correction order to hold the offender accountable.

Thirdly, we are introducing the conditional release order as a community-based sentence for the lowest level of offending. Like the tougher and more onerous community correction order and intensive correction order, courts will be able to impose optional conditions like supervision and participation in programs, but more onerous conditions like curfews and community service work will not be permitted. Pre-sentence assessment report processes will be streamlined. Courts will be able to receive a single report from which to impose a sentence instead of having to obtain multiple reports. Reports will advise courts about offenders' risks, needs, suitability for work and other relevant details so that they can tailor the conditions of orders to offenders' individual circumstances. There will be a presumption that an offender convicted of a domestic violence offence will receive either a prison term or a supervised order. This reflects and supports the Premier's priority to tackle domestic violence reoffending in New South Wales.

I now turn to the detail of the bill. Schedules 1 and 2 to the bill amend the Crimes (Sentencing Procedure) Act 1999. Schedule 3 to the bill amends the Crimes (Administration of Sentences) Act 1999. These amendments provide for the imposition, administration and revocation of the intensive correction order, community correction order and conditional release order. Schedule 4 to the bill makes consequential amendments to other legislation. Items [6] to [10] in schedule 1 to the bill establish the three new orders and abolish the existing suite of community-based sentences. Item [29] in schedule 1 to the bill amends part 5 of the Crimes (Sentencing Procedure) Act to provide new sentencing procedures for the new intensive correction order.

These orders will be available for offenders sentenced to up to two years imprisonment, except for the following offences: murder, manslaughter, sexual assault, child sexual offences, offences involving the discharge of a firearm, terrorism offences and breaches of serious crime prevention orders and public safety orders. In addition, a court must not impose an intensive correction order for a domestic violence offence unless satisfied that it will adequately protect the victim or any likely co-resident of the offender.

New section 66 of the Crimes (Sentencing Procedure) Act will make community safety the paramount consideration when imposing an intensive correction order on offenders whose conduct would otherwise require them to serve a term of imprisonment. Community safety is not just about incarceration. Imprisonment under two years is commonly not effective at bringing about medium- to long-term behaviour change that reduces reoffending. Evidence shows that community supervision and programs are far more effective at this. That is why new section 66 requires the sentencing court to assess whether imposing an intensive correction order or serving the sentence by way of full-time detention is more likely to address the offender's risk of reoffending.

New section 73 of the Crimes (Sentencing Procedure) Act sets out the standard conditions of the intensive correction order—namely, not to commit an offence and to submit to supervision. All offenders will be required to submit to supervision. Community Corrections uses a risk framework that assigns different levels of intensiveness to each offender's supervision. Offenders who are at high risk of reoffending and have complex

issues are supervised intensively. Supervision for lower-risk offenders is less intensive and may be suspended in appropriate circumstances. The discretion to suspend supervision will be subject to requirements specified in the regulations to ensure that the power is exercised properly and does not go unfettered. New section 73A provides for the additional conditions of the intensive correction order, which will enable courts to tailor the order to hold offenders accountable and to tackle their offending behaviour. Courts will be required to impose at least one of the conditions in new subsection (2) in addition to the standard conditions in section 73, but can set a time limit on how long the order is in force.

New section 81A of the Crimes (Administration of Sentences) Act 1999, contained in item [5] of schedule 3 to the bill, empowers the State Parole Authority to vary the additional conditions of an intensive correction order at any time on the application of the offender or Community Corrections so it can be adjusted to reflect the offender's circumstances. In addition to the standard and additional conditions, new section 73B gives the sentencing court power to impose further conditions on the intensive correction order, which will give courts more flexibility to tailor the order to an individual offender's circumstances. Schedule 3 to the bill contains legislative amendments providing for the day-to-day administration and management of the intensive correction order and breach and revocation procedures.

New section 81A empowers the State Parole Authority to impose, vary or revoke the conditions of an intensive correction order, with the exception of the standard conditions not to commit an offence and to submit to supervision. New section 82 provides for regulations under the Crimes (Administration of Sentences) Act 1999 to prescribe the obligations of an offender while subject to a condition of an intensive correction order. These are being developed by the Department of Justice, which will consult on them with key stakeholders before the regulations are made. This structure is consistent with the current sentencing legislative framework, where the obligations of offenders under a sentence are prescribed by the regulations.

Item [19] of schedule 3 provides for actions that either Community Corrections or the Parole Authority can take if an offender breaches an intensive correction order. These actions include a new framework of escalating sanctions that can be used for less serious breaches of intensive correction orders that do not warrant revocation. The purpose of the new sanctions framework is to provide clear legislative authority for Community Corrections and the State Parole Authority to respond quickly and effectively to lower level breaches of intensive correction orders that they can be safely dealt with in the community. Currently, there are limited options available under legislation to deal with lower-level breaches of intensive correction orders, such as warnings or more stringent application of conditions.

The new sanctions will provide a much wider range of tools to deal with problematic behaviour in the community before it escalates to the point where the order must be revoked. The sanctions will include issuing warnings, imposing curfews, imposing electronic monitoring and up to 30 days home detention. Sanctions will be used in conjunction with the behaviour change interventions and reinforcement of positive behaviours by Community Corrections so they have the greatest impact on the offender. Serious breaches will continue to be escalated to the Parole Authority, which will retain its powers to revoke intensive correction orders in the event of a breach.

New section 8 of the Crimes (Sentencing Procedure) Act, set out in item [8] of schedule 1 to the bill, replaces community service orders and section 9 good behaviour bonds with the new community correction order. The sentencing procedures for the new order are outlined in item [31], which inserts a new part 7 into the Crimes (Sentencing Procedure) Act. The community correction order will be a non-custodial order available for up to three years. New section 88 provides that the standard conditions will be not to commit an offence and to appear before the court when called on to do so. New section 89 lists the additional optional conditions available on a community correction order [CCO]. These include supervision, up to 500 hours of community service work, and abstention from alcohol and drugs. These additional conditions will be limited and enable courts to tailor the CCO to the individual circumstances of the offender. New section 90 gives the sentencing court power to impose further conditions on the community correction order, providing more flexibility to tailor the order to the individual.

New section 89 provides that courts will be able to vary the additional conditions of a community correction order at any time on the application of the offender or Community Corrections to enable the order to be adjusted to reflect the offender's circumstances. Item [13] of schedule 3 to the bill inserts a new part 4B into the Crimes (Administration of Sentences) Act to provide for the day-to-day administration and management of community correction orders by Corrective Services NSW and procedures for dealing with breaches. New section 107B provides for regulations under the Crimes (Administration of Sentences) Act to prescribe the obligations of an offender whilst subject to a condition of a community correction order—for example, the regulations will provide that an offender subject to a community service work condition will be subject to obligations similar to those that currently apply to community service orders. The regulations are currently being developed by the

Department of Justice, which will consult with key stakeholders before they are made. The breach and revocation procedures and powers are similar to those for good behaviour bonds currently in section 98 of the Crimes (Sentencing Procedure) Act. New section 107C provides that the court may call on the offender to appear before it and may take no action, vary the conditions of the order or revoke the order.

I now turn to conditional release orders. New section 9 of the Crimes Sentencing Procedure Act, in item [9] of schedule 1 to the bill, establishes the new conditional release order. The conditional release order replaces good behaviour bonds made under section 10 (1) (b) of the Crimes (Sentencing Procedure) Act for the lowest level of offending. A court may impose a conditional release order for up to two years. Courts will have the option to impose a conditional release order with or without a conviction. The sentencing procedures for the conditional release order are outlined in item [31] of schedule 1 to the bill, which inserts a new part 8 into the Crimes (Sentencing Procedure) Act. New section 98 provides that the standard conditions of a conditional release order will be not to commit an offence and to appear before the court when called on to do so.

New section 99 lists the additional optional conditions for the conditional release order, including supervision, programs, abstention from alcohol and drugs, and non-association and place restrictions. These additional conditions will enable courts to tailor the conditional release order to the offender's individual circumstances. Courts will be able to vary the additional conditions of a conditional release order at any time on the application of the offender or Community Corrections to enable the order to be adjusted to reflect the offender's circumstances. Many conditions associated with the more onerous intensive correction order and community correction order cannot be imposed. In addition to the standard and additional conditions, new section 99A will allow courts to impose further conditions on the conditional release order to help tailor the order to an offender's circumstances.

Item [13] of schedule 3 to the bill inserts a new part 4C into the Crimes (Administration of Sentences) Act to provide for the day-to-day administration and management of conditional release orders by Corrective Services NSW and procedures for dealing with breaches. New section 108B provides for regulations to prescribe the obligations of an offender whilst subject to a condition of a conditional release order. The breach and revocation procedures and powers for conditional release orders are the same as those I outlined earlier for community correction orders. New section 108C provides that the court may call on the offender to appear before it if it suspects that a breach has occurred and may take no action, vary the conditions of the order or revoke the order.

The Government has made tackling domestic violence one of its top priorities. Some measures that demonstrate this include our commitment to holding domestic violence offenders to account and protecting victims and at-risk persons by investing in the 2017-18 budget more than $350 million over four years to provide greater protection for women, children and men; committing $53.25 million over four years to expand Safer Pathway statewide, to ensure a robust referral system is in place for people whose lives are at risk as a result of domestic and family violence; committing $25 million in the 2017-18 budget for Start Safely, to help people escaping violence move into stable housing in the private rental market; and investing $840,000 in global positioning system tracking to improve victim safety. The bill contains measures to support these efforts to tackled domestic violence.

Item [4] of schedule 1 of the bill provides for presumption of full-time detention or a supervised community-based sentence for domestic violence offences. The rationale for this is simple: Offenders who are sentenced for domestic violence will be required to address their offending behaviour if they are given a community-based sentence, or go to prison. The Government wants the courts to ensure that domestic violence offenders who receive community-based sentences receive whatever supervision or programs are needed to address their offending behaviour. For offenders who would otherwise receive a short prison sentence, the court should only impose an intensive correction order if satisfied the order will adequately protect the safety of the victim. This will hold offenders accountable and promote the safety of victims and the community.

The presumption will not mean that every domestic violence offender will be supervised or go to prison. What it means is that more domestic violence offenders will be referred to Community Corrections for risk assessment and then supervised for as long as it is appropriate to do so up to the maximum term of the order. This means that more medium- and high-risk domestic violence offenders who currently receive unsupervised orders will receive intervention to address their offending behaviour. Some offenders will, of course, go to prison because their offences are too serious to be dealt with by way of a community-based sentence.

Other offenders may be very low risk and unsuitable for supervision and programs, and the court may be satisfied that a different sentencing option is more appropriate in those circumstances. This may include, for example, situations where the domestic violence offence occurs between flatmates who no longer reside with each other. Item [17] of schedule 1 to the bill inserts division 4B into part 2 of the Crimes (Sentencing Procedure) Act to provide for pre-sentence assessment reports. This will make significant changes to the way courts receive

pre-sentence reports from Community Corrections. Currently, courts must obtain different assessment reports for different sentences which state that the offender is suitable for the particular sentence. To consider an offender for multiple sentences, the court must obtain multiple reports. This is overly complex and leads to adjournments and delays.

The new assessment process will enable courts to get pre-sentence reports early in the sentencing process so that they can receive the information they need in a short, comprehensive report. The report will give the court useful, quality information about the offender's risks, criminogenic needs, suitability to perform work, and any conditions that will assist to safely and effectively manage the offender in the community. The specific matters to be addressed in these reports will be prescribed in regulations. Courts can use the report to help select the appropriate community order and the appropriate conditions to tailor it to the specific needs and risks of the individual offender. Courts will have the power to order additional reports where necessary. New section 17C provides that obtaining a report is at the court's discretion except where provided by section 17D, and can be obtained at any time during sentencing proceedings.

New section 17D (1) provides that reports will be mandatory for intensive correction orders. This will ensure that, where the court gives an offender a short prison sentence and considers imposing an intensive correction order, it has all the information necessary to make an informed decision. New section 17D (3) provides that if a court is considering imposing an intensive correction order with a home detention condition, it must obtain a report about the offender's suitability for home detention after a prison sentence has been imposed. This restriction is necessary because home detention assessments are resource intensive for Community Corrections. A home detention assessment should be ordered only where a court has already imposed a sentence of imprisonment.

Reports will not be mandatory for community correction orders and conditional release orders unless the court is considering a work requirement on a community correction order. There will be extensive consultation and discussion between Community Corrections and the courts about the content and format of these reports before the reforms come into force. As offenders are often dealt with by courts for multiple offences with different levels of seriousness, offenders can be made subject to multiple community-based sentences with different kinds of conditions, which may be inconsistent with each other. So item [17] of schedule 1 to the bill inserts division 4C into part 2 of the Crimes (Sentencing Procedure) Act. It establishes provisions as to how to administer various conditions of multiple orders to which an offender may be subject at any one time.

New section 17G will ensure that where an offender is subject to multiple orders with multiple community service work conditions, the offender will be required to comply only with the work condition that requires the offender to work the most number of hours. For offenders subject to multiple hours where at least one of the orders is an intensive correction order, there will be a maximum cap of 750 hours on the number of hours of work that the offender can be required to do. Where an offender is not subject to an intensive correction order but is otherwise subject to multiple orders with work conditions, the maximum number of hours that the offender can be required to work is 500. The same principle will apply to curfew hours. New section 17H will ensure that, where an offender is subject to multiple orders with multiple curfew conditions, the offender will be required to comply only with the condition that imposes the most number of curfew hours. The regulations will give Community Corrections discretion to resolve start and finishing times when there are inconsistencies between different curfew conditions.

Schedule 2 to the bill inserts savings and transitional provisions into the Crimes (Sentencing Procedure) Act. They provide for the administration of community-based sentences imposed before the reforms come into force. Offenders subject to a current community-based sentence will be taken to be subject to the new sentence that replaces the old sentence. For example, offenders subject to home detention orders will be taken to be subject to the new intensive correction order with a home detention condition after the reforms take effect. An offender on a supervised section 9 good behaviour bond will be taken to be on a supervised community correction order. The exception to this will be suspended sentences. The legislation for this order will continue to run after commencement. Offenders on suspended sentences will continue to be subject to this legislation until their orders expire.

I now turn to the second bill, the Justice Legislation Amendment (Committals and Guilty Pleas) Bill 2017. There is a substantial backlog of trials in the District Court, which is leading to significant delays in finalising indictable criminal cases. The Government is committed to addressing this. The early appropriate guilty plea reforms will reduce these delays by improving productivity and ensuring that cases are managed effectively. The Law Reform Commission found that 73 per cent of indictable criminal cases end with the defendant pleading guilty. However, 23 per cent of guilty pleas are not entered until the day of trial. Late guilty pleas cause stress for victims as they await the trial and they contribute to the backlog of cases waiting to be heard in the District Court. They also mean that prosecution and defence lawyers spend time preparing for trials that never occur, and divert

police resources away from frontline activities. The bill will ensure that cases are better managed to ensure early appropriate guilty pleas.

There are five elements to the legislative reforms. First, the investigating agency that charged the accused person with the offence, usually the NSW Police Force or the Australian Federal Police, will provide a simplified brief of evidence to the Office of the Director of Public Prosecutions [ODPP] or its Commonwealth equivalent, the Commonwealth Director of Public Prosecutions [CDPP]. Secondly, a senior prosecutor in the ODPP or CDPP will review the evidence and file a charge certificate with the Local Court that confirms the charges that will proceed to trial and identifies any charges that should be withdrawn. This will reduce the likelihood that the charges will change closer to the trial date and provides certainty to the defence. Thirdly, the prosecutor and the defence lawyer will then be required to have a case conference to discuss the case and to determine whether there are any offences to which the accused person is willing to plead guilty.

Fourthly, the bill abolishes the substantive committal decision and committal hearings so that magistrates will no longer be required to consider the evidence and determine whether there is a reasonable prospect that a jury, properly instructed, would convict the accused person of the offense. Instead, magistrates will need to be satisfied that the new steps certifying the charges and holding a case conference have been completed before committing the matter to a higher court for trial or sentence. The NSW Law Reform Commission recommended that committal hearings be abolished because magistrates were exercising the discretion to discharge in only 1 per cent of cases. Under the reform, the prosecutor will perform a gatekeeping role earlier in the process by certifying which charges will proceed. Fifthly, the bill prescribes sentencing discounts given for the utilitarian value of guilty pleas by introducing a statutory sentence discount scheme. This will provide certainty and ensure that large discounts cannot be granted for guilty pleas that are made late in the process.

In addition to the five elements of legislative reform, additional funding is being provided to the Office of the Director of Public Prosecutions and Legal Aid to ensure the continuity of senior lawyers for both the prosecution and the defence from start to finish. Currently, due to the pressures being placed on the entire criminal justice system, senior prosecutors and defence lawyers often become involved in cases only very late. Having the same senior prosecutor and defence lawyer in the case throughout its life will increase certainty about the charges, avoid last-minute changes in charges and pleas at trial and improve communications with victims about the process. The Government is also investing in the systems and processes in agencies and the court providing ongoing monitoring so that issues can be managed as they arise during the implementation of the changes.

The five elements of legislative reform as well as the funding for administrative changes within agencies will provide an interdependent and mutually reinforcing package to improve the efficiency of the criminal justice system. These measures are designed to remove the perverse incentives that currently operate and cause parties to delay entering a guilty plea and to strengthen the incentives for defendants to enter appropriate guilty pleas earlier in the process. In addition, the improved case management under the reforms will ensure that contested trials will be shorter and more efficient by narrowing the issues in dispute.

Since I became the Attorney General I have had the opportunity to meet with victims of crime and those who advocate on their behalf to hear their stories about how uncertainty in the criminal justice system can re-traumatise victims of crime and discourage them from coming forward. It can be particularly distressing for victims when charges are downgraded late in the process or there are long delays. By frontloading the work so that prosecutors are involved early to certify charges and by encouraging early resolution of cases, we are improving victims' experience in the process. Funding for the package also includes more witness assistance scheme officers in the ODPP to improve support for victims.

The early appropriate guilty plea reforms apply to indictable offences, which are the most serious criminal offences in our justice system and which are dealt with by the District Court or the Supreme Court. They are strictly indictable offences or table offences that are the indictable offences specified in the tables of schedule 1 to the Criminal Procedure Act 1986 that have been elected to be dealt with on indictment. The majority of indictable offences start in the Local Court as committal proceedings that are guided by the provisions in chapter 3 of the Criminal Procedure Act 1986. Schedule 1 to the bill outlines the amendments to the Criminal Procedure Act. New division 2 of part 2 of chapter 3 contains general procedural provisions that apply to committal proceedings.

Importantly, new section 59 includes a requirement that a magistrate provide an oral and written explanation to the accused person about the committal process and the operation of the new statutory discount of sentence available for the utilitarian value of a guilty plea. New section 60 reflects the intention that the reform is not intended to change any of the important work done by the Drug Court of New South Wales. The addition of new section 25F (6) to the Crimes (Sentencing Procedure) Act will make clear that the Drug Court may apply a 25 per cent discount to an offender who is referred to the program before committal and pleads guilty as part of the condition for entering the program.

New division 3 of part 2 of chapter 3 contains provisions providing for service of a brief of evidence in a simplified form so that it can be provided to the accused person earlier. New section 61 provides that the prosecutor must serve the brief of evidence on the accused within the time ordered by the magistrate. In this new section the word "prosecutor" refers to the investigating authority who commenced the proceedings, which in most cases is the NSW Police Force or the Australian Federal Police. New section 61 also recognises that the new division does not affect the operation of existing ongoing disclosure obligations of both the investigator and the prosecutor—for example, the ODPP or the CDPP—in any other law or obligation, including laws concerning privilege and immunity. Currently there is no definition of a brief of evidence in committal proceedings in the Criminal Procedure Act.

The NSW Law Reform Commission recommended introducing a definition that included only the evidence for the prosecution case. In consultation with stakeholders, this definition was identified as being too narrow to properly support disclosure in the new committal process. New section 62 (1) provides a wider definition that also includes evidence relevant to the defence case and evidence relevant to the strength of the prosecution case, consistent with the current duty of disclosure expressed in the Director of Public Prosecutions' guidelines. The intent of this expanded definition of a brief of evidence is to ensure sufficient disclosure for the prosecution to properly assess a case and to certify the charges, and for the defence to make informed decisions about the case and to determine whether to enter a guilty plea.

New section 62 (2) provides that material in the brief need not be in an admissible form. There will not be a less robust investigation, nor will there be changes to best practice for the collection of evidence. The reforms are about ensuring that the brief can be served earlier by reducing some of the formal requirements around how evidence is to be presented that currently contribute to delay in criminal cases. Currently, all material in the brief of evidence must be provided in a form that makes it admissible as evidence in the Local Court. In practice, this means that all prosecution evidence must be provided in written statement form. "Written statement form" means that a number of technical requirements, currently outlined in sections 74 to 90 of the Criminal Procedure Act and the associated Local Court rules, must be complied with.

For example, written statements must be in the form of questions and answers, be endorsed by the maker of the statement as to the truth of the statement, be witnessed, and feature other matters required by the rules. In addition, other material in the brief of evidence, for example, telephone intercepts, forensic analysis and closed-circuit television footage, must be accompanied by a written statement. Given a magistrate will no longer be considering the evidence before committal, it is no longer necessary that the entire contents of the brief of evidence comply with these requirements to be admissible as evidence. However, the senior prosecutor in the ODPP or the CDPP may require evidence in an admissible form to properly assess the case and to certify the charges. A protocol between the NSW Police Force and the DPP will provide guidance on a case-by-case basis as to when the alternative, simpler form will be sufficient.

Many of the current provisions about written statements will be retained in the bill. They may still be needed where a prosecution witness is directed to give evidence in committal proceedings. They will also be necessary to provide guidance on the admissible form of statements where that form of evidence is to be included in the brief of evidence. The provisions about written statements have been moved into a new part in chapter 6, where other provisions about evidentiary matters currently appear in the Criminal Procedure Act. Provisions about using transcripts of recorded statements, rather than written statements, for vulnerable persons or domestic violence complainants will also be retained. New section 63 creates a statutory requirement for ongoing disclosure of any material that is received after the brief of evidence has been served.

Proposed new division 4 outlines the process for senior prosecutors to certify which charges will proceed to committal for trial. New section 65 ensures that only the DPP, the CDPP, the New South Wales Attorney General or the Commonwealth Attorney-General and their legal representatives may perform the functions of certifying charges and participating in a case conference. New section 67 requires the prosecutor to file the charge certificate by the date ordered by the magistrate. There is also a six-month statutory time limit on filing the charge certificate, which should be exceeded only in exceptional and complex cases where there are legitimate operational reasons for the brief of evidence taking a longer time to prepare. If the prosecutor fails to file and serve the charge certificate by the six-month time limit, or a later day set by a magistrate, a magistrate may discharge the accused person under new section 68. These provisions ensure that the prosecutor moves swiftly to certify the charges and they provide certainty so that case conferencing can commence.

New section 67 also allows the prosecutor to file an amended charge certificate. While the charge certificate is intended to determine the charges to be proceeded with if the matter goes to trial, the prosecutor may determine to change the charges that will proceed—for example, as a result of discussions during a case conference, or after a prosecution witness has been called to give evidence under the new division 6. An amended charge certificate must be filed in these circumstances before a matter is committed for trial or sentence. New

division 5 outlines the process for senior lawyers from the prosecution and defence to participate in a mandatory case conference. New section 70 provides that the principal objective of a case conference is to determine whether there are any offences to which the accused person is willing to plead guilty.

The other objectives are to facilitate the provision of additional material, evidence or other information to the accused person that may assist them to decide whether to enter a guilty plea; and to facilitate the resolution of other issues related to the case against the person, including identifying the key issues for trial and any agreed or disputed facts. The provisions in this division require that at least one formal case conference, either face to face or via audiovisual links [AVL], must be held between senior lawyers for the prosecution and the defence in every case. Defence and prosecution lawyers may hold as many case conferences as are necessary during the period ordered by the court. It is expected that more than one case conference may be required in circumstances where a witness is called to give evidence in court or where the prosecutor files an amended charge certificate.

New section 71 provides that the lawyers for the prosecution and the defence must participate either in person or by AVL for the initial case conference. The case conference must have this level of formality because experience from previous case conferencing trials tells us that unless the case conference is a formal, structured, face-to-face event, it is less effective. For this reason, the court may order that the initial case conference be held by telephone only in limited circumstances. Subsequent case conferences may be held flexibly. The accused is expected to be available to give contemporaneous instructions and to participate in the case conference as required to ensure that the accused person understands the seriousness of the event. The Criminal Procedure Regulations will prescribe the details of how, and when, the accused will be required to attend the case conference.

New section 72 requires an accused's legal representative to obtain their client's instructions before the case conference and to explain the effect of the sentence discount scheme. This is to ensure that, if the accused does or does not offer to plead to any charges during the case conference, they will do so fully informed of the consequences. This will help to mitigate the risk of late changes of plea after committal. New section 74 provides that a case conference certificate must be filed after all case conferences have been held. The case conference certificate should represent the totality of the negotiations between the prosecution and the defence, whether in a case conference or informal discussions.

New section 77 provides a mechanism for plea offers that are made after the case conference certificate has been filed to be treated as if they formed part of the case conference certificate. The case conference certificate provides a mechanism to record offers made by the prosecution or the defence for the purposes of the sentencing discount. Accordingly, new section 75 outlines all the matters that must be recorded on the certificate, including any offers made by the defence or the prosecution in relation to offences or guilty pleas. New section 76 provides powers for a magistrate to move forward with the case, if there is an unreasonable failure by the prosecutor or the accused's legal representative to participate or complete the requirements. New sections 78 to 81 provide that the case conference certificate is to be treated confidentially and will be admissible as evidence only in proceedings relating to the sentence discount or in other limited circumstances. This is to encourage the accused person to make offers to plea.

In addition, the publication of any material related to the case conference will be prohibited. This should not prevent discussions between legal representatives, the accused person or, where appropriate, the victims about the matters discussed during a case conference. There are limited exceptions to the rule that a case conference must be held in all cases, as outlined in new section 69. These are where an accused is unrepresented, where a case is committed for trial on the question of the accused person's fitness to stand trial or where the accused person pleads guilty to all offences that are the subject of the charge certificate. The fact that an unrepresented accused will not have the opportunity to participate in a case conference may in practice limit the potential for early resolution of these cases. However, in such cases a magistrate may choose to adjourn the proceedings following the filing of the charge certificate, to allow the accused to obtain legal advice or representation before committing the case.

The new division 6 restructures existing provisions about calling a prosecution witness to give evidence in committal proceedings. These hearings may assist the parties to assess better the case against the accused and to facilitate further negotiations about the charges and possible offers to plead guilty. However, it is rare for a magistrate to grant these applications currently, and it is expected that this will continue under the reform. Parties that wish a witness to be called to give evidence will still have to apply to a magistrate for a direction, and the magistrate will still apply the same tests that currently apply to different kinds of witnesses in determining those applications.

The bill retains as much of the current Criminal Procedure Act and procedure that applies to committal proceedings as possible. The special protections afforded to witnesses who are the victims of an offence involving violence are retained so that a high test of special reasons rather than substantial reasons is applied when a magistrate is considering whether to direct that the witness be called to give evidence. Protections for victims of

prescribed sexual offences, who cannot be directed to attend, remain in place. Provisions in part 4B of chapter 6 around the use of recorded statements for domestic violence evidence-in-chief will still apply to witnesses giving evidence in committal proceedings.

Currently the Local Court does not have jurisdiction if there are questions about the accused's fitness to be tried. New division 7 provides a new power for magistrates to expedite the case to the higher court for a fitness inquiry. New section 93 allows the issue of fitness to be raised by the defence or by the prosecution, or the court may consider it on its own motion. The issue of fitness may be raised at any time but new section 94 provides that the magistrate may not commit until after the trial certificate is filed and, if any case conference has been held, after the case conference certificate is filed. The test to be applied for committal under this division is the same good-faith test as used under the Mental Health Forensic Provisions Act 1990. It is not intended that magistrates should have to bring their minds to substantively consider whether the accused is in fact unfit, as it would duplicate the process of fitness inquiries in the higher courts.

The legislation allows the magistrate to order a psychiatric or other report to be provided before committal. It is expected that this power may be used where obtaining a report earlier would assist in reducing the delay caused by waiting for reports to be prepared for the fitness inquiry in the higher court. A new section will be inserted into the Mental Health (Forensic Provisions) Act 1990 so that if the accused is found fit or the court is satisfied that the question of fitness is no longer raised, the court may either retain the case for trial or sentence or remit it for case conferencing in the Local Court. The sentencing discount scheme is modified in these cases so that if an accused is found fit and pleads guilty at the earliest opportunity, he or she may be eligible for a 25 per cent discount for the utilitarian value of the plea.

New divisions 8, 9 and 10 provide for the magistrate to commit an accused person for trial or sentence after the case conference certificate and charge certificate have been filed. If the guilty plea is accepted, the case is committed for sentence. If the accused does not wish to plead guilty, the accused is committed for trial. If the magistrate rejects the guilty plea, the case may be adjourned for further negotiations or legal advice. New section 98 provides that, if an accused person is unrepresented, the magistrate cannot commit unless satisfied that the accused person has had reasonable opportunity to obtain representation or legal advice. That is a safeguard for an unrepresented accused person because of the strict application of the sentence discount scheme. Making a false representation in committal proceedings will be an offence in proposed section 92 of the Criminal Procedure Act, and proposed section 31K of the Children (Criminal Proceedings) Act.

Schedule 2 to the bill outlines amendments to the Crimes (Sentencing Procedure) Act to introduce a strict fixed sentencing discount scheme. It replaces the existing common law sentence discount for the utilitarian value of a guilty plea. Currently, large discounts of up to 25 per cent may be given for guilty pleas, which may be as late as on the first day of trial. Tightening the discount scheme as proposed will prevent these large discounts from being granted late in the process. Instead, fixed discounts will apply depending on the timing of the guilty plea: first, a 25 per cent discount if the guilty plea is entered while the case is in the Local Court, before the case is committed to the higher courts; secondly, a 10 per cent discount where the guilty plea is entered after the case has been committed to the higher court but at least 14 days before the first day of the trial, or the accused gives notice to the prosecutor of his or her intention to plead guilty at least 14 days before the first day of the trial and enters the plea at the first available opportunity; and thirdly, a 5 per cent discount if the guilty plea is entered in any other circumstances.

These discounts are fixed, meaning that where they apply, the full discount must be given. This certainty about the discount that will apply is fundamental to creating a strong incentive for early guilty pleas. This strong incentive is reinforced by a substantial discount for a guilty plea in the Local Court and significantly lower discounts for guilty pleas after committal. The offender is required plead guilty, or give notice to the prosecutor offering to plead guilty, 14 days before the first day of trial to receive a 10 per cent discount. This is to give the prosecution sufficient time to call off its preparation for trial and advise victims and witnesses that they need not appear.

The first day of trial is defined in new section 25C as the first day that the trial is listed. This provides a clear deadline from which a defendant can count back the 14 days to the day by which a guilty plea must be entered in order to be eligible for a 10 per cent discount. This definition will apply even where the actual commencement of the trial is delayed for a short period—for example, where the trial is listed on a Monday but does not proceed until the Wednesday because a judge was not available on the Monday when the trial was listed to commence. However, if the listing date is vacated—for example, where one of the parties is not ready to proceed and makes an application for vacation—and the trial is subsequently re-listed at a later date, the new listing date will be the relevant date for the purpose of the definition of "first day of trial". Certainty about the discounts that apply is reinforced by only allowing for limited variations and exceptions to the sentencing discount scheme proposed.

The effect of new section 25E is that where the accused person made an offer to plead guilty to an offence, or a reasonably equivalent offence, which either the prosecution refused but then later accepted, or the accused is later found guilty of that offence, or a reasonably equivalent offence, the accused may be eligible for up to a 25 per cent discount. This is important because there are multiple offences that have similar elements and penalties. An accused person should not be required to offer to plead guilty to exactly the right charge, or to every possible variation of an offence, in order to obtain the discount.

There is also a variation to allow a person to receive a higher discount where the prosecutor lays a new charge by way of ex officio powers and there were no prior committal proceedings, or if the prosecutor adds a new offence to the indictment, where the facts and evidence that establish the new offence are substantially different from those contained in the brief of evidence for the committal proceedings. The higher discount is allowed because the accused person will not have had an earlier opportunity to consider a guilty plea to the new charges. The variations represent a careful balance between the need to provide a strict sentence discount scheme, and the practical realities of criminal offences and trials.

In addition, there are two exceptions to the sentence discount scheme where the court may determine that no discount or a reduced discount should be applied. These are where the level of culpability of the offence is so extreme that the community interest in retribution, punishment, community protection and deterrence would not be satisfied by the imposition of the discount; or where the utilitarian value of the offender's guilty plea was eroded by a dispute as to the facts on sentence. Finally, no discount will apply where the court determines to impose a life sentence.

The sentencing discount scheme does not apply to Commonwealth offences, because sentences for Commonwealth offences under the Commonwealth Crimes Act 1914 cannot be constrained by the New South Wales Parliament. The sentencing scheme also does not apply to offences involving a child or young person. This is because of the unique sentencing considerations that apply to children, including the emphasis on rehabilitation in sentencing, and young people's lower capacity to make informed decisions and to give instructions about matters affecting their case, including whether to plead guilty.

In the Children's Court, the new committal process outlined in the amendments to the Criminal Procedure Act will apply only to serious children's indictable offences. All other indictable offences will be dealt with in the same way as they are currently, which is as a summary trial with the potential that they are converted to committal proceedings and dealt with at law under section 31 of the Children (Criminal Proceedings) Act 1987. A number of provisions from chapter 3 of the Criminal Procedure Act that will be repealed by this bill need to be inserted into the Children (Criminal Proceedings) Act 1987 to ensure that there are no changes to the ability of the Children's Court to deal with indictable offences at law. The bill achieves this in a way that maintains the current law, but also simplifies the provisions. For example, the provisions to allow for the defence to give evidence and to call prosecution witnesses have been consolidated into a single section in new section 31B.

There are also slight variations to take account of current practice, rather than law, where this would have no substantive effect on the current practice or the rights of the accused and prosecution to present their cases. For example, a new gatekeeping provision has been included in new sections 31 (2A) and (2B) to provide that if the accused person requests to be dealt with at law during the summary trial, the prosecution evidence must first be completed, to avoid duplication of evidence, and if the Children's Court is of the view at the conclusion of summary proceedings that the accused person would be discharged, rather than committed, it may discharge at this stage rather than move into committal proceedings. Item [3.2] of schedule 3 amends the rule-making power of the Children's Court so that it is clear that it may make rules and practice notes about committal proceedings. A number of consequential amendments to other Acts are contained in the bill to ensure that the new process for committal proceedings is supported. For example, the definition of "committal proceedings" will be amended where it appears in other Acts. All amendments commence on proclamation. The changes will apply only to changes commenced by a court attendance notice filed after this time.

I turn now to the Crimes (High Risk Offenders) Amendment Bill 2017. It introduces reforms to strengthen the management of high-risk and violent offenders to ensure the safety and protection of the community. The current framework enables post-sentence supervision in the community or detention in a correctional centre of high-risk, sex and violent offenders after they have completed a sentence of imprisonment. The scheme covers quite a small number of high-risk offenders who require incarceration or intensive supervision after their sentence has ended. This scheme has been in place in New South Wales since 2006 in respect of high-risk sex offenders and was extended to apply to high-risk violent offenders in 2013.

The bill introduces four key reforms to address issues with the current framework. First, it will change the eligibility requirements for the scheme to better cater to offenders who commit both serious violent and sex offences. The current eligibility requirements result in people who may pose a risk to the community not coming within the scope of the scheme. The reforms will address this by bringing these so-called generalist offenders

within the scope of the scheme. Secondly, the reforms will reframe the test for making an extended supervision order or continuing detention order to ensure that where an offender cannot be safely managed in the community on an extended supervision order [ESO] they are instead subject to continued detention in a correctional centre. Thirdly, the reforms will ensure that the High Risk Offender Scheme comprehensively applies to offenders serving sentences for Commonwealth sex offences. Finally, they will ensure that victims have a greater flexibility in having their voices heard when the Supreme Court is considering an application for post-sentence supervision or detention.

The bill implements reforms arising from recommendations of a statutory review of the Crimes (High Risk Offenders) Act 2006 conducted by the Department of Justice in 2016-17. That review made 28 recommendations to improve the frameworks governing eligibility for the scheme, making an order under the scheme, management of an offender under the scheme, and administration of the scheme. The Government makes no apology for implementing amendments to strengthen the High Risk Offender Scheme. Under these reforms the community will be better protected from the most dangerous sex and violent offenders. These reforms improve the scheme so that community safety will be the paramount consideration of the court when considering whether to make a continuing detention order [CDO] or ESO; more offenders will be eligible for the scheme as the court will be required to consider an offender's criminal history and future risk of sex and violent offences, instead of just one or the other; and the test for deciding whether to impose a CDO will be strengthened so that an offender's risk to the community is considered instead of whether they can be adequately supervised.

The reforms are part of the package of criminal justice reforms. They complete that package by ensuring there are measures in place so that the most serious high-risk sex and violent offenders are subject to a robust framework for post-sentence supervision and detention. I now outline the details of the bill. Items [1], [3] to [8], [14], [15], [17], [21], [24], [25], [27], [30], [31], [35], [38], [41], [42], [50] and [58] to [60] of schedule 1 will remove the distinction between the two categories of high-risk offender so that orders for the continued supervision and detention of high-risk sex offenders and violent offenders may be made if an offender poses a risk of committing either a serious violent offence or a serious sex offence.

Currently, the Act results in some people who may pose a risk to the community not coming within the scope of the scheme because the existing Act has separate provisions for sex and violent offenders based on the risk that sex offenders will commit further sex offences only and violent offenders will commit further violent offences only. The complexity of this cohort of high-risk offenders means that offenders who commit both sex and violent offences do not neatly fit within one of the two statutory categories. Many offenders are so-called generalist offenders who have a history of general offending rather than only committing one category of offence. For example, an offender's current sentence of imprisonment could be for a serious sex offence but this forms part of a pattern of violent offending with the future risk being that the offender will commit serious violent offences. To fix this issue eligibility requirements will be revised.

Alignment between an eligible high-risk offender's index offence and anticipated future offending risk—be it a serious sex offence or a violent offence—will no longer limit the court's ability to make an order. Items [14], [39] and [40] of schedule 1 will insert statutory amendments to change the test to be applied by the Supreme Court in deciding whether or not to make a CDO in respect of a high-risk offender. Under the existing test for making a CDO, an offender is likely to be released to supervision in the community provided adequate supervision can be provided. There are a number of issues with the current process. Offenders who pose an unacceptable risk which cannot be managed in the community on an ESO are being granted these orders by the court under the current test. Offenders cycle between being on an ESO and being in custody—having breached that ESO—with no change to underlying behaviour, and Corrective Services NSW is required to provide detailed information on how an unmanageable offender might be supervised in the community, even when Corrective Services does not have confidence that the proposed supervision measures will be effective in keeping the community safe.

The bill will strengthen the test for deciding whether to impose a CDO. The test will be reframed so that an offender's risk to the community is the emphasis, instead of whether he or she can be adequately supervised. Under the reframed test the court must be satisfied that the risk of the offender committing another serious offence will be unacceptable unless a CDO is made. In determining whether and what type of order to impose, the court would be required to have regard to the existing considerations in sections 9 and 17 of the Act, including community safety, the offender's criminal history and the sentencing remarks of the original sentencing court. In addition to existing considerations, the reframed test will require the court to consider two additional factors; whether the offender is likely to comply with an ESO, and options in the community or in custody that would help reduce the offender's risk of reoffending over time.

This second point is framed to enable the court to consider a range of options, including proximity to family, ensuring the offender's links to the community are retained, rehabilitative programs or other options available in custody or in the community. Further, when considering whether to make a CDO the Act will state

that the court must not consider a breach of an ESO condition as an effective form of intervention. These reforms strengthen the test for deciding whether to impose a CDO so that an offender's risk to the community is considered instead of whether he or she has been adequately supervised. Community safety will be the Supreme Court's paramount consideration when considering whether to make an order under the Act. This aspect of the reform is expected to mean that some offenders who had previously received an ESO will now receive a CDO. That is appropriate if the offender cannot be managed in the community on an ESO.

Items [11] to [13] will make certain offences against the laws of the Commonwealth serious sex offences and offences of a sexual nature under the framework. The current scheme does not extend to Commonwealth sex offences committed in New South Wales, or offences where there is no clear New South Wales equivalent. For example, the Commonwealth child sex tourism offences do not come within the New South Wales post-sentence framework. The New South Wales scheme applies to offenders serving sentences of imprisonment for serious sex offences or a range of offences of a sexual nature, if they have committed a serious sex offence in the past. This two-tiered approach means repeat sex offenders are covered by the scheme if they are serving a sentence of imprisonment for a less serious offence, if they have committed a serious sex offence in the past.

Items [11] to [13] bring a range of Commonwealth sex offences within the scope of the New South Wales scheme. They have been classified as serious sex offences or offences of a sexual nature based broadly on the similarity between Commonwealth offences and New South Wales offences, the classification of Commonwealth sex offences and serious sex offences or offences of a sexual nature, as compared with how similar New South Wales offences are classified, the maximum penalties for Commonwealth sex offences, and the position taken in other jurisdictions.

Items [15] and [29] will make it clear that the scheme applies to offenders serving a sentence of imprisonment for an offence against a law of the Commonwealth or another State or Territory being served concurrently or consecutively—wholly or partly—with an offence against the law of New South Wales. Bringing Commonwealth sex offences more comprehensively within the scope of the New South Wales scheme will ensure that the community will be better protected from the most dangerous Commonwealth sex offenders at the end of their sentence. This ensures that child sex tourism offences, certain sex trafficking offences, Commonwealth child pornography offences and Commonwealth grooming offences will come within the New South Wales scheme.

The reforms will provide victims with greater flexibility in having their voices heard in proceedings before the court. Item [57] will enable a broader range of victims to be able to provide victim impact statements. Items [52] to [56] will provide victims flexibility by enabling victim impact statements to be made directly to the Supreme Court, not in writing only. Item [57] of schedule 1 and item [4] of schedule 2 will ensure, to the extent possible, registered victims will be advised when a high-risk offender is the subject of an application for an order.

There is currently a narrower definition of victims in high-risk offender proceedings than in parole proceedings. The definition of "victim" under the Act is too narrow and has worked to exclude family representatives of victims if the victim has passed away or is under any incapacity, or others who suffer harm as a result of the offence. This is because the Act now has a two-step rather than a single definition for determining who constitutes a victim. Under the Act, a victim must be recorded on the Victims Register in respect of the offender and a victim of an offence committed by the offender for which the offender is currently serving, or most recently served, a sentence of imprisonment. Courts have interpreted this definition as confining the definition of "victim" to the person who is the primary victim of the offence.

To address this issue, these reforms amend the definition of "victim" to mean a victim who is recorded on the Victims Register in respect of the offender. Registered victims will be informed when their offender is to be considered for an order under the Act. They will have the right to provide information to the Supreme Court in writing or orally to ensure that they are heard. In cases where the victim is deceased, victims' families will have the right to make a statement. These reforms ensure that victims have more flexibility in having their voices heard in high-risk offender proceedings. The reforms place a stronger focus on reforming offenders.

Item [65] of schedule 1 extends the requirement to warn offenders about their eligibility for the scheme. The current legislative framework requires courts only to warn violent offenders about their potential eligibility for the scheme. Under the reforms, both violent and sex offenders will be warned at sentencing that they may be eligible for the scheme. Offenders will receive two additional warnings, the first six months after sentencing and then again three years before the offender's earliest release date. These warnings are important to provide offenders with an incentive to engage in intensive rehabilitation and treatment pathways and to make clear the consequences of refusing to engage. The intention is that fewer offenders will be eligible for an order when they finish their sentence of imprisonment.

The bill also introduces new and important safeguards. Item [49] requires the immediate notification to Legal Aid NSW when an emergency detention application is filed or is likely to be filed. The Supreme Court

granted the first-ever emergency detention order earlier this year. The State can apply for emergency detention orders where the offender is subject to an extended supervision order or interim supervision order and, because of altered circumstances, presents an unacceptable and imminent risk of committing a serious offence. The amendment to require immediate notification to Legal Aid NSW will ensure that there are additional safeguards in circumstances where an emergency detention order is sought.

Finally, the bill will make a range of further legislative changes. These include clarifying that imprisonment excludes suspended sentences and includes full-time custody, intensive corrections orders, and home detention; requiring the State Parole Authority to take into account that a current extended supervision order or continuing detention order application is on foot in determining whether to grant an offender parole; clarifying the scope and use of risk reports obtained for the purposes of a post-sentence application; providing greater flexibility in time frames for applying for an order and post-order arrangements; and clarifying that an alleged breach of an extended supervision order can constitute altered circumstances to enable a continuing detention order application to be made. This bill is the product of detailed consultation. The amendments it contains improve the High Risk Offender Scheme through strengthening the frameworks governing eligibility, making an order, management of an offender, and administration of the scheme. It will ensure stronger management of high-risk offenders to enhance community safety.

I thank the stakeholders consulted and involved in the drafting of these bills. In particular, I thank the late Bill Grant, the former chief executive officer of Legal Aid NSW and the initial champion of early appropriate guilty plea reforms. I thank the current Chief Executive Officer of Legal Aid NSW, Brendan Thomas. I also thank the Director of Public Prosecutions, Lloyd Babb, SC, and his office more generally, and the NSW Police Force, and in particular Deputy Police Commissioner Catherine Burn. I also thank the State Parole Authority; Juvenile Justice; the Public Defender's Office; the NSW Sentencing Council; Victims Services; the Serious Offenders Review Council; the Judicial Commission of NSW; the Advocate for Children and Young People; the Mental Health Commission; the Juvenile Justice Advisory Committee; the Heads of Jurisdiction, namely the Chief Justice of the Supreme Court, the Chief Judge of the District Court, the Chief Magistrate of the Local Court, the President of the Children's Court, and the Chief Judge of the Land and Environment Court; the Law Society of NSW; the NSW Bar Association; the Aboriginal Legal Service; the Rule of Law Institute; Just Reinvest; and the NSW Police Association.

I also thank advocacy groups such as the Homicide Victims Support Group; Enough is Enough; the Victims of Crime Assistance League; Victims and Witnesses of Crime Court Support Services; the Thomas Kelly Youth Foundation; the Survivors and Mates Support Network; Bravehearts; Blue Knot; the Women's Legal Service; the Wirringa Baiya Aboriginal Women's Legal Centre; Domestic Violence NSW; the Women's Domestic Violence Court Advocacy Service; the Family Violence Prevention Legal Services; the Commissioner for Victims Rights, Mahashini Krishna; Howard Brown and the Victims Advisory Board; and the Institute of Public Affairs.

I thank all contributors in government agencies, in particular those in the Department of Justice—the Secretary Andrew Cappie-Wood, Kate Connors, Paul McKnight, Michelle Vaughan and especially Pip Hetherton and her small but extremely hardworking team. I thank Simon Tutton, Jonathen Rose, Alexandra Young, Anna Read, Alex Sprouster, and Jackie Wenham. I thank my cluster colleagues Minister Grant and Minister Elliott and their respective teams for their collaboration and commitment to the reform. When I became Attorney General 8½ months ago, work on these reforms was of course well advanced, and I thank my predecessor the Hon. Gabrielle Upton for the legacy she left me. I thank Tom Payten in the Premier's office for his support and wise counsel. I also thank my wonderful staff: Bran Black, Clare Wesley, Mary Klein, Damien Smith, Tom Loomes, and earlier Mitch Hillier, who did a huge amount of hard work and who worked more late nights than I could poke a stick at. Inevitably I have forgotten to mention other contributors. To them I apologise for my omission, but I thank them for their help.

The Government will keep all aspects of these reforms under close review, with particular scrutiny of the quantum of the sentencing discounts and their applicable timing, including to ensure that they are having the desired effect of encouraging early appropriate guilty pleas. These reforms will ensure that sentencing options are supported by the evidence of what works for safer communities, that they reduce undue stress for victims and minimise court delays, and that a robust scheme is in place enabling post-sentence supervision in the community or detention in a correctional centre with high-risk sex and violent offenders. The reforms are supported by the evidence to provide tougher, smarter and certain justice for safer communities. I commend the bills to the House.

Debate adjourned.

PAROLE LEGISLATION AMENDMENT BILL 2017

First Reading

Bill introduced on motion by Mr David Elliott, read a first time and printed.

Second Reading

Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (11:27): I move:

That this bill be now read a second time.

The Government is pleased to introduce the Parole Legislation Amendment Bill 2017. The bill implements the Government's commitment to reforms to the criminal justice system that will improve community safety and reduce reoffending. The New South Wales parole system already works to reduce reoffending through Corrective Services' supervision of approximately 5,600 parolees at a time coupled with proven interventions targeting the causes of criminal behaviour. However, parole can be further strengthened to improve community safety and to maximise opportunities to return offenders to normal community life after release from custody.

A 2014 study undertaken by the NSW Bureau of Crime Statistics and Research [BOCSAR] showed that offenders who are supervised on parole reoffend at a lower rate than offenders released from custody unsupervised. By reducing reoffending, we reduce crime, which means fewer victims and a safer community. These reforms build on some of the recommendations in the Law Reform Commission's 2015 report on parole. The reforms are part of the New South Wales Government's package of criminal justice reforms, which contains the most significant criminal justice reform agenda in many years. The reforms complement the package of changes to community-based sentences introduced by the Attorney General to increase the number of offenders under supervision in the community. The evidence-based parole reforms proposed in this bill will contribute to the Premier's and the State's priorities to reduce domestic violence and adult reoffending and to improve community safety.

The Government has already started work on increasing access to supervised parole. The Crimes (Administration of Sentences) Regulation 2014 was amended on 31 July 2017 to introduce more flexible manifest injustice exceptions to the 12-month rule, which requires offenders to wait 12 months to have parole reconsidered after revocation or refusal. These changes give the State Parole Authority more flexibility to consider appropriate offenders for release during this 12-month period. This will ensure that, where possible and safe, the community receives the benefit of suitable offenders being subject to a supervised period on parole to address their offending behaviour before their sentence ends, which leads to better outcomes than releasing them from prison unsupervised.

I turn to the Parole Legislation Amendment Bill 2017. The bill has eight purposes. First, the bill replaces the current public interest test for release on parole with a clearer, more specific community safety test. Second, the bill introduces a reintegration home detention scheme to provide a step down between custody and parole for eligible and suitable offenders to assist them with reintegration into the community. Third, it makes supervision a mandatory parole condition. Fourth, it replaces the current system of court-based parole with statutory parole. Fifth, the bill introduces a framework of sanctions for Community Corrections and the State Parole Authority to impose on offenders who have breached their parole orders. Sixth, the bill makes changes to the Victims Register to ensure that all victims registered can receive information about offenders being considered for parole and reintegration home detention, and to give all victims the right to make submissions to the State Parole Authority as part of the decision-making process. Seventh, the bill makes miscellaneous changes to improve the adult parole system. Eighth, the bill introduces a separate legislative framework for juvenile parole that provides an appropriate decision-making supervision and management framework for the release of young offenders on parole in a new part 4C of the Children (Detention Centres) Act 1987. I take this opportunity to thank the stakeholders consulted and involved in the drafting of this bill.

I now outline the details of the bill. Schedule 1 will introduce changes to improve the adult parole system. The focus on community safety is paramount. The New South Wales Government is committed to community safety and this bill ensures it is at the heart of parole legislation and decision-making. In June 2017 the Government strengthened the parole laws in New South Wales through the introduction of a presumption against parole for terrorism-related offenders in division 3A of the Crimes (Administration of Sentences) Act 1999. These changes build on the Government announcement in May 2017 that radicalisation will now be considered as part of parole decisions in New South Wales. The State Parole Authority must not release a terrorism-related offender on parole unless it is satisfied that the offender will not engage in, or incite, or assist others to engage in terrorist acts or violent extremism.

The community safety test introduced at schedule 1 [12] replaces the current public interest test for release on parole. Currently, community safety is one of a range of factors that the State Parole Authority must consider when deciding if release on parole is in the public interest. The test in new section 135 of the Crimes (Administration of Sentences) Act 1999 is based on a recommendation by the Law Reform Commission to introduce a community safety test for release on parole. The Government is committed to improving this area of the law and is implementing this recommendation to make it clear that the primary focus of the State Parole Authority's decision-making is always community safety. The new test will focus the legislation more clearly on the overriding goal of the parole system, which is to protect the safety of the community by reducing reoffending. Similar tests where community safety is of paramount consideration are already used in South Australia, Western Australia, Queensland and Victoria. An approach based on assessing and balancing risks to community safety better reflects the essential question that must be asked when deciding whether to release an offender on parole.

As a statutory body representing the community and its interests, the legislation of the State Parole Authority should focus on risk to community safety above all considerations. The proposed new test provides that the State Parole Authority must only release an offender on parole if it is satisfied that releasing the offender is in the interests of community safety. In making its decision, the State Parole Authority will be required to consider the risk to community safety of releasing the offender on parole, whether release on parole is likely to address the offender's risk of reoffending, and the risk to community safety if the offender is released at the end of the sentence without a period of parole supervision or is released at a later date with a shorter period of parole supervision.

The risk to community safety is broader than an assessment of the risk of reoffending. Many different considerations such as offence seriousness, criminal history, behaviour and progress in custody, family support, availability of counselling—to name just a few—are likely to be relevant to a full and balanced assessment of a risk that an offender would pose to community safety if he or she is paroled. Similarly, many factors would need to inform an assessment of the risk that an offender is likely to pose to community safety if he or she is not paroled. To inform its decision under the community safety test, the State Parole Authority will still be required to consider additional factors such as the nature and circumstances of the offence, the offender's criminal history and the effect of parole on the victim as is currently the case.

For offenders serving sentences for murder or manslaughter, the State Parole Authority will also be required to take into account whether the offender has disclosed the location of the victim's remains, giving those offenders some incentive to disclose this information. Requiring the State Parole Authority to focus on whether an offender has failed to disclose the location of a victim will help to hold offenders accountable for their behaviour by focusing attention on what they have done to make amends for their crime. It is also relevant to whether an offender has made progress towards rehabilitation and still presents a risk to the community. Overall, the reform to the test for release on parole will send a strong message that community safety is the paramount consideration when deciding to release an offender on parole and reinforces the goal of parole in considering community safety and reducing reoffending.

Item [6] introduces a requirement for the State Parole Authority before making changes to parole conditions to consider risk to the safety of the community, the likely effect on the victim, or whether changing a condition will assist in the management of the risk of breaches of parole. Item [10] provides that the State Parole Authority may revoke a parole order prior to an offender's release when there is a serious identifiable risk to community safety, or the offender poses a serious and immediate risk to their own safety, or the offender requests the revocation. New section 130 also enables the Attorney General, the Minister, the commissioner or a Communities Corrections officer to request such a revocation. Item [20] introduces a new power to allow the State Parole Authority to revoke parole where there is an increased risk to community safety, even if the offender has not breached a condition. The State Parole Authority will be able to exercise this power when it considers that the offender poses a serious and immediate risk to the safety of the community or any individual, or there is a serious and immediate risk that the offender will leave New South Wales.

The NSW Law Reform Commission recommended that the new power be introduced to ensure the State Parole Authority can act to protect the community regardless of whether an offender has technically complied with conditions. New section 170B imposes this recommendation. Schedule 1 [3] implements the recommendation of the Law Reform Commission to introduce a reintegration home detention scheme for the release of eligible and suitable offenders under home detention conditions for a period of up to six months before an offender's parole orders take effect and for procedures for the revocation of these orders. The scheme will create a short period of structured transition between custody and parole for those offenders. A similar scheme is used in South Australia and the United Kingdom. The Law Reform Commission noted that a reintegration home detention scheme provides offenders with opportunities to link with employment, training and community-based services and to re-establish family and social support networks while under more intense supervision than they would experience on parole.

Proposed section 124B sets out that the scheme will not be available for serious offenders or any offenders serving sentences for a domestic violence offence, a child sexual offence, a serious sex or violence offence, or a terrorism offence. Offenders will not be able to apply for reintegration home detention; referral by Community Corrections is the only avenue to reintegration home detention. Community Corrections will select offenders who are suitable to be referred to the State Parole Authority for consideration for reintegration home detention. The State Parole Authority will only make a reintegration home detention order if it is in the interests of community safety.

New section 124F provides that for offenders serving sentences of more than three years, the State Parole Authority will first need to determine whether the offender is suitable for parole. The offenders participating in the reintegration home detention scheme will be subject to home detention conditions. Offenders will be required to remain at home unless an absence has been pre-approved, submit to electronic monitoring, and participate in programs and treatment. All offenders serving a sentence of more than three years will be reviewed by the State Parole Authority before transitioning from reintegration home detention to parole. If the State Parole Authority has concerns about an offender at this point, it can recall the offender to custody or extend the period the offender must spend on home detention by adding the home detention conditions to the offender's parole order.

Item [19] of schedule 1 sets out the procedures for revoking reintegration home detention orders. The State Parole Authority can decide whether or not to revoke a reintegration home detention order in the event of a breach. The State Parole Authority will also be able to revoke the order regardless of whether a breach has occurred if the offender presents a serious and immediate risk of harm to himself or herself or others. If the State Parole Authority revokes the reintegration home detention order, the offender will be returned to custody. The State Parole Authority can also revoke the offender's parole order when it revokes the reintegration home detention order. If it chooses not to revoke the parole order, the offender will be released on parole at the end of the non-parole period. If the State Parole Authority does revoke parole, the offender will be eligible to be reconsidered for parole after 12 months unless the offender can be reconsidered earlier under the manifest injustice circumstances.

Item [24] makes it clear that review is not available for the revocation of a reintegration home detention decision. This is because of the short six-month time period available for reintegration home detention orders prior to an offender becoming eligible for release on parole. If both reintegration home detention and parole are revoked, the offender will be entitled to a review hearing of the decision to revoke parole. Item [33] requires the State Parole Authority to provide reasons relating to decisions about reintegration home detention. Reintegration home detention will have more structure and a higher level of supervision than parole. It is a way to prepare offenders for life in the community to help reduce their likelihood of reoffending by providing a transitional step down between custody and parole.

Item [9] of schedule 1 imposes supervision as a condition of all parole orders in new section 128C. New South Wales is the only Australian jurisdiction where supervision is not a mandatory parole condition, although supervision is imposed in about 98 per cent of cases. As evidence from Australia and overseas shows, supervision reduces reoffending. All parolees will now be required to accept supervision from Community Corrections and the regulations will continue to set out the implications of offenders subject to supervision. Item [9] also provides for a Community Corrections Officer to suspend supervision positions. This retains Community Corrections' current discretion to focus resources on offenders with higher risks and more complex needs where supervision will have the largest impact.

Resources will be targeted to offenders where they will be the greatest benefit to community safety. Supervision is most effective when it is targeted at the right offenders at the right time. Community Corrections officers will also be empowered to temporarily suspend offenders from curfew and place restriction and non-association conditions to prevent breaches being needlessly reported to the State Parole Authority. For example, an offender may be exempted from compliance with a curfew condition for a certain period of time to attend work or may be temporarily exempted from a place restriction or a condition in order to attend a medical appointment.

Item [16] of schedule 1 requires health service providers to provide information about whether an offender on parole has attended treatment, a program or activity as required under the parole order. This will enable Community Corrections officers to verify that a parolee is complying with conditions of parole or directions by a Community Corrections Officer. This new provision will clarify that privacy legislation does not prevent health service providers from providing this information to Community Corrections. However, this provision will not require the health service provider to disclose the content of any health service provided—for example, the notes of a session with a psychiatrist. It simply requires them to confirm that the offender is participating in the treatment program or other activity mandated by the parole order or a direction by a Community Corrections officer.

Item [13] of schedule 1 implements the Law Reform Commission's recommendations to replace court-based parole with statutory parole. Currently, the Crimes (Sentencing Procedure) Act 1999 requires courts to set the non-parole period with a parole order. The reforms will provide courts the function of setting a non-parole period but remove the requirement to carry out the administrative step of making a parole order. The legislation simply requires the offender to be released on parole when the non-parole period expires, subject to conditions prescribed by the Crimes (Administration of Sentences) Act 1999 and the related regulation. If Community Corrections considers additional conditions are necessary, it will apply to the State Parole Authority to have conditions added before the offender is released.

Statutory parole will be substantially the same as court-based parole but will simplify the framework, making sure additional conditions are more relevant and are set closer to the point of the offender's release. This will save courts the administrative task of making parole orders. Currently, the only legislative tools available to deal with breaches of parole are to do nothing, vary the conditions of a parole order, or just revoke parole. This all-or-nothing legislative approach does not reflect the reality that less serious breaches of parole need quick and effective responses that stop short of revoking parole. Community Corrections uses a range of case management strategies to deal with less serious breaches, such as warnings, tighter supervision requirements and referrals to relevant programs and services.

The bill will give Community Corrections and the State Parole Authority a clear range of sanctions to use in response to breaches. This will help them effectively manage risk and ensure compliance by authorising proportionate responses. This is in line with the Law Reform Commission's recommendations for a legislated system of graduated responses to breaches of parole. A similar framework exists in Queensland. Sanctions will be used together with interventions that help offenders take responsibility for their behaviour. This approach—in particular the use of intervention—has a strong evidence base from Australia and overseas, including in Canada and the United States of America. The approach being taken is about doing what has been shown to work to make the community safer and making the justice system work more efficiently.

Item [20] of schedule 1 gives Community Corrections a range of responses to manage less serious breaches of parole, including imposing reasonable directions and curfews. Responses will be applied immediately when the offender has committed a lower level breach. More serious breaches will be reported to the State Parole Authority. The graduated sanctions framework will mean there is a clear escalation for repeated non-compliance. New section 170A empowers the State Parole Authority to impose more onerous sanctions for the breach of a parole order, such as imposing electronic monitoring or up to 30 days home detention. It also provides for the State Parole Authority to revoke parole and to return an offender to custody. The State Parole Authority's discretion to revoke parole is not limited or otherwise affected by the new sanctions regime. Item [23] provides that when reviewing a revocation of a parole order, the State Parole Authority can now take into account any behaviour of an offender including whether an offender is alleged to have committed any offences while released on parole or after the revocation of a parole order.

The following amendments are proposed to clarify the kinds of information about offenders that can be disclosed to registered victims by the Corrective Services Victims Register. The amendments clarify that all registered victims may make submissions to the State Parole Authority. Sharing information about an offender in response to a registered victim's request shows respect for the victim's concerns and needs. It will help ensure that victims are treated with respect and dignity. Item [39] provides that the Serious Offenders Review Council or the State Parole Authority can delegate to the Victims Register any of their functions in relation to sharing information to registered victims about adult offenders. This will ensure one point of contact with the correctional system for victims, simplify the process for obtaining information about offenders, and reduce the potential for confusion.

Item [40] requires the State Parole Authority to give notice to all registered victims about decisions on reintegration home detention and parole so they can make submissions to the State Parole Authority about these matters. Currently, only victims of serious offenders have the right to make submissions to the State Parole Authority. This item expands that right to all registered victims of all offenders and requires the State Parole Authority to notify them of the outcome of parole and reintegration home detention considerations. These changes are consistent with the Government's response to the Standing Committee on Law and Justice's 2016 report on the security classification and management of life prisoners, which aims to promote better engagement with victims. It is also consistent with the aim of the victims charter under the Victims Rights and Support Act 2013, which seeks to improve communication of information about offenders to victims.

The change to the information shared with victims also implements a proposal of the NSW Law Reform Commission's 2015 report on parole that registered victims should have equal procedural rights to participate in the parole decision-making process regardless of whether the offender is a serious or non-serious offender. Item [40] clarifies that the commissioner may provide information to registered victims of serious and non-serious offenders about any change to an offender's earliest possible release date, the death of an offender, an offender's

escape from custody, the location of the correctional centre, and the security classification of the offender. Providing this information to victims helps them understand how inmates are managed and that changes may be made to an offender's security classification or prison location.

One of the themes that emerged from the Legislative Council's Standing Committee on Law and Justice 2016 inquiry was a lack of information or clarity for victims about how Corrective Services manages inmates and how this can negatively impact on victims. Legislating to share this information will support a more personal approach and will help ensure that victims are treated with respect and dignity. Item [16] provides for the Governor, in exercising the prerogative of mercy, to make a parole order in respect of an offender and to apply the legislative provisions for parole orders. This means that offenders released under the prerogative of mercy can be made subject to the same regime of supervision, monitoring and control as other offenders released from custody on parole, including revocation by the State Parole Authority in the event of a breach. This will streamline processes for managing offenders released to supervision in the community under the prerogative of mercy.

I will now turn to schedule 2 to the bill. Schedule 2 proposes amendments to the Children (Detention Centres) Act 1987. New South Wales has a separate juvenile parole system, where the Children's Court performs State Parole Authority's role as parole decision-maker and Juvenile Justice New South Wales supervises parolees. However, the juvenile parole system is currently governed by the same Crimes (Administration of Sentences) Act 1999 provisions as apply to the adult system. This is not fit for purpose and creates procedural difficulties. Under the proposal, the parole legislative framework will be improved by introducing separate age-appropriate provisions to govern the juvenile parole system. This will make the legislation governing the juvenile parole system more transparent and enable some aspects of the system to be made more appropriate for juveniles.

Item [3] of schedule 2 introduces a separate legislative framework for juvenile parole that provides an appropriate decision-making, supervision and management framework for the release of young offenders on parole in a new part 4C of the Children (Detention Centres) Act 1987. New section 38 introduces a new principle into the juvenile parole provisions. This principle notes that the purpose of parole for juveniles is to promote community safety, recognising that the rehabilitation and reintegration of children into the community may be a highly relevant consideration in promoting community safety. Most statutes that apply to juveniles in the criminal justice system contain objects or principles that guide decision-making or frame the operation of the Act to take into account the specific needs of young people. Rehabilitation is a particular focus of policy and law in the context of young people, and, therefore, has been included alongside the concept of community safety.

New section 40 also provides that the juvenile parole framework applies to offenders under 18 years. The Law Reform Commission noted that the criminal justice system makes a distinction between adults and children and draws the dividing line at 18 and that a dividing line needs to be drawn in the parole system for the sake of certainty. There will be two exceptions to the age-based cut-off. First, if the offender reaches the age of 18 years while on parole and the birthday occurs during the last 12 weeks of the parole period, it is operationally more efficient for the offender to remain in the juvenile parole system to finish his or her sentence. Secondly, there may be offenders who are over 18 who are particularly vulnerable.

New section 40 (3) provides that the secretary can consider if it is appropriate that an offender continues to be dealt with under this framework. It has been made clear that the secretary can determine a class of offenders who can continue to be dealt with under this framework. It may be more appropriate for Juvenile Justice officers to complete the report to the Children's Court and for the Children's Court to make the decision about release on parole for certain offenders. These provisions seek to strike an appropriate balance between these competing considerations.

New section 41 retains the current jurisdiction of the Children's Court to determine matters relating to the parole of juvenile offenders. Children's magistrates have the necessary expertise to deal with children and can operate the parole system flexibly and with discretion. New section 44 replaces court-based parole in the same way as for adults with statutory parole. New section 46 introduces a community safety test to replace the current public interest test for release on parole. The test is the same as the test for adult parole, but the Children's Court will also be required to consider that the rehabilitation and reintegration of young offenders may be highly relevant to the safety of the community. The Law Reform Commission in particular noted that this is an important consideration for the Children's Court to apply in its parole decision-making.

New division 3 of part 4C of the bill re-enacts machinery provisions from the Crimes (Administration of Sentences) Act 1999. These relate to the release of offenders on parole, including considerations for the release date, release near public holidays and weekends and the continuance of a detention order while an offender is released on parole. New division 4 of part 4C of the bill provides for the conditions and obligations of parole orders. It re-enacts provisions currently set out in the Crimes (Administration of Sentences) Act 1999 permitting non-association and place restriction conditions to be imposed. When considering changing or imposing new conditions on the parole of a juvenile offender, the Children's Court is required to have regard to: whether the

change in conditions will assist in the management of a risk to community safety; the likely effect on any victim of the offender; whether the change will assist in the management of the risk of breaches of parole; and whether the change in conditions will assist the offender's participation in rehabilitation programs and reintegration into the community, recognising the special needs of juveniles.

New section 55 of schedule 2 provides that it will be a condition of parole that a juvenile offender is to be subject to supervision, consistent with the evidence that supervision reduces reoffending. New section 56 provides that the Children's Court may grant exemptions from supervision conditions in exceptional circumstances. New section 57 provides that a Juvenile Justice officer may suspend non-association conditions and place restriction conditions and supervision conditions. New division 5 of part 4C carries over the presumption against parole for terrorism-related offenders as introduced to division 3A of part 6 of the Crimes (Administration of Sentences) Act 1999 in July 2017. Division 6 of part 4C of the bill provides for the Children's Court's powers to revoke parole before or after release into the community, consistent with the community safety theme in the adult parole bill.

New section 63 enables the Children's Court to revoke any parole order if satisfied that the offender would pose a serious identifiable risk to the community or a serious and immediate risk to the offender's safety. New section 64 of the bill also provides for actions that can be taken in the event of a failure by an offender to comply with a parole order. The secretary may record the non-compliance without further action, give an informal warning to the offender, or in a more serious case refer the matter to the court with a recommendation as to the action that may be taken.

New section 65 provides that the Children's Court may record the non-compliance without further action, give an informal warning to the offender, change the conditions of the parole order, or revoke the parole order. New section 66 of the bill will also permit the court to revoke a parole order after the offender's release if it is satisfied that the offender poses a serious and immediate risk to the community or that there is a serious and immediate risk that the offender will leave New South Wales and that the risk cannot be mitigated sufficiently by directions by a Juvenile Justice officer or by changing the conditions of parole. This section will also permit the Children's Court to revoke parole if the offender has failed to appear in accordance with a notice to attend.

New section 67 provides that a hearing may be held by the court at any time into whether an offender has failed to comply with the offender's obligations under a parole order. Power is conferred on the Attorney General, the Minister, or the Director of Public Prosecutions through proposed section 69 to request the court to exercise the power to revoke a parole order for an offender serving a sentence for a serious children's indictable offence on the ground that the order was made on the basis of false, misleading or irrelevant information.

Division 6 of part 4C also re-enacts the adult parole provision that permits an offender to seek to have the Supreme Court give a direction that information on which a revocation of a parole order was based was false, misleading or irrelevant. Division 7 of part 4C contains provisions relating to the reconsideration of parole. If the Children's Court refuses to make a parole order, the court must specify a new eligibility date for parole, a new date for a parole hearing or a date after which the juvenile offender may apply for parole. The juvenile parole bill is not carrying forward the 12-month rule that applies to adult offenders. The Law Reform Commission recommended removing this rule for juvenile offenders as it is not appropriate with regard to juveniles' special circumstances. The Law Reform Commission also recommended that the Children's Court should have the discretion to set a new date for parole consideration.

New section 73 carries this recommendation forward. If the court revokes a parole order, the court must specify a new eligibility date for parole, a new date for a parole hearing, a date after which the juvenile offender may apply for parole, or defer determining any of those matters for up to three months. A juvenile offender may apply to the court for reconsideration of a decision about parole or to revoke parole before the date specified for making an application where new information has become available or the situation of the offender in relation to granting parole has materially changed since the decision to be reconsidered.

New division 8 of part 4C sets out procedural provisions for hearings conducted by the Children's Court in the exercise of its parole functions. These include provisions relating to production of documents, giving evidence and making submissions. Procedural provisions in relation to breach and revocation have been drafted so that procedures are flexible, involve limited technicality, are responsive and are clear. The court will have flexibility to tailor its procedures as it thinks appropriate to avoid unnecessary delay and formality while ensuring that young offenders can be heard.

The notice-to-attend procedure works well for the Children's Court, giving the court the option to deal with breaches of parole without first returning the young offender to custody—in appropriate circumstances. The court has power to require a juvenile offender on parole to attend the court at a specified time and place and to require other persons to attend as witnesses and to produce relevant documents. Additionally, the options to vary

conditions, warn and note a breach without taking action, which are recommended for the adult system, have been added to the range of options available to the Children's Court. This will increase transparency and facilitate the graduated sanctions approach being applied to young offenders.

Division 9 provides for the Governor, in exercising the prerogative of mercy, to make a parole order in respect of an offender and to apply the legislative provisions for parole orders in the same way as for adult offenders, with the exception that parole will be supervised by Juvenile Justice officers. The Juvenile Justice officers will monitor and control in the same way as other offenders released from custody on parole, including revocation by the Children's Court in the event of a breach. Division 10 includes miscellaneous provisions, carried over from the adult framework, regarding the Children's Court exercise of functions, notice of parole decisions, submissions by the secretary, security of information, and records of decisions. Schedules 3 and 4 to the bill make transitional arrangements.

These bills are the product of detailed consultation with stakeholders on the parole reforms. Consultation included the release of a NSW Law Reform Commission report in 2015 and submissions from members of the community, government agencies and non-government and legal stakeholders. Consultation on the bill included roundtables with the judiciary, the legal profession, government, and victims and advocacy groups. Each stakeholder was given copies of the bills and invited to provide written submissions on the bills. The amendments set out in this bill will further improve the parole system in New South Wales. The changes are designed to focus parole decision-making on community safety and increase supervision.

Evidence shows that a parole system that reintegrates offenders back into the community with supervision aimed at addressing offending behaviour works to reduce reoffending. This makes the community safer. Reducing reoffending means fewer victims. The Government's criminal justice reform package is backed by a $237 million investment in programs designed to reduce reoffending. Community safety is the bedrock of these reforms and this reform package will continue this Government's trend of reducing crime across New South Wales. Overall, this bill will improve parole to make communities safer. With these tougher and smarter reforms, we are ensuring New South Wales will be safer for years to come. I commend the bill to the House.

Debate adjourned.

PARRAMATTA PARK TRUST AMENDMENT (WESTERN SYDNEY STADIUM) BILL 2017

Second Reading

Ms GABRIELLE UPTON (Vaucluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (12:06): I move:

That this bill be now read a second time.

I am pleased to introduce the Parramatta Park Trust Amendment (Western Sydney Stadium) Bill 2017. This bill is further proof of this Government's enduring commitment to Western Sydney. We are again delivering a win-win for this important region of our State, with better facilities and more green space. The bill proposes three simple amendments to the Parramatta Park Trust Act 2001 to facilitate the construction of the new Western Sydney Stadium and to secure a new aquatic leisure centre for the Parramatta community as soon as possible. As the Premier announced on 9 August, work has begun on the $360 million Western Sydney Stadium. This is a world-class sports and entertainment facility that will boost the local economy. More than 2,000 jobs will be created. As part of the construction plan, the Parramatta pool had to be demolished. The Government made a public commitment to build a new aquatic leisure centre as soon as possible, and it is committed to keeping this promise. The Government has also committed $30 million toward building the new centre.

I will now briefly outline the three amendments to the Parramatta Park Trust Act that will enable both the stadium and the new aquatic leisure centre to be built. First, new section 13 (1) (b) set out in schedule 1 item [2] to the bill will allow the Parramatta Park Trust to enter a lease for a maximum of 50 years specifically for a new aquatic leisure centre in the Mays Hill precinct of the parklands. The former swimming pool was built on land that was leased to the Parramatta council in 1957. The Act, which was passed in 2001, allows the Parramatta Park Trust to grant only a 50-year lease for the purposes of a pool at a specific site within the parklands—that is, at the site of the former swimming pool. When the lease expired in 2007 the former swimming pool lease continued as a periodic month-by-month lease. Therefore the Government is proposing an amendment to the Act to allow the Parramatta Park Trust to enter into a 50-year lease for the new aquatic leisure centre in the Mays Hill precinct. This amending bill is consistent with the lease term under the existing law and will enable the Parramatta council to deliver this important project. I acknowledge the presence in the Chamber of the member for Parramatta.

In the other place there was considerable debate about whether or not the lease would apply to the entire Mays Hill precinct . At this point in the process, it really is not appropriate to place restrictions on the precise footprint of the new aquatic leisure centre because the planning process is still underway. However, I assure the

House that there are sufficient checks and balances in the planning system to ensure that an appropriate facility is built on the Mays Hill precinct. Principally, the Mays Hill precinct is heritage listed, and the Heritage Council's approval of the development is required before the new facility can go ahead. Furthermore, as part of the planning process, the council's development application will propose the subdivision of the Mays Hill precinct, which will constrain the maximum possible size of the development.

Based on current planning controls, the development will be limited to approximately two hectares, which is the same size as the previous pool. The master planning process for the Mays Hill precinct has identified that the preferred location for the new aquatic leisure centre is along Park Parade. I remind members that the master plan process for the Mays Hill precinct will open up new green space. Through this amending bill, the Government is unlocking the Mays Hill precinct, which previously was closed to the general public when it operated as a golf course. The bill represents a continuation of the Government's existing approach to making Parramatta Park a more vibrant, active and open space. The Government has been very clear about its plans and has consulted the community on the master plan for the Mays Hill precinct.

The Government also has been open and transparent about its direction for this important public space. I am also pleased to confirm the Government's decision to transfer the ownership of the Wisteria Gardens at the northern end of the parklands from NSW Health to the Parramatta Park Trust, which will increase by two hectares the open green space that will be controlled by the Parramatta Park Trust. This is a heritage-listed and nationally significant site. The transfer of property will secure an important part of our history as well as more green space for the general public and the local community. Planning is underway to facilitate the transfer of Wisteria Gardens that will occur by the end of this year.

Secondly, new section 9A set out in schedule 1 item [1] to the bill will allow certain land to be swapped between the trust and Venues NSW for purposes associated with the Western Sydney Stadium. Venues NSW requires approximately 1.6 hectares of trust land around the new Western Sydney Stadium. This will give both the public and venue operators 360-degree access to the new stadium. It also will ensure that the stadium meets all the current international safety standards for major venues. In return, Venues NSW will transfer approximately 1.9 hectares of land to the trust, which will improve access to Parramatta Park. The bill enables this land swap by providing that land may be transferred by the trust to Venues NSW only if at least an equivalent amount of land is transferred from Venues NSW to the trust. There will be no net reduction—indeed, there will be an increase—in open green space across the parklands as a part of this transaction.

As a result of the transfer, Parramatta Park will gain 0.3 hectares of extra open green space for Parramatta and will improve access to the parklands, as I have said. The land that is being transferred to the trust will give the Parramatta Park Trust control over small but important sites that give public access to the Old Kings Oval Cricket Ground and to the river's edge. Previously those sites were controlled by Venues NSW. To be clear, the bill includes a map which gives an indication of the land that will be transferred to Parramatta Park and the land that will transfer to Venues NSW for the stadium. In order to effect the land swap, the Parramatta Park Trust and Venues NSW will prepare an order for my approval as Minister which will identify in more precise terms the land to be transferred between Venues NSW and the trust. Once that order is made, the land identified in the order will vest in the trust and Venues NSW. It is anticipated that the order will be made prior to completion of construction of the stadium.

Finally, the bill will bring the Parramatta Park Trust legislation into line with other more modern legislation governing Sydney parklands by removing at schedule 1 item [4] the requirement for the Minister for the Environment to consult with the Treasurer on 50-year leases. The current requirement creates unnecessary red tape and its removal is supported by the NSW Treasury and the Treasurer. The plans for the new aquatic leisure centre will go through the ordinary planning process, including approval by the Heritage Council and the relevant planning panel. In addition, the lease is subject to my approval and the proposed provisions dictate that the lease can be granted only for the express provision of the aquatic leisure centre in Mays Hill.

Parramatta Park will continue to be an important recreational area and public open space as Parramatta grows and changes. The Government has a long-term commitment to the parklands. That is why we have invested $22 million into Parramatta Park since 2015—the largest investment in the park in its history. The Government also has invested $3.2 million on conserving important heritage items in the park, including restoration of the Mays Hills Gatehouse and the Dairy which is one of Australia's oldest buildings. Western Sydney Parklands and Parramatta Park are set to receive more than $139 million in the next four years, which will create even more employment and recreational opportunities. Continued investment by the Government has allowed the trust to attract international events such as Tropfest, which was held in Parramatta Park this year and will be held there next year. There is also a large open space called the Crescent, which hosts popular music events such as the Sydney Symphony Orchestra's "Symphony Under the Stars"—a free event that is presented by the Parramatta Park Trust every year.

The relocation of the new aquatic leisure centre to the Mays Hill precinct, the construction of the Western Sydney Stadium and the land swap between the trust and Venues NSW will activate space that was previously underutilised and will secure vital recreational facilities for the community for the long term. The Government will continue to work with the Parramatta council and the community to bring this to a landing. There is no doubt that this is a win for Western Sydney and it demonstrates this Government's commitment to that community by providing important recreational facilities as well as delivering more open green space. I commend the bill to the House.

Ms PRUE CAR (Londonderry) (12:17): I lead for the Opposition in debate on the Parramatta Park Trust Amendment (Western Sydney Stadium) Bill 2017. The bill seeks to enable land transfers between the Parramatta Park Trust and Venues NSW to allow for the replacement of the Parramatta and District War Memorial Swimming Pool, which was lost in the development of Western Sydney Stadium and which the Government only now has moved to replace. The Opposition supports the replacement of the pool for the amenity of Western Sydney residents, but is concerned by the significant decrease to open parkland space at the Mays Hill precinct that this transfer will cause. We believe that the people of Western Sydney should not have to choose between their stadium, their pool, and their parkland. In the other place the shadow Minister for the Environment and Heritage, Penny Sharpe, made the Opposition position clear and secured a commitment from the Minister that the Wisteria Gardens precinct would be transferred to the trust. We welcome that commitment and will hold the Minister to it.

The trust itself was created to preserve Parramatta's parklands following community outrage at the construction of a golf course on the site. The park is located in a significant cultural heritage precinct of North Parramatta. Within the trust lands are Old Government House and Government Domain, World Heritage listed in 2010. The Parramatta Female Factory, through which more than half of the female convicts transported to Australia passed, is another heritage site within the North Parramatta Heritage Precinct. This area is a significant part of Sydney's heritage and history, which has already been impacted by residential development to which this Government has given a green light.

The Opposition believes that protections must be put in place for this critical site, and that Parramatta must not be forced to trade its parkland and cultural heritage for other amenities. Regrettably, the Government has not seen fit to agree to the Opposition's sensible amendments to mitigate the loss of further open space in the transfer of lands. The Opposition supports the construction of the pool and is willing to support the transfer of land for its construction. However, we believe that if two hectares of land is required for the construction, which is the same amount of land as the previous pool occupied, the bill should give effect to that limit, rather than providing for a transfer of uncapped size.

Labor member of the Legislative Council Penny Sharpe has already stated in the other place that the Opposition seeks "to work constructively to limit the amount of open green space that we have lost as a result of the centre". In discussions held in the other place during debate on this bill there was a broad consensus that 20,000 square metres, being two hectares, would be sufficient for the purpose of building the new aquatic centre. The Opposition is comfortable with this figure, and the Government has indicated the figure would be acceptable. Yet the Government will not accept the Opposition's amendment to ensure that two hectares is the limit for the aquatic centre and the commercial activity that accompanies it.

This amendment is not just about the Government's plans today but the safeguarding of this site from further encroachment of commercial activity. The Opposition did not support the bill in the other place because the Government would not accept these sensible provisions. Without the amendments to ensure that Mays Hill and the Parramatta Park Trust lands are protected from excessive loss of open space both now and in the future, the Opposition cannot support the bill.

Dr GEOFF LEE (Parramatta) (12:21): I speak in support of the Parramatta Park Trust Amendment (Western Sydney Stadium) Bill 2017. The bill enables certain lands to be swapped between the park trust and Venues NSW. It also ensures there is no reduction in open green space across the parklands. As a result of the transfer of part of Wisteria Gardens, the park will gain about 0.3 hectares of open space, which is great news. There will be improved public access to Old Kings Oval cricket ground and the river's edge. Most importantly, the bill facilitates the construction of a world-class aquatic centre in Parramatta.

This legislation is important for three reasons. Firstly, it makes best use of the Western Sydney Stadium precinct which, when completed in 2019, will be an iconic international stadium. I am sure that the people of Parramatta and those who attend events at the stadium will appreciate this Government's support of the stadium. Secondly, under this bill two hectares of Wisteria Gardens will be transferred from the Health portfolio to the Parramatta Park Trust. As outlined by Minister for the Environment in her second reading speech, this is a great win for the community. Wisteria Gardens is an important Edwardian garden of national significance as it is a great example of this type of garden. We will ensure that the garden is preserved and opened to the public all year. The

garden will be enhanced because it is a Parramatta gem. Thirdly, this bill allows the lease of part of the old golf course site, known as the Mays Hill precinct, to the City of Parramatta Council for 50 years for the construction of a new world-class aquatic centre.

I will focus my comments on the Mays Hill site. It is disappointing that the Opposition does not support this legislation. Publicly, Labor supports the new stadium and the construction of a new pool—in fact, Labor members often tell the public that they support this Government's investment in Parramatta. However, their actions do not match their rhetoric. In this place, they paint a different picture. They want to put unrealistic conditions on the size of the area to be leased, yet, as the Minister outlined, the final design of the new world-class aquatic centre in the Mays Hill precinct is still to be determined. It would be premature to limit the design of the aquatic centre until we have defined the exact size of the aquatic centre area. The Minister spoke of the rigorous regulations and approvals process required for any development application, and I have every confidence in the Minister legislating to preserve the required area for the aquatic centre.

This Government will not be compromised at this early stage of the design process as we are continuing to undertake community consultation. Some Labor members have even accused the State Government of selling Parramatta to the highest bidder. The reality is that we are investing record amounts in Parramatta—some $4 billion, including $30 million in this new world-class aquatic centre. My advice to Labor is to stop playing politics and get on with delivering a world-class aquatic centre, a venue that the community deserves. Labor should be part of the solution, not part of the problem.

I commend the Parramatta council for the work that has been undertaken to make this pool a reality. Some time ago I had the opportunity to attend one of the Saturday sessions designed to look at what the community wants for the aquatic centre to discuss a report by Warren Green Consulting entitled "Parramatta Aquatic and Leisure Facility Development Planning—Scene Setting". In the consultation session community members discussed the opportunities available in designing this world-class facility. The report compared a number of aquatic centres around the country, including the existing Parramatta War Memorial swimming pool and the Glen Eira Sports and Aquatic Centre, in Victoria. The existing pool was an outdoor facility that was built in 1959 with an indicative replacement cost of about $29 million.

The Government has committed $30 million to the new aquatic centre, which shows that we will deliver a like-for-like facility. In addition, the Parramatta council has committed up to $30 million to the project. The Glen Eira Sports and Aquatic Centre was built in 2012 and its replacement value today is around $60 million, which means that with the combined funds from this Government and the Parramatta council, we can build a similar facility to the Glen Eira Sports and Aquatic Centre—that is, an expanded facility with perhaps an indoor pool, tennis courts and even a cafe. The existing pool had about 150,000 visits per year whereas the Glen Eira Sports and Aquatic Centre attracts 1.1 million visitors a year. I draw this to the House's attention because we will now have the opportunity to make the pool a highly prized and highly patronised venue for the whole community, with many more people being able to enjoy the redeveloped world-class facility.

I turn to the research conducted by Newgate Engage that was commissioned by Parramatta council as part of its community consultation process. Newgate made sure the community was kept well informed during the process by delivering postcards to 23,000 households as well as promoting consultations on the council's webpage, along with communicating via email and media releases, on social media and in the council's newsletter. I will talk about the summary of findings and what the community really wants. The vast majority of the community says it wants a modern facility capable of meeting the needs of a rapidly growing local population. It wants a facility that has both an indoor and an outdoor pool, complementary recreation facilities and services, and appropriately designed facilities capable of expansion. It wants a facility that is inclusive of people of all physical capabilities, that is accessible by car, public transport and walking, and that is a unique part of Parramatta sympathetic to the natural environment. In these early stages of the process, we are legislating to enable such a world-class facility to be delivered.

This Government is getting on with the job of delivering, whether it is a new 30,000-seat stadium at Parramatta through the creation of the Western Sydney Stadium, which will create 2,000 jobs and an estimated extra $100 million for the local economy every year, or the transfer of Wisteria Gardens to the Parramatta Park Trust to allow access to the public and to allow it to be preserved for the future. Most importantly, the Government is working with Parramatta City Council to deliver a much-deserved world-class aquatic centre for the community by March 2020. We have committed $30 million, like for like, for the facility. Council is working with the community to design and deliver this complex. The majority of people want a modern upgraded facility. Council's previous commitment of up to $30 million is welcome, and it will allow us to build this modern facility for this generation and generations to come. It disappoints me that Labor opposes this bill, which is to enable a pool to be built. Worse, Labor is playing politics with the community, with some members falsely suggesting a sellout of the park. I can only describe these people as gooses. They need to reflect on their honesty and integrity—

Ms Julia Finn: The plural of "goose" is "geese".

Dr GEOFF LEE: I acknowledge the interjection from the member for Granville: I know that, but they are gooses. This legislation is important because it delivers a world-class facility that will be monitored and controlled by the ministry. I hope that Labor will put its political differences aside, support the good people of Parramatta and deliver a world-class facility.

Ms JULIA FINN (Granville) (12:31): I make a contribution to debate on the Parramatta Park Trust Amendment (Western Sydney Stadium) Bill 2017 and in doing so raise my strong concerns with the bill. I urge the Government to accept the amendments Labor will move, which will reduce from 20 hectares to two hectares the size of the land for the new swimming pool in Parramatta. I am passionate about Parramatta Park because I served on the Parramatta Park Trust for 10 years with Tom Uren. This legislation is an utter disgrace, and Tom will be turning in his grave.

In that time the park underwent a massive transformation. It was transferred from Parramatta council under legislation passed in this House. There were significant increases in funding for important works, such as heritage restoration, improving community facilities and reducing weed infestation in the park, which made it the beautiful icon that it is today—an icon that has stood for more than 160 years. In that period the trust sought World Heritage listing for the park. This legislation will carve out 20 hectares of the first publicly gazetted park in this country for the purpose of constructing an aquatic centre which is less than two hectares in size. Carving out 20 hectares for commercialisation is an utter disgrace. It is privatisation of public space—nothing more, nothing less.

I am also passionate about Parramatta Park because I go there regularly. Along with many of my constituents who live right next to the park in Mays Hill and Westmead, and with people from all over Western Sydney, I use the park a lot. More than a million people a year visit Parramatta Park. I went there for a run this morning. I love the park. It belongs to everyone who uses it and everybody in New South Wales, and it should not be further carved up for commercial operators. This Government knows the price of everything and the value of nothing. It does not value Australia's history or the parklands of Western Sydney. This Government is carving up a Western Sydney icon because it thinks it can get away with it. Such a carve-up would not happen in Centennial Park. Almost everything that this Government does—though it does not do very much—is about increasing the commercial value of land for developers and toll road operators, always at the expense of the people of New South Wales and the public interest.

Parramatta Park is the oldest dedicated park in Australia. It was the Governors' Domain from the time of Macquarie, and Old Government House was the site from which New South Wales was governed until this building was used. That is why it is World Heritage-listed along with 10 convict sites around Australia. I will discuss the carving-out of small parcels of land from the park in the last 140 years, and I note that none has been as big as the 20 hectares proposed in this legislation. The park was dedicated in 1857, and in 1858 part of the park was excised for Wisteria Gardens. The only positive thing I can say about this bill is that it is facilitating the process of returning Wisteria Gardens to the park. In 1858 Parramatta Park was created and the trustees appointed. In 1861, 0.8 hectares of the park were excised for the western railway and some public roads which run through the park, removing the Mays Hill section from the main park.

In 1900 parts of the park were leased for grazing, and at that time the greatest source of income for the trustees was from the agistment of stock and from sporting events that were held in the park. In 1913 Parramatta High School was established on 0.9 hectares of the park on the corner of Pitt Street and the Great Western Highway. In 1917 the park was proclaimed a national park. In 1952 the Parramatta War Memorial RSL Club was established on 1.1 hectares of the park. It was also given three acres for the erection of a war memorial hall, a bowling club and a tennis club. In 1959 the Parramatta War Memorial pool opened—the War Memorial pool that this Government demolished last year without a replacement.

In 1967 Old Government House was dedicated to the National Trust of Australia, which also carved out 0.9 hectares of the park. In 1969 Parramatta National Park became Parramatta Park. Between 1981 and 1986 Parramatta Stadium was built, excising eight hectares of the park. In 1997 Parramatta Park became the Parramatta Regional Park under the NSW National Parks and Wildlife Service. In 1999 the Parramatta Leagues Club car park was excised from the park and placed under the ownership of the Minister for the Environment. In 2001 the Parramatta Park Trust was established as a statutory body under the Parramatta Park Trust Act. In 2010 Parramatta Park secured its World Heritage listing as one of 11 Australian convict sites that collectively illustrate the global phenomenon of the forced migration of convicts.

Parramatta Park is an incredibly significant park with a fantastic history. At no time during that history has as much as 20 hectares been carved out of it. It is not acceptable to say that council will subdivide it in future once it knows exactly where the pool will be built. We cannot wait for a future submission; we need to get this

done right now. That is why the Opposition will move amendments to limit the excision to two hectares rather than 20 hectares. I do not know why we need further commercialisation of the park. The current Act allows the pool to operate. It allows cafes and commercial operations in the Westmead and Mays Hill gatehouses to operate. It allows the golf course to operate, although it no longer does. Previous speakers have mentioned that the golf course was previously closed off. That is a furphy.

It was a public golf course and it has a public walkway running through the middle of it. It is not closed off to the public now but allowing the commercialisation of this whole area will make that entirely possible. There is no need to use the entire golf course for the swimming pool as it does not require 20 hectares. I do not know why the two hectares that are needed cannot be identified and excised. The only good thing coming from this proposal is that Wisteria Gardens will be handed back to the park. Labor will hold the Government to account on this issue. Wisteria Gardens, which is located in the grounds of Cumberland Hospital, is a beautiful site. People enjoy visiting the gardens when they open for a few weeks in September each year. There is a lot of history about the treatment of mental illness in the nineteenth century and early twentieth century.

Cumberland Hospital was established in those beautiful gardens as it was believed that putting people with a mental illness into a garden would have a calming influence and assist in their treatment and rehabilitation. There is still some truth to that today with modern treatments. It has been identified that there is a strong correlation between open green spaces and good mental health outcomes. It is important to hold onto the gardens and to return them to park ownership. Overall this bill is an insult to Western Sydney and to many former leaders, from Governor Macquarie to Tom Uren, who established and fought for this park. I do not support the bill in its current form and I urge the Government to limit the park carve-out to the two hectares that are necessary to establish a new pool.

Mr KEVIN CONOLLY (Riverstone) (12:40): I contribute to debate on the Parramatta Park Trust Amendment (Western Sydney Stadium) Bill 2017 which will do several things. First, it will allow a land swap between the current site of the War Memorial Swimming Pool and Venues NSW associated with the construction of the new Western Sydney Stadium. The stadium will be moved further east towards the street frontage of the park and some of the land adjoining the river and the Old Kings Oval will be returned to parkland and open space. It is beneficial to locate building activity closer to the road and to allow the park to be incorporated in the river frontage, which will improve access to the park. There is no net loss in the land swap between the Parramatta Park Trust and Venues NSW, as an equivalent amount of land is involved, which is a good thing.

Another good thing is that Parramatta will get a brand new pool. This pool will have a long life span and it is appropriate to recognise that in the leasing arrangements. There will be a 50-year lease because the investment involved requires that something with that life span is built. As a result of this bill the community will receive a new and better pool, which is positive. I was interested to hear some of the history to which the member for Granville referred, but I have also done some historical research. I went back to the origins of the park to establish why the Mays Hill precinct was separated from the park. The answer is that in the 1850s and 1860s the Government of New South Wales wanted to build a railway line. The railway line reached Granville in the 1850s and was extended to Parramatta in 1860. The decision to extend the railway line further west involved finding a route through Parramatta Park. The railway line reached Penrith by 1863.

The Government made the sensible decision to provide a corridor for that railway line which serves us to this very day. It is a busy railway line with many people using it to access this area. The process involved a park subdivision in 1859. Some parts of the park remained in government ownership but some did not. The part that remained in government ownership became known as Parramatta Park which was bisected by the railway line. Some features in the park were used by the railways at the time, including the stables to the south-west of Government House. The original railway line was to be built by a private company but the Government of New South Wales took over the company in 1854 before the rail line opened. The Government extended the railway line through Parramatta Park on its way further west.

I note from the comments of the member for Granville that many subsequent excisions to the park, in particular, to the RSL club and to Parramatta Stadium, were made by Labor governments, no doubt because they believed the activities they were approving were in the public interest—to allow public access to the park, to commemorate the service of veterans, and to provide facilities and open spaces in the park for the public controlled by the Government of New South Wales. This proposal is entirely consistent with that philosophy. Mays Hill precinct usage will be increased. The number of people who access the park will be vastly increased because a new aquatic centre will replace the golf course. I am sure a few members of the public would have used that golf course. I do not have anything against golf. If people want to spend their time wandering around open spaces hitting a ball in the direction of a hole into which it never goes, that is their concern.

I am sure many more people will enjoy the facilities at the new aquatic centre. The swimming pool and associated gymnasium and activity courts that will be included in these facilities will ensure that people are fit,

healthy and relaxed as they have quality facilities near their homes in Western Sydney. The philosophy of placing an aquatic centre in this park is consistent with decisions that were made over many years—allowing recreation and access to this space by members of the public. It is not as though we are talking about excising land for a commercial proposition—a factory or some private business that is not open to the public or providing a public benefit. What we are doing is entirely consistent with the philosophy of ensuring that the park is available to the public. This bill does that, which is the public interest.

It is making consistent the previous usage of the park's facilities. At the same time it is returning some of the original parkland to the Parramatta Park Trust—in the form of the Wisteria Gardens—and consolidating space along the river frontage, which will allow better and greater usage of those attractive parts of the park. It will bring the stadium closer to the road, which is perhaps the less attractive side, but it will be more convenient for all those who are accessing the football stadium. It will achieve a sensible outcome—a balancing of park usage and ensuring no net loss of park space. Parramatta Park Trust will not lose control of the park and will protect it for the use of citizens in New South Wales and in Western Sydney in particular. I commend the bill to the House.

Ms JO HAYLEN (Summer Hill) (12:47): I speak briefly in debate on the Parramatta Park Trust Amendment (Western Sydney Stadium) Bill 2017 which seeks to enable land to be swapped between the Parramatta Park Trust and Venues NSW associated with the construction of the new Western Sydney Stadium. The bill also facilitates leasing of trust lands to build a replacement swimming pool at Parramatta Park. While Parramatta Park lies well beyond the boundaries of my inner-west electorate of Summer Hill, I am concerned that the precedents established in the bill have wider ramifications for heritage parks across our State. I am concerned also that this bill represents yet another move by the Government to privatise public land and to weaken critical heritage protections for which many generations have fought and which are important to our history and heritage.

I have spoken often in this place about the importance of protecting our open spaces and our wild spaces. Our cities and suburbs are becoming increasingly dense, so it is important to protect that open space and create more open space wherever we can. That is particularly true in Parramatta, which is one of the fastest-growing communities in New South Wales. The City of Parramatta forecasts that the local population will grow by more than 61 per cent by 2036. That will put increasing pressure on existing community infrastructure, including schools, hospitals, facilities and local parks.

The Opposition fully supports the construction of a new pool, given that this Government ripped up the former council-run Parramatta War Memorial Swimming Pool. As well as deeply inconveniencing local residents, the unnecessary closure of the pool has disrupted local swimming clubs and school swimming carnivals. It is critically important that a new pool be built, especially for those who do not have access to beaches or to recreational water amenities. They should also be able to enjoy quality public pools. I echo the strong sentiments of the shadow Minister for Environment and Heritage in the other place that access to quality open and green spaces is important to everyone. We must fight against any degradation or loss of public open space.

Of course, Parramatta Park is not any old park. The lands form one of the oldest parks in Australia, and it is one of the oldest parks in the world. The park contains evidence of more than 20,000 years of Indigenous occupation and contains some of Australia's most significant early convict heritage, including Old Government House and Domain, which was granted World Heritage listing in 2010. Nearby is the vitally significant Parramatta Female Factory, which was home to approximately 5,000 of the 9,000 women transported to our shores as convicts. It is the jewel in the North Parramatta Heritage Precinct, which is under threat from development as the site awaits assessment for World Heritage listing. These landmark heritage properties tell an important story of our earliest colonial history. They also serve as a clear reminder that the value of Sydney's heritage does not stop at the Anzac Bridge and that our shared history is not only the Botanical Gardens and the immediate surrounds of Sydney Harbour. It is much greater than that.

I am concerned that this bill amounts to little more than a crude land grab. As other members of the Opposition have said, it provides for 20 hectares of the land known as Mays Hill to be leased for an aquatic centre, a gymnasium, sports courts and other sporting facilities. That is far more than the two hectares that are required. The bill also opens the land up to 50-year leases for cafes and car parks. While many of these facilities may be welcome, I share my Opposition colleagues' concerns that this represents creeping commercialisation of open space. The Hon. Lynda Voltz in the other place clearly outlined the Opposition's objections by saying, "While we accept the need for a new pool to be constructed on Mays Hill as a consequence of the Government's diabolical mismanagement of the site, we categorically reject the Government's push to commercialise the whole 20 hectares." The Opposition has moved amendments dealing with that issue.

I acknowledge the Minister's commitment today that the Government will return the significant Wisteria Gardens to the site. The gardens were part of the park until 1858, but were transferred to the Department of Health. The Labor Opposition has been calling for Wisteria Gardens to be returned to the park for some time and welcomes that commitment. As I said, the loss of heritage and open space to commercialisation is not limited to Parramatta

Park; our precious heritage is being eroded across the State. We have seen this Government seek to demolish the Sirius Building in The Rocks. It is a key example of brutalist architecture and an important symbol of social inclusion in our State. We have seen the selloff of the historic Sydney GPO without a word of criticism from the Premier. In my own electorate, we have seen the wanton destruction of irreplaceable federation homes in Haberfield—which was the world's first garden suburb—for WestConnex.

I take this opportunity once again to call on the Minister for Environment and Heritage to commit to State Heritage listing for the entire Haberfield postcode. That listing is supported by heritage experts, the local community, the Haberfield Association, the local council and residents. It is an extremely important issue and I again draw it to the attention of the House. We cannot allow our precious heritage to be destroyed by a thousand cuts. When it comes to our public parks, we cannot afford to lose more space for future generations to run in, to play in, and to enjoy. History has shown that once they are gone, they are gone forever.

Mr CHRIS PATTERSON (Camden) (12:53): I support the Parramatta Park Trust Amendment (Western Sydney Stadium) Bill 2017. The topic of this bill is close to my heart, having spent a lot of time at Parramatta Park when I was growing up. I was a Saint Monica's Primary School boy and lived at Northmead, and my father and I would run around Parramatta Park. I am happy to be corrected and I would hate to mislead the House, but my memory is that the park had a one-mile track and a two-mile track. I would run around the one-mile track while my father would run several times around the two-mile track. It was fantastic. Students of Saint Monica's Primary School would use the Parramatta War Memorial Swimming Pool—which is so hotly debated—for swimming lessons and carnivals.

Given my fond memories, I am pleased that the Government pledged $30 million for the construction of a new aquatic leisure centre in Parramatta. The Parramatta War Memorial pool has served the community for many years and it is opportune to carry out this project in conjunction with the construction of the $360 million Western Sydney Stadium. As a long-suffering Parramatta Football Club fan, I remember the team's first grand final win in 1981. I cannot remember when Cumberland Oval was destroyed by fire. It was either 1981 or 1982, but it was certainly after the Parramatta Football Club's first premiership win against Newtown Soccer Club. The Minister who is in the Chamber is a loyal and true Sydney Football Club fan and might struggle to give the Wanderers anything new, but obviously that horse has bolted. I will not let the fact that the Wanderers will use the facility reduce my support for this project and the enabling bill because it will be wonderful for football across the State.

The Government has committed to providing $360 million for the construction of a wonderful new stadium in Western Sydney. The project will create 2,000 jobs during and after construction, and that in itself is fantastic. The project also includes world-class sports and entertainment facilities and it represents an enormous investment by the Government for the people of Western Sydney. I heard the member for Parramatta's passion for his electorate in his contribution to this debate. He is a wonderful advocate for his area and he also appreciates the merits of this proposal.

Under the Parramatta Park Trust Act 2001, the trust can lease its land for a maximum of 10 years, although specific locations in the parklands are excluded. That is an important point. Those locations include the former Parramatta War Memorial pool site. If the council is to enter into a lease with the trust for a new aquatic leisure centre, it must have more certainty about the length of the lease to ensure that it gets a return on its investment and to enable the delivery of a first-class community asset. That is why this bill proposes to allow the trust to enter into a 50-year lease for a new aquatic centre. This is a wonderful investment by the Government for the people of Western Sydney and I am extremely proud of it. I have wonderful memories of the park and being there with my father many years ago. On that note, I commend the bill to the House.

Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (12:59): As the Minister for Western Sydney, Minister for WestConnex, and Minister for Sport it is appropriate that I make a short contribution to debate on the Parramatta Park Trust Amendment (Western Sydney Stadium) Bill 2017. A couple of issues have been raised by many members, particularly those on the opposite side of the Chamber. I am sure that the Minister will address those issues in the appropriate fashion in her formal reply speech. There are a couple of things I want to make clear: The development of the Western Sydney Stadium on land that is now allocated to Venues NSW is not privatising land in Parramatta Park. Venues NSW is a body of the New South Wales Government. Parramatta Stadium is owned by the people of New South Wales. It is not a private enterprise owned by private interests; it is owned by every citizen in this State.

When we built Parramatta Stadium we required extra space to develop an appropriate and modern facility to replace the original stadium, which meant that the pool could not remain in same location. We worked with Parramatta council to identify Mays Hill precinct as the future location for the pool. The Government has made a contribution to deliver a pool for Parramatta council—a public pool with public access. We are not privatising Parramatta Park; we are ensuring that the pool in Parramatta Park remains a public pool and that Parramatta Park

is protected. The Wisteria Gardens will be returned to the parklands, something that the community has been requesting for years and that this Government is delivering. This Government is delivering an enhanced capacity in Parramatta Park—a new stadium and a new pool for the people of Parramatta, both of which are publicly owned assets. It is wrong for members of the Opposition to suggest that the Government is privatising Parramatta Park. The people of Western Sydney are getting a new pool, a new stadium and the heritage protection across Parramatta Park that they so richly deserve.

Ms GABRIELLE UPTON (Vaucluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (13:01): In reply: I thank all members for their contributions to debate. In particular, I thank the members representing the electorates of Parramatta, Londonderry, Camden, Granville, Riverstone and Summer Hill, and the member for Penrith and Minister for Western Sydney. This bill is an important step towards the realisation of a new stadium and aquatic leisure centre for Western Sydney and for the Parramatta community. It is a proud announcement that I am pleased to shepherd through this House. The people of Western Sydney deserve to have access to first-class facilities. This bill is yet another step in this Government's commitment to achieving that goal while maintaining and adding to the important green space of Parramatta Park.

I will address some of the comments that have been made by members in this House. Opposition members have raised spurious claims, which have been referred to by the Minister for Western Sydney and member for Penrith, about what they say is a degradation of open space and a so-called land grab. They obviously have not read the bill. Through consultation, the local community that those opposite suggest they know the views of said they want a new aquatic centre. They want a modern facility that is capable of meeting the needs of a rapidly growing local population, and that is what it will be. They want facilities like affordable food services, modern change rooms and multiple transport options and they want something that is uniquely Parramatta in this pool.

It will be sympathetic in its design with the natural landscape and reflect the significant cultural and heritage values of the site to which we have heard all members of this Chamber refer today. Through the consultation process, the views of 3,000 people were heard. There has been extensive consultation about what this pool should look like and how it should represent the desires of the community, which is what they will get through this process. The recently exhibited master plan for the Mays Hill precinct was well received by the local community. The local community strongly supports its improved facilities for play areas, recreation and leisure, which will be included as part of this public world-class aquatics centre.

In response to comments about limiting the size of the aquatic leisure centre, as I said in my second reading speech it is not appropriate, realistic or practical to place restrictions on the precise footprint of the facility at this point in the process because planning is still underway. Let me assure those who are still concerned—and who should not be concerned—that there are sufficient checks and balances in the planning system to ensure an appropriate facility is built in the Mays Hill precinct which responds to the many views of local residents. The precinct is heritage listed and requires the Heritage Council's approval before development of the new facility can go ahead.

Further, as part of the planning process council's development application will propose a subdivision of the Mays Hill precinct which will constrain the maximum possible size of the new pool and aquatics centre. Based on current planning controls, the development would be limited to approximately two hectares. That is the same size as the previous pool. I reiterate that planning is still underway and we are still engaged in consultations. It is our intention to ensure that this pool is what the community wants as a result of the views they have expressed and through consultation and feedback over an extended period. Parramatta Park is an important recreational area to the community of Western Sydney and more broadly is of historical significance to the State. It is an important public open space as Parramatta grows and changes.

The Government has a long-term commitment to the parklands. That is why we have invested $22 million into the parklands since 2015, the largest investment in the park's history. The relocation of the new aquatics centre to the Mays Hill precinct, the construction of the Western Sydney Stadium—a first-class stadium for Western Sydney—and the land swap between the trust and Venues NSW, which on balance gives more to the parklands and takes from Venues NSW land, will activate a space that was previously under-utilised. It will secure vital recreational facilities for the community of Western Sydney in the long term. The Government will work with Parramatta Council and the local community to bring this to fruition. On that basis, I commend the bill to the House.

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

The House divided.

Ayes 47
Noes 38
Majority.....9

AYES

Anderson, Mr K	Aplin, Mr G	Ayres, Mr S
Barilaro, Mr J	Berejiklian, Ms G	Bromhead, Mr S (teller)
Brookes, Mr G	Conolly, Mr K	Constance, Mr A
Coure, Mr M	Crouch, Mr A	Davies, Ms T
Dominello, Mr V	Elliott, Mr D	Evans, Mr L
Fraser, Mr A	George, Mr T	Gibbons, Ms M
Goward, Ms P	Grant, Mr T	Griffin, Mr J
Gulaptis, Mr C	Hazzard, Mr B	Henskens, Mr A
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	Roberts, Mr A	Rowell, Mr J
Sidoti, Mr J	Speakman, Mr M	Stokes, Mr R
Taylor, Mr M	Toole, Mr P	Tudehope, Mr D
Upton, Ms G	Ward, Mr G	Williams, Mr R
Williams, Mrs L	Wilson, Ms F	

NOES

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

PAIRS

Perrottet, Mr D	Atalla, Mr E

Motion agreed to.

Third Reading

Ms GABRIELLE UPTON: I move:

That this bill be now read a third time.

Motion agreed to.

Community Recognition Statements

MIDCOAST COUNCIL ELECTIONS

Mr STEPHEN BROMHEAD (Myall Lakes) (13:15): I inform the House of the results of the recent local government elections for the newly formed MidCoast Council. I congratulate councillors Jan McWilliams, Len Roberts, Claire Pontin, David West, Karen Hutchinson, Peter Epov, David Keegan, Katheryn Smith, Brad Christensen, Kathryn Bell and Troy Fowler. The council held its inaugural meeting on Wednesday 27 September at which David West was elected as the first Mayor of MidCoast Council and Catherine Smith as his deputy. This combination brings great experience and enthusiasm to the newly formed council. I look forward to working with

Mayor West and all the councillors to protect our local environment, secure economic and job opportunities, and build the community infrastructure for the future. Their goal is to make MidCoast Council number one in regional New South Wales.

TRIBUTE TO KAYNE GIBBS

Ms SONIA HORNERY (Wallsend) (13:16): I congratulate Merryland's Kayne Gibbs on his stellar Australian Football League [AFL] performances since he began playing in 2007 with Lake Macquarie. Kayne moved to Warners Bay in 2013 and played in the under 17s where he won the best and fairest award. This season Kayne was selected in the Black Diamond Cup Team of the Year. Kayne was second in the league for goal kicking, managing an impressive 27 goals. He was the club's most improved player in the Premier division and highest Premier division goal kicker. I thank the many local volunteers who enable AFL and all our local sports to flourish. I acknowledge the coach, Marty, the captain and all the team for their achievements. I thank Kayne for his sportsmanship and commitment to AFL.

HORNSBY HEIGHTS CUB SCOUTS

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (13:16): I pay tribute today to four remarkable Hornsby Heights cub scouts who received their Grey Wolf Awards in mid-September. The Grey Wolf Award is the highest award available to cub scouts. They were required to complete a range of tasks, including leading a hike for their peers. Ten-year-olds Alex Matula, Declan Lees, James Leverton and Nicola Heath all earned their Grey Wolf Awards. They led their fellow cubs on a hike through the Lane Cove National Park where they had to use maps and compasses to navigate along separate tracks with their groups. At just 10 years old, this is an outstanding achievement and shows that they are already developing wonderful leadership skills. I wish Alex, Declan, Nicola and James all the best for a very bright future.

TORONTO HIGH SCHOOL STUDENT ACHIEVEMENTS

Mr GREG PIPER (Lake Macquarie) (13:17): There are many young people in Lake Macquarie who are doing great things in our community, often unseen and unheralded. The effort of six year 10 students from Toronto High School who recently completed a 250-kilometre track along the Great North Walk to raise money for the Black Dog Institute deserves to be heralded loudly. Lachlan Maher, Caleb Watts, Coby Howarth, Skye-Ann Anderson, Kayleb Bennett and Toby Adams spent two weeks trekking the 250 kilometres between Circular Quay in Sydney and Queens Wharf in Newcastle. They raised more than $8,000 for the institute, which they said had inspired them to undertake the walk and raise awareness of mental illness in the community. To make their efforts even more extraordinary, on the third last day of their journey the students received the tragic news that one of their school friends, Jade Finn, had been killed in a car accident in Port Macquarie while heading off for a family holiday. These students are an inspiration to many and I welcome the opportunity during Mental Health Week to acknowledge and applaud their efforts in the New South Wales Parliament.

PROSPECT HERITAGE TRUST

Mr MARK TAYLOR (Seven Hills) (13:18): I acknowledge the Prospect Heritage Trust and speak today of an event that I was fortunate to address recently. The trust is a fantastic local organisation with great people seeking to protect and promote our local history. In mid-September, having been asked by Seven Hills resident Shirley McLeod, I spoke at the trust's Prospect History Cottage regarding my family ties to the area. My great grandfather, James Watts, was appointed as Postmaster-General to run the Prospect Post Office and did so from 1867 to 1898. The post office was kept in the family until 1946. My grandfather, Harry Caprari, was a keen supporter and active member of the trust and helped by supplying photographs and information for its records. Currently the trust is waiting for the restoration by Sydney Water of its original cottage. It will seek to include a local museum, historical photos and items of significance. I acknowledge the work of the trust in keeping the legacy of the local community's history for future generations.

WARNERS BAY HIGH SCHOOL TOUCH FOOTBALL TEAM

Ms JODIE HARRISON (Charlestown) (13:19): I congratulate Warners Bay High School students on their recent finals win in the National Schools Cup touch football championship after beating Central Coast School, St Edwards College, eight points to six in Queensland. The National School Cup is a three-day round robin for the top four year 9 and year 10 touch teams in New South Wales and Queensland and the top two in each other State. Warners Bay High School students and teachers eagerly watched the grand final from the school canteen. The boys did not let them down, breaking open a three-all deadlock midway through the first half to lead St Edward's six points to four at the break. It was an impressive performance against fierce competition. I congratulate all of the Warners Bay team, namely, Sam Bates, Kobe McWilliams, Ryan Potts, Tamas Murphy, Rhys Mannell, Josh Fredrickson, Brandon Dawson, Blake Potts, Cooper Smyth, Luke Giles.

TRIBUTE TO MEGAN DONNELL

Mr JAMES GRIFFIN (Manly) (13:20): I recognise the tireless advocacy of Megan Donnell of Freshwater who, alongside her two children, Jude and Isla, has raised close to $3 million over four years through the Sanfilippo Children's Foundation. Sanfilippo is an inherited, incurable and fatal neurodegenerative disease that affects one in 70,000 children born in Australia, causing progressive brain damage in patients. When Megan's two children were diagnosed with the disease, she established the Sanfilippo Children's Foundation, which has gone on to fund seven research projects and brought a clinical gene therapy trial to Australia—an incredible feat. She received the advocacy award at the Research Australia Health and Medical Research awards this month in Melbourne. I wish Megan and her family all the best and hope they have great success at their fundraiser at the International College of Management in Manly this November. I thank her for her tireless work for the benefit of all children suffering from this disease and for their families.

CABRAMATTA MOON FESTIVAL

Mr GUY ZANGARI (Fairfield) (13:21): Recently our community was bustling with cheer and jubilation as the Moon Festival festivities kicked off for 2017. The Cabramatta Moon Festival has continued to grow with each passing year, with more than 90,000 people flocking to Cabramatta this year to join in the festivities and take in all that the Moon Festival has to offer. From clothes to gourmet food, parades to food competitions—with some traditional lion dancing mixed in—the Cabramatta Moon Festival has it all. I even hear that Peppa Pig and her brother, George, made a guest appearance at this year's festival and made it safely home.

The Western Sydney Chinese Associations held their annual Moon Festival gala dinner at the Golden Palace, Cabramatta. The gala dinner was very well attended and also served to acknowledge the sixty-eighth anniversary of the founding of the People's Republic of China and the forty-fifth anniversary of diplomatic ties between Australia and China. I say well done to everyone involved in making this year's Moon Festival celebrations resounding successes throughout our community. Bring on 2018!

BOWLS NSW ROOKIE PAIRS CHAMPIONS CRAIG HILLOCK AND DAVE COMPTON

Mr ADAM CROUCH (Terrigal) (13:22): I recognise bowlers Craig Hillock and Dave Compton of Davistown RSL, who defeated Avoca's John McManus and David Hopkins in the final of the Central Coast section of the Bowls NSW Rookie Pairs, which was played at The Entrance on Sunday 27 August. Craig and David came to bowls through Davistown's highly successful twilight social bowls program. They are known as the Mud Crabs and have become devoted bowlers. Twenty teams took to the greens to contest the pairs, with the Davistown pair going through the sectional rounds and final series undefeated to take out the prestigious title and earn a spot in the State final series. I congratulate Craig and Dave on this achievement and wish them every success when they contest the finals.

CHINESE MID-AUTUMN FESTIVAL

Ms JODI McKAY (Strathfield) (13:23): The Mid-Autumn Festival was celebrated on 4 October this year. I acknowledge the community leaders and groups, whom I spent time with during the important event. The Chinese community celebrates the festival on the fifteenth day of the eighth month in the lunar calendar. The festival focuses on reunion, that is, families and friends coming together to enjoy mooncake while children are playing with lanterns. As part of the festival I led a walk of leaders of the Chinese Australian community through Chinatown to hand out mooncakes and lanterns. Our walk was accompanied by a traditional lion dance performance by the Chinese Masonic Society. I thank Elsa Shum from the Way In Network, Justin Chan from the Goon Yee Tong and Belinda Lee from the Australian Foshan Association. I also attended Mid-Autumn Festival functions held by the Australian Nursing Home Foundation, Goon Yee Tong and the Australian Fujian Entrepreneurs Association. I thank them all for their leadership in our community and I wish everyone a happy Mid-Autumn Festival.

NORTH SHORE LIGHT THE NIGHT

Ms FELICITY WILSON (North Shore) (13:24): Last week I was humbled and thankful to have the opportunity to walk in the annual North Shore Light the Night from Mosman to Bradfield Park. Now in its tenth year, the event is a unique fundraising occasion championed by the Leukaemia Foundation to bring together Australia's blood cancer community in more than 140 locations in every State and Territory. Light the Night gives people the opportunity to reflect, remember and contribute to research and support as we seek to raise a lifesaving $2 million. The event, which comprises a moving ceremony followed by a short walk, has been held on the North Shore for six years. Gold lanterns are held in remembrance of loved ones lost to blood cancer. Those who carry a white lantern have been diagnosed with blood cancer and blue lanterns are raised high by supporters. I recognise the incredible people involved in organising this annual event which has raised more than $100,000 in the past

six years. I congratulate Leukaemia Foundation campaign manager Sarah Hozack and Alistair Booth, together with wonderful community partners Sean Alley and Georgee Attwater.

MEREWETHER UNITED FOOTBALL CLUB

Mr TIM CRAKANTHORP (Newcastle) (13:25): I congratulate Merewether United on its spectacular win over Warners Bay Football Club in the Herald Women's Premier League Grand Final. I congratulate Merewether United captain Lori Depczynski on guiding her championship team to victory. Merewether scored one goal in the first half thanks to Grace Macintyre and Tayla Braithwaite; however, a hat-trick by Sarah Halvorsen in the second half secured the win for Merewether United. I pay tribute to coach Cassie Koppen, who has put in significant time and effort to coach the team this season. Merewether United showed true grit, skill and determination to come back from three goals to one down at half-time to seal the win. The team members credited their win to "doing it for each other", which is true testament to mateship and community spirit. I congratulate Merewether United and wish it all the best for next season.

ULLADULLA HIGH SCHOOL CLASS OF 1987 REUNION

Ms SHELLEY HANCOCK (South Coast) (13:26): I congratulate the 1987 year 10 class of Ulladulla High School, who recently celebrated their 30-year reunion. The class has gone on to achieve wonderful things in so many areas. They have become doctors, lawyers, business owners, police officers and teachers and have entered many other fields of endeavour. This is not a surprising result from a remarkable group of students who never ceased to amaze me with their enthusiasm and talents not only in the classroom but also in sporting and creative fields. I have remained in contact with many of the students who stayed in the area and with the parents of those who moved away. It is always amazing to see former students now in their forties and who were 18 when I saw them last. The blokes seem to age less well than the girls. I was the year advisor for the group and the English or history teacher of many. I attended the reunion in Ulladulla last week. I thank organisers Angela Stephens and Alison McKay for a successful evening. Both Alisons were very outspoken students, I am proud to say. They organised a fantastic night. I say well done to the 1987 Ulladulla High School year 10 class.

PORT STEPHENS ELECTORATE FESTIVALS

Ms KATE WASHINGTON (Port Stephens) (13:27): In Port Stephens, we love festivals. They bring our community together and showcase the unique character of the townships that make Port Stephens so special. On 21 October the annual Karuah Oyster and Timber Festival returns, featuring the famous Karuah duck race, freshly shucked oysters direct from the farmers, and a woodchopping competition starring the best axemen in New South Wales and Australia. On 28 October the Myall River Festival in Tea Gardens brings together a raft of community groups, who are entertained with live music, alongside the beautiful Myall River waterway. On 5 November the Raymond Terrace Jacaranda Spring Festival will feature art workshops, photography, music and a children's talent show all under a beautiful purple canopy of jacarandas lining the street. Finally, on 18 November the fabulous Tilligerry Festival kicks off, where we simply have fun. I love each of the festivals and cannot wait to set up my mobile office at all of them. I encourage everyone to come along. I thank the many volunteers whose efforts make these festivals happen and make our community stronger.

GREAT LAKES COLLEGE, TUNCURRY CAMPUS, BOYS NETBALL TEAM

Mr STEPHEN BROMHEAD (Myall Lakes) (13:28): I inform the House of the successful campaign by the boys netball team from the Great Lakes College, Tuncurry Campus, who placed third in the 2017 Schools Cup in the year 9 and 10 boys competition. The State finals were held at the home of Netball NSW in Olympic Park. Now in its fifth year, the school cup has grown from involving 3,000 participants in its inaugural year to more than 10,000 participants in 2017. I congratulate Adam Neal, Brendan Davison, Sam Gibson, Ky Sandilands, Corey Fletcher, Kade Hooper, Jackson Dowse, Lachlan Palmer, Braithen Forrest, Sam Nicholson and Ned Gardener on a fantastic achievement. Their teamwork and success have made their community proud.

TRIBUTE TO NICOLA BOLTON

Ms JENNY AITCHISON (Maitland) (13:29): Nicola Bolton is a talented Maitland resident whose artwork has been nominated for the 2017 New South Wales Parliament Plein Air Painting Prize. Nicola's impressive painting entitled *The Road to Kelton Plains* is one of 44 finalists in this year's prize. Nicola's passion and love of our nation's countryside is reflected in her work. Her landscape painting of a sheep property outside Cooma is painted in the plein air tradition, which means to paint entirely outdoors come rain, hail or shine and everything in between. This style of painting was first popularised by the likes of Monet and Renoir before coming to Australia through Tom Roberts and Arthur Streeton. Artists must submit a plein air painting of a New South Wales subject to win the $20,000 prize. I am pleased to recognise Nicola's talents and look forward to meeting her tonight.

BEROWRA PROBUS CLUB TWENTY-FIFTH ANNIVERSARY

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (13:30): One of my favourite community groups in Hornsby, the Probus Club of Berowra, has recently celebrated its twenty-fifth anniversary. The Probus Club was created by community locals under the sponsorship of the Berowra Rotary Club. They wanted to increase social interaction among retirees and give them an opportunity to immerse themselves in new interests and cultural experiences. At present, four founding members are still active in the group: Jim Hatfield, Stan Stokes, Malcolm McClintock and Lance Saisell. Lance was awarded a life membership at the anniversary celebrations.

The club hosts monthly meetings and organises regular social activities that are designed to build friendships and get retirees involved in events from which they will receive enjoyment. Although that does not explain why I was invited to be the guest speaker, I appreciated receiving the invitation. I congratulate the club on reaching a significant milestone. I commend its members for their commitment to bringing together a community of people with similar interests. They do wonderful work in Hornsby. I thank them for 25 years of outstanding service and wish them all the best.

THE GLEN MENTAL HEALTH WEEK ACTIVITIES

Mr DAVID HARRIS (Wyong) (13:31): Since 1994 the Ngaimpe Aboriginal Corporation has operated an adult male rehabilitation facility known as The Glen in my electorate at Chittaway Point. On Monday this week its members celebrated Mental Health Week with a big breakfast, music and a morning yarn around the fire. They also launched their new art website and introduced us to their first music recording. The powerful messages about mental health were awe inspiring. I again recognise the tireless work of Joe Coyte; few people are more worthy of recognition for their work in improving the lives of others in my community. Joe has made every event at The Glen a great success and has highlighted to me issues in our community that can sometimes seem a world away. I thank Joe and the team at The Glen for showcasing to me and my colleagues the brilliant work they are doing for Mental Health Week.

ERINA MEN'S SHED TRIVIA NIGHT

Mr ADAM CROUCH (Terrigal) (13:32): Last week I attended a fantastic trivia night at the Erina Men's Shed. My staff and family members formed a team for the competition, which we aptly named Team Terrigal. Some members may find it interesting to note that the member for Gosford also attended the trivia night with her team called the A-Team. The results show that Team Terrigal was the real A team as we won the overall night. There is nothing like a little friendly competition for a good cause. I was pleased to donate the winnings in support of the work of the Erina Men's Shed and Wheelchair Sports New South Wales. Those worthy organisations do terrific things for our community at a local and State level. I commend and thank those involved with the Erina Men's Shed for hosting a fantastic fundraising event. I look forward to whipping the Gosford A-Team again next year.

CHRISTINA'S COMMUNITY PHARMACY TWENTY-SIXTH ANNIVERSARY

Ms SOPHIE COTSIS (Canterbury) (13:32): I wish Christina's Community Pharmacy in Earlwood a happy twenty-sixth birthday and congratulate Christina and Sam Tsatsoulis and their staff. Christina's Community Pharmacy is a pillar of the community in my electorate. Many residents including young mothers, students, the elderly, and people from multicultural backgrounds rely on the trusted services and expertise of the staff at Christina's. As well as providing regular medication and professional advice, they offer essential services such as raising awareness of the symptoms of stroke, hearing loss and diabetes. This year they were awarded the title of Most Outstanding Pharmacy at the Canterbury Bankstown Local Business Awards 2017, the tenth award they have won in our district. I wish them the very best.

MANNING VALLEY AND AREA COMMUNITY TRANSPORT GROUP THIRTIETH ANNIVERSARY

Mr STEPHEN BROMHEAD (Myall Lakes) (13:33): On Thursday 28 September the Manning Valley and Area Community Transport Group celebrated its thirtieth birthday. The event was attended by special guests, volunteer drivers, organisers and members of the community. I make special mention of community transport manager Jennifer Hadfield, who has played a big role in the organisation for more than 10 years. I also thank the 125 volunteer drivers. The Manning Valley and Area Community Transport Group is the sixth largest transport group in New South Wales, but Jennifer is not about to settle for that. As the Great Lakes has one of the fastest growing ageing populations in New South Wales, it is important that we in this House continue to support community transport so that the elderly in regional areas can continue to feel connected to their communities.

BANKSTOWN UNITED FOOTBALL CLUB PRESENTATION DAY

Ms TANIA MIHAILUK (Bankstown) (13:34): Last Sunday I was delighted to attend the presentation day for Bankstown United Football Club and to present the under 13 boys teams with trophies. The under 13s had a truly remarkable season in the NPL2 Youth competition in 2017, finishing in first place and winning 26 of 28 matches. They scored 104 goals and conceded 18 in the process. It was a truly champion effort by a champion team. I also recognise the Bankstown United under 18s men's team, who were crowned champions after winning the grand final, and the first grade men's team, who finished as State League Men's Premiers. I congratulate the directors of the Bankstown District Amateur Football Association, including Chairman Glenn Rufford, Andrew Forster, Dimitri Hursalas, Leanne Millar, Ross Kelly, Michael Shrimpton and General Manager Shane Merry on ensuring that 2017 was a fantastic season for Bankstown United.

TRIBUTE TO CODY BARNWELL

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (13:35): Hornsby resident Cody Barnwell is an extremely talented martial arts fighter and an outstanding community member. Recently, Cody won the WAKO K1 Oceania title and the Victorian Golden Gloves. He is currently training to compete at the world championships in Brazil later this year. Cody has been teaching mixed martial arts classes at the Hornsby Police Citizens Youth Club for the past three years and has started a new program, which is targeted at reaching out to troubled youth in the local area by giving them an outlet to help them cope with their everyday issues. Cody is passionate about passing on the skills he is constantly learning as he continues to train and believes mixed martial arts can help people push themselves to the limit. I wish Cody all the best for his world championship competition and look forward to hearing more about his undoubtable outstanding success.

NEWTOWN ELECTORATE OFFICE STREET LIBRARY

Ms JENNY LEONG (Newtown) (13:36): The street library movement started in 2015 when Newtown local Nic Lowe built and installed a street library on MacDonald Street. There are now more than 100 street libraries in Australia and the goal is to increase that number to 500 by 2018. Recently the Newtown electorate office became host to its own street library. The mission of street libraries is to encourage literacy and community. I make special mention of the talented Nika, Sylvie, Martha, Frankie, Lani, Sophia, Saskia, Milla, Zoe, Margot, Freya, Tily, Bessie, Zora, Emily, Max, Craig, Jake and Persephone from the Newtown Public School Art Club who did an amazing job of decorating our street library with beautiful green leaves. Inaugural titles in our library covered a wide selection, including a favourite of schoolchildren, *The Day My Bum Went Psycho*. The street library at Australia Street Infants School is always a popular place to visit. I thank Street Library Australia for its generous contributions.

CENTRAL COAST SURFERS MATT WILKINSON AND MACY CALLAGHAN

Mr ADAM CROUCH (Terrigal) (13:37): The beaches in the Terrigal electorate are well known as the jewel in the Central Coast crown. In light of this, it is no wonder that we have many good surfers on the Central Coast. I am pleased to inform the House that two Central Coast surfers recently represented Australia in the World Surf League competition at Lower Trestles in California. Matt Wilkinson is originally from Copacabana in my electorate and was ranked third in the world rankings. He had a solid performance against the likes of world champions Jordy Smith and John John Florence. Matt was one of 12 men who represented Australia in the Hurley Pro at Trestles. Macy Callaghan, aged 16 and from Avoca Beach in my electorate, also competed, making her World Surf League debut in the Swatch Pro. Macy competed in round one and round two before unfortunately being knocked out of the competition. I congratulate the surfing legends on the Central Coast.

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

Visitors

VISITORS

The SPEAKER: I extend a very warm welcome to the student leaders, their parents and their teachers from Ermington Public School, Meadowbank Public School, Kent Road Public School, Ryde Public School, Marist College Eastwood, and St Anthony's Catholic Primary School, guests of the Minister for Finance, Services and Property, and member for Ryde. I also welcome to the Chamber a delegation from the Kiama Mixed Probus Club, guests of the Parliamentary Secretary for the Illawarra and South Coast, Parliamentary Secretary for Education, and member for Kiama. I acknowledge Chandelle Mayo, a Communications and Media Studies and International Studies Dean Scholar from the University of Wollongong, also a guest of the Parliamentary Secretary for the Illawarra and South Coast, Parliamentary Secretary for Education, and member for Kiama.

I also acknowledge in the gallery the Mayor of Port Macquarie-Hastings Council, Peta Pinson, who is accompanied by the general manager, Craig Swift-McNair; director, Geoffrey Sharpe; and Port Macquarie electorate officer, Terry Sara—guests of the Parliamentary Secretary for Regional and Rural Health, and member for Port Macquarie. I welcome the Hon. Douglas McClelland, AC, the former President of the Senate, who is accompanied by Mr Michael Sheils, OAM—guests of the Member for Rockdale.

Members

REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS

Ms GLADYS BEREJIKLIAN: As I should have said yesterday, I advise the House that in the absence of the Treasurer, and Minister for Industrial Relations, the Minister for Finance, Services and Property will be answering questions on his behalf for the remainder of the week. [*During the giving of notices of motions*]

Notices

PRESENTATION

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

Question Time

DARLEY ROAD, LEICHHARDT, LEASE

Mr LUKE FOLEY (Auburn) (14:27): My question is directed to the Premier. When will the Premier stop running away from questions and explain why when she was the transport Minister her department shopped around for probity advice on the Darley Road matter?

The SPEAKER: Order! The member for Maroubra will come to order or he will be placed on a call to order.

Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:27): I have answered questions on this issue before.

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

Ms GLADYS BEREJIKLIAN: Those opposite know that this is a matter for the department, Transport for NSW. I and all of my colleagues stand by every single decision we make on infrastructure. Those opposite have no idea what it takes to build a major project. Worse still, those opposite lack integrity on all issues regarding State politics. As I have said before in this place, that was a matter for Transport for NSW, so members should direct their questions to Transport for NSW. I again place on record that I am happy to stand by every single decision I made when I was the Minister for Transport and the Treasurer and now as the Premier of New South Wales. I say to Opposition members, grow some principles.

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

Ms GLADYS BEREJIKLIAN: I say to Opposition members, do not judge this Government by how Labor ran New South Wales.

Mr Michael Daley: Point of order: My point of order relates to Standing Order 129.

The SPEAKER: The Premier has been relevant.

Mr Michael Daley: This is a secret property deal that took place in the Premier's office and she will not answer a single question about it—not in this House and not outside.

The SPEAKER: Order! The member for Maroubra will resume his seat. I place the member for Maroubra on two calls to order. If this conduct continues, he will be removed from the Chamber. I call the member for Cessnock and the member for Keira to order for the first time. I call the member for Keira to order for the second time. I warn members not to test me.

Ms GLADYS BEREJIKLIAN: I appreciate that when a political party lacks policy, lacks principle and cannot think of the issues that matter to the people of New South Wales, it scrapes the bottom of the barrel, and that is what the Labor Opposition is doing. I say to Opposition members, do not judge this Government by how Labor ran New South Wales. If the Labor Opposition cares so much about integrity, morality and values, why is Labor preferencing the Shooters, Fishers and Farmers Party?

The SPEAKER: Order! The members who find that amusing will be removed from the Chamber. I place the member for The Entrance on three calls to order. I call the member for Prospect to order for the first time.

Ms GLADYS BEREJIKLIAN: The question related to integrity. This morning I was very concerned to hear a member of the Legislative Council and member of the Shooters, Fishers and Farmers Party, Mr Borsak, make a statement on the radio. This is a serious issue. I make clear that I do not support 10-year-olds using guns, but this morning on 2GB's Ray Hadley program Mr Borsak said—

Mr Michael Daley: Point of order—

The SPEAKER: Order! This is a serious subject and members will come to order. Earlier I warned the member for Maroubra that if he takes a point of order when the Premier is being relevant he will be removed from the Chamber. What is the member's point of order this time?

Mr Michael Daley: The question concerns a property deal relating to 67 Darley Road, Leichhardt. It has nothing to do with what Robert Borsak had to say.

The SPEAKER: Order! The Premier is answering the question. The member for Maroubra will resume his seat.

Mr Michael Daley: The answer cannot possibly be relevant.

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

Ms GLADYS BEREJIKLIAN: This morning Mr Borsak said, "We want 10-year-olds to be trained in the safe usage of guns under the tutelage of licensed firearm owners. It's all about training and safety, Ray." Then he went on to say, "Twelve-year-olds get trained." Then he said, "We are pretty keen to see, for example, that schools that already do it with 12-year-olds, why shouldn't they also be able to do it with a 10-year-old with a trainee licence?"

Mr Chris Minns: Point of Order: My point of order relates to Standing Order 129. The question was about shopping around for legal advice, not about 10-years-olds with guns.

The SPEAKER: Order! The Premier has demonstrated relevance in her answer.

Mr Chris Minns: The Premier is way off topic. This is not relevant.

The SPEAKER: Order! The Premier has demonstrated how the answer is relevant. The member for Kogarah will resume his seat.

Ms GLADYS BEREJIKLIAN: This is about integrity. To his credit, Mr Hadley said, "So it's"— [*Time expired*.]

The SPEAKER: Order! I warn members that I will put aside the calls sheet and make no further calls to order. If members continue to act in an unruly manner they will be removed from the Chamber. It is atrocious conduct in front of the school students who are present in the gallery. Their local member, the member for Ryde, does not interject in that manner. He has respect for the Chamber, unlike 90 per cent of the members. I warn members not to interject.

COST OF LIVING

Ms MELANIE GIBBONS (Holsworthy) (14:33): My question is addressed to the Premier. How is the New South Wales Government driving down the cost of living for New South Wales households?

Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:34): I thank the member for Holsworthy for her question. Having visited her and her community on a number of occasions, I know that cost-of-living pressures are real in her community. She and all other Government members are working hard to reduce at every opportunity the cost-of-living pressures. I thank every single member who has raised this issue with me and others personally. The Government is working hard to address the issue. This morning I was very pleased to be joined by the Minister for Finance, Services and Property and the Minister for Innovation and Better Regulation to launch the new FuelCheck app. Previously the Government had a website that enabled people to look up all the petrol stations in their community and see which one is offering the best price. Now that information is on an app, which is less clumsy.

The SPEAKER: Order! I issue a final warning to both the member for Hornsby and Minister for Innovation and Better Regulation and the member for Cessnock. If those members wish to have a conversation across the Chamber during the Premier's response they will be removed from the Chamber.

Ms GLADYS BEREJIKLIAN: The Government knows that the FuelCheck app will be of great benefit to all citizens of New South Wales. During peak times, during holidays when fuel prices might change, on the way to work, or during a regular commute, people will be able to get a message about petrol stations in their area and the best price for fuel. This not only will ensure good competition but also will put downward pressure on prices. Since the website was launched last year in August, it has had 2.3 million hits. If the website is so popular, the Government knows that there will be a huge demand for this app. However, I sound a note of caution to motorists: Make sure you are not checking the app while you are driving; make sure the passenger is. This app is a wonderful opportunity for households and individuals to benefit from information provided by this Government. I am very pleased that this Government has taken the unprecedented step of saying to all service stations and petrol stations that it is compulsory for them to make that information available so that customers and citizens can make price comparison decisions.

The SPEAKER: Order! There are too many conversations in the Chamber. Members who wish to have conversations can do so outside the Chamber.

Ms GLADYS BEREJIKLIAN: The Government knows that every year the FuelCheck app could save motorists hundreds of dollars at the bowser. This is an example of what this Government is doing to provide information that puts downward pressure on the cost of living. I predict that the FuelCheck app will be extremely popular, but it is only one of many things that the Government has implemented to save households money. Motorists also benefit from compulsory third party [CTP] reforms that the Government is very pleased about. I know that the reforms took many years to come to fruition.

I thank the Minister for Finance, Services and Property for his hard work. I am very pleased to say that, on average, people will save approximately $120 a year with savings from the FuelCheck app and green slips combined. That is a lot of money saved by individuals and households. I am very pleased to say that safe driving has its rewards. Some 1.7 million people have been rewarded with half-price licence renewals for safe driving. I repeat: 1.7 million people have been driving safely and therefore have been saving money on licence renewals. The Government is on the job.

No matter which part of government this Government controls, we have an eye to putting downward pressure on the cost of living. We are the party of the worker, we are the party of families, we are the party that supports the most vulnerable people, but we are also the party that keeps an eye on the cost of living. Yesterday I reported that $120 million is being saved by people who use public transport and changed modes of transport. This Government also knows that its Active Kids Rebate program, which comes into force early next year, is proving to be very popular among many families. We know people are anticipating its introduction. The rebate will save $100 per child for an activity, which is great news. It means that households can save on things that make a difference to them. The Treasurer and I will have more to say about this at a later stage.

I am also pleased to report that the first home buyer support measures in the budget mean that people will save up to $34,000 when buying their first home. The take-up rate has been very positive and I will have something more to say about that later. I am also very pleased that we have cut the cost of hospital car parking for regular users. The Minister for Health and I put this measure in place a few months ago, and now regular users of our hospital car parks will not have to pay premium prices. [*Extension of time*]

Our energy bill relief package is helping households to save hundreds of dollars a year through the more efficient use of power as well as more efficient appliances. The package also increases the rebates for the most vulnerable in our community, with 900,000-plus households benefiting from the rebates that we introduced a while back and which now we have increased because we know full well that people benefit from having extra dollars in their pockets. Water bills have also been reduced under this Government, with $100 being wiped off the average Sydney water bill for 2016-17.

The SPEAKER: Order! The member for Cessnock will remain silent.

Ms GLADYS BEREJIKLIAN: We have also reduced cost-of-living pressures by abolishing a number of taxes on businesses, so businesses will not pass on those taxes to their customers. The home buyers tax is gone, the stamp duty on business mortgages is gone, the unlisted marketable securities tax is gone, transfer duties on non-retail business transfers are gone, and the duty on lenders mortgage insurance is gone. This Government is putting downward pressure on the cost of living. We appreciate that although New South Wales is the strongest State in the nation and we are leading the other States on every indicator by a country mile, families are stressed by household budgets. We are making sure that we do not leave any stone unturned—whether it is the FuelCheck app, hospital car parking fees, green slips, stamp duty for first home buyers, water bills or electricity bills. We are the party for families; we are the party for reducing cost-of-living pressures. When those opposite were in government they introduced 11 new taxes and increased 21 taxes and charges.

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

Ms GLADYS BEREJIKLIAN: They did not care about the cost of living. They say one thing, but they cannot deliver.

RIVERINA MATERNITY SERVICES

Ms SOPHIE COTSIS (Canterbury) (14:41): My question is directed to the Deputy Premier, Minister for Regional New South Wales, and Leader of The Nationals. Deputy Premier, since the downgrading of maternity services across the Riverina, how many mothers have given birth on the roadside or in a hospital without doctors being present?

The SPEAKER: Order! The Minister for Health will allow the member to ask the question.

Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (14:41): I thank the member for Canterbury for her question in relation to health care in regional New South Wales. Looking at this Government's track record over 6½ years, there are now more nurses in place and there has been more investment in hospitals. I ask members on this side of the House to put up their hands if there has been an investment in a hospital in their electorate. Which member on the other side of the House would put up their hand to show that they have had hospital upgrades in their electorates?

The SPEAKER: Order! The member for Port Stephens will come to order. The member for Maitland was the only one who put up her hand.

Mr JOHN BARILARO: We can see an endorsement from members on both sides of the House for the investment this Government has made in health infrastructure.

The SPEAKER: Order! The member for Kogarah will cease calling out. He should try to maintain some standards.

Mr JOHN BARILARO: I think back to this year's budget and the headline figure for the health infrastructure spend over the next four years, which was $7.7 billion—or, as the Deputy Prime Minister, Barnaby Joyce, would say, $7,000 million. Let me make this clear, our track record on investing in health is very important.

The SPEAKER: Order! The member for Kogarah and the member for Shellharbour will cease calling out. I warn the member for Kogarah that he is on shaky ground.

Mr JOHN BARILARO: When it comes to health delivery across the State, this Government is delivering for regional communities. I thought I would never talk in this House about a $534 million investment in a regional hospital in the Tweed. That is more than half a billion dollars being spent on a hospital in a regional centre which will service the people of the Tweed today and into the future.

Ms Sophie Cotsis: Point of order: My point of order is taken under Standing Order 129, relevance. My question was about maternity services in the Riverina.

The SPEAKER: The Minister will return to maternity services.

Mr JOHN BARILARO: The question was about health services and maternity services.

The SPEAKER: Order! The member for Canterbury will remain silent.

Mr JOHN BARILARO: The Minister for Health has updated me and I now know that about $750,000 is being invested in Griffith hospital's maternity services. We are making a great investment in hospitals in the Riverina and Cootamundra. Stage one of the Griffith Base Hospital upgrade will cost $35 million. This Government has made a commitment to upgrade the theatre at Temora Hospital. These decisions have been made to benefit the health care of people in the Murrumbidgee area.

The SPEAKER: Order! The member for Canterbury will cease calling out or she will be removed from the Chamber. She has asked the question and she should listen to the answer.

Mr JOHN BARILARO: When the issue of health services was raised during the election campaign, local Labor members championed the cause with the Minister and the Government, and we have responded. The other day I was in Wagga Wagga, where I believe the hospital has received an investment of over $300 million. We are now seeing healthcare services in regional centres that we have never seen before. In the electorate of Dubbo there has been significant investment in health services; we are on the way to investing $300 million in health services in Dubbo. The Lismore Base Hospital has received $280 million, which will make it an even more fantastic hospital.

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

[*Pursuant to sessional order the member for Rockdale left the Chamber at 14:45.*]

Mr JOHN BARILARO: We have spent $157 million on healthcare services in the electorate of Coffs Harbour, where we are building a hospital for the future. Cooma is only getting $10 million for the upgrade of healthcare services, but we have delivered a HealthOne facility at Jindabyne. This facility was twice promised by Labor and twice cancelled by Labor; this Liberal-Nationals Government has delivered it. We have upgraded multipurpose services [MPS] and ambulance stations. More important is our investment in palliative care, which in this year's budget is $100 million for services right across the State.

I find it very odd that those opposite would come into this place and politicise the health system. I note that the shadow Minister for Health, the Hon. Walt Secord, when he was a guest on the ABC talked down the emergency department at Queanbeyan District Hospital. All the callers said, "No, Queanbeyan hospital is going fantastic; the emergency department and maternity are great". My wife and I had a child at Queanbeyan hospital. Those opposite will always talk down the health system in New South Wales.

The SPEAKER: Order! Members will cease shouting. I direct the member for Cessnock to remove himself from the Chamber for a period of three hours.

[*Pursuant to sessional order the member for Cessnock left the Chamber at 14:47.*]

COMPULSORY THIRD PARTY INSURANCE

Mr KEVIN ANDERSON (Tamworth) (14:47): My question is addressed to the Minister for Finance, Services and Property. How are the Government's reforms to compulsory third party [CTP] delivering lower premiums for motorists across regional New South Wales?

Mr VICTOR DOMINELLO (Ryde—Minister for Finance, Services and Property) (14:47): I thank the member for Tamworth for his question. He is a very hardworking local member who knows how important it is to reform the compulsory third party [CTP] scheme to ensure premium reductions for the people in his electorate and, importantly, right across the State. A lot of people in Tamworth drive cars for long distances and those people are acutely aware of both petrol prices and CTP premiums. The Berejiklian-Barilaro Government is focused on reducing the costs of living for families and households across New South Wales. Nowhere is this more evident than in the reform of the green slips scheme in New South Wales.

The SPEAKER: Order! The member for Swansea and the member for Hornsby will refrain from having a conversation while the Minister is speaking.

Mr VICTOR DOMINELLO: Year after year, it is not uncommon for motorists across the State when they get their green slip statement in the mail to experience bill shock. Over the last 10 years green slip premiums have increased on average by about 85 per cent, which is extraordinary. Without reform, the average green slip premium in New South Wales would have peaked at about $708. That would have been the highest premium in the country. We undertook significant reform—reform that those opposite tried but failed to deliver—and got the elusive trifecta. The reform introduced this year is increasing the benefits for those injured on our roads, significantly decreasing the cost of premiums for motorists in our State, and ensuring that we bring an end to the era of insurer super profits.

Once the new scheme begins, motorists will receive an average premium reduction of $120 per policy, and taxi premiums will reduce by up to 40 per cent. Regional drivers will also see premium reductions. Country drivers should expect to see their premiums slashed by $58 on average. Importantly for the bush, these drivers will also benefit from greater protections given to drivers involved in single vehicle accidents with a six-month safety net in place providing reimbursement for loss of income and medical treatment expenses. These reforms show that the Berejiklian-Barilaro Government truly understands that the cost of living is an issue for people right across New South Wales.

The SPEAKER: Order! The language experts on the Opposition benches will come to order. They are so articulate!

Mr VICTOR DOMINELLO: There is more good news. Today I am pleased to announce that the New South Wales Government will deliver premium refunds to eligible motorists across the State as a result of the reforms coming into effect on 1 December. When people purchase their green slips, most opt for a 12-month policy. On 1 December we are moving to a lower cost scheme. Therefore, for those who purchased a policy on, say, 1 June, half of their premium would be at the higher pre-reform cost and half would be at the newer low-cost

scheme. Therefore, the overwhelming majority of motorists in our State who renewed their green slips before 1 December will be entitled to a refund.

More than four million CTP policyholders across New South Wales will be eligible for refunds totalling almost $300 million. I look forward to making more announcements about these refunds in the weeks and months ahead. Regional drivers will also receive refunds to the tune of about $40 million as a result of the scheme changes. That $40 million will return to the pockets of hardworking families in regional New South Wales, thanks to the Berejiklian-Barilaro Government. There are 1.1 million passenger or family vehicles currently registered in New South Wales. The maximum refund available will be $42, with the average motorist receiving about $24.

There is even better news for country taxidrivers. For the 1,100 taxidrivers in country New South Wales the maximum refund will be $1,653, with the average taxi receiving a refund of about $817. Premium savings and refunds that will be delivered through reform of green slips in New South Wales are proof of the Berejiklian-Barilaro Government's commitment to reducing the cost of living for motorists and families across regional New South Wales. When this was debated in the Chamber a few months ago, those opposite bemoaned the fact that there was a problem in relation to insurance companies making super profits—and they were absolutely right. [*Extension of time*]

The SPEAKER: Order! There is too much noise from Opposition members.

Mr VICTOR DOMINELLO: In the 16 years those opposite were in government we saw incredible super profits. Those opposite were right to complain about it but the problem is—and this is always the way with those opposite—that there is a hint of hypocrisy. I have the insurer super profit table with me. When was the highest super profit made?

Mr Troy Grant: Under Bob Carr.

Mr VICTOR DOMINELLO: Yes, it was under Bob Carr, in the year 2000. Cathy Freeman was not the only one who struck gold in 2000; it was the insurance companies under those opposite that got a super profit of 31 per cent.

The SPEAKER: Order! Government members are not assisting the Minister with their interjections.

Mr VICTOR DOMINELLO: The second best year for super profits was 2003, again under those opposite, with 30 per cent. The bronze medal for super profits again went to those opposite for 2001, when it was 28 per cent. The prizes for fourth and fifth again go to those opposite: fourth was 2002 with 27 per cent insurer super profits, and fifth was 2005 with 26 per cent. Through our green slip reforms, this Government has demonstrated that when it comes to insurance companies and motorists we are backing the motorists. On petrol prices, when it comes to big oil or motorists our Government is backing the motorists. The Government is looking after cost-of-living issues for the people of our State.

RIVERINA MENTAL HEALTH SERVICES

Ms TANIA MIHAILUK (Bankstown) (14:54): My question is directed to the Minister for Mental Health, Minister for Women, and Minister for Ageing. What steps has the Minister taken to ensure that there are qualified counsellors, mental health workers and psychiatrists available to patients and their families in the Riverina?

Mr John Barilaro: You have never asked a question about the Riverina. There must be a by-election in the air.

Ms Tania Mihailuk: We have asked questions—

The SPEAKER: The Minister has the call and she will be heard in silence. The member for Bankstown will remain silent, and Government members will come to order.

Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (14:55): I thank the member for her question. It is wonderful to be able to speak about the incredible track record of the Liberal-Nationals Government in health across this State. In this year's budget alone, Mental Health has had a massive increase in direct, on-the-ground support within mental health services across our community. It now has a budget of $1.9 billion.

The SPEAKER: Order! The member for Bankstown will come to order. The Minister is being relevant. The member for Bankstown thinks she has asked a trick question.

Ms Tania Mihailuk: No, it was a genuine question.

Ms TANYA DAVIES: An attempt at being genuine. People living with mental illness often live with very complex conditions. This Government is full of concern for those people—not only those living with mental illness but also their family and friends—because mental illness leads to complex scenarios. People may live with not only mental illness but also many comorbid symptoms. The Government recognises that the best form of mental health care is mental health care in the community. That is why the Government has committed to a 10-year whole-of-government reform of mental health care.

We are shifting the focus of expenditure from our hospital system to strengthening community-based mental health systems. That includes mental health support across the State and in rural and regional communities. The 10-year reform, called Living Well, will put more money, resources and support staff where people with mental illness are living so that they can get support, nurturing and connectedness by way of psychologists, psychiatrists and mental health support care. We are committed not only to supporting people living with mental illness in the community but also to reforming mental health care so that we become more proactive and better able to deliver services in a pre-emptive and preventive fashion.

Rather than waiting for someone to develop chronic mental illness, we are shifting the focus and our budget so that we can reach people before they arrive at crisis point. To that extent, we have boosted support in our schools through School-Link coordinators and boosting support for young mothers at high risk of postnatal depression. Yesterday on World Mental Health Day I had the pleasure of announcing that Karitane in south-western Sydney is one such organisation receiving more funding for its innovative program to help young women who may be at risk of prenatal anxiety or postnatal depression. We are a government that recognises that mental illness affects everyone, whether it is a person with a mental illness or those who know someone with a mental illness.

Ms Tania Mihailuk: Point of order—

The SPEAKER: The member for Canterbury has not even been listening.

Ms Tania Mihailuk: I am the member for Bankstown.

The SPEAKER: You behave in the same manner. You have not been listening.

Ms Tania Mihailuk: I have been listening.

The SPEAKER: You were having a chat with the member for Canterbury the last time I looked. What is the point of order?

Ms Tania Mihailuk: I specifically asked the Minister about the Riverina area. I know it is National Mental Health Week but I specifically asked the Minister about whether psychiatrists and counsellors are available to families in the Riverina area?

The SPEAKER: The Minister is being relevant to the question. Shame on the member for politicising this issue. The member will resume her seat. The Minister has the call.

Ms TANYA DAVIES: I hope I am given an extension of time because the member has just wasted a minute of my time.

The SPEAKER: Order! I caution the member for Bankstown to remain silent.

Ms TANYA DAVIES: Not only is this Government firmly committed in this year's budget but for 6½ years we have been supporting people who are living with a mental illness. Three years ago we opened a multimillion dollar facility in the Riverina.

The SPEAKER: Order! Opposition members will cease interjecting.

Mr John Barilaro: Why don't you listen?

The SPEAKER: They do not listen.

Ms TANYA DAVIES: I quote a mental health drug and alcohol nursing team member who said, "Where you have recovery, subacute rehabilitation facilities, it definitely reduces the readmission rate. I think the staff love it. They know they are making a difference and they are providing world-class care, so that is hugely rewarding." Evidence shows that mental illness is very prevalent, with one in five Australians experiencing the illness at some point in their life. This Government is delivering. The member should ask me for further information.

The SPEAKER: The member for Bankstown is not listening again, even though she takes a point of order on relevance. She is not interested.

SOCIAL AND AFFORDABLE HOUSING

Mr THOMAS GEORGE (Lismore) (15:01): My question is addressed to the Minister for Family and Community Services, Minister for Social Housing and Minister for the Prevention of Domestic Violence and Sexual Assault. How is the Government helping our most vulnerable deal with cost-of-living pressures, particularly in rural and regional New South Wales?

Ms PRU GOWARD (Goulburn—Minister for Family and Community Services, Minister for Social Housing, and Minister for the Prevention of Domestic Violence and Sexual Assault) (15:01): I thank the member for Lismore for his question and his commitment to the vulnerable people in his community. I know that he is a very passionate advocate when it comes to how the Government can reduce the cost-of-living burden not only in his electorate but across rural and regional New South Wales. This Government is acutely aware of the financial pressure that an increase in the cost of living has on low-income families. We know that an increase in the price of everyday necessities can lead to families struggling to make ends meet. We know that an increase in the cost of living can lead to people owing rental arrears, resulting in the termination of their tenancies.

The Liberal-Nationals Government is determined to ensure that the most vulnerable in our community are able to find affordable and stable accommodation so that they can access the opportunities that housing provides. We want to ensure that tenants are supported to maintain their tenancies so that they can focus on achieving their potential in order to break the cycle of disadvantage. Unlike those opposite, who had no plan for social housing for 16 years—

Ms Tania Mihailuk: You do not have any plans.

Ms PRU GOWARD: We have a plan.

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

Ms PRU GOWARD: Keep going, you will get thrown out. Go on, keep going.

The SPEAKER: Order! The member for Bankstown and the member for Canterbury are on a final warning.

Ms PRU GOWARD: Unlike those opposite, who had no plan for social housing for 16 years, we have a plan not only to increase the supply of social housing but also to investment in initiatives that assist our tenants with cost-of-living pressures. Since coming to government in 2011, we have boosted private rental support for low-income families to establish and maintain tenancies in the private rental market through a range of products and services that subsidise the cost of housing. Last month this Government announced an increase in the Low Income Household Rebate and the Family Energy Rebate. That will mean a large proportion of social housing tenants will pay less for the cost of electricity right across New South Wales. That is a great result for our tenants.

Additionally, the Government is supporting public housing tenants in western New South Wales through the trial of energy-efficient reverse-cycle air conditioning, in combination with solar photovoltaic systems, which will allow the cost of electricity to be offset. I understand that 273 properties in Broken Hill, Bourke, Brewarrina, Cobar, Collarenebri and Walgett will be participating in the trial, and I am advised that installation is expected to be completed by the end of the month. That is not all that is being delivered by the Government in western New South Wales. I am also pleased to advise the House that a partnership between the Aboriginal Housing Office and the Office of Environment and Heritage will install air conditioning and solar panels in 970 properties over the next two years across western New South Wales for vulnerable Aboriginal tenants. It is anticipated that the introduction of these solar panels will reduce utility costs for vulnerable families by up to 40 per cent.

This Government is committed to continuing to support only policies that provide benefits to vulnerable people. We are very conscious of the need to ensure affordability for tenants. That is why when I released the final Independent Pricing and Regulatory Tribunal [IPART] review of social housing last month I ruled out accepting IPART's recommendation to include the Family Tax Benefit Part A and Part B and the pension supplement in the assessment of a household's contribution to rent. Those recommendations would have had a significant impact on affordability for social housing tenants, particularly those who receive both family tax benefits and the pension supplement. That is why we ruled them out.

One of the best ways to reduce the cost-of-living pressures for low-income households is to increase the supply of social and affordable housing. When we came to government, Labor had left a social housing system that had suffered from years of neglect. Under Labor, money was spent without concern for its rapidly ageing stock. Like all good Coalition governments, we are now cleaning up Labor's mess. We are delivering on our plan for more social and affordable housing through our Future Directions program, including Communities Plus. This is a $22 billion building program to renew and improve our social housing portfolio in places across the State. [*Extension of time*]

There are large-scale renewals as well as small- to medium-scale renewals, known as Neighbourhood Projects, in rural and regional areas that are in close proximity to services, in communities such as Glendale, Corrimal, Coffs Harbour, Port Macquarie and Tweed Heads. Additionally, the first phase of the Social and Affordable Housing Fund [SAHF] will deliver hundreds of new homes across the Hunter-New England, mid North Coast, western New South Wales, southern New South Wales, northern New South Wales, Murrumbidgee and the Illawarra-Shoalhaven Family and Community Services districts. Last month the Premier and I also announced phase two of the SAHF, where we will target a further 1,200 social and affordable homes, with 30 per cent to be delivered in regional New South Wales. The Government is focused on reducing cost-of-living pressures for low-income families across New South Wales. We will continue to support the most vulnerable in regional communities—something Labor never did.

COOTAMUNDRA LOCAL AREA COMMAND

Mr GUY ZANGARI (Fairfield) (15:07): My question is directed to the Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business. Will the Minister give an assurance that the Cootamundra Local Area Command will not be merged into the Wagga Wagga Local Area Command after the by-election?

Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (15:08): Similar to my answer in relation to the track record of this side of the House when it comes to frontline services, there will be more nurses and more teachers and, guess what, more police on the ground keeping our communities safe. Yesterday I had the opportunity to meet with the new Commissioner of NSW Police to talk about some of the reforms that are happening in the restructure of NSW Police. These words stuck with me at the end of that conversation: "There will not be a police station that will close in regional New South Wales."

It is about more police on the beat and making sure that we have a model that delivers the services that are required to keep our public and our metropolitan and regional communities safe. That model is also addressing the uniqueness of the issues we face in regional New South Wales. I cannot remember the last time I read about cattle and sheep theft in Sydney, but it is one of the issues we deal with in the bush. The shadow Minister pretends to understand the needs of regional policing while undermining the Commissioner of Police and his deputy. Under this Minister for Police we have a regional deputy commissioner whose role it is to consider the interests of not only the NSW Police Force and, in particular, regional police, but also, and more importantly, the safety of regional communities and the families who live in them.

We have heard the public commentary engaged in by members of the Opposition and the member for Orange. There is a by-election in the air and members opposite are using the NSW Police Force brand as a political football. They are undermining the fantastic men and women who put their lives on the line for public safety each and every day. This Government is increasing the number of police officers in regional New South Wales. We want more men and women in blue on the streets and committed to ensuring public safety in regional communities. Earlier today I asked Government members to put up their hand if they had seen investment in a new police station in their electorate. I ask members opposite to do the same. I thank those Labor Party members who have put up their hand. Luckily for me and my electorate, during the 2015 election campaign the Minister for Police committed—

Mr Guy Zangari: Point of order: My point of order relates to Standing Order 129. The Deputy Premier is not being relevant. I asked specifically about the Cootamundra Local Area Command.

The SPEAKER: Order! If the member for Fairfield had been listening to the Deputy Premier he would know that the Minister is being relevant.

Mr JOHN BARILARO: When members opposite were in government they interfered with police operations and the machinery of government. Ian Macdonald, Eddie Obeid and Tony Kelly signed off on bills left, right and centre while undermining the public service and in some cases committing criminal acts. This Government trusts the Commissioner of Police, his team and his leadership. The Police Association is also onside with what the Government is doing. This Government is committed to Cootamundra and the Riverina.

If it were not for the by-election, members opposite would not be able to locate Cootamundra or the Riverina. They simply fly over the area to get to Melbourne, which they think is a regional centre. The Labor Party is having a conference in the Riverina in the electorate of Cootamundra later this week. Is that designed to get all its members to the electorate? We must have strong laws, and particularly strong gun laws. The Howard-Fischer gun laws have kept this State and the nation safe. No-one backs the men and women in blue more than this Liberal-Nationals Government. Members opposite must be feeling very uncomfortable about their preference deal with the Shooters, Fishers and Farmers Party.

WESTERN SYDNEY INFRASTRUCTURE

Mr MARK TAYLOR (Seven Hills) (15:13): I address my question to the Minister for Western Sydney, Minister for WestConnex, and Minister for Sport. How is the Government's record of investment benefiting people across Western Sydney?

The SPEAKER: Order! I caution members who have been interjecting that if they continue to interject they will be removed from the House until tomorrow.

Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (15:14): I thank the member for Seven Hills for his question. He is a passionate advocate for his electorate in Western Sydney. He has strongly advocated for the upgrade of Toongabbie and Pendle Hill railway stations, and the Pendle Hill upgrade will be opened this year. I congratulate him on the fantastic work he has done for his local community. This Government is making significant investments in infrastructure in his electorate. It is improving the quality of life of people across Western Sydney. It has invested in the North West Rail Link and the South West Rail Link, and it is improving schools and local hospitals.

The SPEAKER: Order! Members should have their conversations outside the Chamber.

Mr STUART AYRES: That is unlike anything we saw from members opposite when they were in government. This Government is also committed to the delivery of Western Sydney's first airport to ensure long-term opportunities for jobs growth in the area. The people of Western Sydney recognise that the Government must invest in infrastructure to allow their area to continue to grow. However, one must have a job to stay ahead of the costs of living. In fact, there is nothing more important than having a job and a regular pay cheque. The unemployment rate in Western Sydney is now at its lowest since 2009, at 5.5 per cent. More than 50,000 new jobs have been created in Western Sydney alone in the past 12 months. Some areas in Western Sydney have done incredibly well in addressing unemployment since 2011.

The unemployment rate in the Blue Mountains is down to 3 per cent from 5.3 per cent when members opposite were in government. The unemployment rate in Parramatta is 3.7 per cent, in Penrith it is 4 per cent, and in Liverpool it is 5.5 per cent. The member for Auburn has managed to lower the unemployment rate in his electorate by leaving government and going into opposition. This Government has continued to invest to drive employment opportunities across Western Sydney. It is also investing in transport services. Yesterday the Minister for Transport and the Premier announced that $120 million will go back into the pockets of public transport passengers across the community. Western Sydney, which has a much heavier reliance on public transport and where passengers use multiple transport modes, is enjoying the benefits of the incentives offered by the Opal card.

Significant rebates are also being offered across the energy sector. Concession cardholders are enjoying rebate increases from $50 to $285. Rebates being offered to other eligible households have also increased from $30 to $180. This Government is helping more than 900,000 people across the State, and many of them live in Western Sydney. In addition, WestConnex is providing better opportunities for people to access parts of the city. Before the advent of WestConnex, the fastest way for those living in Penrith, Mulgoa, Londonderry or the Blue Mountains to access the city was via the M7, the M2, the Lane Cove Tunnel and the Sydney Harbour Bridge, which would cost $22 for travel in one direction. WestConnex will provide travel to the same location for $8.60. That is a fantastic opportunity for the people of Western Sydney.

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

Mr STUART AYRES: I note that yesterday when the member for Mount Druitt moved a motion to reorder the business of the House he spoke about the upcoming Blacktown by-election. He has already declared victory for the Labor Party candidate, Stephen Bali. There is nothing like treating the people of Western Sydney seriously by declaring victory before they have even voted. What I found most intriguing about the Labor Party candidate is that he strongly supports the new Western Sydney Airport. He is aligned with the Leader of the Opposition's policy. The mayor of Blacktown's policy position on the airport is to create a bubble over Blacktown. It is like something out of *The Truman Show*, but the bubble over Blacktown is a 90-storey tower. [*Extension of time.*]

Regarding the Labor candidate for Blacktown, those opposite have already racked the cue and said, "Yes, he will be the new member for Blacktown. He will sit just over there on the backbench." I think the people of Blacktown will vote him into Parliament just to get him out of Blacktown Council because they have seen that he wants to carpet-bomb Blacktown with towers as his way of stopping the airport.

The SPEAKER: Order! I remind the member for Londonderry that she is on her last warning.

Mr STUART AYRES: If this is the best that those opposite have, if they are going to import people into this Chamber to stop strong economic development—as is happening with Western Sydney Airport—and

argue that they are opposed to the airport, it is a clear signal to the people of Western Sydney that those opposite do not support the airport, they do not support the increases to infrastructure that we are seeing across the community, and they do not support the work that the Government has done for the Western Sydney economy which is driving more jobs into this community than we have seen in the last decade.

The SPEAKER: Order! The Leader of the Opposition will come to order.

Mr STUART AYRES: For the people of Blacktown, the record of this Government speaks for itself. There is no better opportunity to see this than at Blacktown Hospital. It took a Liberal-Nationals government to finally treat health care in Western Sydney seriously, and we are doing it by investing more than $700 million into Blacktown Hospital. That is the signal we are sending to the people of Blacktown and that is why everyone in Western Sydney knows that this Government is continuing to deliver for them.

NEW SOUTH WALES MARINE ESTATE

Mr ALEX GREENWICH (Sydney) (15:20): My question is directed to the Minister for the Environment. Will the Minister confirm that the Government continues to work towards a Sydney Marine Park and inform the House of progress on the Hawkesbury Shelf Marine Bioregion assessment and the Government's response to the 2016 discussion paper?

Ms GABRIELLE UPTON (Vaucluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (15:21): Like many of us in this Chamber, the member for Sydney values the waterways across New South Wales and in particular Sydney Harbour. As a local, coastal member of Parliament, I am proud to represent an area that includes Sydney Harbour and the coast. We can take pride in the fantastic environmental health of our waterways. However, as it was for me growing up in Sydney, this was not always the case. Ten days ago I was proud to stand on Bondi Beach in my electorate of Vaucluse and release the results of Beachwatch's most recent State of the Beaches report. It states that 98 per cent of our beaches are now rated as either having good water quality or very good water quality. That is something we can be proud of. As the member for Sydney knows, the work continues. It must continue. As a government, we are focused on the task at hand.

The SPEAKER: Order! There are too many conversations on the Government benches.

Ms GABRIELLE UPTON: So that members in the Chamber know what the member for Sydney is talking about, the New South Wales marine estate covers around 1 million hectares of estuary and ocean including 755 beaches, 6,500 kilometres of estuarine and coastal lakes foreshores, and 1,500 kilometres of ocean coastline. It is vast and contains a variety of marine life including many unique and threatened species, which is something to be proud of. That is why in August I was proud to announce a brand-new research project in Sydney Harbour. We will put modular artificial reefs near our Sydney Opera House.

Ms Tania Mihailuk: What? In Bondi?

Ms GABRIELLE UPTON: No, at the Sydney Opera House. If you listen, I will tell you about it.

The SPEAKER: Order! The member for Bankstown will listen to the answer and stop mouthing off.

Ms GABRIELLE UPTON: The member for Bankstown may not appreciate this, but I am happy to explain it. Those little artificial reefs are fantastic. We will put them alongside the Sydney Opera House. They encourage diversity in marine life; the little fish love them. This will further improve the biodiversity in Sydney Harbour. It is clear that all of us love our waterways. Many of us use them for fishing, boating, diving, surfing and swimming. Needless to say, these uses are often in direct conflict with one another. We need to manage this conflict because if it is not resolved or managed we will threaten the long-term sustainability of the marine estate.

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

[*Pursuant to sessional order the member for Bankstown left the Chamber at 15:25.]*

Ms GABRIELLE UPTON: As I have said, our Government is committed to getting that balance 100 per cent right and so we commissioned an independent audit. Two overarching recommendations came from that audit. One was to set up the Marine Estate Management Authority and the other was to pass new laws, carry out a threat-and-risk assessment and develop a long-term, 10-year strategy. We have passed the laws, we are undertaking the threat-and-risk assessment and we are progressing the long-term, 10-year strategy. That is good news.

At the same time, the Government is dedicating a lot of time and effort to looking at the Hawkesbury Shelf bioregion that the member for Sydney specifically asked about. It covers an area from

Newcastle to Wollongong and is quite large. Again, we must achieve a balance between community use and environmental outcomes. When we went out to consult, we received more than 3,400 submissions. There was a lot of interest. We are planning more community engagement in the near future. I reassure the member for Sydney that as the Minister for the Environment and as a coastal member of Parliament who has a slice of the beautiful Sydney Harbour, I have a strong interest in the good health of our marine estate and its sustainable future, as he does. I look forward to working with the member for Sydney and many other members in this House to make sure we deliver on that outcome.

NATIONAL FIREARMS AGREEMENT

Mr ANDREW FRASER (Coffs Harbour) (15:25): My question is addressed to the Deputy Premier. Will the Minister advise the House how the New South Wales Government is ensuring the safety of the people of New South Wales, and any other related matters?

Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (15:26): I thank the member for Coffs Harbour for his question. He represents a great region. I also acknowledge Councillor Peta Pinson, the newly elected mayor of Port Macquarie, another great region up the road on the coast of New South Wales. As I said in an earlier response, the safety of our citizens in New South Wales is the responsibility of government. We remember in 1996 how after one of the worst massacres in Australia John Howard and Tim Fischer introduced what is now known as the National Firearms Agreement [NFA] to take assault weapons off our streets. It was not an easy decision at that time for the Liberals, the Nationals or for Australians, but it was the right one.

The agreement found a balance between the rights of having guns for various legitimate purposes and at the same time making sure that we keep our community safe. Often in politics we come across people who speak with forked tongues. This was revealed today when the leader of the Shooters party was questioned by Ray Hadley in relation to whether the party supports legalising the guns we have seen used in recent events. The action plan on the Shooters, Fishers and Farmers Party website says its number one priority is to repeal the 1996 National Firearms Agreement. It says:

> The NFA has failed to increase public safety and not had any notable effect on reducing gun crime. Howard's draconian gun laws only served to undermine law abiding firearms owners and treat them like criminals in waiting.

That is in print and it is what the Shooters have always advocated for. Yet this morning when the leader of the Shooters Party was asked a question by Ray Hadley he said, "No, we are not interested in repealing or bringing those guns in." He has shown his forked tongue again because he felt pressure from Ray Hadley. We saw the same happen with their candidate for Murray last week when she said, "I do not really support guns. I do not support guns." I think she should have a look at who she has signed up with. We are talking about guns like the AR15 semiautomatic, a rifle that has been used recently and that was used in Port Arthur. If the Shooters party get their way, those guns will be legalised in Australia. As I said, when Mr Borsak was asked about what was happening with the Shooters and their policy—

Mr Greg Warren: Point of order—

Mr JOHN BARILARO: Here we go again, the protection racket of the Labor Party.

Mr Greg Warren: It is Standing Order 73, personal reflections. I know the Deputy Premier is trying to score a point against his political opponents but I remind him—

The SPEAKER: Did he make a personal reflection against you or anybody in this Chamber?

Mr Greg Warren: He is making a personal reflection in terms of Port Arthur, where 35 people were killed and 23 people wounded in this nation's worst massacre. I caution the Deputy Premier.

The SPEAKER: The member will resume his seat. I suggest the member read the standing orders. The member will resume his seat or leave the Chamber.

Mr David Harris: To the point of order: Under Standing Order 73, it is reflections on people from either House. It is not just this House; it is both Houses.

The SPEAKER: There is no point of order.

Mr JOHN BARILARO: I am not reflecting on anything. I am reading what Mr Borsak said on radio this morning when he was asked about the use of semiautomatic or automatic guns. Does he want to see those guns return to Australia? He said, "No, absolutely not." Yet when one looks at the policy settings of the Shooters party that is exactly what they are asking for. Mr Borsak went on to say, "We have nothing like the American gun laws in Australia." That is the point. The 1996 National Firearms Agreement means that Australia does not have the same gun laws as does America. That is why we continue to fight for and stand up for public safety. It is not

just coming from me. Let us talk about the Leader of the Opposition, the member for Auburn. There is a series of press releases in which the Leader of the Opposition talked about his view of the Shooters. We all know he thinks that they are "book burners" and "elephant shooters"—that is what he calls them—and that they "reveal a disturbing extremism". In 2014 the Leader of the Opposition said:

> Mr Borsak has publicly ridiculed attempts for gun reform in the US … introduced and supported by families of gun crime following the tragic events at the Sandy Hook Elementary school.

He went on to say again in 2014:

> Mr O'Farrell should tear up his deal with Mr Borsak—a man who holds such extreme views.

In 2013, what did Mr Foley say? He said:

> The Premier is putting his political deals with the Shooters and Fishers Party before the safety of the people of New South Wales.

[*Extension of time*]

Over the past five years Mr Foley has attacked the Shooters party, but because of his grubby deal with the Shooters we now see a Shooter in the House. We have a Shooter in the House. It is a result of the grubby preference deals by those opposite. Have you noticed, Madam Speaker, how many members of the Labor Party have left the Chamber because they are uncomfortable? They are swapping preferences with the Shooters in the Cootamundra and Murray by-elections to see more Shooters in the House.

Ms Jenny Aitchison: Point of order: It is Standing Order 129. I am only uncomfortable that he is the Deputy Premier and he has profited out of the Shooter in the House.

The SPEAKER: There is no point of order. The Minister has been entirely relevant. The member will resume her seat or she will be removed from the Chamber.

Mr JOHN BARILARO: I ask the member for Maitland to stand up and say no to the preference deal with the Shooters. I ask the member for Granville and the member for Londonderry to stand up and say no. Say no to the Leader of the Opposition and say, "No more." Those in the Labor Party have sold out their values in this place by preferencing the Shooters.

Ms Yasmin Catley: Point of order: I would say to the Deputy Premier—

The SPEAKER: The member should direct her comments through the Chair. What is the point of order?

Ms Yasmin Catley: Please explain?

Mr JOHN BARILARO: Let me explain. You are preferencing the Shooters in Cootamundra. You are preferencing the Shooters in Murray. You preferenced the Shooters in Orange. We have a Shooter in the House because of you guys. We may have two more Shooters in the House. The reality—

Mr Philip Donato: Point of order—

Mrs Leslie Williams: We actually need a point of order!

Mr Philip Donato: If you keep quiet, you will hear it.

The SPEAKER: I remind the member to direct his comments through the Chair.

Mr Philip Donato: It is Standing Order 75. The title is not "the Shooters". I take offence at being called "the Shooter in the House". It is the Shooters, Fishers and Farmers.

The SPEAKER: I accept the abbreviated version. The member will resume his seat.

Mr JOHN BARILARO: It seems that SFF wants to get "Shooters" off their title. The same party, as we heard from the Premier, wants to see guns in the hands of 10-year-olds. Labor is supporting that through their preference deal. We have been talking about the cost of living. Here is the question: What price do you put on lives? [*Time expired.*]

Committees

COMMITTEE ON THE HEALTH CARE COMPLAINTS COMMISSION

Report: Review of the Health Care Complaints Commission Annual Report 2015-16

Mr ADAM CROUCH: As Chair: I table report No. 2/56 of the Committee on the Health Care Complaints Commission entitled, "Review of the Health Care Complaints Commission Annual Report 2015-16", dated October 2017. I move:

> That the report be printed.

Motion agreed to.

Petitions

PETITIONS RECEIVED

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

Pet Shops

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

Slaughterhouse Monitoring

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

Fernhill Estate Cemetery, Mulgoa

Petition opposing the development of a cemetery at Fernhill Estate, Mulgoa, received from **Ms Tanya Davies**.

Social Housing Maintenance

Petition requesting that the Government retain and properly maintain social housing, received from **Mr Alex Greenwich**.

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

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

NATIONAL AMPUTEE AWARENESS WEEK

Reordering

Mr JAMES GRIFFIN (Manly) (15:36): I move:

That the General Business Notice of Motion (General Notices) given by me this day [National Amputee Awareness Week] have precedence on Thursday 12 October 2017.

National Amputee Awareness Week 2017 is an important event that promotes awareness and support for amputees in our community.

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

[*Pursuant to sessional order the member for Strathfield left the Chamber at 15:37.*]

Mr JAMES GRIFFIN: The week runs from 4 to 11 October and seeks to minimise the stigmas that amputees can face in the community and to encourage people to lead healthy lives that can reduce potential limb amputations. There are close to 200,000 people living with limb loss in Australia. More than 8,000 lower limb amputations are performed annually in Australia—that is approximately one every hour. The main causes of amputation include diabetes, vascular disease, traumatic incidents, infection and congenital birth defects. Notably, 50 per cent of all amputations occur in people with type 2 diabetes. More than one person a day suffers the loss of a leg or a foot as a result of smoking.

These statistics highlight the importance of promoting Amputee Awareness Week widely. They also demonstrate the importance of programs that address the causes of amputations. These programs include initiatives such as the NSW Tobacco Strategy, which has set robust targets to reduce smoking in order to decrease chronic disease and associated harm such as limb loss. In 2017 the Government has also committed to the delivery of leading better value care initiatives in all local health districts in New South Wales that will ensure earlier detection of diabetes in our hospital system and the expansion of high-risk diabetic foot clinics to reduce the need for amputations.

The Government's commitment to the full implementation of the National Disability Insurance Scheme across New South Wales will ensure that amputees are supported to live full lives with all necessary supports to

participate in community and vocational activities of their choosing. The New South Wales Government's Disability Inclusion Action Plan outlines its commitment to address attitudes and systems that can create obstacles for people with disability. The plan focuses on promoting positive attitudes and behaviours, creating liveable communities, providing equitable systems and processes, and supporting access to meaningful employment opportunities. Events such as National Amputee Awareness Week further reinforce the need for action from both government and all members of the community. I commend the Limbs 4 Life organisation for its promotion of this important week.

Mr RYAN PARK (Keira) (15:39): Earlier in question time—and this is hard to believe—I heard the Premier say that her party was the party of the worker, the party of families and the party of the disadvantaged. I want to get it right. Individuals in the gallery might recently have received a power bill—an electricity bill. They would have seen a fairly substantial increase in their electricity bills. It is surprising that there was a large increase because in 2015 the New South Wales Liberal-Nationals Coalition gave a guarantee that electricity prices would fall. What have we seen since 2015 from the party of the worker, the party of the family? We have seen this Government spend $1.7 million of citizens' money to make sure that electricity prices rise.

This Government not only wants electricity prices to go up; it is also going to court to make sure that electricity prices rise. But it gets worse. This week we heard that The Nationals candidate for Cootamundra is the very influential Steph Cooke. If Steph Cooke is elected I cannot wait for her to come into this Chamber. She will not be like the honest member for North Shore or my mate the rookie from Manly; her inaugural speech will be about fighting to keep electricity prices high. What a fantastic member she is likely to be! I cannot wait to have Steph Cooke in this Chamber to hear her explain why electricity prices will increase. [*Time expired*.]

The DEPUTY SPEAKER: Order! If members making a contribution direct their comments across the table and to the Chamber instead of recognising the person in the Speaker's chair, the type of behaviour we have seen today will continue.

Mr Ryan Park: I forget the rules.

The DEPUTY SPEAKER: I remind the member for Keira that he is already on three calls to order. Members should comply with the rules of the House. The question is that the motion of the member for Manly have precedence on Thursday 12 October 2017.

The House divided.

Ayes 46
Noes 33
Majority.....13

AYES

Anderson, Mr K	Aplin, Mr G	Ayres, Mr S
Barilaro, Mr J	Berejiklian, Ms G	Bromhead, Mr S (teller)
Brookes, Mr G	Conolly, Mr K	Constance, Mr A
Coure, Mr M	Crouch, Mr A	Davies, Ms T
Elliott, Mr D	Evans, Mr L	Fraser, Mr A
Gibbons, Ms M	Goward, Ms P	Grant, Mr T
Griffin, Mr J	Gulaptis, Mr C	Hazzard, Mr B
Henskens, Mr A	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	Tudehope, Mr D	Upton, Ms G
Ward, Mr G	Williams, Mr R	Williams, Mrs L
Wilson, Ms F		

NOES

Aitchison, Ms J	Car, Ms P	Catley, Ms Y
Chanthivong, Mr A	Cotsis, Ms S	Crakanthorp, Mr T
Daley, Mr M	Dib, Mr J	Donato, Mr P
Doyle, Ms T	Finn, Ms J	Foley, Mr L

NOES

Greenwich, Mr A	Harris, Mr D	Harrison, Ms J
Haylen, Ms J	Hornery, Ms S	Lalich, Mr N (teller)
Leong, Ms J	Lynch, Mr P	McDermott, Dr H
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

Dominello, Mr V	Atalla, Mr E
Perrottet, Mr D	Hoenig, Mr R

Motion agreed to.

Motions Accorded Priority

GUN CONTROL

Consideration

Mr KEVIN ANDERSON (Tamworth) (15:48): My motion, for which I seek priority today, states:

That this House:

(1) Condemns the Shooters, Fishers and Farmers Party for their main policy position to repeal the 1996 National Firearms Agreement, calling them "draconian gun laws" that have "failed to increase public safety".

(2) Notes that the Shooters Party was formed in protest to these gun reforms.

(3) Notes that the Leader of the Opposition has previously described the Shooters, Fishers and Farmers as an extremist party.

I will deal with paragraph (3) of the motion first and focus on the preference deal between Labor and the Shooters, Fishers and Farmers Party for the recent Orange by-election. No doubt a very similar deal will be done for the by-elections in Cootamundra and Murray. Labor has not ruled that out. Labor spoke deceitfully at a meet-the-candidates gathering where deals were being done. Labor and the Shooters, Fishers and Farmers Party are ganging up on The Nationals candidates in Murray and Cootamundra. Part of Labor's cosy preference deal involves massaging the preferences decision-making of the member for Orange, but he will be roasted by Labor like a marshmallow. Labor is using the member for Orange as the proverbial sweet that eventually will be roasted on a fire. Labor is using the member for Orange and will use other election candidates to gain political advantage in regional electorates. At a candidates meeting recently the Labor candidate for Cootamundra said that the Leader of the Opposition has a strong plan for regional New South Wales.

Mr John Barilaro: Ha, ha!

Mr KEVIN ANDERSON: Can members believe that?

Mr John Sidoti: As if.

Mr KEVIN ANDERSON: One wonders where the member for Drummoyne lives. When the Leader of the Opposition said that Labor has a strong plan for regional New South Wales, he did not go on to state that Country Labor is flat broke and in fact is up to its neck in debt. How will Labor fund the strong plan referred to by the Leader of the Opposition? That will be achieved by being in bed with the Shooters, Fishers and Farmers Party. It will be a cosy slippers-under-the-bed job between Labor and the Shooters, Fishers and Farmers Party. Should that cosy deal become a reality on Saturday in Cootamundra and Murray, regional New South Wales will be dudded. Shortly I will discuss the 1996 National Firearms Agreement that the Shooters, Fishers and Farmers Party wants to tear up and put in the fire, just as Labor will dupe and then roast the member for Orange—like a marshmallow on a log fire.

WILLIAMTOWN LAND CONTAMINATION

Consideration

Ms KATE WASHINGTON (Port Stephens) (15:52): My motion deserves priority today because, as the Minister for the Environment herself has said, this is a very serious issue. The motion is about people who live

every day wondering whether the cancer they have had is as a result of contamination emanating from the nearby Williamtown Royal Australian Air Force [RAAF] base; it is about people who are fearful they will suffer cancer in the future or, worse still, that their children will suffer poor health or, God forbid, cancer. That is their reality every day, and all they want is the truth. But the truth is that they have been betrayed by every level of government.

It is difficult to believe what they are being told when they have been lied to for years. Imagine learning that, because of those lies and because they were not told that their water was contaminated, they or their loved ones could develop cancer. There are now at least 50 people who have suffered cancer in the past 15 years in a five-kilometre stretch of road just south of the RAAF base. No-one thinks this cluster is a coincidence. These people do not live on the RAAF base, as the Minister said in question time in this place. They live around the base and off the base. It is not Defence land. It is fairly and squarely in the jurisdiction of the Environment Protection Authority [EPA]. As the Minister said ad nauseam, Defence is the polluter.

The Department of Defence should bear the costs of remediation, rehabilitation and compensation, but Defence was never the agency that was going to stick up for the residents. After all, it wilfully had been contaminating residents around the base for decades. The agency that should have stood up for the people is the EPA because it is the role of the EPA to protect the environment and people. When the Department of Defence told the EPA in 2012 that it was contaminating properties around the base and off the base, did the EPA act to protect people and the environment? No, it did not. Instead, the EPA kept Defence's dirty secret for three whole years while residents continued to use their bore water and while Hunter Water turned off its bores. For three whole years families unknowingly moved into a contaminated area—putting their families' lives at risk—and their properties became worthless overnight.

This week the Department of Defence admitted that it should have told residents in 2012. Yesterday in this place the Minister had an opportunity similarly to acknowledge the EPA's failure to tell the residents sooner, but there was no apology. Instead, the Minister continues to doggedly defend the EPA's decision to keep Defence's dirty secret for three years. By failing to admit its past errors this Government is only compounding its past wrongs and showing contempt for my community. The Minister said yesterday in this place on a number of occasions that this is a serious issue, so why on earth has she not yet spoken about it to any of the affected residents, visited Williamtown or spoken about it in this place—unless put on the spot by the Labor Party in question time. The same applies to her predecessor. The Minister's silence and apathy have not applied any pressure. This Government has shown complete disdain for my community. For the reasons I have stated, my motion deserves priority.

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

The House divided.

Ayes 45
Noes 33
Majority.....12

AYES

Anderson, Mr K	Aplin, Mr G	Ayres, Mr S
Barilaro, Mr J	Bromhead, Mr S (teller)	Brookes, Mr G
Conolly, Mr K	Constance, Mr A	Coure, Mr M
Crouch, Mr A	Davies, Ms T	Elliott, Mr D
Evans, Mr L	Fraser, Mr A	Gibbons, Ms M
Goward, Ms P	Grant, Mr T	Griffin, Mr J
Gulaptis, Mr C	Hazzard, Mr B	Henskens, Mr A
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
Tudehope, Mr D	Upton, Ms G	Ward, Mr G
Williams, Mr R	Williams, Mrs L	Wilson, Ms F

NOES

Aitchison, Ms J	Car, Ms P	Catley, Ms Y
Chanthivong, Mr A	Cotsis, Ms S	Crakanthorp, Mr T
Daley, Mr M	Dib, Mr J	Donato, Mr P
Doyle, Ms T	Finn, Ms J	Foley, Mr L
Greenwich, Mr A	Harris, Mr D	Harrison, Ms J
Haylen, Ms J	Hornery, Ms S	Lalich, Mr N (teller)
Leong, Ms J	Lynch, Mr P	McDermott, Dr H
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

Berejiklian, Ms G	Atalla, Mr E
Dominello, Mr V	Hoenig, Mr R

Motion agreed to.

GUN CONTROL

Priority

Mr KEVIN ANDERSON (Tamworth) (16:01): I move:

That this House:

(1) Condemns the Shooters, Fishers and Farmers Party for its main policy position to repeal the 1996 National Firearms Agreement, calling them "draconian gun laws" that have "failed to increase public safety".

(2) Notes that the Shooters party was formed in protest to these gun reforms.

(3) Notes that the Leader of the Opposition has previously described the Shooters, Fishers and Farmers as an "extremist party".

The Leader of the Opposition will do and say absolutely anything to get his people elected, although the Labor Party is unable to support the good folk of the electorates of Cootamundra and Murray. Currently, the Labor Party is working out deals with the Shooters, Fishers and Farmers Party to get their representatives elected in these two areas. This is what the Leader of the Opposition has said about the party he wants to get into bed with and put his slippers under their bed:

> Mr Borsak has publicly ridiculed attempts for gun reform in the US—including mandatory background checks for firearms purchases—introduced and supported by families of gun crime following the tragic events at the Sandy Hook Elementary school.

The Leader of the Opposition went on to say:

> These comments are extreme and out of touch with the community … Mr Borsak—a man who holds such extreme views.

Mr Foley also said that former Premier Barry O'Farrell "needs to listen to the community, not the extreme views of the Shooters and Fishers Party." Talking about a man who holds extreme views and is out of touch with the community, Mr Borsak was a guest on a radio program this morning talking about 10-year-old gun permits. Mr Borsak was asked, "So, it is not to use a gun anywhere else on a property; it is purely and simply to use it on a gun range. Is that what you are saying?" Mr Borsak replied, "Well, they can use it on properties, 12-year-olds with learners permits effectively. It is like learning how to drive. You cannot go and drive yourself." Last time I checked, one had to be 16 to get a learners permit. Are members of the Shooters, Fishers and Farmers Party suggesting that we should reduce the age limit for those who are learning to drive?

Draconian gun laws were brought into Australia in 1996 in response to the Port Arthur massacre in which 35 people were killed and 23 people were wounded. Gun controls were tightened on semiautomatic guns and fully automatic guns in Australia. Since then, there have been no mass shootings in this country of five or more people. Various studies show that gun deaths have fallen since 1996. These gun controls are supported by both the Federal Coalition Government and the Federal Labor Opposition, but the Shooters, Fishers and Farmers Party appears to want to throw out these gun controls, calling them draconian although they are designed to keep people safe. It is hypocritical for the member for Orange, a member of the Shooters, Fishers and Farmers Party with a close association with the police force, I understand, to refer to these gun controls as draconian. The NSW Police Force

is, by its very nature, in the business of keeping people safe. Public safety is first and foremost for the police force, but the Shooters, Fishers and Farmers Party wants to throw out draconian gun laws and make it easier for people to have semiautomatic and fully automatic weapons.

There are nine sporting shooters clubs and gun clubs in my electorate of Tamworth, and I have visited them many times. In the Oxley Local Area Command there are 7,064 licensed gun holders, law-abiding citizens who do not deserve to have their good names tarnished by the reckless Shooters, Fishers and Farmers Party, which believes it has the mandate to brand all gun owners as "hotheads" and which wants to put weapons back on the streets of regional New South Wales, which is ludicrous. People in my electorate of Tamworth do not want weapons on their streets. We, as law-abiding citizens, want to ensure that the 1996 National Firearms Agreement remains in place, unlike the Shooters, Fishers and Farmers Party, which wants to tear it up.

Mr GUY ZANGARI (Fairfield) (16:06): This motion on gun control was brought before the House by The Nationals, who are having a spat with the Shooters, Fishers and Farmers Party before the 14 October by-elections in Cootamundra and Murray. The Nationals are running scared that they will lose these two by-elections on Saturday. Today we saw the Deputy Premier, the Leader of The Nationals, give a pitiful performance in this place, and I put that front and centre of this motion. His pitiful performance was due to his concern about his political future, his leadership, because enter stage left, next week he will be challenged by the Minister for Roads, Maritime and Freight, Melinda Pavey. Troy has gone—he has been swatted away.

Mr Gareth Ward: Point of order: Yes, I am the member for Kiama.

The DEPUTY SPEAKER: The member for Kiama will resume his seat.

Mr GUY ZANGARI: The New South Wales Labor Opposition will always support national gun laws.

Mr Gareth Ward: Point of order: Members should refer to other members by their correct title rather than by their first name.

The DEPUTY SPEAKER: I uphold the point of order.

Mr GUY ZANGARI: As I said, the New South Wales Labor Opposition will always support national gun laws. I end by saying that the New South Wales Labor Opposition will not support any weakening of gun laws. [*Time expired*.]

Mr Kevin Anderson: Point of order: My point of order relates to Standing Order 73. The member says he will not support the Shooters, Fishers and Farmers Party in that realm, but will he also not support doing a preference deal?

The DEPUTY SPEAKER: That is not a point of order. The member for Fairfield has finished his contribution.

Mr CHRISTOPHER GULAPTIS (Clarence) (16:10): Make no mistake, the Shooters, Fishers and Farmers are a one-issue party. They want to go back to the bad old days when any maniac like Martin Bryant can grab an assault rifle and commit mass murder. They have no purpose other than to unravel the gun laws that have made our community safe for decades. They are political opportunists who will say and do anything to be elected. Since the member for Orange has been elected, he has voted with Labor on almost every piece of legislation in this Chamber. Has he voted to improve education opportunities for kids? Has he voted to improve opportunities for our sick and infirmed? No, all he cares about is repealing our national gun laws—laws that have protected us and are the envy of the world. He has demonstrated that a vote for the Shooters, Fishers and Farmers Party—a right-wing party—is a vote for Labor, a party whose leader, Luke Foley, described the Shooters, Fishers and Farmers Party as "extremists".

Why are the Shooters, Fishers and Farmers Party and Labor so cosy? It is political opportunism on both sides. Despite denying preference deals with an extremist party, Labor is happy to sidle up to the Shooters, Fishers and Farmers Party and preference them. To hell with the needs of the electorates of Orange, Cootamundra and Murray, so long as they can rid the place of a Nationals member. Next year the Shooters, Fishers and Farmers Party will be known as the Shooters, Fishers, Farmers and Labor Party so it can appeal to more of the electorate. The Labor Party decimated regional jobs by closing down the forest and timber industry and decimated the farming sector by introducing the Native Vegetation Act. The Labor Party ignored regional health, education and infrastructure for the 16 years it was in power. It would do and say anything to be elected.

Once the Shooters, Fishers and Farmers Party is elected, it will vote with Labor. People should not be fooled into believing that they are voting for a right-wing party. They will be voting for Luke Foley, who thinks members of the Shooters, Fishers and Farmers Party are a bunch of extremists who will use their vote against them. Make no mistake—the Shooters, Fishers and Farmers Party is a one-issue party that has done nothing for

the shooters, farmers or fishers of this State since its members were elected. If they are elected in Cootamundra and Murray, the Dubbo zoo will go into lockdown and the elephants will be issued with Kevlar vests. The Shooters, Fishers and Farmers Party has only one purpose: to make it easier for someone to own a gun, no matter who they are. Its members are not there to help because they cannot. They give their vote to Labor, and we know from experience that Labor is no friend of the bush. Voters must not destroy the three pillars of our gun laws that are the envy of the world: the right to register guns— [*Time expired*.]

Mr PHILIP DONATO (Orange) (16:13): This is typical of The Nationals: with two contested by-elections coming up in three days, its internal polling says it is in deep trouble. The Nationals are in deep trouble across Murray and Cootamundra, and they know it. When The Nationals are on the precipice of losing seats, what do they do? They go back to their old tactics of misinformation, lies and scaremongering. As I said the other day, the only thing that seems to get The Nationals to do anything is a by-election. The Premier, the Deputy Premier and every single member of The Nationals have been in Cootamundra and Murray making promises. That is the only time we see them; we do not see them when there is a Nationals member in the seat. Perhaps we see them when there is some financial gain to be had by selling water to donors and stealing water out of the Murray-Darling.

Mr Kevin Anderson: Point of order: My point of order relates to Standing Order 73. The member should be brought back to the leave of the motion. He is talking about unrelated matters.

The DEPUTY SPEAKER: The member will return to the leave of the motion.

Mr PHILIP DONATO: Perhaps we see them when there is an internal backroom deal, such as reported in the news this morning about Mr Piccoli's wife signing a contract for the new amalgamated council. Guess who gave her the $100,000 contract? It was The Nationals candidate for Murray. The article is in the *Australian* today on page 5. The logo could have been designed by my 13-year-old son but instead Mr Piccoli's wife was paid nearly $100,000 for it. How is that not dodgy?

Mr Kevin Anderson: Point of order: My point of order relates to Standing Order 76. The member has strayed from the motion and I ask that he be brought back to it.

Mr PHILIP DONATO: It is relevant to the motion.

The DEPUTY SPEAKER: Order! I will decide whether it is relevant.

Mr Andrew Fraser: To the point of order: I know the member has not been a member very long but I suggest that he read Standing Order 76. What he is saying is not relevant to the motion.

The DEPUTY SPEAKER: The member will return to the leave of the motion.

Mr PHILIP DONATO: We have seen The Nationals side with The Greens—on the left—on the greyhound ban. The Shooters, Fishers and Farmers Party is the party of country and regional New South Wales. [*Time expired*.]

Mr KEVIN ANDERSON (Tamworth) (16:16): In reply: The contributions by members opposite to debate on this motion are laughable when one thinks of the hypocrisy of the member for Orange doing cosy deals with Labor—

Mr Greg Warren: Point of order: My point of order relates to Standing Order 76, relevance. The reply is meant to relate to what has been said in debate, not what is laughable.

The DEPUTY SPEAKER: The member for Campbelltown will resume his seat. The member for Tamworth is being relevant in reply.

Mr KEVIN ANDERSON: I am responding to the contribution made by members opposite, particularly in relation to the cosy deals the member for Orange has done with the Labor Party. He talked about scare campaigns. At the candidates meeting, all the Labor candidate and the Shooters, Fishers and Farmers Party candidate could do—

Mr Philip Donato: Point of order—

The DEPUTY SPEAKER: The member for Tamworth is being relevant in his reply. What is the point of order?

Mr Philip Donato: It relates to Standing Order 129, relevance. This matter did not arise—

The DEPUTY SPEAKER: The member will resume his seat. There is no point of order.

Mr KEVIN ANDERSON: I was responding to the comments of the member for Fairfield that he would never support the dismantling of the 1996 National Firearms Agreement, yet the Shooters, Fishers and Farmers Party members have said that they would dismantle what they have called the "draconian gun laws". That is hypocrisy from the Shooters, Fishers and Farmers Party and the Labor Party.

Mr Chris Minns: Point of order—

The DEPUTY SPEAKER: What is the point of order?

Mr Chris Minns: Perhaps you can help, Mr Deputy Speaker. It may be Standing Order 72. I cannot remember the point of order.

The DEPUTY SPEAKER: There is no point of order. The member will resume his seat. When taking a point of order the member should refer to the relevant standing order.

Mr KEVIN ANDERSON: There are tablets that the member for Kogarah can take for amnesia. Coming back to the member for Fairfield and the Shooters, Fishers and Farmers Party, they will do anything and they will neglect regional and rural New South Wales. They should be condemned for what they are doing. [*Time expired.*]

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

Motion agreed to.

Bills

FISHERIES MANAGEMENT AMENDMENT (ABORIGINAL FISHING) BILL 2017

First Reading

Bill introduced on motion by Mrs Leslie Williams, on behalf of Mr Paul Toole, read a first time and printed.

Second Reading

Mrs LESLIE WILLIAMS (Port Macquarie) (16:21): On behalf of Mr Paul Toole: I move:

That this bill be now read a second time.

The Fisheries Management Amendment (Aboriginal Fishing) Bill 2017 will introduce significant improvements to the operation of the Aboriginal Fishing Trust Fund. The New South Wales Government has been supporting Aboriginal fishing across the State. In my electorate of Port Macquarie, the Department of Primary Industries—Fisheries has been working closely with the local Aboriginal community. I have been involved in some initial discussions about how local Aboriginal groups and the department can work together on a local management plan for cultural fishing. This will help inform how Aboriginal people in Port Macquarie will exercise their cultural fishing practices.

The role of the Aboriginal Fishing Trust Fund will be to provide monetary support for cultural fishing and fishing businesses. Last year during its inquiry into commercial fishing in New South Wales, the Legislative Council's General Purpose Standing Committee No. 5 recommended that the Minister for Primary Industries ensure that the Aboriginal Commercial Fishing Trust is fully operational by July 2017. The committee recognised the importance of the Aboriginal Fishing Trust Fund to Aboriginal people, and it is the intention of this bill to make the trust fund operational so that it will be of benefit to future generations. Fishing has always been an important part of the cultural and economic life of Aboriginal communities. For many Aboriginal people, fishing is an integral part of their connection to their traditional country. In addition, fishing can provide critical economic opportunities for Aboriginal people and Aboriginal communities.

The Parliament of New South Wales has recognised the importance of fishing to Aboriginal people and enshrined it in our fisheries legislation. The objects of the Fisheries Management Act go directly to the heart of this. The objects recognise the spiritual, social and customary significance of fisheries resources to Aboriginal people. The objects also seek to protect and promote the continuation of Aboriginal cultural fishing. I note that section 21AA of the Act gives special provision for Aboriginal cultural fishing, which has not yet been switched on. The intention has long been that section 21AA would commence in conjunction with a cultural fishing regulation. The New South Wales Government continues to investigate whether a statewide cultural fishing regulation is the best approach. As I mentioned earlier, local management plans are being trialled as part of these investigations.

The aim of local management plans is to understand the cultural fishing practices of individual Aboriginal communities and create a plan in consultation with the community for how cultural fishing is carried out in that

community. These trials will guide how and when section 21AA should apply. I acknowledge that some stakeholders, including the New South Wales Aboriginal Land Council, would prefer a quicker timetable for the application of section 21AA. But given the shared nature of our precious fisheries resource, the Government believes a measured approach is the most prudent. In 2015 the Fisheries Management Act was amended to introduce the Aboriginal Fishing Trust Fund. The House recognised the trust fund was an important mechanism that could help Aboriginal communities continue to access and manage fishing resources. Since that time we have been working closely with the Aboriginal Fishing Advisory Council [AFAC] to make sure that the trust fund is implemented in a way that supports and promotes the cultural and economic fishing aspirations of Aboriginal communities.

During the development of the detailed operational arrangements for the Aboriginal Fishing Trust Fund, it became apparent that the scope of the legislative framework needed to be expanded. The legislation currently only allows for the trust fund to provide grants. However, grants alone are not sufficient to promote the broad spectrum of economic development opportunities for Aboriginal communities. It also limits the fund's ability to target funding as effectively as possible. To this end, this bill expands the scope and functions of the Aboriginal Fishing Trust Fund by allowing for loans to be issued from the trust fund and enabling assets purchased using trust moneys to be held in trust for the benefit of the Aboriginal community.

The bill provides a framework for how the Aboriginal Fishing Trust Fund will operate. While the legislative framework is critical for the operation of the trust fund, what is even more important is the actual administrative detail of who would be eligible for funding, transparency and robust governance arrangements around decision-making. The Government has been working hand in hand with key stakeholders to design the Aboriginal Fishing Trust Fund and ensure the money goes to the right projects and supports Aboriginal communities across the State. An important part of the Aboriginal Fishing Trust Fund is that Aboriginal people will be genuinely involved in decisions about how the money is spent. To this end, an expenditure committee will be set up to assess all applications for funding from the trust fund and assist the Aboriginal Fishing Advisory Council in making recommendations to the Minister about expenditure from the fund.

Last week the Department of Primary Industries called for nominations for the new expenditure committee. The expenditure committee will consist of up to six individuals who are Aboriginal and who have expertise in business and economic development. I am confident we will receive a high calibre of applications. A trust fund cannot operate without funding. The whole purpose of the trust fund is to invest in projects that will protect and promote the fishing aspiration of Aboriginal communities. To kickstart the trust fund, the New South Wales Government has committed $1.5 million over three years. This funding will support projects that seek to protect and promote Aboriginal cultural fishing and commercial fishing and fishing-related activities. A significant amount of work has been progressed in developing the administrative arrangements for the Aboriginal Fishing Trust Fund and the Government intends to open the first round of funding in this financial year. The Aboriginal Fishing Trust Fund will for the first time in New South Wales provide a dedicated fund to support the fishing aspirations of Aboriginal communities in New South Wales. It is another step in a long journey to strengthen relationships between governments and Aboriginal communities across this State.

I turn to the detail of the bill. In developing the operational arrangements around the Aboriginal Fishing Trust Fund, it became clear that many fishing-related economic development opportunities lay in the ability for Aboriginal communities to participate in commercial fishing ventures. Importantly, the investments made by the Aboriginal Fishing Trust Fund for Aboriginal communities need to remain available to those communities into the future. To this end, AFAC recommended that a mechanism is needed to ensure that the assets purchased by the trust fund remain within the community and are not sold for individual profit. The bill acts on this by providing for assets to be purchased by the Minister for the benefit of Aboriginal communities, enabling Aboriginal people or entities to access or use those assets.

It also enables the Fisheries Administration Ministerial Corporation to hold these assets for the benefit and use of Aboriginal people and communities. A ministerial corporation is a discrete legal entity that is under the direction of the Minister. The Minister and the corporation are bound to act in accordance with the objects of the Act. While it is possible that other entities or organisations could hold shares on behalf of communities, it is important that all Aboriginal people and communities have the opportunity to access these assets. In addition, other organisations may not be bound to operate in accordance with the objects of the Act.

While there are a number of organisations that represent Aboriginal people's interests, each has its own membership base. The ministerial corporation is the most appropriate vehicle to ensure that commercial fishing shares and other assets purchased by the trust fund will be available to Aboriginal communities across New South Wales. The purpose of this amendment is to ensure that the assets can be centrally held while the benefits from investment, including access to commercial markets, sit with Aboriginal people and communities. However, it is

not proposed that all assets paid for through the trust fund are held by the ministerial corporation. The corporation will be only used in certain circumstances.

For example, commercial fishery shares bought using money from the Aboriginal Fishing Trust Fund could be held by the Fisheries Administration Ministerial Corporation for use by an Aboriginal-owned organisation. As the shareholder, the ministerial corporation could then enter into a contractual arrangement with an Aboriginal organisation or business to grant access to or use of those shares. Under that contractual arrangement and the Act, the ministerial corporation would formally nominate an Aboriginal commercial fisher to take fish in the fishery on its behalf. These nominations would be at the request of the Aboriginal organisation or business with which the ministerial corporation has a contract.

The bill also provides certain exemptions for the ministerial corporation from offences or other obligations generally imposed on commercial fishing shareholders. This recognises that while the ministerial corporation may hold the assets or investments and will enter into contracts for the appropriate use of those assets, it will not be involved in running the business or the day-to-day activities of the Aboriginal-owned business. The bill also clarifies and expands the scope of payments that may be made into the Aboriginal Fishing Trust Fund. This will help to futureproof the fund. The legislation needs to be flexible enough to allow different types of funds and assets to be directed into the Aboriginal Fishing Trust Fund over time.

The bill also allows the Minister for Primary Industries to approve an Aboriginal fishing assistance program for the purposes of Aboriginal cultural fishing, or fishing or fishing-related activities for a commercial purpose. Through an assistance program the Minister will be able to approve the broad objective or policy of a funding round or a series of funding rounds. Before approving an assistance program the Minister will be required to obtain and to have regard to the advice or recommendations of any relevant advisory council on Aboriginal fishing, that is, the Aboriginal Fishing Advisory Council [AFAC]. The existing legislation allows the Aboriginal Fishing Trust Fund to provide only grants. While the ability to provide grants allows the intent of the trust fund to be progressed, it has limitations.

The bill expands the scope and flexibility of the trust fund by allowing loans also to be provided. Those loans may be subject to interest or be interest-free. Any interest payable on loans will provide a revenue stream back into the trust fund and will be used to support future investments in cultural and economic fishing opportunities for Aboriginal people. The interest rate on a loan will be determined on a case-by-case basis, on advice from the AFAC. Interest-free loans are more likely to be applied to short-term and smaller loans. A low interest rate is more likely to be applied to larger, longer-term loans. To this end, the legislation provides that loans may be secured or unsecured.

In addition to loans, grants will also be available to provide support for cultural fishing and economic development opportunities. Expenditure from the trust fund will be guided by advice from Aboriginal people who have a clear and distinct understanding of community needs in regard to cultural fishing and economic development for communities. This is reflected in the existing legislation. The Minister must consult with the AFAC over which funding applications should be supported and whether that support should be through grants or loans. As I mentioned earlier, the AFAC will be supported by an expenditure committee. An example of when a loan may be more appropriate than a grant is where an existing commercial operation is looking to expand. The operation may have the capacity to repay the loan, allowing for a greater pool of money to be directed to community benefit projects or to applicants who do not have the capacity to repay loans.

The New South Wales Rural Assistance Authority [RAA] will administer these loans on behalf of the New South Wales Government. The RAA has extensive experience and established systems in administering loans. It will provide the necessary rigour to administer money invested from the trust fund in Aboriginal-related ventures. The RAA will not be making decisions related to the allocation of loans. That remains the decision of the Minister for Primary Industries, with reference to the advice provided by the AFAC. However, the RAA will be well placed to provide advice on an applicant's capacity to repay a loan, which will be considered as part of the review of the applications process. As an administrator of assistance programs, the RAA has a good understanding of common issues faced by borrowers and will be able to provide advice to the Minister for Primary Industries on assessing future loan applications.

As I said earlier, the New South Wales Government has been working closely with the Aboriginal Fishing Advisory Council to design how the trust fund will operate. The bill itself provides the high-level framework for the trust fund. Operation of the trust fund will be supported by further detail about who will be eligible for funding, the types of projects that should be funded, and governance around decision-making. We have discussed this detail with the AFAC on multiple occasions, and the council's valuable insights and advice has helped shape the trust fund. The New South Wales Aboriginal Land Council and the Native Title Service Corporation have also both been consulted about how the fund should operate.

While the New South Wales Aboriginal Land Council and the Native Title Service Corporation have been involved throughout the development of this bill and have expressed their general support for it, I will clarify some of the issues they have raised. There are concerns about whether the bill will allow for Aboriginal people and entities to purchase fishing assets using grants and loans, or whether all assets will be held by the Fisheries Administration Ministerial Corporation. I reassure the House that the primary purpose of this bill is to expand the application of the trust fund so that it can be used for grants and loans that will support Aboriginal people and communities. The bill does not place any restrictions on how loans or grants may be used, and we expect that grants and loans will be used to purchase assets such as vessels and fishing equipment.

I also clarify that assets purchased using loans or grants will not be held by the Fisheries Administration Ministerial Corporation. These assets are intended to sit with the individual or organisation that has purchased the asset. Only assets purchased by the Minister in relation to an application will be held by the Fisheries Administration Ministerial Corporation. Specifically, I am advised that new section 237B (7) applies only to assets acquired by the Minister. This legislation also does not authorise the corporation to transfer the ownership of an asset from an individual to itself. In addition, the Minister for Primary Industries will consult with the AFAC before assets held by the corporation are sold, and will notify AFAC if the Minister's decision is inconsistent with the AFAC's advice.

Some concerns have also been raised about whether the bill unintentionally restricts Aboriginal businesses from accessing money from the fund because the overarching purpose is to support Aboriginal communities. The bill is not intended to restrict Aboriginal businesses or individuals from pursuing economic development opportunities. In fact, the bill makes it clear that the Aboriginal fishing assistance program can provide grants or loans to Aboriginal people or Aboriginal entities. Commercial opportunities for Aboriginal fishers will provide direct and indirect benefits to Aboriginal communities and the economy generally. Aboriginal fishing businesses can also contribute to cultural and community events.

On the topic of Aboriginal businesses, queries have been raised about the definition of an Aboriginal entity. The AFAC has made it clear that an Aboriginal entity should be at least 51 per cent owned. The Government supports this and has agreed with the AFAC that it will implement this definition through operational arrangements. The legislation also allows for funding to be granted to a person acting on behalf of an Aboriginal entity. This provides flexibility for Aboriginal organisations that may wish to engage a consultant to assist with their application. The AFAC will oversee robust application and assessment processes to ensure that the funding is not provided to open-ended projects that do not benefit Aboriginal organisations. Funding will also be linked to milestones and will be released in instalments. The Department of Primary Industries will also continue to work with its key stakeholders to ensure there are clear parameters on who may act on behalf of an Aboriginal entity. If required, the Government will consider introducing a regulation to clarify and strengthen this provision.

The bill provides that fees may be required to be paid in some circumstances. This refers to the fees that are payable by all participants in the fishing sector. Applicants will need to consider these costs as part of the business plan that they attach to their application. Finally, other concerns have been raised about money from the trust fund paying for the administration costs of the program. This is discretionary in the legislation and any administration costs incurred are likely to be small. Following representations from the New South Wales Aboriginal Land Council [NSWALC] and the Native Title Service Corporation [NTSCorp], my colleague in the other place the Hon. Niall Blair has committed to funding the costs of administering the program from the internal resources of the Department of Primary Industries and not from the trust fund.

I thank the AFAC, NTSCorp and the New South Wales Aboriginal Land Council for working with us to develop the trust fund. I look forward to continuing to work with those organisations to achieve social, cultural and economic outcomes for Aboriginal communities. The bill introduces important changes to provide much-needed flexibility for the Aboriginal Fishing Trust Fund. These amendments go to the objectives of the Fisheries Management Act which recognise the significance of fishing to Aboriginal people. The amendments will help support a broader range of projects and ensure the longevity of investments made by the trust fund. This Government is committed to working hand in hand with Aboriginal communities to support them to achieve their fishing aspirations and economic prosperity. I congratulate the Minister for Primary Industries, the Hon. Niall Blair, and urge all members of the House to support this bill. I commend the bill to the House.

Debate adjourned.

Private Members' Statements

NEWCASTLE TRANSPORT INFRASTRUCTURE

Mr TIM CRAKANTHORP (Newcastle) (16:42): I question the Minister for Transport's motives in relation to the revitalisation of Newcastle following the constant flow of leaks from his department. Last month

two documents relating to Newcastle were released. One went to Fairfax Media and the other I managed to sight as the member for Newcastle. In the first document we found out what Newcastle residents had long suspected—that the Government did not have a plan when it decided to cut the heavy rail. There was no cost-benefit analysis and no business case. It was all just a "punt", to quote the Minister. The document also addressed the much-maligned decision on the light rail route. Despite the overwhelming support of almost every professional body—including their own government department—for running the light rail down the rail corridor, the Government also took a punt on running it down Hunter Street.

I am not sure if getting rid of a transport corridor leading to the end of a peninsula makes sense for a city that is taking in 4,000 university students on a daily basis, attracting large events to the foreshore and constructing a huge number of new apartments at the end of that peninsula. However, this Government has now clearly indicated that this was not a planning or a transport decision at all but a political one. We deserve a better decision-making process than this. This year an almost constant flow of leaked Cabinet documents has come from the Department of Transport. Clearly there are many people in this portfolio who do not agree with taking a punt and seeing how it all turns out. People do not want their money wasted on Minister Constance's guesswork. This Government is leaking like a sieve and now we can see why.

I have been trying to hold this Government to account and have requested the planning and costing details of the light rail. It is now clear why so many of my Government Information Public Access [GIPA] requests were rejected—there is nothing to find. Another leaked document stated the cost-benefit ratio of the light rail project was as low as a 50 cent return on each dollar spent, compared with an alternative plan to proceed with urban development without removing the rail line, which would have returned $2.40 for every dollar spent. The information I received was from a Cabinet document that outlined that the Minister for Transport was not finished with his public transport experiments in Newcastle. It showed a cost range of between $5 million and $35 million to build the new bus and coach interchange on the former Store site. The Minister is at it again. He has no cost analysis, no budget, no business plan and a $35 million range between the minimum and maximum possible spends and he is now trying to push it through.

The light rail project and interchange are not the only projects that the Minister has a lot to answer for. Over the past few weeks I have spoken of the ongoing chaos caused by the privatisation of Newcastle Buses. I have already called on the Minister to step in and ensure that the botched handover of buses to Keolis Downer is rectified immediately. In July the Minister promised that Newcastle would now experience a world-class transport system. Three and a half months on I have heard of incomplete uniforms being provided, payroll issues, unpaid direct payments to superannuation and private health care and the manufacture of new buses without safety barriers.

I was also contacted by a parent who complained that the 816 bus that takes her son from The Junction to St Pius X High School failed to turn up not once but twice. On that occasion parents were left to do the job of getting their children to school. Upon arrival at the school parents were told that there were many instances where buses did not turn up and children arrived late. Since Newcastle's transport network was privatised, more than 300 services have been cancelled and I was shocked to hear that this was now affecting the youngest section of Newcastle's public transport network.

This is not the world-class public transport system we were promised. On Monday of this week this was confirmed by Keolis Downer Hunter chief executive officer Campbell Mason, who admitted that it was not a world-class public transport system and that they had been experiencing teething problems, for a long time it would appear. Surely three months is more than enough time. This transport system used to run perfectly; all they had to do was change some of the branding—which I might add happened surprisingly more quickly than anything else— swap over the payment and shift software. But no. The silence from the Minister has been deafening. When will the Minister step in and fix the mess of Newcastle's transport system? Now that we have seen the bus privatisation experiment go terribly awry, how can we trust his light rail and interchange plans? We all want Newcastle to move ahead. We want transparent, logical decision-making to get the best from every dollar spent.

Mr GARETH WARD (Kiama) (16:47): I had the pleasure of being in the electorate of Newcastle recently to make some exciting announcements about education upgrades and it took me back to when I used to work on Wharf Road as an employee of former Senator John Tierney. Is it not amazing to see what has happened in Newcastle as a result of the change that we have made?

Mr Tim Crakanthorp: Senator Tierney? Here we go. That is where he has got it all from.

Mr GARETH WARD: I note the interjection from the member for Newcastle, a person who has opposed light rail in this Chamber but voted for its extension when on the local council. He says one thing in Macquarie Street and does another thing in Newcastle. Is it not amazing to see business and the foreshore coming back to life? Why does the member for Newcastle hate business, why does he hate success and why does he not

like a world-class public transport system? There are regional communities that would kill for the sort of transport system he has. There are communities around the State that would love that light rail. The member for Newcastle does not like infrastructure, jobs or revitalisation. The people of Newcastle have never had it so good. The only problem for them is that he is their local member.

NOWRA BRIDGE

Ms SHELLEY HANCOCK (South Coast) (16:48): In August 2016 the New South Wales Government released the Princes Highway Corridor Strategy, setting out for the first time appropriate long- and short-term planning to improve traffic flow and safety along the South Coast's transportation spine. The report highlighted what many South Coast residents have known for a long time: sustained neglect paired with population growth and increasing numbers of visitors to the region have resulted in congestion, greater travel times and reduced safety for motorists, cyclists and pedestrians. Now, more than a year after the report's release and following six years of record investment in the Princes Highway by the New South Wales Liberal-Nationals Government, works have finally been completed or commenced on multiple sections of the highway from Wollongong to the Victorian border.

This year alone we have completed and opened the $580 million Foxground and Berry bypass, thanks to the advocacy of the member for Kiama, who is present in the Chamber, and the $58 million Burrill Lake Bridge opened just last week. Since 2011 the $21 million Termeil Creek realignment, the $340 million upgrade at Gerringong—again thanks to the advocacy of the member for Kiama—and the $72 million South Nowra duplication, which had been long talked about by the Labor Party but never delivered, have also opened. Planning is currently underway for the $550 million Albion Park Rail bypass and the Berry to Bomaderry upgrade, which was allocated $19 million in this year's budget to begin construction. Total investment in the Princes Highway committed by this Government equates to more than $1.6 billion—money we have never seen spent by any previous State Government. However, there still remains one critical section of the highway yet to be upgraded.

The current Nowra Bridge over the Shoalhaven River is more than 130 years old and requires regular maintenance, which is becoming increasingly difficult without having to close the bridge for extended periods. The Nowra Bridge is used by more than 44,000 vehicles a day; it is the only available crossing across the Shoalhaven River from Bomaderry to the township of Nowra, linking the electorates of Kiama and the South Coast. The Nowra Bridge and its surrounding intersections are key pinch points on the Princes Highway corridor which were constantly ignored by those opposite during their period in government. It is only the Liberals and Nationals who have taken the steps to upgrade the Princes Highway and we are now focusing on a new highway crossing of the Shoalhaven River.

I note that recently one Labor member clumsily tried to enter the debate, lodging a motion calling for an end to the highway "funding ping-pong". This display was simply ignorant, ill-informed political opportunism, once again demonstrating Labor is all talk and no action on the Princes Highway. The member opposite is simply embarrassed by her party's inaction over 16 years and into the future. NSW Labor has shown no support for any Princes Highway project, either completed or underway. Indeed, Labor's own 10-year infrastructure plan indicates those opposite intend to continue their inaction with respect to Princes Highway projects in particular. They continue their negativity, which is their pattern of behaviour in this Chamber.

The Australian and State governments have made a joint commitment of $11.6 million for Nowra Bridge, resulting in considerable and extensive community consultation and planning, managed by Roads and Maritime Services. The planning process has been extensive and has taken a significant length of time. I appreciate the public's patience whilst we ensure that the process is right and its recommendations are fair. The planning studies will include the final route, design and overall cost. We will soon see the result of that consultation in the planning studies.

I note that in May this year the Federal member for Gilmore committed to an 80:20 funding split for the project. This of course is welcome, particularly as the Federal Government's investment in the Princes Highway to date has been disappointing, especially when we compare its commitment to the Pacific Highway. Today I call on the Federal member for Gilmore to secure from the Federal Government an 80:20 funding arrangement that will ensure we can begin construction of the new bridge and upgrade nearby intersections. The New South Wales Government has taken all appropriate courses of action to secure Federal funding. The Government has undertaken the studies and made representations to the Prime Minister and appropriate Ministers. Additionally the New South Wales Government has submitted a funding request to Infrastructure Australia to ensure this project can be proceeded with as soon as practicable.

I entered State politics 14 years ago with the intention of advocating for long-overdue upgrades to the Princes Highway. We have done a great deal but there is still a lot more to do. Labor has proved time and time again it is incapable of delivering for the region and those opposite simply have no interest in improving the

Princes Highway. Federal Labor's pathetic funding commitment will barely cover the cost of a new pylon let alone the associated works and eventual completion of the works. I am proud of the progress the New South Wales Government has made in delivering key projects. Only the Berejiklian-Barilaro Government can and will build a new crossing over the Shoalhaven River as it has already delivered amazing projects in only six short years of this Government.

Mr GARETH WARD (Kiama) (16:53): It is with pride that I respond to the private member's statement of the member for South Coast and Speaker. She is by far the best and strongest advocate the Princes Highway has had in opposition and in government. I am proud to stand with her to secure major commitments. But she does suffer from one thing: being far too polite. I do not suffer from the same condition. We will not allow Labor members, who did nothing about the Gerringong, Berry or South Nowra upgrade for 16 years and voted against funding the Albion Park Rail bypass in this Chamber, to neglect our communities. We will continue to make sure that these record investments make a huge difference to the lives of locals and business. I join with the member in calling on the Federal Government to right the wrongs of its neglect of the Princes Highway between Albion Park and Bomaderry and particularly of Shoalhaven River Bridge. I call on the Federal member to ensure she delivers for her community the 80:20 split that members on the North Coast have enjoyed for many years.

CASINO INNOVATIVE INDUSTRIES

Mr CHRISTOPHER GULAPTIS (Clarence) (16:54): I inform the House of two wonderful innovative industries proposed to be established in Casino. PUF Ventures Inc, a Canadian company, wants to build the biggest medical cannabis processing plant in the Southern Hemisphere at Casino, in northern New South Wales. As well as this exciting proposal, Casino is set to have Australia's first crowdfunded bioHub. Brisbane based Utilitas Group Pty Ltd, a bioHub developer, has partnered with DomaCom to raise $4.3 million to secure the site and develop the bioHub. These are two very exciting cutting-edge industries proposed for Casino. This is a clear reminder that regional New South Wales is at the forefront of developing new and innovative industries. We have land, the resources, the technical expertise and the workforce to be a world leader in the new technologies that today are just a thought bubble.

PUF Ventures Inc. has announced a strategic partnership with the Richmond Valley Council to construct a 9.3 hectare greenhouse operation. When operating at full scale, it could produce 100,000 kilograms of cannabis a year. This could equate to an annual revenue of between $800 million and $1.1 billion. The company has hurdles to jump but it has the support and expertise of the Richmond Valley Council to help bring the project to fruition. This is an opportune time to invest in this industry in Australia. It is very encouraging that PUF Ventures has decided that Casino is its ideal location. The Richmond Valley Council sees this as an absolute boon for the region and a game changer. Richmond Valley general manager, Vaughan Macdonald, said:

> It's a great opportunity to extend our agricultural industry …
>
> They've approached us and we've got a good site available just on the edge of Casino.
>
> It's just an ideal site for what they need, and what we need in the Richmond Valley, which is new industry with the potential for 300 jobs.

We all know how difficult it is to find jobs in the region so this will be an absolute blessing for the region. It will take time to step through the process but I am sure that with the company's experienced team and the great partnership they have with Richmond Valley Council the licensing and approval process will move fairly quickly.

The bioHub project is just as innovative and just as exciting as the medicinal cannabis proposal. The facility will transform organic waste and wastewater from the Richmond Valley region into energy, clean water and other bioproducts. Casino had been mapped as an ideal place to develop a bioHub due to the sheer size of biomass from the agricultural and food processing industries. Utilitas approached council in 2016 and is currently seeking investment from community and businesses. They propose to be located adjacent to the Casino sewage treatment plant and to use the sludge that is a by-product of the treatment process. They will also look at using food organics and other green waste, which goes into the reactor and essentially recovers that energy in the form of a gas which then produces electricity. They are now in the process of securing the capital funding with investors guaranteed a percentage return on their investment.

The bioHub is scalable and is able to be expanded depending on how much product there is. One of the opportunities for Richmond Valley Council is that the bioHub has the potential to power the sewage treatment plant, which uses a significant amount of electricity, so there is an opportunity for council to lock in longer term cheaper power prices. There is also the opportunity for the power from the bioHub to be utilised by the medicinal cannabis facility. Utilitas chief executive officer, Fiona Waterhouse, said that while this plant is designed for industrial use, it does have the capacity to power thousands of homes upon future expansions. She said:

> We are anticipating the initial scale of this to be 330 kilowatts …

It's 100 to 200 times bigger than a household solar unit. Utilitas intends to engage local contractors to build the project, and three jobs will be created at the plant. The project will also provide employment opportunities for the sale and transport of by-products. Subject to successful capital raising and an approved regulatory pathway, the bioHub is estimated to be fully operational within a 12-month period. Richmond Valley Council will be working hard over the next year to move this project along quickly. The Richmond Valley is well located on principal road, rail and air transport routes south to Sydney and north to Queensland. Located in the centre of the Northern Rivers region of New South Wales the area has access to considerable regional assets, which include a regional population of 250,000, significant supporting infrastructure such as Lismore regional airport and Lismore Base Hospital, and world-class educational facilities at Southern Cross University. I repeat: New South Wales can offer wonderful opportunities to new and innovative industries that want to relocate—cheaper land, more accessible transport options, technical expertise and a willing and able workforce. They should come to Casino and become world leaders.

MAITLAND ELECTORATE SCHOOL INFRASTRUCTURE

Ms JENNY AITCHISON (Maitland) (16:59): I address the completely inconsistent and incompetent way that the Government has been dealing with Maitland schools. It is treating the community with contempt. My electorate has a huge problem because it has insufficient schools to cope with a growing population. Maitland is the fastest growing city in New South Wales outside Sydney. The last census showed that growth was nearly 15 per cent, yet this Government is failing to provide students with schools; it has not promised any new schools.

Primary schools catering for more than 900 students were built originally for about 400. Schools have been using demountable buildings, which are proliferating—three have been added to one school since I became the member for Maitland. This problem has a human face. Many parents ask me how they can get their children into the same schools as their siblings. Children have been refused enrolment because they have been deemed to live out of zone. One of those families came to my office a month ago because this has been a real problem for them. One of their children is in tears every night. Michael and Ashleigh Gibson are trying to get little Charlotte into East Maitland Public School to join her older sisters, Madison and Isabella.

For six years this couple has been working hard and saving towards a deposit to buy a house in the area of the school that their children have been attending. However, they have been told that Charlotte cannot enrol at the same school because the home that they are renting is about four houses out of zone. They did not have a problem in enrolling Madison or Isabella—the school enrolled those children—and there was no suggestion that it could become a problem. When the family went to enrol Charlotte they were told, "No, you are not allowed to enrol her in this school because she does not live in the area." As this is an issue of great concern to the people of Maitland in February I asked the Minister for Education a question requesting a list of the number of out-of-zone applications made in 2016 for placements this year in every public and high school in my electorate. Then I asked the Minister:

> 2. How many appeals were made to applications that were initially rejected?
>
> 3. How many applications and appeals were successful?
>
> 4. What are the capacities of each school as at 15th February 2017?

The answer that I got from the Minister, six weeks later, was, at best, a non-answer. It was a complete abrogation of any responsibility. The Minister said:

> I am advised that all schools are required to follow the Department of Education's enrolment policy. Every eligible student who wishes to attend a NSW government school will be given a place at their local school.

That is, of course, unless they live four houses away from the zone, despite having two siblings at the school, which is ridiculous. The Minister continued:

> The department does not have fixed enrolment capacities at NSW government schools.

Yet they can tell students that they are out of zone and there is no room for them. He continued:

> Schools have the capacity to adapt to fluctuating enrolments through the use of a combination of temporary and permanent teaching spaces.

Where is that capacity with respect to little Charlotte Gibson? The Minister said:

> Where non-local enrolment is possible and places exceed availability, a placement panel is formed. The placement panel considers non-local enrolment applications in line with the department's policy.

I could have told the Minister all of that. That did not answer my question. My questions were: how many applications have been made in 2016 for 2017 placements? How many appeals were made? How many applications and appeals were successful and what were the capacities of the schools? The Minister did not answer those questions. I am quite concerned at the failure of the Minister to take an interest in schools. There are some very serious issues about capacity, overcrowding, poor infrastructure and a whole range of other matters. I met with the Minister about one particular case but the issues go on and on.

Schools are getting funding through Community Building Partnerships for air conditioning because, according to the department, it is not hot enough in Maitland in February to warrant the installation of air

conditioners. Assistant Speaker Fraser used to live in the Hunter and he knows how hot it gets in Maitland in February. He would be able to imagine a little five-year-old, six-year-old or seven-year-old trying to learn in those classrooms. The parents and friends of the school are having to fund the air conditioning, and that is not fair. I ask the Minister for Education to build some schools in Maitland. I ask him to match Labor's promise at the last election to build a new primary school and a new high school, and to listen to the community of Maitland.

CENTRAL COAST ACADEMY OF SPORT

Mr ADAM CROUCH (Terrigal) (17:05): The Central Coast community is a very strong sporting community, thanks, in large part, to the commitment of our local sporting clubs and the Central Coast Academy of Sport [CCAS]. The CCAS has operated since 2004 with an aim to provide on-field development opportunities for athletes in a range of sports. A focus is also placed upon the personal development of young athletes in a way that helps them become better citizens within our local community—a very important aim indeed.

In 2016 alone, the Central Coast Academy of Sport facilitated opportunities for more than 170 local athletes. Economic and social value reporting has shown that through the CCAS, over $4.8 million of value has been generated for the Central Coast region, including 15 jobs. The work of the CCAS is further enabled thanks to more than 6,000 hours of volunteer work. The reporting has also shown that in terms of the socio-economic value of the Central Coast Academy of Sport, the benefit-to-cost ratio is 3.08 to one. These figures are an outstanding endorsement of the valuable work of the academy. Managing Director Ian Robilliard, OAM, recently told me:

> The academy's success is synonymous with the close affinity and support that it receives from the New South Wales Liberal-National Government, the community, and regional-based organisations.

I am very pleased to be part of a Liberal-Nationals Government which provides such strong support to our sporting communities, and I recognise the important role they play in bringing together members of the local community. One big event in the CCAS diary each year is the ClubsNSW Academy Games. In April this year the games were hosted on the Central Coast. I had the opportunity to officially open the three-day competition, and also had a chance to witness the calibre of sportsmanship and sportswomanship on display. All regions in New South Wales were very well represented, including sports academies from the Far West, Hunter, Illawarra, North Coast, Northern Inland, South East Region, South West Sydney, Western Region, Western Sydney, Central Coast and Sydney. Each sports academy went head to head in basketball, golf, netball, hockey, triathlon, softball, tenpin bowling, and rugby sevens.

Obviously, it was a huge logistical challenge to pull off the three-day competition, with 919 athletes and 166 officials involved. In acknowledgement of the Central Coast Academy of Sport's successful hosting of the competition, it was listed as one of six finalists in the Sport NSW community awards. Events like this demonstrate not only the sporting strength of the Central Coast community but also its strong community spirit. The event was very well supported by community media outlets including NBN TV, 107.7 2GO FM, and 101.3 SEA FM. Competing in sport brings people together and develops community cohesion, which I am sure is something we all support. Regional events like the ClubsNSW Academy Games are examples of the way that our country is able to develop future international competitors. In fact, more than 50 former participants in sports academies across New South Wales went on to compete in the 2016 Rio Olympics. The calibre of our sportsmen and sportswomen was certainly also on display during the Academy Games throughout all of the sports matches.

I mention the extra support this Government is making available for families with children involved in sporting activities. Thanks to our Government's recent budget, there will be literally thousands of schoolchildren across the Central Coast whose families will benefit from the new $100 Active Kids rebate. This will be able to be used for any sporting and fitness-related costs, each year for the next four years. This is only possible due to this Liberal-Nationals Government's strong economic management and our successful reform agenda. We are now able to make sport more accessible for families on the Central Coast, which is something I am extremely proud to be delivering. Indeed, the Active Kids rebate is great news for many of the families who have children involved in sports activities at the Central Coast Academy of Sport.

I finish by speaking about a well-known sports team which is associated with the Central Coast Academy of Sport—the fantastic Crusaders women's basketball team. As the member for Manly would know quite well, this year they beat many other teams and went from strength to strength, finishing the season in second place out of all New South Wales teams—a truly awesome achievement. At their presentation night a few weeks ago, my position as the #Number1CrusadersFan was formalised when I was humbly named as their official patron. For me that is an absolute honour. I was presented with a framed jersey with my name printed on it, which now sits in pride of place at the front of my electorate office.

I pay tribute to the many hardworking people involved with the Central Coast Academy of Sport, including their managing director, Ian Robilliard, OAM. Earlier this year in this place I mentioned Ian having

received an Order of Australia Medal as part of the Queen's Birthday Honours. Affectionately known by all on the Central Coast as "Moose", Ian was a professional basketball player but now devotes his time to training the next generation of sports men and women for the Central Coast. I commend the work of Ian and the Central Coast Academy of Sport to the House.

The ASSISTANT SPEAKER: I congratulate the member for Terrigal on being nominated as the mascot of his local team.

TAMWORTH HOSPITAL MAGNETIC RESONANCE IMAGING MACHINE

Mr KEVIN ANDERSON (Tamworth) (17:10): On Friday 6 October I announced with pleasure that work was underway for the arrival of the first magnetic resonance imaging [MRI] machine at Tamworth Hospital. Hunter New England Health has purchased the hospital's first MRI machine and work is now underway to prepare the site for its arrival. The chief executive officer [CEO] of Hunter New England Health, Michael DiRienzo, said that the health service invested $2.5 million in the purchase of the MRI machine, exterior supporting equipment and specialised fit-out of the room. It is a significant addition to the imaging services that are available for inpatients at Tamworth Hospital. Hunter New England Health has purchased a top of the line machine to provide patients in our communities with the best in MRI technology, which will be available at Tamworth Hospital.

Having an MRI machine located in Tamworth Hospital means that our clinicians and inpatients will have faster access to this higher-level diagnostic service when required. I certainly know from representations I received from the community over the past six years that the MRI machine is the missing piece of the medical services jigsaw puzzle. That is why I have been working with Hunter New England Health chief executive officer Michael DiRienzo to find a way to make it happen. A lot of hard work and commitment combined to make it happen. I join the community and Hunter New England Health in celebrating an incredible achievement. I thank the CEO and his hardworking staff for responding to the needs of the Tamworth community and for continuing to work closely with me to deliver the best possible health services to our region. A specifically designed room for an MRI was included in a recent hospital redevelopment. Now work has begun to complete the fit-out of this room with a purpose-built shield and equipment that is required for the safe operation of the new machine.

The MRI machine is due to arrive on-site in mid-November when installation as well as extensive specialised staff training will occur. The Tamworth Hospital and the Hunter New England Health imaging staff have been involved in extensive planning and continue to be consulted as we move closer to the go-live date for this exciting increase in imaging services. Inpatients will be able to access the MRI service at Tamworth Hospital in early 2018. That will make a world of difference to inpatients who need specialist MRI diagnosis of their problems. Soon inpatients, particularly paediatric inpatients, no longer will have to travel to either Newcastle or Lismore to receive treatment and they no longer will have to be transported by ambulance or community transport vehicles to a private provider to access MRI services on weekdays. Previously if an MRI diagnosis was required on a weekend, the inpatient had to be transported to Newcastle or wait until Monday, which is unacceptable.

An MRI machine being based at Tamworth Hospital will change the lives of those who need help in our communities. The machine will be able to provide an additional diagnostic option for doctors, who ultimately will be able to better treat and better diagnose patients, enabling inpatients hopefully to get well soon and eventually go home. I thank the Hunter New England Health personnel for their perseverance and for working with me and the community to deliver this $2.5 million MRI that the community has been pushing for over such a long period. It will change the lives of people by delivering health services closer to home.

MAMBO WETLANDS LAND SALE

Ms KATE WASHINGTON (Port Stephens) (17:14): In June last year the New South Wales Liberal-Nationals Government shamefully flogged off a six-hectare parcel of land which forms part of the beautiful Mambo Wetlands in my electorate of Port Stephens. Mambo Wetlands is well known in my community. It is incredibly important and environmentally significant, covering 175 hectares of saltwater and freshwater wetlands. Its sensitive ecosystem of mangroves, seagrasses, saltmarsh, bushland, and old growth forest have been valued and protected by the local community for decades—and for good reason.

The Mambo Wetlands consists of some of the most precious koala habitat in New South Wales and it sustains hundreds of other species of vulnerable animals, plants and birdlife. Endangered and threatened species, such as the powerful owl, squirrel gliders, wallum froglets, flying foxes, green bell frogs, and white-bellied sea eagles call the Mambo Wetlands their home. This truly is a magnificent part of the world; yet, as I have informed this House previously, this Liberal-Nationals Government saw fit to flog off six hectares of those wetlands in a questionable online auction. How much did the people of New South Wales receive as just compensation for selling this precious land? It was a mere $250,000 for nearly 15 acres of beautiful coastal bushland, which is

slightly more than $4,000 for each quarter acre—a criminally small amount. It is no wonder that a few months later, the Government's spokesperson for the Hunter, Scot MacDonald, admitted the sale was a mistake. He said:

> I'm happy to admit that we need better process for reserving these kind of parcels of land for habitat.

He said, in hindsight, that the Government should not have sold the land, and that it was a mistake. Anyone who is new to the issue would think this process had popped up out of nowhere and that the land had been sold by accident, but that is so far from the truth. In reality, my community made it very clear well before the auction deadline that it did not support the proposed sale and made it very clear what was on the line if the land was sold. The Government received detailed submissions calling for the land to be protected and calling for the Government to stop the sale. I made submissions and representations to all the Ministers involved. Many local community groups made submissions, local residents made submissions, and even the Port Stephens Council—which certainly is not known for being anti-development by any measure—made a submission against the sale well before the auction process deadline. I handed a petition signed by hundreds of residents to the former Minister for Education prior to the auction deadline. In fact, a spokesperson for the education department said they were well aware of the conservation value of the land before it was sold.

I am not at all interested in hearing from the Government's spokesperson that this sale was a mistake. It was not a mistake. It was purposeful, it was deliberate, and it was reckless. If the Government really regretted the sale and seriously believed it was a mistake, it would have done something by now to ensure that the land is returned to public ownership. But it has not. Now my community is facing the inevitable conclusion to this sad story. A development application [DA] recently was lodged to build a duplex on the land—and in the process destroy large swathes of invaluable habitat. Just in case the Government chooses again to wait wilfully—only to declare how sorry it is after it is all too late—I will detail some of the consequences of this DA right now.

According to the DA's own flora and fauna assessment, at least four threatened animals will have their habitat destroyed—the wallum froglet, the white-bellied sea eagle, the grey-headed flying fox and the koala. Page 4 of the assessment clearly shows that, if this development goes ahead, 2.15 acres of koala habitat will be lost. The assessment also notes that to protect the wildlife outside the boundaries of the development, domestic cats and dogs should be prohibited and artificial light should be curtailed at night. Those kinds of stipulations are impossible to enforce. Quite frankly, they demonstrate the absurdity of this application and the strength of evidence against its approval. This debacle in which we now find ourselves was all forecast within the submissions the Government received from my community and from me against the sale of the land in the first place. The Government was clearly warned that the sale of the land would lead to the destruction of habitat, and that is where we are headed.

Putting all this into context, the Government's NSW Threatened Species Scientific Committee released a preliminary determination two months ago that said Port Stephens koalas are now endangered and should be further protected by the Government. I call on the Government again to act now and buy back the land it says it mistakenly sold off. The community clearly wants the Government to buy it back before it is too late. Anything less would be seen by the community for what it is—that is, the Government has wantonly destroyed some of the most precious land in our State.

PITTWATER ELECTORATE SCHOOL INFRASTRUCTURE

Mr ROB STOKES (Pittwater—Minister for Education) (17:19): I am very excited about local schools in my community, which are undertaking projects to provide facilities that will not only benefit local students but also benefit our community as a whole. I was delighted to visit Mona Vale Public School recently to announce a joint effort of the New South Wales Government and Northern Beaches Council to plan and build the new Mona Vale performing arts centre on the school's grounds. The land on which the centre will be built was recently bought from a private developer to accommodate the expansion of Mona Vale Public School. The Government also stands ready to make a substantial financial contribution towards the construction of the new shared performing arts centre on this site, in collaboration with the council and private philanthropists, who have agreed to contribute to the development of a wonderful community and school facility.

What is so exciting about this project is that it will be a wonderful new performing arts facility that local schools, community groups and members of the general public can share for a whole range of concerts and events in Pittwater. A similar project is also afoot at Barrenjoey High School to build the Barrenjoey Community Performance Space. I am proud to say the New South Wales Government will provide $500,000 towards this project, which will create a similar venue for school plays, concerts and performing arts events run by, and for, the broader community. This model has been around for some time. The Northern Beaches Indoor Sports Centre, established more than a decade ago on the grounds of Narrabeen Sports High School, provides a venue for sports including basketball, netball and volleyball for both local schools and the general public. All of these facilities are examples of schools and the local community sharing each other's assets.

Shared-use agreements and similar arrangements are a real win-win for the community and schools alike. Unfortunately, schools have traditionally been designed and built to be segregated from the wider community, fenced off with the well-intentioned but poorly informed view that schools need to be protected from the world outside. This is crazy, because schools are a central part of our community, a veritable cornerstone of community life. They have played, and continue to play, a key role in all of our lives, so it is only logical and sensible that these important community assets are accessible to all members of our community. Whether one is one year old or 100 years old, every day of our lives is a learning opportunity, and I passionately believe learning is a lifelong experience. If we are to foster lifelong learning, it is vital that our education facilities are open to everyone, regardless of whether they are going to school, they finished school decades ago or they are yet to kiss their parents goodbye on their first day of school.

To make this a reality, we have to think differently about how schools are built and the way in which school facilities are shared. Performing arts centres, libraries, sporting fields, technology hubs, community gardens and a whole host of other facilities and resources offer wonderful opportunities for shared use between the schools and the communities of which they are a part and serve. These arrangements provide facilities to the general public that would otherwise not be available. They can tap resources from the community to build bigger and better assets for schools to improve our children's education and experiences. Further, these arrangements can mean costs are shared so projects can become a reality, where before they may have been out of reach—whether the facilities are used by a community group, a sporting association, a local council or a school, by working together opportunities that might otherwise not be possible suddenly become tantalisingly real.

At an even more profound level, these shared assets can help build and strengthen our local communities. Where school resources were previously reserved for students and staff on school days, we can have community assets available for families, community groups, neighbours and even businesses during days, nights and on weekends. Schools can become local hubs where people can engage with each other in a whole range of social, academic and sporting pursuits, nurturing a cohesive and inclusive local community for all. Schools can be turned from institutions closed off from our community to open, permeable spaces. This has the potential for all sorts of benefits for our local communities such as public meeting places, remote working hubs and active transport pathways on school grounds, providing new links in our community that were not possible before. This can also help build community support for planned school expansions when these works become necessary, because these works will be providing improved community facilities that everyone can access.

School Infrastructure NSW, our new unit charged with delivering the schools our State needs, will help achieve this vision. School Infrastructure NSW will help manage the record $4.2 billion the New South Wales Government has committed to school capital works projects over the next four years. This unprecedented school building program offers a tremendous opportunity to transform the role schools play in our community by changing how we view them and how we build them. Together, we can build this exciting future for our schools and our local communities.

KOGARAH ELECTORATE DEVELOPMENT

Mr CHRIS MINNS (Kogarah) (17:24): The planning authorities and those who are entrusted with development applications in my electorate are badly letting down the St George community. They are creating in many instances a high-rise hell and badly undermining community support for appropriate development, confidence in government administration and even support for immigration in general. I have seen how development done well works around the world, where we can have high-density areas surrounded by parks, public transport and schools big enough to educate our kids. I am bewildered and ashamed by some of the decisions coming through our planning panels and local councils, particularly in the suburb of Hurstville.

They are approving high-rise developments without any parks, without any provision for schools and without any consideration for the burdens they will place on public transport. Here is a wake-up call. Planning authorities are irretrievably ruining our suburbs and we should wake up to their vandalism. Planning panels and local councils are throwing up buildings, and nobody seems to care about what happens to surrounding communities, which are being literally bricked in. I give a grotesque example of our planning authorities comprehensively letting us down: 93 Forest Road, Hurstville, also known as Stage 3 of the East Quarter development. This is a disastrous decision for the community of Hurstville.

The site had previously been given approval for a very large development of 330 units. In my opinion, even that consent was too generous, but it gets better. This generous approval was not good enough for the developer. The developer resubmitted an application for a massive 556 units on the site, an increase of 226 units. Incredibly, Georges River Council—under administration at the time—recommended approval for the application. The developer made up to $60 million in windfall gain at the stroke of a pen, but that figure does not include any profit the owners will make when they sell the apartments. The windfall gain was made with no extra

risk being taken and no extra capital being borrowed—it was a payday off the back of the council's recommendation.

The developer made up to $60 million out of the deal. How much does the community get back as payment for the extra traffic, congestion and inconvenience during construction? Only $1 million. It is the definition of a shocker. Decisions like this are ruining our suburbs and making life horrendous for those who live in the community. What choice did the chair of the Sydney South Planning Panel have when the local council folded like a cheap tent? I feel for the chair of the panel, Morris Iemma. He is the only panel member who, when assessing these developments, asks about stretched public services. Thank goodness for him, or this disaster would be far worse.

This development is near Hurstville Public School, which is already the biggest school in the State. As part of the consent the developer was made to give $100,000 to the school. If the development means that another 200 kids are about to enrol in the school, what possible good is $100,000 going to do for the school? What about affordable housing? Out of these 550 units approved at the site, precisely none of them are affordable housing dwellings. What are they thinking when they approve these developments? I honestly believe a lot of these developers are pushing on an open door when they front up to council for assessment.

If we thought Hurstville was full, we ain't seen nothing yet. I have counted another nine major development applications pouring forth thousands of people into the suburb over the coming 12 months. The residents of Hurstville are sick and tired of being told there is no space in Hurstville Public School, that their roads are clogged and that there is no space on the trains to get to the city. No-one is taking responsibility for the community infrastructure that is needed for this level of density. No-one is explaining how stressed schools, roads and trains can cope with thousands of new people into our cities. Where are the public parks we were promised? I think that Hurstville is competing for the award for worst public planning in the Western world. My great fear is that the bad planning disease is about to spread into surrounding neighbourhoods and communities. For all I know some of these planners think they are doing a good job.

We need planning now for another southern rail line to cope with the thousands of people coming into our communities and for a new public school for Hurstville. The council cannot approve any more developments without generous contributions to local schools. For God's sake, there must be some green space in Hurstville! If the new civic precinct is full of architectural rock formations and ugly fountains, I will pull my hair out. Put some bloody buffalo grass on the ground in the parks in the centre of the town. I fear for my community—under this Government, it is being comprehensively ruined.

PARRAMATTA CATHOLIC DIOCESE

Dr GEOFF LEE (Parramatta) (17:29): I bring to the attention of the House the continuing exemplary work of the Parramatta Catholic Diocese. I pay tribute to executive director, Greg Whitby, and his team for providing visionary leadership in delivering education. The Parramatta diocese is an important part of the community, educating 24 per cent of the children of Western Sydney. There is no more important organisation than the diocese, which is reimagining what a school should and can be. I applaud Greg's vision, which moves education from the post-industrial twentieth century into a twenty-first century environment. It is introducing project-based learning and flexible learning spaces, increasing the teamwork skills of students and the use of technology in learning. It is focused on new pedagogies to engage students and make sure they want to learn.

The Most Reverend Vincent Long, Order of Friars Minor Conventual [OFM Conv], Doctor Divinatus [DD], of the diocese of Parramatta announced the plan for a major project around the St Patrick's Cathedral precinct that is expected to revitalise and renew the northern end of the Parramatta central business district [CBD]. The project will be known as St Pat's Quarter, and its purpose will be to provide more opportunities for Catholic services, including pastoral outreach, education and community support with the diocese of Parramatta, which includes Western Sydney and the Blue Mountains. With the population of Parramatta projected to grow exponentially in the next 10 years, the Catholic Church is committed to using its presence in the Parramatta CBD to do more and be more for the local community.

This project will be supported by the Parramatta Light Rail, which will service some 130,000 people on its completion in 2022. St Pat's Quarter will include a new school—St Patrick's Cathedral College—for around 2,000 local primary and secondary school students. It will be a new preschool to post-year 12 school that will operate from 6.00 a.m. to 6.00 p.m. to meet the needs of local families, providing before and after school care. The current site of St Pat's primary school on Villiers Street will be combined with diocesan buildings on Victoria Road and Villiers Street to create the new school.

A new church administration building, to be located next to St Pat's Cathedral on a currently unused section of St Patrick's Cathedral grounds, will also be a component of the reimagined precinct. What impresses

me most is that this is not a school but a community hub. The buildings will accommodate staff from various Catholic agencies and ministries. A modest commercial-residential hub on the corner of O'Connell and Victoria streets will also be part of the project. Bishop Long said St Pat's Quarter will energise the area and ensure that the church in Parramatta will continue to provide services and support to local families and the most disadvantaged and vulnerable in the community. Indeed, St Pat's Quarter will be the jewel of Parramatta's CBD. Bishop Long said:

> The Catholic Church has a proud history of contributing to the Parramatta community going back almost 200 years. Our mission is best served when we have the parishes, churches, schools and other physical infrastructure in place to meet community need, wherever it is.
>
> Catholic agencies such as CatholicCare, Catholic Youth Parramatta, Jesuit Refugee Service, Vinnies, Sisters of Mercy Parramatta, Marist Youth Care and the House of Welcome provide wonderful services to the community. The St Patrick's Quarter will provide an exciting opportunity to bring many of our Catholic agencies under the one roof so that we can do more and be more together.

As with many great projects, the planning process will be highly collaborative, given the importance of this area to the local community. The church is dedicated to achieving the best outcome for everyone. Planning will reflect best principles of environmental sustainability and will honour the area's heritage values. Ensuring that there is sufficient green space is a priority. The church has also committed to working constructively with the council and the State Government on a robust and viable traffic management plan. Planning on all elements of this new exciting precinct is expected to begin immediately. Pending regulatory approvals, St Patrick's Cathedral College is scheduled to open in 2020, followed soon after by the other components of St Pat's Quarter.

CHINESE ASSOCIATIONS OF WESTERN SYDNEY

Mr NICK LALICH (Cabramatta) (17:34): Recently I was honoured to attend the annual joint function of the combined Chinese Associations of Western Sydney, celebrating three momentous occasions for the Chinese-Australian community: the Mid-Autumn Festival, the sixty-eighth anniversary of the founding of the People's Republic of China and the forty-fifth anniversary of the establishment of diplomatic relations between Australia and China. Australia and China enjoy a great and strong relationship forged from the humanistic ties between our two great peoples and the powerful economic connections of our markets. We can lay the gratitude for this at the feet of our late former Prime Minister, Gough Whitlam, who had the wisdom and foresight back in 1972 to establish political relations between Australia and China. Much of the economic prosperity that many in this country enjoy is due to the establishment of that relationship. Gough was a giant back then, as his memory is now, walking the streets of Cabramatta which in those days was part of his Federal electorate of Werriwa.

More than 500 guests from the Chinese-Australian community attended the function with its customary welcome by the Lion Dance Team of the Australian Chinese Teo-chew Association. As always, the Golden Palace restaurant provided splendid food and there were cultural dance and song performances. We were joined by my good friend Deputy Consul-General Mr Tong Xuejun. I congratulate the organising committee on its hard work year after year. I particularly acknowledge the hard work and dedication of leaders like Mr James Chan, OAM, chairman of the Australian Chinese Buddhist Society; Mr Hong Po Kong, president of Australian Chinese Descendants Mutual Association; and countless others.

More than 38 Chinese organisations took part in this festival. Around 15 per cent of the population of the electorate of Cabramatta identifies as being of Chinese descent—the largest ethnic group in the area. For many who are of Chinese or Vietnamese descent, the Mid-Autumn Festival or Moon Festival is a very important religious and cultural occasion. Most of us are familiar with the custom of giving and eating mooncake at this time of year. Typical mooncakes are round pastries of about 10 centimetres in diameter and three or four centimetres thick. A rich, thick filling, usually made from red bean or lotus seed paste, is surrounded by a thin crust of two or three millimetres and may contain the yolks of salted duck eggs, which symbolise the moon in the sky. It is now customary for businesses and families to present mooncakes to clients or relatives as presents.

There is a folk tale about messages smuggled in mooncakes facilitating the overthrow of Mongol rule at the end of the Yuan dynasty in China. Mooncakes were used by Ming revolutionaries, who circulated a rumour that a deadly plague was spreading and that the only way to prevent it was to eat special mooncakes which would instantly revive and give special powers to the user. This prompted the quick distribution of mooncakes, which contained a secret message coordinating the Han Chinese revolution on the fifteenth day of the eighth lunar month. I wish all the Chinese and Vietnamese communities a happy and auspicious Mid-Autumn Festival and acknowledge the founding of the People's Republic of China and anniversary of the diplomatic relations between Australia and China.

Matter of Public Importance

MENTAL HEALTH MONTH

Ms FELICITY WILSON (North Shore) (17:39): Today I raise a matter of public importance on Mental Health Month. Each year in New South Wales Mental Health Month is celebrated in October. The aim of this month is to encourage all of us to reflect on our mental health and wellbeing but also to include the month's message in our everyday lives. It helps us, whether or not we have a lived experience of mental illness, to think about the importance of looking after our mental health and wellbeing. The theme of this year's Mental Health Month is "Share the Journey". It highlights for all of us the importance of social networks and support during times of stress. For me, this is more than another month in the calendar; it is part of a personal journey.

As I said in the Parliament in my very first speech, I have seen in my own family how mental illness can affect everyone, bring suffering to those who are immediately affected and often to their loved ones. I said then and I repeat now that I have committed myself to addressing the stigma associated with mental health and to ensuring access to diagnosis and treatments so that all members of our community can live the healthy and fulfilling life they want and their families want for them. A stigma around mental illness due to misunderstanding or prejudice remains an issue in Australia, and it delays or prevents people from wanting or feeling able to seek help. We know that the vast majority of people affected by mental illness who access the right treatment and support are able to lead fully independent and contributing lives in our community.

With one in five Australians affected, people suffering mental illness form part of our close circles of family, friends and colleagues and interact with us in our communities every day. This month in particular let us all make an effort to check in on the people in our lives, to see how they are doing and how we can support and help them. I have made the personal commitment to dedicate time each week this month to raising awareness of mental health and of what the community can do to help themselves and their loved ones. In particular, I am hosting a mental health forum for youths from North Shore schools, bringing these young people together in order to give a voice to their stories and allowing them to resonate in the broader community.

Last week I visited the Child and Youth Mental Health Service at the Royal North Shore Community Health Centre and discussed the challenges of addressing youth mental health issues with the amazing hospital staff. This week I joined the Minister for Mental Health—who is doing much to address stigma and support those with a mental illness—at a showcase of 15 organisations from across the mental health sector who came to Parliament to show us the work that they are doing in the community. This morning I received a briefing from NeuRA, Neuroscience Research, on its life-changing research into neurological disorders, in particular schizophrenia and bipolar disorder. Schizophrenia is one of the top 10 causes of disability worldwide, and I praise NeuRA for its groundbreaking work.

This weekend I will be joining people with lived experience, consumers and carers, from the North Shore support group to raise awareness at the One Door Wellness Walk across the Sydney Harbour Bridge. Later this month I will also be attending a local community talk by beyondblue. We know that a big part of improving the journey to good mental health is through listening to consumers, to the community and to our community-managed organisations to establish what we can do better in our mental health system. The New South Wales Government's Mental Health Innovation Fund provides an opportunity for innovation from people in business, the community sector and government to develop and deliver new and creative ideas to help people living with mental illness. We recognise that ideas can come from any corner and if we are to help build the best mental health system we need to be open to all ideas.

To coincide with Mental Health Day yesterday, the Minister for Mental Health, the Hon. Tanya Davies, and the Premier, announced the successful organisations who have received funding from the second round of grants from the Mental Health Innovation Fund. As part of the Government's $4 million innovation fund, $1.26 million was awarded to support organisations with innovative ideas that can make a difference to mental health care. The ideas funded through the innovation fund are actively helping people recover from mental illness and increasing social connections in the community. For example, the Black Dog Institute, one of the successful organisations under the fund, will receive funding to build a tool for the treatment of anxiety and depression and those with borderline to mild intellectual impairment, a group that we know is often less likely than the general population to access effective treatments for these disorders.

In addition to the Black Dog Institute, five other organisations have been awarded funding: Yerin Aboriginal Services Incorporated, the Blue Knot Foundation, Karitane, the Department of Developmental Disability Neuropsychiatry, or 3DN, and Flourish Australia. In moving this matter of public importance today I know that all members in this place will acknowledge the importance of Mental Health Month and mental illness. I thank the members who are contributing to the discussion today.

Ms SOPHIE COTSIS (Canterbury) (17:44): I acknowledge the member for North Shore for raising Mental Health Month as a matter of public importance. I am proud to contribute to this issue, which has bipartisan support. However, I wish to raise some issues in the area of disability. I also acknowledge the shadow Minister for Mental Health, the member for Bankstown, who has been doing important advocacy work in supporting many organisations and raising issues in relation to regional New South Wales. I acknowledge all the associations and organisations that play a vital role in supporting our communities in relation to mental health. These organisations, such as beyondblue and Headspace, provide support for young people in particular and play a tremendous role in supporting people across New South Wales.

Mental Health Month is held annually in New South Wales to coincide with the World Health Organization's recognition of World Mental Health Day, which was yesterday. The aim of Mental Health Month is to promote the importance of early intervention practices for positive mental health and wellbeing and reduce the stigma associated with mental health. The theme for this year's World Mental Health Day is "Do you see what I see?", encouraging people to see mental health in a positive light. It has been estimated that 20 per cent of the population will experience some form of a mental health disorder each year while 45 per cent of the population will experience a mental health disorder in their lifetime.

A recent study by Mission Australia and the Black Dog Institute found that one in four young people are at serious risk of experiencing mental illness, with the risk increasing as adolescents age. With the Higher School Certificate [HSC] and university examinations approaching, I urge young people not to be afraid to seek help if they need it. This week many of our youth are facing one of the most stressful experiences of their lives. We need to ensure that there are services to support our young people. This month we should also look at Indigenous mental health. A report by the Australian Institute of Health and Welfare indicated that mental health conditions were responsible for 4.2 per cent of all hospitalisations of Aboriginal and Torres Strait Islander people. As members of this House, we should do all we can to provide resources and funding to help our local communities that most need them. On a weekly basis we become aware that many of our constituents or their family members suffer from mental illness and need our support. We also need to provide additional resources for lesbian, gay, bisexual, transgender and intersex people, regional and rural communities and multicultural communities.

I want to put on the record some statistics relating to disability and mental health. Between 1 per cent and 3 per cent of the population has an intellectual disability. At any one time, between 20 per cent and 40 per cent of people with intellectual disability have mental disorders, and schizophrenia is two to four times more prevalent than in the general population. It is often very difficult to diagnose a mental disorder of a person with an intellectual disability. Children and adults with intellectual disability have an increased risk of exposure to low socio-economic situations in their lives. According to chapter 4 of a 2012 NSW Law Reform Commission report, people with intellectual disabilities are overrepresented in the criminal justice system. The overrepresentation is particularly clear amongst young offenders. Up to 14 per cent of young offenders in juvenile detention in New South Wales have an intellectual disability.

I have major concerns that this Government is letting down people with an intellectual disability who have mental health issues by not providing additional funds. I urge the Government to rethink its position in relation to disability advocacy funding, which will be cut in July next year. The statistics are very high for people with intellectual disability having mental health issues. The Federal Government has done some work in this area but I urge the Government to ensure that funding continues.

Mr JAMES GRIFFIN (Manly) (17:49): I thank the member for North Shore for raising this matter of public importance and the member for Canterbury for her contribution to this discussion. Mental Health Month is an important platform to remind us not only to look after our own health but also to acknowledge the importance of sharing our mental health journeys with friends, loved ones and even colleagues to start breaking down the stigma that surrounds mental health issues. I recently attended Art from the Heart, which is organised by One Door Mental Health for carers and addresses mental health issues. Lifeline Northern Beaches has also partnered with the Manly Wharf Hotel, which during this week is donating $1 from every fish and chips meal to Lifeline as part of its contribution to Mental Health Month.

For many people this campaign opens the door to share their stories and those of their friends and family. That can be a challenging journey and it is why the Government is providing the best possible services to improve the road to recovery. In 2013-14, the Liberal-Nationals Government committed to reforming the mental health system. It recognised that to help people to recover or to live well with a mental illness it had to adopt new ideas and ways of caring for them. That is when the Government adopted the Mental Health Commission's Living Well report, which contains reforms that focus on care in the community.

The Innovation Fund, which the member for North Shore mentioned, is a key component of the Government's commitment to "Living Well: A Strategic Plan for Mental Health in NSW 2014-2024", the Mental Health Commission's 10-year strategy to transform mental health services. As part of the 2016-17 budget, the

Government is investing a record $1.9 billion in mental health services in 2017-18. That includes $95 million to strengthen community-based mental health services in New South Wales. Community-based care helps consumers to stay in touch with their family, friends and community and to avoid the isolation that is commonly associated with mental illness. It encourages people to stay in employment and to remain physically fit and mentally active.

That $95 million investment in community care includes $39 million to support people to live in the community and to expand support, $38 million to increase specialist mental health services, $6.4 million to assist long-stay mental health patients to transition to the community, $3.4 million to strengthen specialist support for people with complex needs, and $2.2 million to train the workforce. We are now seeing those investments rolled out and making a difference to people's lives across the State as they gain access to more specialised services closer to home. The investments this Government is making are building a system that provides world-class care to those in need. The Government is reforming the system to make it better and it is committed to keeping people's journeys at the centre of its reforms.

Ms FELICITY WILSON (North Shore) (17:52): In reply: I thank the member for Manly and the member for Canterbury for their contributions to this discussion about Mental Health Month. We have a bipartisan commitment to this issue, to reducing the stigma attached to mental health issues in our society, and to providing support to people who need it in our community. I commend the member for Canterbury for her contribution dealing with the positive messages about mental wellbeing and how much support is available in our community. It was also good to hear from her about the disability perspective and the particular challenges faced by those with intellectual disabilities, which I also discussed in my earlier contribution. I acknowledge the local involvement of the member for Manly with support and community organisations, including One Door Mental Health and Lifeline Northern Beaches.

Mental Health Month is an important opportunity to raise awareness in the community, to promote the importance of mental health education, awareness and advocacy about social stigmatisation, and to draw attention to mental illness and its impact on people's lives. Given that one in five Australians are affected by mental health issues each year, we are all touched by it in some way. There are many ways in which we can share the journey with others, not only to improve our mental health and wellbeing but also to assist those with whom we connect. One way to do that is by offering a helping hand and giving more of our time to people in the community. That can be small, everyday actions such as holding a door open for someone, asking someone how they are feeling, or by making a larger commitment such as volunteering for a cause about which we are passionate.

I am proud that this Government is doing everything it can to support people's journeys and to provide the help that they need to get back on their feet. I am particularly proud of the community organisations that work hard and provide support to carers, to consumers and to those with lived experiences. I pay tribute again to the North Shore community organisations and professionals providing help and support, including the Royal North Shore Child and Youth Mental Health Service and the team involved in the inpatient clinic at the community centre; the North Shore support group providing assistance to people with schizophrenia and their carers that works with One Door Mental Health; headspace, which is outside my electorate but which provides assistance to youths in my area; and Lifeline Harbour to Hawkesbury for the work it does to prevent the suicides that continue to occur in our community.

TEMPORARY SPEAKER (Mr Adam Crouch): I thank the member for North Shore. I clearly remember her inaugural speech in which she passionately expressed her feelings about mental health issues. I also congratulate her on raising this matter of public importance.

The House adjourned, pursuant to standing and sessional orders, at 17:55 until Thursday 12 October 2017 at 10:00.