



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Sixth Parliament  
First Session**

**Tuesday, 14 November 2017**

Authorised by the Parliament of New South Wales



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## LEGISLATIVE ASSEMBLY

**Tuesday, 14 November 2017**

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

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

### *Visitors*

#### **VISITORS**

**The SPEAKER:** I welcome to the gallery RSL NSW Central Council of Women's Auxiliaries President Pauline James with State members RSL DefenceCare General Manager Robyn Collins, RSL NSW President James Brown, and members of various RSL sub-branch women's auxiliaries. I also welcome quilters from Canberra and Camden, guests of the member for Campbelltown.

*[Notices of motions given.]*

### *Private Members' Statements*

#### **DRONES REGULATION**

**Mr JONATHAN O'DEA (Davidson) (12:11):** Have members been watched, filmed or recorded by a drone? It might have flown over them at the beach, in their backyard or at the local park. It might have hovered near the windows of their house. If this has happened to them and they are understandably upset about it, what can they do? Not much it seems. I have had concerns about this issue raised with me by local constituents. A couple of weeks ago I attended a forum involving Sydney University students who have been participating in an interdisciplinary research program run in partnership with the Parliamentary Research Service. Two of the groups highlighted many important issues surrounding the increased use of drones and the lack of relevant regulation.

Drones are, and will remain, a critical component of the digital age. They have a multitude of uses outside the military arena, including aerial photography; shipping and delivery; disaster management; search and rescue; law enforcement and border control; weather forecasting; environmental compliance; mapping; agriculture; and wildlife research and protection. The seemingly endless non-military use of drones—including along our beaches—continues to make the news in Australia and around the world. There are also plans for tree-planting drones to be used to restore land used for mining to its natural state and to control machinery on construction sites.

Large global companies also have extensive plans for drones. Amazon has already developed drone towers for inner-city locations. These towers enable trucks to unload parcels for drone distribution by launching from different tower levels. Just last week in India it was announced that companies such as Amazon and Flipkart will soon deliver packages by drone after the unveiling of a policy proposal to allow the commercial use of these unmanned aerial vehicles [UAVs]. Facebook has also announced that it is trialling large solar-powered Aquila drones, which will fly without landing for three months and which use a laser to beam data to a base station on the ground. These drones will provide internet access to the four billion people around the world who currently do not have it. Dubai has announced the trial of autonomous police cars paired with drones and facial recognition technology to patrol the streets and to help identify and to track down potential criminals. This innovation involves vehicles with inbuilt aerial drones to scan areas that cars cannot access.

However, this rapidly increasing and more varied drone usage is accompanied by more drone incidents. A crash by a drone into a car on the Sydney Harbour Bridge highlighted both the lack of safety regulations dealing with recreational flying of drones and the potential insurance implications when accidents cause damage to both property and persons. Gatwick Airport has been closed and flights diverted when drones have been spotted in the surrounding area. This has become a serious problem for British airports, with 70 incidents reported in 2016 and at least 33 in the first half of this year. By 2025, hundreds of thousands of drone movements are expected in Europe each year, which is an increase from the current 10,000. There are now 700,000 registered UAVs in the United States, although the number of drones is much more than two million.

The issue of regulation, which covers traffic management, safety and privacy issues within States, countries and into the future, globally needs to be addressed now. It is not uncommon to see drones flying over both public and private places, but laws to protect people's rights have been slow to materialise. These rights include both privacy and general safety issues. The Civil Aviation Safety Authority [CASA] legislates for drone

usage primarily from a safety perspective rather than from a privacy perspective. Currently, there is little that can be done about a nosy neighbour, potential developer or recreational user flying a drone over a person or their property to take video footage. The use of drone footage by real estate agents to advertise houses on websites has already caused concern. One image which included a neighbour nude sunbathing was apparently widely used and caused distress for the neighbour.

The Commonwealth Privacy Act, which is designed to protect people's personal information, does not apply to the actions of people using drones and does not regulate the use of drones for surveillance. The law applies only to Federal government agencies and to organisations with an annual turnover of \$3 million or more. More needs to be done to protect private individuals, whether under the Privacy Act or any other law. CASA has various regulations but those regulations essentially relate to drones over two kilograms that are flown over 150 metres and are used commercially, primarily in relation to safety aspects.

It is time the relevant laws were reviewed to reflect the rapid increase and expansion in drone usage, which has been caused by the relative ease of buying drones and their low cost. Changes need to be made to pre-empt safety and privacy issues before substantial damage is done. As drones become cheaper, lighter and more efficient and capable of carrying more sensitive equipment, the risks to people's privacy are rapidly increasing. Drones are becoming increasingly able to provide governments, companies and individuals with a more cost-effective way of gathering information and observing individuals, often without their knowledge or consent.

Privacy issues are not within CASA's purview. Drone operators might find themselves in breach of State or Territory privacy or trespass laws depending on how and where a drone is flown and whether audio, video or photographic footage is recorded. However, not a lot of information is available about State legislation specifically in relation to drone usage. Amendments to the surveillance Act in New South Wales should be seriously considered. I do not have time today to speak on all the issues in relation to drones, but certainly something needs to be done before we progress too much further down the path of drones. Equally, we should recognise their legitimate impact and positive contribution to society.

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (12:16):** I note the challenges identified by the member for Davidson. The \$100 billion drone market presents a huge opportunity for this State and for this country. Farmers use drones to better manage their crop yields and miners use them for exploration in dangerous areas. We appreciate the challenges but we also see the enormous opportunities that new technology brings to revolutionise our economy. Good drone regulations will give entrepreneurs the freedom to experiment and grow their businesses. I understand the issues around privacy and I will look at regulation very closely.

### **WENTWORTH POINT PENINSULA PARK**

**Mr LUKE FOLEY (Auburn) (12:17):** On behalf of the 8,000 residents of Wentworth Point—the number of residents is projected to be 20,000 by the mid-2020s—I point out that there is not a single park for community use at Wentworth Point where every resident lives in a high-density apartment block. Wentworth Point, formerly known as Homebush Bay West, is located on the Parramatta River on the western shore of Homebush Bay across from Rhodes. Previously zoned for industrial purposes, approximately 10 years ago the suburb was rezoned for residential development. In 2013 this Government declared this 16.8 hectares of land as an urban activation precinct—the overwhelming majority of which is in government ownership, that is, the Roads and Maritime Services—and designated it as a priority precinct. The Government has very real responsibilities and obligations to deliver community infrastructure.

People have waited for a school for too long. In 2012 the Government announced a school would be delivered and opened in Wentworth Point by day one of the 2017 school year. That commitment was made time and again, five budgets in a row. When the first day of the 2017 school year came around, construction had not begun on the school. A community uprising has led to construction proceeding this year—better late than never. The residents of Wentworth Point will get a school next year, but they need a park. I refer to the work of the New South Wales Government on the urban activation precinct. The Wentworth Point Precinct Development Control Plan 2014 is a document of the New South Wales Government. It commits to a 3.9 hectare peninsula park for the use of the community. In 2013 the finalisation report of the Department of Planning and Infrastructure said that this was a very high priority for the community. It said:

It is agreed that the peninsula park is a key project for the area and its delivery should be prioritised.

These are the words of the New South Wales Government in 2013. The development control plan makes the delivery of the park a key part of the suburb's development. Yet what residents see is residential development proceeding at a very fast pace—cranes in the sky, high-rises taking shape before residents' eyes—but nothing on

the park. It is an urban wasteland. It is fenced off. There is a padlock. The public cannot get in. Nothing has been done. It is government-owned land. The Government has a responsibility here.

I think of all the rhetoric of Chief Commissioner of the Greater Sydney Commission Lucy Turnbull and indeed of the planning Minister. Lucy Turnbull has launched plans on behalf of the Greater Sydney Commission promoting a "city of three cities". She speaks of the Central River City from Greater Parramatta along the Olympic peninsula. This is a key suburb. It is perhaps Sydney's fastest growing suburb—8,000 people today, 20,000 by the mid-2020s. Eight thousand people do not have a single park. There are documents on the government website today that talk about the delivery of the park by 2016. Hello! It is almost 2018. Nothing has happened.

Residents are up in arms. They held a rally a couple of Sundays ago. My message to the planning Minister is: Your rhetoric about the community infrastructure that will be delivered is fine, but people in Camellia and all those suburbs along the Parramatta River earmarked for development can have no confidence in your Government's rhetoric if they look at Wentworth Point today—a school running years late and a park where there are still promises on your website to deliver it by 2016. Eight thousand people in a suburb on a peninsula without a park is reprehensible. People see that residential growth and high-rise apartments always go ahead but the community facilities and infrastructure are not being delivered. Give the people of Wentworth Point the park they deserve. It is overdue.

### MYALL LAKES ELECTORATE EVENTS

**Mr STEPHEN BROMHEAD (Myall Lakes) (12:22):** I speak of two events that were held in the Myall Lakes electorate recently. The first was the Youth Frontiers Showcase and the second was the Wingham Remembrance Day ceremony. The Youth Frontiers Showcase was held at Chatham High School. Students took part in the Youth Frontiers program delivered by Mid Coast Communities. With the help of volunteer mentors, students from Wingham and Chatham high schools developed and delivered community projects that were close to their hearts and meant a lot to them.

Among those taking part was Shani Bell from Chatham High School, whose topic was community harmony and whose project was called *Skin Deep*. With her mentor, Yvonne, Shani created a book called *Skin Deep*, which addresses labels society imposes on people with the purpose of highlighting that skin deep we are all the same. Georgia Hudson from Wingham High School had the topic of environment and conservation and her project was "Seeds and Song—a festival of nature and nurture". For her project Georgia created an event to showcase local musicians and promote the Wingham Community Garden. It included a barbecue lunch among other things.

Tristan Luxton from Chatham High School had the topic of community harmony and his project was an anti-racism awareness presentation. Tristan is passionate about eliminating racism in his community. With the support of his mentor, Simon, he successfully organised two anti-racism awareness presentations for years 7 and 9 students that were held at Chatham High School and involved local elders. I think rugby league player Latrell Mitchell might have attended one of the events.

From Wingham High School, Billy Callaghan's topic was environment and conservation and his project was an animal awareness presentation. Billy has a passion for wildlife and has identified a need to better educate his peers and people in the community to look out for the welfare of animals, both domestic and wild. His presentation will be held at a future date at his school. From Chatham High School, Matthew Richards and Jeremy Kelly's topic was community harmony. Their project was entitled "The Amusing Connection" and involved a board and card gaming event that they held to create community harmony in their school and provide a platform for students to make new friends.

Tahlae Martin and Topanga Yeark are from Wingham High School and their topic was sporting engagement. Tahlae and Topanga have worked together with their mentors, Yvonne and Barbara, to educate their peers about the importance of having a healthy diet, taking regular exercise and looking after mental health through mindfulness. William Gee from Wingham High School and his mentor, Danielle, completed a project on the topic of sporting engagement. They are working closely with the school principals to create fun sporting activities for year 7 students in 2018 as an introduction to high school.

Broady Armstrong from Wingham High School presented a general project on the importance of gun safety. Broady is an enthusiastic student with a passion for firearms and a strong belief that young people need to be well educated about firearm use in rural areas. Broady has developed a presentation to be delivered at his school about the importance of safety and licensing when using firearms. Helen Gibson from Wingham High School has a passion for art. She wanted to educate people about understanding the preparation, time and energy that is invested when creating an artwork and so she created a work to represent the process. These are all outstanding students. The Youth Frontiers Showcase is about leadership and being involved in the community. The students

are tasked to come up with an idea that will benefit the community and then develop and deliver it. I commend all students for taking part.

On 11 October a Remembrance Day ceremony was held at Wingham Memorial Town Hall. The master of ceremonies was Terry Gould and the parade commander was Brian Willey. Bugler Lincoln Harrell from Wingham High School did an outstanding job. The piper was Graeme Clarke. School captain Ryan Smoothy and vice-captain Taj Greaves gave the commemorative address. Student Stephen Smith read aloud from a letter from Korean War veteran Ken Malpass. I congratulate Wingham RSL and all Wingham High School students who took part in this outstanding ceremony to commemorate Remembrance Day.

### TRIBUTE TO JUDITH FELTON

**Mr ANTHONY ROBERTS (Lane Cove—Minister for Planning, Minister for Housing, and Special Minister of State) (12:27):** Today I praise and honour a truly remarkable educator. Often the name of a good teacher stays with us from our first schoolyard or classroom encounter until the time we depart this earth. Judith Felton is a remarkably capable educator who has decided to step away from Hunters Hill High School at the end of this school year. Her input will be sadly missed. For nearly two decades Judith Felton has been an outstanding principal of Hunters Hill High School. Yes, that is the same high school that the Labor Party wanted to shut down in the early 2000s. Ms Felton, her colleagues, Parents and Citizens Association members and a dedicated community fought off that Labor assault and the school has flourished ever since. The year before that happened the school's historic hall was unfortunately ravaged by fire. Taking the leader's role, Ms Felton oversaw the construction of an impressive hall and movement studio.

As we all know, there are two types of educators: those who teach, and those who teach and inspire. Judith Felton is from the second category. She ensured that the curriculum was not only taught but also understood. At the same time she inspired and motivated her students. As a young man I joined the masses in declaring *To Sir, With Love* one of the great movies of its time. Members will remember actor Sidney Poitier playing the role of schoolteacher Mark Thackeray. That character turned out a student body that was equipped for a post school life. They were educated to their capabilities and they had morality and respect for their fellow human beings as well as their community. These students had ambition and good character. While Mark Thackeray was a fictitious film character, Judith Felton is the real deal. Through her 40-odd years in the teaching profession she has seen countless schoolies leave the sanctity of the classroom with a grounded education, moral values, respect and ambition. Right around the world today there are graduates from Hunters Hill High School who credit their successes to the solid grounding Judith Felton laid for them during their formative years.

To be honest, I am not sure how Judith will be able to walk away from her workplace after so many years. Hunters Hill High School is located on 6.6 hectares of spectacular land close to the Lane Cove River. I suggest it is one of the best addresses for an educator's office anywhere in Australia. As an education leader, Ms Felton's emphasis has always included the development of a positive culture. Her school's co-curricular activities are impressive. The creative and performing arts are valued and sporting achievement and student citizenship encouraged. Just what Judith Felton will do in her post principal years, I do not know. I know she has earned some "me time", although I suspect she will remain actively engaged within her community. Judith Felton has watched the transition of countless boys as they progressed from junior high schoolers to mature graduates. Equally, she has watched, over the years, the shift of countless schoolgirls from nervous young students to confident young ladies.

*To Sir, With Love* spawned a hit record from its soundtrack. A lyric line from the title song says, "How do you thank someone who has taken you from crayons to perfume?" Indeed, the alumni of Hunters Hill High School, along with today's student body, would echo that sentiment. How do you thank someone who has simply been outstanding, every day she has been in the job? The motto of Hunters Hill High School is, "Work for higher endeavour." We can tick that off for Judith Felton. The school's colours are blue and grey. It will be a grey day for the school and for the community when the principal of Hunters Hill High School leaves the campus. On behalf of a grateful community, I thank Judith Felton for her years of dedication, devotion, spirit, goodwill and fine nature. I say to her, "Wash the chalk off your hands and go and have some of that 'me time'".

### RSL CENTRAL COUNCIL OF WOMEN'S AUXILIARIES

**Mr GREG WARREN (Campbelltown) (12:31):** As a former member of the Australian regular Army and a member of this place I am honoured to bring to the attention of the House the wonderful support of the New South Wales RSL Central Council of Women's Auxiliaries [CCWA] for their current, past and future support for service personnel. I am delighted to be here as the shadow Minister for Women to make this contribution along with my colleague the member for Macquarie Fields, Anoulack Chanthivong. I acknowledge in the public gallery Mrs Pauline James, President of the Central Council of Women's Auxiliaries, accompanied by fellow councillors

as well as RSL NSW President Mr James Brown, Vice President Ray James, executives and members of various RSL NSW sub-branch women's auxiliaries, and country quilters and Canberra quilters.

This group of extremely proud and dedicated women of the Central Council devote their time and skills to supporting the welfare of Australian soldiers and veterans of all wars and conflicts, and their families. Since 1947, the ladies of the CCWA have provided their support by undertaking activities to raise funds for RSL DefenceCare. They also visit veterans and their families in their homes, and even in hospitals, to offer assistance and support with everyday tasks where necessary, or to just have a friendly chat.

In 2014 the Central Council executive began a special journey for its members to celebrate 100 years of Australia's Defence Force. The vision was to raise awareness about the council's invaluable work for DefenceCare. Mrs James sent 300 quilt blocks to the auxiliaries that had expressed interest in making a commemorative quilt depicting images of Australian soldiers, our heritage, and Aboriginal and other significant Australian icons. The expectation was to have enough blocks to make one quilt, representing the past 100 years that our soldiers and veterans have given to protect our great nation and people. Pauline knew that the CCWA ladies would embrace the request enthusiastically, but the magnificent and overwhelming response certainly was a surprise. With the dedication for which they are known so well, the ladies fulfilled the request with enough lovingly handmade quilt blocks to make eight quilts—each made with heartfelt emotion—to evoke memories of past battles and triumphs.

The centrepiece quilt, named "We Will Remember Them", was presented on 31 March this year to the Australian War Memorial and is displayed proudly as a picturesque keepsake of our past, present and future. Mrs James remarked at the handing over ceremony that the auxiliary members hope the quilt shows their pride, appreciation and love for past and present defence personnel. Mrs James went on further to say, "We might not have made a Rembrandt or a Norman Lindsay, but the quilt says thanks to all who have served our country and acknowledges their sacrifice with heartfelt pride." The "Lest We Forget" quilt raised \$37,000 and the "In Flanders Field" poppy quilt raised \$26,000 for DefenceCare. In 2015 the quilt named "Gallipoli Journey" travelled across New South Wales before being taken to Gallipoli by Ken Young, OAM, and June Young, OAM, to play a significant and moving role on Anzac Day when it was spread across the graves of Australian soldiers at Lone Pine.

In 2016 the ladies of the CCWA and other noteworthy supporters raised \$850,000 by holding street stalls and selling badges and other defence memorabilia tokens. In May this year Pauline was re-elected unopposed as president of the RSL NSW Central Council of Women's Auxiliaries, a testament to her and her executive's strong leadership. She continues to inspire CCWA members in her travels across this State as she collects handmade items for the athletes who will compete at the Invictus Games in Sydney next October. Mrs James travels the State with her husband, Ray, vice president of RSL NSW, collecting handmade laundry bags that will be presented to every athlete at the Invictus Games.

Again, the CCWA ladies are using their skills to showcase iconic Australian images on the bags. The laundry bags will complement quilts to be presented to Prince Harry as patron of the Invictus Games Foundation, to each country represented at the games and to each athlete of the Australian team. Without the unwavering leadership of the executives, Mrs James and everyone involved in the CCWA, and without the hard work and dedication of all its members, many welfare services could not be provided by DefenceCare. I thank these wonderful ladies from the bottom of my heart and commend their efforts to support service personnel in this great State and to support the greater cause around our nation.

**Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (12:36):** On behalf of the Government, I echo the words of the member for Campbelltown and recognise the fantastic work that Pauline James has done in leading the Central Council of Women's Auxiliaries [CCWA]. I also recognise that the current RSL president, James Brown, is present in the Chamber. The work that his organisation does every day around the State is invaluable. As the son of two parents who served in the Australian Defence Force, I understand the pressures that are put on families as their parents serve overseas every day. Many people across the State will never really understand the legacy that leads the RSL and CCWA to support families that have experienced some of the worst possible things. I thank RSL and CCWA members for their ongoing service, particularly as veterans will look more like the member for Campbelltown and me than many of those in the gallery in years to come.

#### PORT MACQUARIE-HASTINGS SPORTS AWARDS

**Mrs LESLIE WILLIAMS (Port Macquarie) (12:37):** I recognise some outstanding athletes in the Port Macquarie-Hastings region whose achievements were highlighted at our local annual sports awards yesterday. Now in its eighteenth year, the annual sports awards, hosted by the Rotary Club of Port Macquarie Sunrise and sponsored by the Port Macquarie-Hastings Council Mayor's Sporting Fund, celebrate the success of our local sporting champions at local, regional, State, national and international competitions. The awards consist

of seven independently judged categories including sportsperson of the year, junior sportsperson of the year, primary and high school sportsperson, sportsperson with a disability, junior and senior team of the year, and sporting volunteer of the year. Nominees in each of the categories are applauded for their achievements throughout the year and winners receive a trophy, certificate and cash prize to support them as they strive to achieve their sporting dreams.

The popularity and successes of local netballers in our region was evident as the first three awards announced were presented to Hastings Valley Netball Association representatives. The junior team of the year award was presented to the Hastings Valley netball 17 years representative team, who—along with many other accolades—were the division two winners at the State Netball Championships in 2017. The team finished the three days of competition in first place, four points ahead of the nearest team and with the best defensive record of any team. The Senior Team of the Year award was presented to the Hastings Valley Netball Association open representative team, which was runner-up at the Regional State League, winner of the NSW State Cup and winner of the Inter-Regional State League Shield. This is the first time in the history of the Hastings Valley Netball Association that it has won the State cup. Taking home the Inter-Regional Shield as the highest placed regional team is also outstanding.

The Sporting Volunteer Award again saw netball in the spotlight, with coach Natalie Jordan being awarded for her dedication and commitment to the sport in various roles. Natalie coaches several under 10s to under 15s teams at a representative level, writes representative policy documents, mentors new coaches, is a selection coordinator, and maintains the association's website. She is known to be the first to arrive and the last to leave the netball courts every Saturday. Everyone would agree that no-one has volunteered themselves more selflessly than Natalie Jordan. The recipient of the Sports Person with a Disability Award was clearly a popular choice, gauging from the applause, and was won by Port Macquarie Ironman Bennett Powell. Whether it be through Ironman 70.3, City2Surf or the triathlon Club Championships, Bennett has embraced sport as a huge part of his lifestyle. He also volunteers for local sporting organisations, including parkrun, the Port Macquarie Sharks, Ironman and the Running Festival.

Primary School Junior Sportsperson of the Year was won by Dylan De Domizio. Dylan has been setting the track alight at State and national levels in the 100 metre, 200 metre, relay and long jump. Highlights of his achievements include winning gold at the SSA National Championships in the 4 x 100 relay, winning gold for the 100 metre, 200 metre and long jump at the NSWCCC State Athletics Championships, and being awarded the Age Champion. The list of medal winning representative events and records broken is endless so there is no doubt we will hear more about Dylan's achievements in the years ahead. The High School Junior Sportsperson of the Year Award went to Bradley Patterson. Bradley has represented Combined Catholic Colleges and Australia in Hockey as a goalkeeper and has received countless awards at school, local, State and national levels.

Sportsperson of the Year was awarded to Harry Jones. A competitor in the British Elite Triathlon Championships held in London, Harry is a consistent high-level athlete in triathlon, sprint and distance events, not to mention a three-time King of the Mountain winner, a competition held annually in the Camden Haven. Two awards for sporting excellence were also presented, the first going to 13-year-old Hannah Faux for her achievements in cricket. With accolades too numerous to mention, Hannah has been selected for many under 14, 15, 17 and 18 teams, and has won local, regional, State, and national titles along the way. The second award for sporting excellence went to Shania Madden for outstanding performance achievement in dressage. While studying for school and TAFE, Shania has become a national dressage champion in her spare time. She was the highest placed youth rider at the Australian Stock Horse Society National Show and took the award for the highest national youth point-score winner four years in a row for dressage and show jumping.

Finally, the \$4,000 Wayne Richards Sporting Scholarship was awarded to high school student and golfer, Oliver Payne. This scholarship is a deserving recognition of Oliver's incredible talent and will assist with his selection to the Jack Newton Junior Golf State Talent Development Program. A sporting scholarship runner-up award of \$500 was also presented to the previously mentioned Hannah Faux for her outstanding achievements in cricket. I congratulate all the winners in the Port Macquarie Hastings Sports Awards 2017 and wish them all the best for their future sporting endeavours. These awards would not have been possible without the continued support of local businesses, the judges and the members of the Rotary Club of Port Macquarie Sunrise. I make special mention of long-term sponsor NBN, which provided essential advertising support and, of course, our fabulous emcee for the morning, Mitch Hughes.

### **KOALA HABITAT PROTECTION**

**Ms TAMARA SMITH (Ballina) (12:42):** The fate of our local koala population is hanging in the balance. According to World Wildlife Fund Australia, the koala population of New South Wales fell by 26 per cent over the past 20 years. Koalas are currently listed as a vulnerable species in New South Wales. In Byron shire, coastal koala populations have been physically disrupted and cut off from the hinterland and their

traditional geographical habitats over many decades, due to large-scale land clearing, leaving isolated groups with restrictions on movement. The New South Wales Government urgently needs to take concerted action to save the koalas we have left in Byron and Ballina shires. Although disease remains the biggest killer, Friends of the Koala reported a 25 per cent increase in death by vehicle strike in its 2016-17 annual report. The group reported that 86 koalas across the region of Tweed to Kyogle and the Richmond Valley died on our roads in the past year alone. Altogether, Friends of the Koala recorded 336 koala deaths on the North Coast in the past year. In Byron shire, it recorded 60 deaths, with 25 koalas killed by disease, 19 by car hits and five from dog attacks.

My Greens colleague Dawn Walker, a member of the Legislative Council and koala protection spokesperson, has highlighted the threat to the koala population around Bangalow from developments such as the proposed food hub on Bangalow Road and she is also fighting to improve the lives of all koalas in this State. Dawn has called on the New South Wales Government to use specially trained sniffer dogs to identify koala colonies before areas are cleared. In 2016 the Government announced that a team of sniffer dogs would be used to find threatened species as part of the Saving Our Species program but, as of this year, only three have been trained to detect koalas and a fourth is in training. The Greens are aware that not one of those three trained dogs is being used in State forests before logging commences, and we are calling also for the creation of a great koala national park near Coffs Harbour.

At Meerschaum Vale I have been supporting residents as they try to cope with the building of the Pacific Highway upgrade, literally in their front yards. Over the past three years I have visited Meerschaum Vale and met with residents on multiple occasions. I have seen the impact of the preparation for the highway upgrade on the wildlife and on the lives of residents. I have made many representations on the community's behalf about the effects of the highway upgrade to the Roads and Maritime Services [RMS] and to the Minister for Roads, Maritime and Freight. I cannot overstate how strongly this upgrade is affecting the lives of residents—dust, vibration, noise and traffic problems.

At Meerschaum Vale the RMS is using steep wooden ramps to gaps in wire mesh fences to provide escape routes to wildlife caught in the road corridor. They are not working, and there is no scientific evidence to support their effectiveness. Indeed, local residents report having seen wildlife smash into the mesh fences to get away from trucks and traffic. Local resident Maria Matthes has kept records for Friends of the Koala. She said there have been at least 40 known deaths in the area since the writing of the 2015 population viability analysis study for section 10 of the Woolgoolga to Ballina Pacific Highway upgrade and the Ballina Koala Plan. Vehicle injury and habitat loss are factors and many koalas are ill from disease. By contrast, the Queensland Department of Transport and Main Roads is funding the Moreton Rail Koala Study—the type of study that the residents of Meerschaum Vale and conservationists are requesting the RMS to fund to save the koalas at Ballina.

The Queensland study relates to a rail link project. Scientists specialising in koalas have been engaged to capture and radio collar the koalas living in and around the rail corridor. A team from Endeavour Veterinary Ecology, led by leading wildlife veterinarian Dr Jon Hanger, has been working to fit every koala spotted within the Moreton Bay Rail footprint and adjacent land with GPS radio collars and each is given a health check. The team produces monthly reports. The evidence shows that the combination of monitoring and health checks has helped to improve the breeding population. Indeed, total numbers are expected to rise, instead of continuing to fall. The New South Wales Government needs to fund a specific project into koala conservation in our area; safe and effective wildlife crossings need to be constructed so koalas can cross the highway and other major roads; and a vaccination program needs to be set up for the surviving koala populations in Byron Bay and Ballina to protect against chlamydia and retrovirus. So much more can be done to protect our local populations of koalas—the very symbol of our country—and I call on the New South Wales Government to act before it is too late.

**TEMPORARY SPEAKER (Ms Anna Watson):** Before calling the member for Epping I acknowledge that seated in the gallery are Jack Pavey, son of the member for Oxley, and his friend Tom McIntyre. Both are students of Bishop Druitt College. They have just completed their Higher School Certificate. I wish them all the best in their examination results.

### **CHERRYBROOK RURAL FIRE SERVICE**

**Mr DAMIEN TUDEHOPE (Epping) (12:48):** Today I inform the House about the delivery of an important piece of infrastructure for the Cherrybrook Rural Fire Service [RFS]. I first met the volunteers of the Cherrybrook Rural Fire Service in 2015 when I was a candidate. At that time I became aware of its ageing category 17 support vehicle—it stood out. The vehicle, which had a significant history, had reached the end of its use-by date. It was a unique prototype vehicle; entirely the initiative of the Cherrybrook RFS. It was an outstanding example of innovation and ingenuity from a group of volunteers who were determined to go above and beyond to serve their local community. But being a unique truck—a support truck rather than a conventional fire truck—it was, unfortunately, not scheduled for replacement as part of the normal vehicle allocation for Cherrybrook. This vehicle provided an important service to the district but it was more than 25 years old and at the end of its life. At

the time I made a commitment to members of the Cherrybrook RFS team to find the funding to replace this important vehicle.

The good news is that we secured the funding with the help of a \$98,000 grant from the New South Wales Government—around a third of the cost of the truck. The remainder comprised funds from the New South Wales RFS and other smaller grants. After 2½ of working with the Cherrybrook RFS to see the project delivered, I am happy to announce that the new truck finally has arrived. Last week I was very pleased to join the emergency services Minister, Troy Grant, to hand over the keys to Gavin Pringle, Stacey Fishwick and the team. They were visibly proud of their Cherrybrook RFS volunteers and their enthusiasm about their new truck was obvious, with all their hard work and determination finally being realised.

Why is the support vehicle so special? The Cherrybrook C17 is unique within the district, being a one-of-a-kind prototype complete with breathing apparatus, replacement breathing cylinders, specialty emergency scene lighting and a wide range of other important equipment. C17 has been deployed for the following types of incidents: structure fires, house and commercial; motor vehicle accidents; decontamination operations; search-and-rescue assistance to police and the State Emergency Service; and specialist police operations. The vehicle is dispatched to support other vehicles, agencies and adjoining districts at a variety of incidents across our district and surrounding region, covering built-up urban areas, rural areas, national parks as well as critical infrastructure assets such as fires on the M1 and the northern rail corridor.

This vehicle is an integral part of the district's operations. It provides essential support that greatly assists the RFS and its members when undertaking their duties by providing capabilities that a conventional fire tanker is unable to offer. The new support vehicle has more cabin space and is equipped with storage for compressed air breathing apparatus sets, computer terminals and screens, multiple radios, and an onboard power supply and floodlights. It can give support at structure fires, act as a forward command centre and provide external lighting and power, which makes it a valuable asset for all local brigades. During the Minister's visit to the district he handed over the keys to other vehicles. The Hornsby Heights and Ku-ring-gai brigades each received new category 1 tankers worth \$330,000, while Hornsby Heights and Berowra each received a repurposed category 7 tanker.

This Government is delivering around \$1 million worth of new firefighting vehicles to the district—just in time for summer, which is the time of year that poses the highest risk for bushfires. That will greatly assist the 1,100 volunteers who constitute the Hornsby and Ku-Ring-Gai New South Wales RFS District. I conclude by thanking all the firefighters in the local district for their bravery, dedication and sacrifice, particularly those from the Cherrybrook Rural Fire Service and the NSW Fire and Rescue's Beecroft fire station. They have a tough summer ahead, and I sincerely thank them for the work they do saving lives and property. They truly are among the unsung heroes of our community.

### FREE GONG SHUTTLE

**Mr RYAN PARK (Keira) (12:52):** I draw to the attention of the House a community's sheer anger towards this Government about the removal of the famous and very effective free Gong Shuttle, which has existed since 2009 and services thousands of people every single week. What has astonished the member for Wollongong and me—and you, I have no doubt, Madam Temporary Speaker, as the member for Shellharbour—is the anger that has been directed towards the Premier and the Parliamentary Secretary for Education and the Illawarra and South Coast, the like of which we have never seen before. To illustrate the point I make about the rage that currently exists in the community about this decision, I cite both a petition established by the member for Wollongong and me—which was signed by well over 5,000 people—and an online petition that was signed by more than 10,000 people in the space of a single week. What has made them so angry? Let us go back to 22 June 2013—an important date because on that day the Premier, who was then Minister for Transport, said:

Can I assure you that the Wollongong service will continue forever more. The reason is, we want to make sure people use services where they're provided ... the Wollongong shuttle has good patronage.

She went on to say:

The Wollongong shuttle service was established some years ago, so it was planned properly.

That is what the Minister for Transport said on 22 June 2013. Let us fast-forward to one week ago. What does this out-of-touch Government decide to do with a service that is ticking every box? It is removing congestion from New South Wales third-largest city, tick; reducing parking problems around the global university, tick; reducing parking problems and traffic congestion around our TAFE and hospital campuses, tick; and reducing the need for people to use motor vehicles in the city—something that most sensible governments try to encourage every now and again—tick.

What does a Liberal government do when a service ticks all the boxes, has high patronage and everyone's support and is what people have described to the member for Wollongong and to me as the best decision by a government in recent years? A Liberal government puts out a press release and says it is going to scrap it—because it is in touch with the community and it knows what people want! Those opposite would not have a clue if the community whacked them in the face and told them what they wanted. Last Sunday was a beautiful day in Wollongong, when most of us wanted to spend the afternoon with family at the beach. Yet nearly 1,000 angry people rallied against this stupid decision by an ill-informed government that is yet to give a single reason for it. Let us go back to 22 June 2013. The now Premier said:

Can I assure you that the Wollongong service will continue forever more.

When it looks like a lie and it sounds like a lie, it is probably a lie. I tell the Premier that when the people of the Illawarra are lied to they get angry, and over the next two weeks in this Parliament the member for Wollongong and I will express our anger, as well as the anger of every single man, woman and child in Wollongong, until the Premier backflips again on another stupid decision.

### OXLEY ELECTORATE EVENTS

**Mrs MELINDA PAVEY (Oxley—Minister for Roads, Maritime and Freight) (12:58):** It was a pleasure to attend the Cameron Street headquarters of the Wauchope State Emergency Service [SES] on 30 October for the formal handover of the unit's new, specially designed storm vehicle. Under the guidance of unit controller Bill Sanders, deputy unit controller Gerry De Vries and the team of valued volunteers, the new dual-cab truck will further enhance the ability of the SES to assist the community. SES assistance ranges from attending motor vehicle and motorbike accidents way up on the Oxley Highway as it tortuously climbs the escarpment, to assisting people affected by the storms and floods that occur frequently in the coastal valleys.

The new truck features a telescopic light mast, an on-board generator, ladder racks, special tool and equipment compartments, a weather awning, a winch and LED lighting for night operations. It is a sight to behold, and I particularly acknowledge the work of the deputy unit controller, Gerry De Vries, who, with other groups of SES volunteers from around the State, has been involved in the design of this truck. The truck is in good hands, with a very committed volunteer team. We are listening to what the volunteers need on the ground and we have specially designed this truck to suit their needs. I thank Gerry for the time he has given to his community and to the entire State.

The New South Wales SES Wauchope unit is a small but important group of 26 volunteers who work as a close team and enjoy getting together once a week. In the past 12 months they have responded to more than 70 emergency tasks. The New South Wales SES has recently finalised a major five-year program to refresh and centrally manage its operational vehicle fleet, for which the New South Wales Government provided funding of \$46 million. I thank the local SES volunteers and staff for their outstanding contribution to the safety of the Wauchope community.

Together with Carolyn McNally, the Department of Planning and Environment's secretary, I visited Bowraville on 20 October to deliver the Solution Brokerage Response Plan, which is the final step in the Bowraville Solution Brokerage and represents a strong negotiated agreement. The head of Aboriginal Affairs, Jason Ardler, declared Solution Brokerage: Building Community Resilience in Bowraville in September 2016, naming Carolyn McNally as the officer-in-charge. This agreement follows the hard work done by the upper House Standing Committee on Law and Justice for the 2013 inquiry into the deaths of three young children in Bowraville.

The solution brokerage is a coordinated approach across all New South Wales Government departments and agencies that aims to improve outcomes in Aboriginal communities. The approach aims to address issues that have adversely impacted community resilience, cohesion, healing, social harmony and the quality of life of the whole Bowraville community. The importance of an all-of-government approach in addressing the complex issues that are affecting the Bowraville community is acknowledged. I recognise the contribution of Ms McNally and her hardworking team. Government agencies have been working closely with the local community for the past 12 months to improve services and capacity in Bowraville. It is intended that the response plan will continue the work that has been done so far, and give the community and government ongoing authorisation to do business differently and to deliver on agreed priorities and aspirations.

This joint approach will allow New South Wales government departments, agencies and non-government organisations to work together and collaborate with the Bowraville community reference group Jaanyмили Bawrunга, which means gathering Bowraville. The aim is to find practical solutions to issues and priorities identified over the past 12 months at community barbecues, workshops and youth forums. It was rewarding to meet the people of Bowraville again and to see the progress to the next stage of the response plan, to visit the Family's Memorial at James Park as well as the MiiMi Aboriginal Corporation and Allied Health Services, and to see the new Bowraville Community Health Centre, which will open in the coming weeks. I also attended the

opening of Evelyn Greenup's memorial in James Park, which was a moving occasion. Her nephew, who is now about the age she was when she was murdered, has beautiful curly hair and bears a strong resemblance to Evelyn.

I acknowledge the Macleay Vocational College 2017 year 12 graduation. This incredible institution is run by the dedicated Mark Morrison, the Macleay Citizen of the Year. The graduation ceremony's closing address was made my Narelle Moulton, with the welcome to country given by Alfred Drew and the acknowledgement of country by Jonty Cartwright. The ceremony celebrated the 14 year 12 young people who were awarded their Higher School Certificates. These young people had difficult starts to life, but found the energy and commitment to complete their schooling, with the support of Macleay Vocational College. My husband and I did the presentation of portfolios and reports, while the Federal member for Cowper, Luke Hartsuyker, did the presentation to the Dux of the Year for 2017. I particularly acknowledge school captains Ethan Jamieson and Nikita Thomas, who led this group of wonderful students and have visited State Parliament. These students are a credit to everyone involved in their education.

### HEATHCOTE INFRASTRUCTURE

**Mr LEE EVANS (Heathcote) (13:03):** As the year draws to a close, it is time to reminisce on this year. In my electorate of Heathcote 2017 has been busy, with infrastructure improvements moving along. The opening of the Heathcote station easy access bridge connecting the station to east Heathcote will make a huge difference to the residents of John Paul Village and provide them with easy lift access to the shopping area of Heathcote. Another great asset opened this year is the Engadine railway station car park, which provides additional vital car spaces for the commuting public. Having extra spaces available for those who set off on their commute in the mornings has made a huge difference.

Another piece of local history, the Sutherland Rail Generator House, has been restored. From the early 1900s it housed one of the largest generators in New South Wales. The building has been restored and is scheduled to be handed over to the Sydney Tramway Museum, which intends to set up a historic display of public transport from bygone eras. Work is progressing on the southern pinch point program, with construction ready to commence on the intersections of Heathcote Road and Old Illawarra Road, Princes Highway and Heathcote Road, Acacia Road and President Avenue, and Princes Highway and Oak Road. This work will ease congestion on and around the Heathcote electorate.

Through an investment of \$8 million progress has also been made on improving the Royal National Park Coastal Track, with raised walkways, remediation work and some of the best sandstone work I have ever seen. I commend that walk to everyone; it is well worth the effort as it is one of this State's most iconic coastal walks. In recent times the worldwide attraction of the Figure Eight Pools and Wedding Cake Rock along the Royal National Park Coastal Track has caused injury and several deaths so I hope those considering a venture to these iconic sights heed the warnings and visit the website for directions on weather, surf and survival tips.

One of the highlights for the Government this year has been investment in community through an increase in Community Building Partnership grants. This program gives all members opportunities to support community groups with grants to help build or maintain their infrastructure. Some of the projects that have been completed in my community include: St John's Anglican Church Sutherland, Waterfall Public School, Heathdene Preschool, Engadine Preschool, Helensburgh Cricket Club, Scarborough-Wombarra Bowling and Recreation Club, Heathcote High School Parents and Citizens Association, 1st Bangor Scouts, Engadine High School Parents and Citizens Association, KU Children's Services, Project Youth Inc., Wollongong City Council Civic Disabilities, Club Waratah, Sylvanvale, Menai Girl Guides, Sutherland District Basketball Association, Coalcliff Surf Life Saving Club, Helensburgh Community Preschool, Stanwell Park Anglican Church, Boys Town, Marton Public School Parents and Citizens Association, St John Bosco Rugby League, Hope Community Church Menai, Engadine Church of Christ Preschool and Sutherland Shire Historical Society.

Stage one of the F6 motorway will bypass 23 sets of traffic lights while planning is underway for stages two and three. This confirms that the Royal National Park, the oldest national park in Australia, remains safe from any interference from roads. I have never been more thrilled that I am not getting infrastructure for my electorate. Sutherland Hospital will be completed shortly, with a \$66 million investment in health in the Sutherland shire. This follows the grand opening of the St George Hospital redevelopment, which has re-energised St George Hospital with its new emergency unit and ambulance superstation. Indeed, 2017 has been a year of consolidation for the Government with some of this nation's biggest projects nearing completion next year, which will be our best yet. I cannot wait.

### NEWCASTLE CITY COUNCIL PARK AND RIDE

**Ms SONIA HORNER (Wallsend) (13:07):** To alleviate traffic and parking pressures to Newcastle city's east and offer a viable transport alternative for western suburbs residents, Newcastle City Council

commenced operating a park-and-ride facility. I applaud Newcastle City Council for making this decision. It paves the way for more Newcastle-based park and ride opportunities. The *Newcastle Herald* stated that more than half of the available spots on the existing park-and-ride buses, which began a 12-month trial on 6 November, have been booked—proof that the demand is there. Already council is working on ways to increase the current capacity of services. It is time to look at deploying this travel solution not just in Newcastle city east, but in the city's west as well. Many hubs in the western suburbs, including the University of Newcastle Callaghan campus, the John Hunter campus and the Calvary Mater Newcastle Hospital, are subject to the same traffic and parking pressures as is the inner city.

An expanded park-and-ride service would go a long way to alleviating these pressures. The benefits of the park-and-ride service are clear and the utility of expanding the service into new areas has been acknowledged. Hunter Business Chamber chief executive officer Bob Hawes said:

Being able to park at McDonald Jones Stadium and board a bus into the city will free up parking spaces for shoppers and visitors. This is great for business and we would encourage people to use this service, which has the potential to expand adopting something similar in other areas.

There are also environmental and infrastructure benefits. More people making use of park-and-ride facilities means fewer cars on the road, relieving congestion, emissions and wear and tear on local roads. A local resident told me:

I would love to go into the city more often, but public transport is unreliable and the parking situation is diabolical. It's just not accessible, so it's easy to go to suburban shopping centres or even just stay home.

The traffic problems at the John Hunter Hospital campus are well documented. At peak times, it takes commuters up to an hour just to get off the campus. Congestion and accessibility at and around the campus must be addressed urgently. The previous success of the shuttle bus service which took patients and visitors from McDonald Jones Stadium to the hospital before its cancellation by the Liberal Government indicates that a park-and-ride service would be well used.

Likewise, the accessibility issues at the University of Newcastle Callaghan campus are well known and cause staff and students immense frustration. The success of the park-and-ride service currently in use at Callaghan, ferrying students between that campus and NeWSpace in inner city Newcastle, shows that students will use it and are willing to use it. Currently students, staff and visitors are often forced to park in the surrounding streets in the Jesmond and North Lambton area, and that clogs up the streets and frustrates the local residents. Students and residents alike have contacted my office regularly over the last 10 years, and as the university expands these problems will increase. Therefore, we need to find traffic solutions around these hubs.

Park-and-ride facilities are not a silver bullet that will fix Newcastle's transport problems, but with this twenty-first century infrastructure, support and further initiatives from Lake Macquarie Council and the building of the Newcastle Inner City Bypass—stage five of which we are all looking forward to—we can find solutions. Working with State and local government, park and ride is something we need to look seriously at as soon as possible. We would all love to see people getting out of their cars and using public transport—it would be wonderful.

### GOULBURN ELECTORATE RAIL SERVICES

**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) (13:12):** I speak on the opportunities for regional development in the electorate of Goulburn. Regional development for centres such as Goulburn, Gunning, Moss Vale, Yass and even Boorowa is very much about connections with Australia's two most significant cities—our largest business centre and most populous city, Sydney and our national capital, Canberra. It is all about the trains. How do we provide train connections that enable people to move en masse between these two cities while living, working and raising a family in pleasant country towns? Do we put a million people onto the highways in their cars, do we bus them or do we provide trains for people to move in some comfort, even with working facilities on board? It is a no-brainer: It has to be trains.

We have said until we are blue in the face that developing our towns would take the population pressure off Sydney. It would also reduce the growing opposition to higher population densities—opposition that occurs despite the increasing services, investment and advantages that population densities often bring. Our regional towns and cities want and would welcome the growth. Residents do not want to see their children leave home at 18 and return only to bring back the grandchildren. Despite 30 years of debate about a very fast train, nothing has happened. We focus on the need for high-speed rail, for which trillions of dollars and enormous population densities along the track are needed—and that remains unlikely.

Train travel times are an embarrassment. For example, the 85 kilometres from Goulburn to Canberra takes an hour and 30 minutes—that is, if you can manage working hours around the twice daily service. From Yass to Canberra it is bumper to bumper on the Barton Highway, taking over an hour to travel 65 kilometres in a bus. From Goulburn to Sydney it is three hours and 35 minutes by train—no wonder commuters do not consider that an option. Daily usage on the one direct train service is about 30 people travelling for professional appointments or a holiday. With the pressure on the Hume Highway and M5, driving to Sydney is no quicker; instead, we watch the planes fly overhead, making Sydney to Canberra one of the busiest air routes in the world.

I have spent more than 10 years as the member for Goulburn, quietly desperate for a solution. I have always known that a very fast train was far off on the horizon and has always seemed too hard. But then along came Spain. The train in Spain is not mainly on the plain; it is everywhere. Spain, although with double Australia's population and a fraction of its size, has a train network that is the envy of the world. I recently returned from a private trip to Spain on which I was fortunate to have Austrade organise meetings on topics of interest. Domestic violence initiatives comprised part of the trip, but significant focus was placed on Spain's regional development and the role of fast trains.

Some 40 years ago, the Spanish Government contracted Spanish engineering company Talgo to provide upgraded regional train services. Spain had no money, so new high-speed rail tracks such as those for the German Intercity-Express [ICE] train or the Japanese Shinkansen were out of the question. How would Spain decrease travel times and revitalise the townships around Spain's four largest cities—Madrid, Barcelona, Valencia and Seville—on tracks that were built before Franco came to power? The Talgo technology is simple. It allows train sets to ride through curves without reducing speed on the existing track. I travelled on trains that can move at up to 200 kilometres an hour. This has enabled Spain to halve travel times between centres and grow cities such as Saragossa from a population of 326,000 in 1960 to 685,000 today. Ciudad Real's population is five times larger than it was before the 1960s, and Puertollano has also added new schools and high schools. Young people in those towns can now afford to go to university without leaving home for the big centres. Sound familiar? It is.

The major centres have grown, and more recently fast trains on the old tracks have been complemented by new track and high-speed trains that can reach speeds of up to 300 kilometres an hour. That is a much bigger undertaking, but there is no doubt that the intermediate fast technology started the transformation of Spain's rail network. Australia is not the only one now looking at this intermediate technology; Uzbekistan and the Ukraine have also decided to move in this direction. There is still a way to go in this debate, but what I do know is that we need to have it. Sydney is full and the regions want people: Trains make sense.

### **CAMPSIE ROTARY CLUB SEVENTIETH ANNIVERSARY**

**Ms SOPHIE COTSIS (Canterbury) (13:17):** This year marks the seventieth anniversary of the Rotary Club of Campsie. I am sure all members of this House congratulate the club on that fantastic achievement. Rotary International is renowned as an international humanitarian organisation with a network of more than one million volunteers. Rotary International was one of the first organisations to commit to the eradication of polio and to work in partnership with organisations such as the Bill and Melinda Gates Foundation. The international aspect of Rotary is important in the fight to eliminate poverty and disease, establish access to clean water and education, and grow local economies. This grassroots international movement would be impossible without the hard work and dedication of local Rotarians. I am proud of the Campsie Rotary Club in my electorate which, in addition to providing the foundation for an international humanitarian movement, creates and fosters community.

Campsie Rotary runs the community markets every Sunday, and I urge all members to come along. The markets provide residents with an opportunity to interact with their community and support local businesses, community and sporting groups, women's groups and multicultural organisations. Proceeds from the markets go towards projects relating to local youth, mental health and education. This is a prime example of Rotary's ethos of bettering the human experience, globally and locally. The amazing community work of Campsie Rotary includes the provision of cardiac monitoring equipment, monitors for premature babies and intensive care unit equipment at Canterbury Hospital. It has made donations to charities such as the Cancer Institute NSW and the Cancer Council NSW; refurbished the Canterbury Men's Shed; provided an emergency mobile kitchen for the Salvation Army; and, of course, supported domestic violence programs.

As I said, I am very proud of my local Rotarians. I thank them for their fantastic work and their contribution to our community and our wider region. I wish I could name all the great volunteers involved in Rotary, but I take this opportunity to particularly thank President Marie Dickinson, Vice President Dante Crisante, Secretary Aladdin Matter, Treasurer Violet Mansour-Jamil and all the local volunteers who have made Campsie Rotary what it is today. Their work in celebrating and fostering the leadership skills and talents of our young people, while emphasising the significance of intergenerational sustainability, will ensure that this fantastic organisation will carry on for another 70 years. I wish them luck in their upcoming community projects, including

their programs for the next generation. They know they have my full support. I thank them for what they do for our community and congratulate them on their seventieth anniversary.

#### **PENRITH ELECTORATE INFRASTRUCTURE**

**Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (13:21):** I want to update the House on a very busy 2017 in Penrith.

**Ms Sophie Cotsis:** It will be even busier next year.

**Mr STUART AYRES:** We are more than happy with what we have received from this Government, because it is light years ahead of anything we received from those opposite. There is no better example than the redevelopment of Nepean Hospital, which is now underway. This massive \$576 million investment will improve our emergency department, add more than 200 beds and create a new neonatal intensive care unit. The people of Penrith and Western Sydney have been asking for this upgrade and this Government is delivering it. Most importantly, in a significant change from the past, we are accounting for future Western Sydney population growth by ensuring that this \$576 million upgrade is just stage one of an ongoing upgrade to the hospital.

The Government is spending more than \$1 billion on upgrading the Northern Road, a critical north-south connector across Western Sydney. A new Northern Road bridge will be constructed over the motorway for the Penrith community. For the people across Penrith, who welcome this huge infrastructure investment being undertaken, it is a significant project. The Government is well ahead in planning the widening of Mulgoa Road to six lanes. This crucial road links Mulgoa and Glenmore Park through the Penrith central business district into north Penrith. As every resident knows, Mulgoa Road is chock full of traffic and only this Government is committed to widening it. We are engaging with the community, talking to residents who will be impacted, and working with individual community members to ensure that they understand how at every stage of the project we are working for the benefit of everyone in Penrith.

The Government is delivering the Nepean River pedestrian bridge, which we committed to constructing when first elected. This magnificent bridge, which will be one of the longest pedestrian bridges in the country, will provide a safe river crossing for pedestrians across the Nepean River. As well, the Penrith train station upgrade is coming to an end. This upgrade will result in improved amenities and a changed concourse. The Government is delivering for a community that is continuing to grow. This year we opened a multistorey car park at Penrith train station, finally providing commuters the relief they need in relation to capacity limits. Once again, we have designed it so that it can expand as the population grows.

Beyond the infrastructure investments, the Government has made significant investments in recurrent expenditure across the local health district. Compared to 2011, the local health district budget is up by more than 50 per cent. Through the schools Resource Allocation Model—which was brought about by this Government's leadership and commitment to the Gonski agreement—more funds are being allocated to students who need it. As a result, in Penrith alone more than \$12 million of additional funding is being allocated to local schools across the community. Work on the Kingswood High School hall has commenced—a project that its community was passionate about. Once again this Government is delivering.

At Penrith Public School, which is an old school in the heart of the Penrith central business district, 12 new classrooms and new teaching amenities will be built. Once again, this Government is investing in schools and hospitals to support a growing community. Beyond the individual investments, we are witnessing the strength of the local Penrith economy. When I was elected in 2010 and our Government was formed in 2011, the unemployment rate in Penrith was 6.2 per cent. Today it stands at 4 per cent—a significant drop by any economic standard. There has been a massive increase in the number of employed people in the Penrith community. Although there is much more to do, make no mistake, 2017 has been a massive year in Penrith.

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (13:26):** I commend the member for Penrith, and Minister for Western Sydney, for bringing this private member's statement to the attention of the House and the broader community. I acknowledge that under his advocacy a significant amount of investment has been poured into that community in response to the growing population that he and I represent in Western Sydney. Western Sydney continues to increase in population. I am pleased to say that this Liberal-Nationals Government is supporting such growth by continuing to invest in essential infrastructure such as hospitals, schools, road and rail, as well as cultural projects in the region. I thank the member for Penrith for his advocacy on behalf of that community and I look forward to the continuation of his good work in the future.

**TEMPORARY SPEAKER (Ms Anna Watson):** I shall now leave the chair. The House will resume at 2.15 p.m.

*Visitors***VISITORS**

**The SPEAKER:** I wish the Deputy Premier and another important person, Prince Charles, a very happy birthday. I warmly welcome Andy Madigan, Vicki Thomas, Bruce Gunning, Ted Evendon and Virginia Harvey, guests of the Deputy Speaker, and member for Lismore. I also welcome student leaders, their parents and teachers from Ryde Secondary College and St Michael's Primary School at Meadowbank, guests of the Minister for Finance, Services and Property, and fantastic member for Ryde.

I acknowledge in the gallery the principal of Kellyville Public School, Jenny Walker, who is accompanied by school captains Kieran Stocker, Madison Lynch, Lucy Borg, Jack Bailey, Brady McPhee, and Kaitlin Hutchins, guests of the Minister for Multiculturalism, and Minister for Disability Services, and fantastic member for Castle Hill. I acknowledge in the gallery Stewart and Marge Ollis and John and Pam Smith, guests of the Government Whip, and fantastic member for Camden. I also welcome councillor Rick Firman, OAM, the Mayor of Temora Shire Council, general manager Garry Levelle, and Julie Briggs, the executive officer of the Riverina Eastern Regional Organisation of Councils, who are guests of the member for Cootamundra. I acknowledge in the gallery the wife of the member for Blacktown, Anne Bali, his son Stephen Bali junior, and his brother Charles Bali, who are the member's guests.

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

**The SPEAKER (14:19):** On 31 October 1917, 100 years ago, forces of the British Empire were contesting the Ottoman city of Beersheba, the easternmost fortification in a defensive line stretching 43 kilometres to the Turkish bastion of Gaza on the Mediterranean coast. Over the course of the day, British infantry divisions, in cooperation with the mounted Anzac forces, seized the outermost defensive positions of Beersheba but were unsuccessful in fully overcoming the Ottoman defences. As the evening approached, water supplies for the allied troops and horses became critically low. This meant the capture of Beersheba and its water supplies was imperative. At dusk on 31 October, the Australian Mounted Division's 4th and 12th Light Horse Regiments under the leadership of Brigadier General William Grant charged the Ottoman defences.

Famously, General Grant gave the order personally to the 12th Light Horse Regiment: "Men, you're fighting for water. There's no water between this side of Beersheba and Esani. Use your bayonets as swords. I wish you the best of luck." The Light Horse moved to their positions on high ground overlooking the east of Beersheba and at once swept down over the gentle, open slope towards the city. The shock and speed of the mounted charge shattered the Ottoman defences at contact. Thirty-one light horsemen were killed in the charge with a further 36 wounded. At least 70 horses perished. Lest we forget.

*Announcements***PARLIAMENTARY VISIT TO ISRAEL**

**The SPEAKER:** Last month I had the privilege and pleasure of joining the Minister for Veterans Affairs, the member for Rockdale, the member for Miranda, the member for Kiama, and the New South Wales Premier's Anzac ambassadors in travelling to Israel to commemorate the 100th anniversary of the Battle of Beersheba. The six students chosen as ambassadors from schools across New South Wales were Louise Cooper from St George Girls High School, Brindavani Sritharan from Macarthur Girls High School, Eeva Lehtonen from Camden Girls High School, Oliver Litchfield from Cootamundra High School, Billy Foster from Hawkesbury High School, and Hunter Leech from Great Lakes College Forster Campus.

At all times these students conducted themselves with absolute maturity, intelligence and respect for our hosting nation and indeed the Anzac legacy—and I am sure the member for Rockdale, the member for Miranda and the member for Kiama would agree wholeheartedly. I wish each of these young leaders all the very best in any future endeavours. I am sure all members would agree with me on this. I thank the Premier for this initiative. I also thank the Minister for Veterans Affairs for this fantastic initiative and for his wholehearted commitment to these students and this trip. It was a pleasure to join him at Beersheba and in Israel. We really did enjoy the trip. I thank him for his efforts. Thanks to the member for Miranda, who was in charge of the girls for so many days. The member for Rockdale was a pleasure and a joy to be with—I will not chuck him out for the next 24 hours at least. It all depends. I thank all members involved.

*Members***ELECTORAL DISTRICT OF BLACKTOWN****Return of Writ**

**The SPEAKER:** I inform the House that my writ issued on 25 September 2017 in accordance with section 70 of the Parliamentary Electorates and Elections Act 1912 for the election of a member to serve in the Legislative Assembly for the electoral district of Blacktown in place of John Cameron Robertson, resigned, has been returned with a certificate endorsed by the Electoral Commissioner advising of the election of Stephen Louis Bali to serve as member for the electoral district of Blacktown.

**PLEDGE OF LOYALTY**

Mr Stephen Louis Bali took and subscribed the pledge of loyalty and signed the roll.

**ELECTORAL DISTRICT OF COOTAMUNDRA****Return of Writ**

**The SPEAKER:** I inform the House that my writ issued on 25 September 2017 in accordance with section 70 of the Parliamentary Electorates and Elections Act 1912 for the election of a member to serve in the Legislative Assembly for the electoral district of Cootamundra in place of Katrina Ann Hodgkinson, resigned, has been returned with a certificate endorsed by the Electoral Commissioner advising of the election of Stephanie Anne Cooke to serve as member for the electoral district of Cootamundra.

**OATH OF ALLEGIANCE**

Ms Stephanie Anne Cooke took and subscribed the oath of allegiance and signed the roll.

**ELECTORAL DISTRICT OF MURRAY****Return of Writ**

**The SPEAKER:** I inform the House that my writ issued on 25 September 2017 in accordance with section 70 of the Parliamentary Electorates and Elections Act 1912 for the election of a member to serve in the Legislative Assembly for the electoral district of Murray in place of Adrian Piccoli, resigned, has been returned with a certificate endorsed by the Electoral Commissioner advising of the election of Austin William Evans to serve as member for the electoral district of Murray.

**PLEDGE OF LOYALTY**

Mr Austin William Evans took and subscribed the pledge of loyalty and signed the roll.

*Announcements***DEATH OF KEITH RALPH DOYLE, A FORMER MEMBER FOR VAUCLUSE**

**The SPEAKER:** It is with regret that I have to inform the House of the death on 12 October 2017 of Keith Ralph Doyle, a former member of the Legislative Assembly, who served as the member for Vacluse from 1 May 1965 to 12 September 1978. On behalf of the House I extend to his family the deep sympathy of the Legislative Assembly in the loss sustained.

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

*Governor***ADMINISTRATION OF THE GOVERNMENT**

**The SPEAKER:** I report the receipt of the following message from His Excellency the Governor:

DAVID HURLEY  
Governor

GOVERNMENT HOUSE  
SYDNEY

General David Hurley, AC, DSC (Ret'd), Governor of New South Wales, has the honour to inform the Legislative Assembly that he has re-assumed the administration of the Government of the State.

Tuesday, 17 October 2017

**ADMINISTRATION OF THE GOVERNMENT**

**The SPEAKER:** I report the receipt of the following message from His Excellency the Lieutenant-Governor:

T F BATHURST  
Lieutenant-Governor

GOVERNMENT HOUSE  
SYDNEY

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

Tuesday, 17 October 2017

*Bills*

**HEALTH PRACTITIONER REGULATION AMENDMENT BILL 2017**

**ABORIGINAL LANGUAGES BILL 2017**

**FAIR TRADING AMENDMENT (TICKET SCALPING AND GIFT CARDS) BILL 2017**

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

**CRIMES (HIGH RISK OFFENDERS) AMENDMENT BILL 2017**

**JUSTICE LEGISLATION AMENDMENT (COMMITTALS AND GUILTY PLEAS) BILL 2017**

**FISHERIES MANAGEMENT AMENDMENT (ABORIGINAL FISHING) BILL 2017**

**PAROLE LEGISLATION AMENDMENT BILL 2017**

**Assent**

**The SPEAKER:** I report the receipt of messages from the Lieutenant-Governor notifying His Excellency's assent to the abovementioned bills.

*Governor*

**ADMINISTRATION OF THE GOVERNMENT**

**The SPEAKER:** I report the receipt of the following message from the Administrator:

M J BEAZLEY  
Administrator

GOVERNMENT HOUSE  
SYDNEY

The Honourable Justice Margaret Joan Beazley, AO, Administrator of the State of New South Wales, has the honour to inform the Legislative Assembly that, consequent on the Governor of New South Wales, His Excellency General The Honourable David Hurley, AC, DSC (Ret'd), having assumed the administration of the Government of the Commonwealth, she has assumed the administration of the Government of the State.

Tuesday, 24 October 2017

**ADMINISTRATION OF THE GOVERNMENT**

**The SPEAKER:** I report the receipt of the following message from His Excellency the Lieutenant-Governor:

T F BATHURST  
Lieutenant-Governor

GOVERNMENT HOUSE  
SYDNEY

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

Wednesday, 25 October 2017

**ADMINISTRATION OF THE GOVERNMENT**

**The SPEAKER:** I report the receipt of the following message from His Excellency the Governor:

DAVID HURLEY  
Governor

GOVERNMENT HOUSE  
SYDNEY

General David Hurley, AC, DSC (Ret'd), Governor of New South Wales, has the honour to inform the Legislative Assembly that he has re-assumed the administration of the Government of the State.

Friday, 27 October 2017

**ADMINISTRATION OF THE GOVERNMENT**

**The SPEAKER:** I report the receipt of the following message from His Excellency the Lieutenant-Governor:

T F BATHURST  
Lieutenant-Governor

GOVERNMENT HOUSE  
SYDNEY

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

Friday, 3 November 2017

### ADMINISTRATION OF THE GOVERNMENT

**The SPEAKER:** I report the receipt of the following message from His Excellency the Governor:

DAVID HURLEY  
Governor

GOVERNMENT HOUSE  
SYDNEY

General David Hurley, AC, DSC (Ret'd), Governor of New South Wales, has the honour to inform the Legislative Assembly that he has re-assumed the administration of the Government of the State.

Saturday, 4 November 2017

### *Ministerial Statement*

### BANKSIA ROAD PUBLIC SCHOOL TRAGEDY

**Mr ROB STOKES (Pittwater—Minister for Education) (14:30):** It is with a heavy heart that I rise on behalf of the Government and the education community to honour the lives of two beautiful young men who were tragically killed in a terrible accident at Banksia Road Public School last Tuesday. There are no words available that are adequate to comfort the families of these two students who went off to their year 3 class that morning, as they had all year, and did not return home at the end of the day.

Jihad Darwiche and Andrew Encinas were two little boys with enormous promise. They were curious, energetic and good friends. They are already terribly missed by their families, their classmates, their teachers and the broader Banksia Road Public School community. There were other students who were injured in that terrible accident—a number of them seriously. My thoughts and prayers and those, I know, of this entire House go with them for a speedy recovery. We know that in a tragedy like this the grief must be unbearable, and that there is nothing that anything of us can say to take that grief away. But we can hope and pray for the restoration, healing and recovery of those families and that community. We can all collectively work towards that recovery.

When a tragedy occurs it gives an insight into a community. I could not have been more proud of the response to this accident by the education community. Led by Principal Hamish Woudsma, this is a very special group of people. Despite not knowing what had occurred or the dangerousness of the situation, the teachers and workers in the surrounding area rushed to the classroom to help the many students who were injured, and to do everything they could to save lives. There were many who rushed to the scene of the accident. Construction workers from the Tradewind Construction Group rushed to help alongside school staff.

I would also like to commend the paramedics, police and other emergency services personnel and the nurses and doctors who treated the injured students. I have seen no greater example of the love, compassion and commitment that teachers have for their students than in the fact that despite the grief and loss that all of them experienced last week—and which they are still going through—they all turned up to serve the following day. They were helped by teachers from 27 surrounding schools, who arrived to support their colleagues and the students at Banksia Road Public School. This is a powerful endorsement of the strength of public education in this State, and of the incredible people who staff our incredible public schools.

I thank and acknowledge the Premier for her support and for visiting the school in the wake of the tragedy. I acknowledge the member for Lakemba, who has provided a powerful example of service, support and comfort to the people of his community. I acknowledge the member for East Hills, who provided powerful support to the members of his community who were also affected by this terrible accident.

A large number of students and teachers will go through a range of emotions and deep and profound grief. We are committed to continue to do whatever we can to provide the necessary support to help those families, students and teachers deal with the emotions that they will experience over time. Our hearts are heavy as we grieve for Andrew and for Jihad. We offer the love and prayers of this Parliament and of all people across New South Wales to the Encinas and Darwiche families, and pledge our support to help rebuild this special community.

I think it is appropriate to list those who have provided such incredible support so that their names are recorded in *Hansard* for their bravery, for their commitment and for what the Greeks call their "agape"—their self-sacrificial love, love that goes beyond care for their own security and which transcends any thought of themselves. Hamish Woudsma and his wife Amanda—also a wonderful teacher—provided incredible leadership throughout this tragedy. I mention the school executive of Bahir Almir and Brian Perret, a teacher who is in the last weeks of his teaching career of more than 40 years. The school is so lucky to have his support and experience

during this terrible tragedy. I mention also the classroom teachers Paul Craft, Danielle Spyros, Rayan Tleis and Jessica Wotherspoon and office staff Rhonda Kayat and Maureen McGowan.

The first responders among the construction workers from Tradewind Construction Group were Corey Richardson, Milad Sleiman, John Jerigoriouh, Paul Sparticus, Nicholas Franco, Rofi Boasirao, Sham-Ashein Govenor. I also mention the departmental officers who attended the school and continue to support the school's response: Mark Scott, Secretary; Murat Dizdar, Deputy Secretary School Operation; Sylvia Corish, Executive Director; and Kathy Powzun, Jan Green, Anne Reddie, Chris Charles and Paul Hughes, who stepped into the role of relieving principal to assist Hamish, who continues to serve the school every day.

I observed two things which have come out of the tragedy thus far. The first is the all-pervasive, incredible lie which is sold to us through the media that somehow true humanity is in what we acquire for ourselves. From what I saw that could not be further from the truth. I saw a community in deep grief. The members of that community had ambition for one another and served one another. The mark of our society and our civilisation is not what we get for ourselves but what we give to one another, and the way we support one another. That humanity was on show last week and continues to be on show.

The other thing I noticed was that other great lie—that religion always divides. What I saw was quite the opposite. I saw a Muslim burial ceremony where Christians and Muslims grieved together, supported one another and looked after one another's interests. I saw a Christian funeral where Muslims and Christians grieved together, supported one another and were united in their grief. This was an incredible display of humanity in all its wonder, tragedy and grief and in all its incredible diversity and complexity.

I am proud of all those who serve in our public schools, particularly those at Banksia Road Public School. I join with everyone here in expressing my profound grief and I offer, on behalf of the Government and everyone in this place, to do everything we can to support teachers, students, families and everyone else in Greenacre and the surrounding community as they go through the grieving experience, and to help restore a shattered community.

**Mr JIHAD DIB (Lakemba) (14:38):** I speak on behalf of the Opposition on this very sad occasion. Those of us who have seen a window into the soul of a grieving parent will never forget the anguish, suffering and excruciating pain in the eyes of a person who is grappling with the most unimaginable pain. If you have never seen it pray that you never experience the numbness and the sense of dread that accompanies the sound of frightened children weeping, of adults breaking down and of hardened emergency services officers wiping away the tears.

Last Tuesday, our community was torn apart and two families were changed forevermore by an awful accident that took the lives of two children and injured several more. We were all heartbroken, but we wept that little bit more when we heard that one little boy was crying for his mother as he lay amid the wreckage. He never did get the chance to see his mum. How does one comprehend the awful tragedy of two young boys losing their lives in the most extraordinary circumstances? How does a parent reconcile the fact that they will never hold their beautiful child again? Those parents will not hear their child's laughter, will not kick a football with them, will not tend to a vegetable patch with them or watch them grow into fine people. This hits people with children hard, but one does not have to be a parent or a member of my local community to be moved by this tragedy—indeed, one just needs to be human.

These two beautiful boys, now angels in heaven, have touched a chord in our compassionate society. Their parents, grieving beyond anything we could picture, carry the most unimaginable hurt, and we as a society must wrap our love around them through these darkest of hours. There is something particularly heartbreaking about death in a place of safety. The tragedy of Banksia Road is a reminder that life is precious and fragile and we never know when we will see our loved ones for the last time. It certainly puts the important things into perspective like nothing else can. We do not yet know the full extent of the emotional damage this has caused to the rest of the class and the school community, but they will need every resource we can give them, their teachers and their families in the months and years to come. The Banksia Road Public School community is genuinely remarkable, which we have seen in this most difficult of weeks.

The principal, Hamish Woudsma, his executive, the teachers, the parents and the school volunteers have come together in a beautiful way. They have been supported by many people, and I thank the Minister for Education, the education community, and the Premier for their support of my local school community and for being there every step of the way. I also acknowledge and thank my colleague the member for Bankstown, Tania Mihailuk, and my other colleagues who visited. I thank the Leader of the Opposition for his kind words. The magnitude of this incredible accident brings people together. It is important, as the Minister has said, that we acknowledge the first responders. We cannot imagine how difficult that job would be. The individuals who rushed to help give us hope as a society that there is goodness in every one of us. The wounded, hurt and grief-stricken community members know that our precious young people need them to be their best at this time.

We saw amazing things. We saw the grieving father of one boy offering forgiveness to the driver of the car that crashed into his son's classroom. His words and thoughts were delivered at what must have been one of the lowest points of his life as he sat in a hearse taking his son's coffin to Rookwood Cemetery. It was one of the most breathtaking and heartening things I have ever seen. We heard of the trauma of having to write a eulogy for a nine-year-old boy, of holding his favourite soft toy for comfort, and of the difficulty in facing the world, knowing it will never be as bright and as colourful as it was just one week ago. Life can be cruel sometimes, but humanity gives us hope that there is a better world; that there are people who will do everything they can to help others in every community.

I thank the Minister for Education for his kind words about our community and about the divisions that people try to spread. Nothing transcends the sadness brought by the deaths of children. We offer our deepest condolences and wishes for a speedy recovery to the Darwiche and Encinas families, who have lost their Jihad and Andrew, and to all families who have suffered. We share their grief and offer our prayers for their broken hearts, to help bind their wounds. May the spirit of their beautiful children be with them and us always.

*Question Time*

**POLITICAL LOBBYISTS**

**Mr LUKE FOLEY (Auburn) (14:46):** My question is directed to the Minister for Planning, Minister for Housing, Special Minister of State, and Leader of the House. Given the concerns expressed by former Prime Minister Abbott, Mr Alan Jones and other leading Liberal and conservative identities about the vice-like grip the lobbyist faction has over the Liberal Party in New South Wales, will he instruct his departmental officials to no longer meet with those lobbyists?

**The SPEAKER:** Order! It is a very strange question but I will accept it. The Minister for Planning has the call and he does not require any assistance.

**Mr ANTHONY ROBERTS (Lane Cove—Minister for Planning, Minister for Housing, and Special Minister of State) (14:47):** I remind the House that this Government has undertaken huge reforms in anti-corruption measures in the planning area. It is not the recourse for anything we on this side have done, but recourse for the badness that occurred under the government led by those opposite. This Government's reforms to environmental and planning legislation will continue to drive forward an open and transparent planning system that reflects the needs, wants and aspirations of the people of New South Wales. The Minister of Health has informed me that Hawker Britton had offices right next to the planning Minister when those opposite were in Government. Hawker Britton just wandered upstairs to talk to the planning Minister. I regularly disclose my diary, as does every Minister here.

**Dr Hugh McDermott:** What did Photios do?

**Mr ANTHONY ROBERTS:** Sorry, who was that? They have gone all quiet.

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

**Mr ANTHONY ROBERTS:** The day I will take seriously a question with respect to this from the Leader of the Opposition is the day that he and his shadow spokespersons decide to disclose their diaries publicly to the people of New South Wales.

**TERRORISM**

**Mr MARK TAYLOR (Seven Hills) (14:49):** My question is addressed to the Premier. How is the New South Wales Government keeping the community safe from the scourge of terrorism?

**The SPEAKER:** Order! Members will come to order.

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:49):** I thank the member for Seven Hills for his question. I commend him for his work in his electorate, noting that he not only takes safety issues seriously but also was a police prosecutor prior to being elected to Parliament. For many years he has been engaged in keeping our community safe. I take this opportunity to thank him for his years of dedication to the safety of our community.

The priority of every good government is of course to keep the community safe. As a Government, we are focused on tackling the rise of radicalisation and the threat it poses to our community. Unfortunately, recent events globally and at home demonstrate that the threat of terrorism is evolving rapidly. That is why we continue to strengthen New South Wales laws—to ensure that we are one step ahead of those who seek to harm our community. This week the Government will introduce legislation to keep radicalised and dangerous criminals

behind bars. The legislation will give authorities power to keep offenders locked up or have them supervised if the offenders pose an unacceptable risk of committing serious terrorism offences after completing their sentences.

This new high-risk terrorist offender scheme will allow the Supreme Court to place on continuing detention orders or extended supervision orders offenders who pose an unacceptable risk of terrorism. If an offender is found by the court to present an unacceptable risk, it is vital that we have laws to protect the community against that danger. The new laws build on an already tough antiterrorism regime in New South Wales. I take this opportunity to thank the Attorney General, the Minister for Police, and the Minister for Counter Terrorism and Minister for Corrections for supporting the Government in these very important and critical initiatives.

The Government already has strengthened bail laws to minimise the risk to the community of offenders with links to terrorism. Unless there are exceptional circumstances, bail must be refused for anyone who is charged with or who has been previously convicted of a terrorism offence and who has been the subject of a control order. The Government also has created a presumption against parole for anyone who demonstrates support for or links to terrorism. This applies to offenders with links to terrorism irrespective of any offence for which they are in custody. Recently the Government launched a new phone and online support service for those who are worried that people they know may be at risk of radicalisation or violent extremism.

Importantly, earlier this year the Government accepted and supported all of the recommendations made by the New South Wales Coroner in his inquest into the deaths arising from the 2014 Martin Place siege. The Government moved quickly to pass laws to provide clarity to police officers about the circumstances in which they may use force, including lethal force, to respond to a terrorism incident. Shortly the New South Wales Government will release a further comprehensive response to the Coroner's report, which updates the community on the implementation of the Coroner's recommendations. Moreover, the Government continues to support those who daily risk their lives to protect all of us.

Since being elected to govern, this Government has increased police numbers by 951 officers. Our Police Force is led ably by the Commissioner of Police, Mick Fuller. His appointment as commissioner is one of the proudest appointments I have made since becoming Premier. I join with the Minister for Police in commending the Commissioner of Police for the outstanding work he continues to do. Commissioner Fuller's strong operational leadership and firsthand experience, including during the Martin Place siege, have given the commissioner and our Government unique insights into new ways of keeping our community safe.

The New South Wales Government will continue to work with our agencies and other jurisdictions to combat terrorism and radicalisation. This responsibility weighs heavily on each and every one of us. As a government, we do not move legislation as strong as the proposed legislation unless we believe it is in the interests of the community. I commend the other States; recently at the Council of Australian Governments all the other States agreed to adopt the bail and parole provisions that already have been implemented in New South Wales. This State continues to lead the way. Difficult circumstances mean that, as the Government, we must take the necessary action to always keep our communities safe and support those who put their lives on the line, day in and day out. This important legislation will be introduced this week. I seek the support of all members in ensuring that it is treated with the gravity and respect it deserves.

#### **LIBERAL PARTY PRESELECTIONS**

**Mr MICHAEL DALEY (Maroubra) (14:54):** My question is directed to the Premier. On the weekend, the Liberal Party preselected Natalie Ward.

**The SPEAKER:** Order! Members will allow the member for Maroubra to ask the question. They will listen to the question in silence.

**Mr MICHAEL DALEY:** As I said, on the weekend the Liberal Party preselected Natalie Ward ahead of candidates supported by former Prime Minister John Howard. Until recently, Natalie Ward was an owner of Michael Photios' lobbying company. Does that not confirm that under the Premier's leadership the Liberal Party is not a body that is moving towards greater democracy for its members, but instead remains a wholly-owned subsidiary of Photios Inc?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:55):** That is a very interesting question from someone who thanked Eddie Obeid and Joe Tripodi in his inaugural speech. The member for Maroubra thanked two people in this House who were found to be corrupt by the Independent Commission Against Corruption [ICAC]. Since day one in March 2011 when we took over the reins of government, the Liberal-Nationals Government has promised the good people of New South Wales that we will never allow our State to descend to the position in which Labor placed it.

If the member for Maroubra is so obsessed about who people speak to, why will he not disclose his diary? Why will he not tell us about those with whom he meets? Why will the Leader of the Opposition not disclose his diary on time? He has not done that yet. I say to those people who supported the antics of Eddie Obeid, Ian Macdonald and Joe Tripodi that although some of the faces in Labor may have changed, it is old Labor in this House. The member for Maroubra should explain to this House his connections to Eddie Obeid and Joe Tripodi and why he thanked them during his inaugural speech.

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

#### NSW POLICE FORCE

**Mr KEVIN ANDERSON (Tamworth) (14:56):** My question is addressed to the Minister for Police, and Minister for Emergency Services. How is the New South Wales Government supporting the NSW Police Force?

**Mr TROY GRANT (Dubbo—Minister for Police, and Minister for Emergency Services) (14:56):** I thank the member for Tamworth for his question and for his ongoing support of the NSW Police Force, particularly in his electorate. I thank him also for hosting my visit to his electorate late last week. One of the perquisites of my role is being able to travel around the State. Recently I have had the opportunity to visit police officers in police stations in places such as Narrandera, Wagga Wagga, Tamworth, Gunnedah, Bankstown, Penrith and Fairfield as well as my local police stations in Dubbo, to name just a few. During that time I had the opportunity to join one of my constituents in Dubbo, Frank Roberts, who is a farmer. He was kind enough to launch the second ever annual Rural Crime Week at the end of October.

This initiative was commenced by Assistant Commissioner Geoff McKechnie, APM, who is the Commander of the Western Region and the corporate spokesman for rural crime. NSW Rural Crime Week is really about bringing a better focus onto under-reported crimes of stock theft, trespass and other rural crimes and their serious impact on individuals and the community. In response to the question asked by the member for Tamworth, NSW Rural Crime Week is just one example of the Government's commitment to improving policing, particularly in regional communities. In the same week I was joined by the Commissioner of Police, Michael Fuller, APM, to whom the Premier referred earlier, and Deputy Commissioner Gary Worboys to announce formation of the western region enforcement squad and the domestic violence high-risk offender team, which are dedicated to targeting the worst recidivist domestic and family violence offenders across western New South Wales.

Some of the units that already have been rolled out across the State are having enormous success. I know that particularly in western New South Wales the new specialised squads will have a significant impact upon crimes in which people, particularly Aboriginal families, are overrepresented—a crime area that clearly needs to be addressed. Earlier this month I was proud to stand alongside Commissioner Fuller, Deputy Commissioner Worboys and the member for Wagga Wagga when I announced a similar squad that will operate in southern New South Wales. More of those specialised squads are on their way to areas throughout regional New South Wales.

As the Premier alluded to, it was a proud day when I joined her in appointing Commissioner Michael Fuller to the very important role of commissioner of this wonderful police force. At the time I conveyed my gratitude to both the Leader of the Opposition and the shadow Minister for Police for joining us in warmly welcoming the new commissioner to his role. The shadow Minister for Police at the time said that he looked forward to working with the commissioner in tackling some crime issues that we face as a State.

**Ms Tania Mihailuk:** He still does.

**Mr TROY GRANT:** Unfortunately he does not, and it should come as no surprise to every member seated on this side of the House that this turned out to be another empty Labor promise. The shadow Minister, since that time, has repeatedly continued to undermine Commissioner Fuller as he has led the police re-engineering process. A question for this Parliament, and for the community more broadly, is: What does this say—

**Ms Sophie Cotsis:** He is attacking you.

**Mr TROY GRANT:** It is the commissioner's reform, so he is attacking the commissioner.

**Ms Sophie Cotsis:** No, it is your reform.

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

**Mr TROY GRANT:** What does it say to the police force, the commissioner and the community about an alternative government that cannot get behind the State's top cop? The commissioner and the entire NSW Police

Force know who is on their side when it comes to resourcing the police force, which allows them to do the job they need to do.

**Ms Kate Washington:** They're worried about their jobs.

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

**Mr TROY GRANT:** Members on this side of the House know who knows best about how the police force should be governed, where the resources should go and what those resources should be used for. That person is Commissioner Michael Fuller. Another person who knows this job well is Deputy Commissioner Jeff Loy, for the metropolitan command, who successfully re-engineered the failed local area command model, the one-size-fits-all model that some pommy commissioner introduced to this State. This model has failed us on all levels, and Deputy Commissioner Loy has re-engineered the metropolitan commands to police area commands, which gives them a greater opportunity to get boots on the ground in order to solve crimes and prevent criminals from impacting on our community. Yet the shadow spokesman has been nothing but negative about these reforms. *[Extension of time]*

**The SPEAKER:** Order! The member for Fairfield will cease interjecting.

**Mr TROY GRANT:** The shadow Minister, the member for Fairfield, has been nothing but negative about these reforms, yet when I went to Fairfield police station just over a week ago, those police officers were very grateful for the re-engineering process.

**Mr Guy Zangari:** I've got you under my skin.

**The SPEAKER:** Order! I call the member for Fairfield to order for the second time. The member should take this subject seriously.

**Mr TROY GRANT:** Every member of this Government understands that the best solutions to the problems, whether they be health, education or community safety, are best delivered locally. Very soon, as Deputy Commissioner Worboys has indicated, the local area command model will be no more in regional New South Wales and, at this stage, it appears that we are moving to a district model, which will give areas across regional New South Wales a greater ability to make local decisions about resourcing and deployment. I have to ask why those opposite would oppose somewhere like Gunnedah—

**Ms Kate Washington:** Tell us how many more cops we get.

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

**Mr TROY GRANT:** —having its own officer in charge of policing issues. Why does Gunnedah have to be told what it needs by the officer in charge of Tamworth? Re-engineering is about making sure that local police make those decisions—

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

**Mr TROY GRANT:** —and local areas are resourced to meet the area's needs. One size does not fit all, and this Government will continue to invest in and support people making those decisions, Commissioner Fuller, Deputy Commissioner Worboys, Deputy Commissioner Loy and all the men and women of the NSW Police Force, who have this Government's support in doing their job to look after our community.

#### FREE GONG SHUTTLE

**Mr PAUL SCULLY (Wollongong) (15:04):** My question is directed to the Premier. In 2013, as Minister for Transport, the Premier made a promise to the Illawarra community that the free Gong Shuttle "will continue for evermore". Did the Premier mislead the people of the Illawarra, given she now plans to scrap this service?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (15:04):** I am grateful—

**Mr Ryan Park:** That note came from Gareth; I wouldn't read it.

**The SPEAKER:** Order! The member for Keira will cease interjecting.

**Ms GLADYS BEREJIKLIAN:** —to the member for Wollongong for this question, because we know that if those opposite were still in government, it would not be a popular service and no-one would want to catch it.

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

**Ms GLADYS BEREJIKLIAN:** I was interested to read what the shadow Treasurer, the member for Keira, was quoted as saying in the *Illawarra Mercury*, and I am waiting for the answer.

Keira MP Ryan Park has stopped short of pledging a Labor government would reverse the decision to introduce fares on the Gong Shuttle.

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

**Ms GLADYS BEREJIKLIAN:** It gets better than that.

However he said he planned to take the issue to leader Luke Foley and the shadow cabinet on Monday afternoon.

That is, yesterday. How did you go, shadow Treasurer?

**Mr Ryan Park:** Approved.

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

**Ms GLADYS BEREJIKLIAN:** I do not know what the member is referring to, but I have not heard an announcement from that side of the House. He went to the Leader of the Opposition yesterday, and we are still to hear the response.

[*Interruption*]

**The SPEAKER:** Order! Does the member for Keira have a point of order?

**Mr Ryan Park:** Point of order: My point of order is taken under Standing Order 129, relevance.

**The SPEAKER:** Order! The point of order is completely irrelevant. I call the member for Keira to order for the second time.

**Ms GLADYS BEREJIKLIAN:** As those opposite know, even after January, when people were asked to make a contribution, the State Government is still subsidising 75 per cent of that service.

**Mr Paul Scully:** It's not forever more, is it?

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

**Ms GLADYS BEREJIKLIAN:** I say to the Labor Party—

**Ms Anna Watson:** You said forever more.

**The SPEAKER:** Order! I remind the member for Shellharbour that the bus is not in her electorate. All members would like a free bus service in their electorates.

**Ms GLADYS BEREJIKLIAN:** —and the community that they should be very, very wary when those opposite promise the community something for free.

**The SPEAKER:** Order! The member for Wollongong will cease shouting across the Chamber. His behaviour is not enhancing the debate.

**Ms GLADYS BEREJIKLIAN:** Members of the public have a right to ask: If the Labor Party is fighting for the free Gong Shuttle in Wollongong, why will it not fight for a similar service in Shellharbour, in Campbelltown, in Mount Druitt, in Prospect? Those opposite left New South Wales in an absolute mess, and I say to the Labor Party: If it is going to promise to reinstate this service if it comes to government, what is wrong with all the other communities? Why does the Labor Party not offer free transport to the world?

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

**Ms GLADYS BEREJIKLIAN:** I was very disappointed—

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

**Ms GLADYS BEREJIKLIAN:** The shadow Treasurer also made a telling statement at a protest in Wollongong on 12 November, which I will quote because I do not normally use such language:

I do not give a damn about anything else that is happening in New South Wales Parliament other than the shuttle. He does not care about housing affordability. He does not care about the cost of living. He does not care about the budget. He does not care about transport or traffic, or deficit or balance sheets. All he cares about is the Wollongong shuttle. That is a very sad indictment on the shadow Treasurer.

#### CRIMINAL JUSTICE REFORM

**Mr STEPHEN BROMHEAD (Myall Lakes) (15:09):** My question is addressed to the Attorney General. What is the New South Wales Government doing to improve community safety, and any other matters?

**The SPEAKER:** Order! The Attorney General has the call. Members will cease interjecting.

**Mr MARK SPEAKMAN (Cronulla—Attorney General) (15:09):** I thank the member for Myall Lakes for his interest in community safety and public order matters generally. No level of crime is ever acceptable but, according to the NSW Bureau of Crime Statistics and Research [BOCSAR], across 17 major indicators we in New South Wales have the lowest level of crime in 20 years. However, there is always more to do. We are a government that takes our responsibilities in community safety soberly and sensibly but extremely seriously. Indeed, it is hard to think of any priority of government that is greater than community safety. It is a whole-of-government approach to community safety; it is not just in my portfolio as Attorney General but across all of government. We are doing all we reasonably can to improve community safety and to put community safety first, whether it is in the portfolio of domestic violence, with Minister Goward leading the charge, in police infrastructure and resourcing, with Minister Grant leading the charge. We are putting community safety first in every way we reasonably can.

To answer the question from the member for Myall Lakes, this year the Government has done a number of things legislatively to improve community safety. We have introduced wideranging reforms through our criminal justice system with early guilty pleas, sentencing parole and high-risk offenders. We have reformed driver disqualification laws and we have introduced new counterterrorism laws. Last month Parliament passed a package of reforms focused on community safety and making the justice system stronger and more effective by reducing court delays and reoffending, and delivering faster, more certain justice. There were four key reform areas. The first was to reduce delays for serious criminal cases. This has a number of advantages for victims and for the courts, but also it frees up police resources. Instead of going to mention after mention in court, police can get back to what they are meant to be doing—policing us and keeping us safe on the streets, and returning to frontline duties.

Secondly, stronger sentencing makes the community safer by holding offenders to account and reducing reoffending. We are abolishing the current suite of community-based sentences, good behaviour bonds and suspended sentences that amount to a slap on the wrist, and replacing them with three clear community sentencing options: a strengthened intensive correction order, a new community correction order and a new conditional release order. Courts will be able to select one of these sentences, depending on the seriousness and circumstances of the offence. What is important is that they can include supervision and other programs to address the causes of offending and punitive conditions to hold an offender accountable. We know at the moment that up to 50 per cent of offenders will reoffend within two years of being released from prison. What is important is addressing the causes of that reoffending, changing offender behaviour and reducing that reoffending. These reforms will provide a more effective pathway to transition offenders back to lawful and productive lives, and reduce reoffending. Less crime means fewer victims.

We know that intensive correction orders work. A study published recently by BOCSAR shows how effective targeting offenders with supervision and programs can be in reducing reoffending in New South Wales. BOCSAR's report showed that offenders are 11 per cent to 31 per cent less likely to reoffend than offenders who receive short prison terms, and even larger reductions in reoffending were observed for those serving sentences of six months or less. Don Weatherburn, the executive director of BOCSAR, stated that the statistics showed intensive correction orders are a cost-effective alternative to prison for offenders who would otherwise be sent to prison for short periods. These reforms are both smart and tough. Offenders sentenced to imprisonment for the most serious offences will go to prison, but sentencing courts will have the flexibility and the options to establish tough, safe and effective community orders that will deliver supervision and programs shown to reduce reoffending, while holding offenders accountable.

The third area of our criminal justice reform is changes to parole, to replace a public interest test with a community safety test—again, putting community safety paramount in parole decisions—and a framework of graduated sanctions for breaches of parole similar to the ones that will be introduced for intensive correction orders. The State Parole Authority's power to revoke parole will be expanded to offenders who pose serious risk to community safety, even when there is no breach. The fourth area of reform was better management of high-risk, sex and violent offenders, strengthening our High Risk Offenders Scheme so that community safety is the paramount decision of the court when deciding to make a continuing detention order or an extended supervision order. More offenders will be eligible for this scheme as the court will be required to consider an offender's criminal history and future risk of serious violence offences, instead of just one or the other—which I know will be of interest to the member for Myall Lakes. [*Extension of time*]

The test for deciding whether to impose a community detention order will be strengthened so that an offender's risk to the community is considered instead of whether they can be supervised adequately. Supervision of offenders under an extended supervision order will continue to be stringent, with conditions including electronic monitoring, restrictions on an offender's movements, regular reporting and participation in rehabilitation

programs. In the driver disqualification space, among other things, we have increased the powers of police to confiscate numberplates and vehicles on the spot.

In the terrorism space, we moved quickly in 2015 to tighten bail laws, in 2016 to tighten pre-charge investigative detention, and in June this year to clarify police powers at the time of a terrorist incident so that there are clear legal protections and powers for police officers who need to use legal force against terrorists. In June 2017 we also tightened parole laws to require the State Parole Authority to consider an offender's potential radicalisation and support for terrorism, and now we are introducing post-sentence detention and supervision for terrorist offenders. This will complement the Commonwealth scheme and fill gaps left by that scheme. Under our proposal, preventative action—such as a continued detention order or an extended supervision order—can be taken against the New South Wales offender who poses an unacceptable risk of committing a terrorism risk at the end of their sentence. Under this scheme the orders can be made by the Supreme Court on application by the State and there is the safeguard of judicial oversight to ensure that these measures are used proportionately and appropriately. Orders for continued detention or extended supervision will be imposed for a period of up to three years by the Supreme Court.

These reforms complement the suite of tough counterterrorism laws that we have introduced previously. As I said, crime is at its lowest level for 20 years. There is more to do always, but a tough stance on crime is paying off. It is the priority of this Government above all to make sure that every man, woman and child is as safe as reasonably possible in the State of New South Wales.

### FREE GONG SHUTTLE

**Ms ANNA WATSON (Shellharbour) (15:17):** My question is directed to the Premier. Does the Premier agree with the member for Kiama that people in the Illawarra are displaying a sense of entitlement by supporting the Wollongong shuttle?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (15:17):** For decades, Opposition members spoke about the Berry bypass, and we have delivered. For decades, they talked about upgrading all the local hospitals, and we are doing it. The Illawarra has never had as much funding as it has now—and it is because of this Government.

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

**Ms GLADYS BEREJIKLIAN:** I ask the member for Shellharbour: Given your colleague in Wollongong is advocating for a free shuttle bus, why are you not doing what the member for Wollongong and the shadow Treasurer did?

**The SPEAKER:** Order! The member for Shellharbour will come to order. This is not an opportunity to argue across the Chamber. The member for Wollongong will come to order. I direct the Clerk to stop the clock. Members will cease shouting across the Chamber. The member for Strathfield rises on a point of order.

**Ms Jodi McKay:** Point of order: I ask that the Premier be directed to address her comments through the Chair.

**The SPEAKER:** Order! I uphold the point of order.

**Ms GLADYS BEREJIKLIAN:** Given the member for Shellharbour asked the question, I am simply saying to her, now that the member for Keira has foreshadowed that Labor will provide a free bus for Wollongong, has she asked the Leader of the Opposition for a free bus for Shellharbour as well? That is all I am asking.

**The SPEAKER:** Order! The member for Shellharbour will not answer questions. If she has a point of order she should seek the call. I direct the Clerk to stop the clock. The Premier has been relevant to the question.

**Ms Anna Watson:** Point of order: My point of order is under Standing Order 129.

**The SPEAKER:** Order! The Premier has been entirely relevant to the question. There is no point of order. The member for Shellharbour will resume her seat. The Premier has the call. The Clerk will restart the clock.

**Ms GLADYS BEREJIKLIAN:** The member for Shellharbour knows that she should not have asked the question if she is not prepared to ask for a free bus in her own community. I say this—

**The SPEAKER:** Order! Members will cease shouting across the Chamber.

**Ms GLADYS BEREJIKLIAN:** I completely support the sentiment advocated by the member for Kiama. This Government has ensured that the Illawarra has received more than it ever has in the past: \$137 million in the 2017-18 budget for upgrades to the Princes Highway; \$35.5 million to complete the Foxground and Berry

bypass; \$19 million to commence building the upgrade between Berry and Bomaderry; \$23 million to continue works at Dignams Creek; and \$4.2 million towards the Nowra Bridge crossing. The list goes on. I am pleased that we will continue to deliver for the community. Work is continuing to refurbish the Wollongong fire station. Upgrades have been made to Gwynneville Public School—I was pleased to visit that school with the member for Kiama. Shoalhaven High School received \$1 million for upgrades. I had a fantastic time when I went with the member for Kiama and the Speaker to make that announcement. It is a wonderful public school and the captains and students made me feel very welcome when I visited.

In the area of health, the Government has committed to the Shellharbour Hospital, the Shoalhaven District Memorial Hospital car park, the Bulli Hospital Aged Care Centre of Excellence, the South Coast Correctional Centre, the Wollongong Hospital elective surgery unit, the Shoalhaven Cancer Care Centre, and the Illawarra Cancer Care Centre. Do I need to go on? There is more on the list. I am also pleased with the work we have done to create jobs in the Illawarra. Every time the job figures come out I am very pleased to note that the Illawarra continues to create jobs because of the infrastructure we are building. People have careers because our Government is providing the funding. I support the member for Kiama. The Illawarra has never had it so good because of this Government.

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

**Ms GLADYS BEREJIKLIAN:** I am not sure what I missed but I have six pages of infrastructure projects here.

**The SPEAKER:** Order! Members will cease shouting across the Chamber. The member for Swansea will come to order. She is the worst offender at times.

**Ms GLADYS BEREJIKLIAN:** The only thing those opposite have offered the people of the Illawarra is to reinstate the Wollongong shuttle service. We have provided hundreds and hundreds of millions of dollars of funding for that community. We have created jobs, and we will continue to work hard for the Illawarra.

### TERRORISM

**Ms ELENI PETINOS (Miranda) (15:23):** My question is addressed to the Minister for Counter Terrorism, and Minister for Corrections.

**The SPEAKER:** Order! Members will come to order. The member for Keira will resume his seat and stop wandering around the Chamber like a lost sheep. The member for Miranda will begin her question again.

**Ms ELENI PETINOS:** My question is addressed to the Minister for Counter Terrorism, and Minister for Corrections. What measures has the New South Wales Government put in place in the correctional system to protect our community from terrorism?

**The SPEAKER:** Order! It is a serious question. Opposition members will come to order. Those members who do not wish to take this issue seriously will leave the Chamber.

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (15:24):** I thank the member for Miranda for her question. She is a hardworking local member.

**The SPEAKER:** Order! The member for Fairfield will come to order. He will cease making drone noises. He is displaying his level of maturity regarding this issue.

**Mr DAVID ELLIOTT:** I acknowledge the interjection. For seven years I have been waiting for a policy from the member for Fairfield, and this week I got one. Do members know what he said? He wants bipartisanship. He agrees with me! For seven years I listened for a policy from him and his only policy now is to agree with the Government. We are paying him?

**The SPEAKER:** Order! I call the member for Canterbury to order for the second time. She will cease shouting and interjecting. I call the member for Fairfield to order for the third time. Members will come to order.

**Mr DAVID ELLIOTT:** Community safety is the priority of this Government and our approach to countering violent extremism continues as the Coalition trends towards reducing crime rates across New South Wales. We want New South Wales to have the most robust counterterrorism arrangements and strongest laws in the country, if not the world.

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

**Mr DAVID ELLIOTT:** We are investing \$47 million over the next three years to provide critical prison expansions and deradicalisation programs. The High Risk Management Correctional Centre—known as

Supermax—is being upgraded to ensure that it has the capacity to safely manage the increasing number of prisoners of interest to national security. The upgrade includes improvements to the gatehouse, electronic security, visitor surveillance and inmate accommodation. These upgrades bring with them more jobs.

The multipurpose unit at Goulburn Correctional Centre will now house unsentenced inmates facing terrorist-related offences and inmates who are serving sentences for terrorism-related offences who are progressing through disengagement programs. The unit's electronic security is being upgraded to include closed-circuit television, telephone and audio monitoring, an X-ray machine, walk-through metal detectors and setting up a visitors area. A new dedicated counterterrorism unit will strategically manage the increasing risks associated with radicalisation of inmates. This unit will enhance the safety of the community, staff and offenders by collating information on violent extremism within Corrective Services and providing timely strategic, operational and tactical intelligence to decision-makers across the system.

Enhancing relations with other agencies in the counterterrorism field and detecting and managing risks related to the counterterrorism environment within New South Wales correctional centres remains a priority. We also understand and identify extremist networks in custody and within the community. Identifying groups of offenders who may be at risk of radicalisation, making referrals and providing intelligence support to the Proactive Integrated Support Model—PRISM—program, as well as vetting applications for visits, telephone calls and mail in line with the legislative requirements for Extreme High Risk Restricted and National Security Interest inmates, remain priorities. We are creating a new program for offenders convicted of terrorism-related offences that will assess risks and needs, and operate an intensive disengagement program employing psychological interventions, religious re-education, and reintegration work with families and inmates in transition to the community. Intervention plans for this group will be multimodal, multidisciplinary and multi-agency. They will target key areas related to identity, social relations, ideology and criminal action.

But we have not stopped there. This year we have also toughened the parole system to create a presumption against parole for anyone with demonstrated support for, or links to, terrorism. This includes offenders with links to terrorism, irrespective of the offence for which they are in custody. Unfortunately, we also have young people in custody who are detained in juvenile justice centres as a result of terrorism offences. While this number remains low, our preparedness to deal with any radical detainee is under constant review. Comprehensive procedures and resources are in place for the supervision and management of young offenders, including assessment, program provision and psychological services. Security strategies include monitoring detainee telephone usage and visits. The Juvenile Justice Security and Intelligence Unit provides management and staff with relevant intelligence regarding any concerns that may exist, and liaises with other law enforcement agencies. Juvenile Justice NSW staff are also trained in identifying radicalisation and extremism. This Government recognises that its approach to counterterrorism and violent extremism is a shared responsibility, and it backs its law enforcement agencies with strong laws. [*Extension of time*]

The Government has implemented a world-class approach to the management of radicalisation of inmates and those at risk of violent extremism. During my recent visit to Israel, along with Madam Speaker and the member for Rockdale, I saw clear evidence that the world is looking at what is happening in New South Wales and acknowledges that our practices in dealing with terrorism are world class. This Government will continue to implement programs, to deliver resources and to introduce laws that will keep the people of New South Wales safe.

## ROAD SAFETY

**Mr GREG PIPER (Lake Macquarie) (15:30):** I direct my question to the Minister for Roads, Maritime and Freight. Given the implementation of the Roads and Maritime Services Safe Systems approach to reducing the road toll under the mantra "safer people, safer speeds and safer vehicles", what positive action is the Government taking to effect long-term cultural change or safer people on our roads?

**Mrs MELINDA PAVEY (Oxley—Minister for Roads, Maritime and Freight) (15:30):** I thank the member for Lake Macquarie for his question about an issue that is incredibly important to everyone in New South Wales and which is a constant challenge. I have received messages on my mobile phone from the Traffic Management Centre about incidents on our roads overnight. I have also spoken to the member for Vacluse today about a terrible accident involving someone on a motorised bicycle 500 metres from the site of a similar incident 12 months ago. These accidents have terrible impacts on victims and their families. The Government is also talking with councils about how we can improve cycle safety on New South Head Road.

Another fatality occurred on the northern beaches this morning involving a car crashing into a tree. In fact, over the past few weeks there has been a spate of road accidents. While we have been engaged in question time today there has been an accident at Ulmarra involving a car and a truck crashing into wire fencing. As the member for Clarence knows, in about 18 months that section of the highway will be a dual carriageway.

Importantly, investment in the M1 Pacific Motorway and efforts by the State Government and the Federal Government have ensured that we have had nine fewer fatalities on the highway compared with the same time last year. However, that does not mean the challenge has been met.

This is about infrastructure, road safety messaging and advertising. I am proud of the fact that when I became Minister for Roads, Maritime and Freight one of the first things I did was provide support for Country Rugby League. This State is facing a big road safety challenge. Two-thirds of road fatalities in this State occur in regional New South Wales, but it is home to only one-third of the population. In addition, 49 per cent of those fatalities occur on local roads. While the Government has initiated big infrastructure projects on the M1 Pacific Motorway, the Newell Highway and the Princes Highway, it is important that we deal also with local road networks. Road safety is blind; it does not matter whether people are travelling on roads that are the responsibility of local government authorities or the State Government. I am proud that this Government is providing funding and support to local councils to target blackspot areas. Simply changing line markings or improving the camber of a road can produce good results.

I attended the Transport and Infrastructure Ministerial Council in Hobart last Friday along with my counterparts from across Australia, and they demonstrated a real commitment to addressing road safety. I am also proud of this Government's commitment to join regional organisations of councils in implementing road safety strategies. That platform will be important in ensuring that we have a stronger capability at the local government level to ensure greater investment in bitumen rather than paperwork, and I am very excited about that. However, there is more to do. The road toll this year was on track to be lower than it was at the same time last year, but unfortunately we are now not doing so well. Having said that, from an international perspective we are tracking well.

We have more work to do in regional areas, and this Government is proud to be doing it. It is targeting advertising campaigns in specific regional areas. For example, the road toll was much too high in the Hunter in the middle of this year, and in response the Government implemented Hunter-specific television and radio advertising campaigns. The Government is also focusing on the south and south-west of the State because the same is true in those areas. It is targeting its very effective road safety advertising in those areas to get better value for its investment. We can get more coverage by focusing on regional television, radio and newspaper markets rather than metropolitan markets. This Government's road safety messages are focused on those communities that evidence suggests need them most. We must work together to address this issue, whether it means dealing with local or State roads, to ensure that we keep reducing the road toll. I thank everyone across New South Wales who has worked to achieve that goal.

#### **DOMESTIC AND FAMILY VIOLENCE**

**Mr ADAM CROUCH (Terrigal) (15:35):** I address my question 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 protecting our community by delivering for the victims of domestic and family violence?

**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) (15:36):** I thank the member for Terrigal for the question and acknowledge the great work he does in supporting the most vulnerable in his community. The question gives me the opportunity to talk about the Government's strong record on tackling domestic and family violence. I am proud to say that New South Wales continues to lead the nation with a range of specialist initiatives that target this scourge in our community from both sides in supporting victim survivors and holding perpetrators to account. The Government is investing more than \$350 million over four years to address domestic violence. However, that money does not tell the whole story. This investment is in addition to the hundreds of millions of dollars that the Government spends each year to combat domestic and family violence through mainstream services in justice, police, health, child protection, social housing and homelessness services.

The Government will continue to be tough on perpetrators while it continues to invest a record amount of money in supporting victims and keeping them safe. I am delighted that Safer Pathway, the integrated multi-agency response to high-risk domestic violence victims, is now operating at 34 sites. I have had the pleasure of visiting suburbs and towns across the State to welcome the expansion of this fantastic initiative. Last month the member for Terrigal and I were on the Central Coast to announce that from March next year Safer Pathway would be rolling out across the Brisbane Waters Local Area Command. As we know, domestic and family violence can occur anywhere and involve anyone, and the Central Coast is no exception.

According to the NSW Bureau of Crime Statistics and Research, in the 12 months to June 2017, there were 683 incidents of domestic violence related assault recorded by the NSW Police Force in the Brisbane Waters

area. Safer Pathway is critical in our efforts to decrease that number. The member for Terrigal and I spoke with frontline police officers and the message was clear: Safer Pathway will be a game changer on the Central Coast. That is the same message I have heard when I have travelled throughout New South Wales to discuss the rollout of Safer Pathway. It has been a privilege this year to visit local area commands in Penrith, Manly, Liverpool, Kempsey, Sutherland, Five Dock and Goulburn. Our numbers speak for themselves. In 2016-17, I am advised that the Staying Home Leaving Violence program supported more than 5,700 clients, comprising more than 2,100 women and 3,600 children, to stay safely in their home while police removed the perpetrator.

In this year's budget we invested \$6.2 million for this wonderful initiative, which is now available in 27 locations across New South Wales—a great result. I am advised that in 2016-17 the Integrated Domestic and Family Violence Services Program provided wraparound support to more than 2,400 adults and more than 3,400 children experiencing violence. That was achieved by working closely with key agencies such as police, health, Legal Aid, Family and Community Services Housing NSW and local non-government organisations to develop individual support plans for clients. In September the member for Terrigal and I announced that CatholicCare Broken Bay would be the new providers of the integrated domestic and family violence service on the Central Coast. This service has been operating on the Central Coast for many years, providing critical case management and coordination services for victims of domestic and family violence. CatholicCare was appointed following a competitive tender process. I am advised there was no break in service delivery for new or existing clients.

We know that those escaping domestic and family violence need ongoing support to rebuild their lives. I am advised that this year more than 2,500 households across New South Wales were assisted with the private rental subsidy Start Safely. It provides assistance to those escaping violence, with financial support for up to three years to help them move into stable housing in the private market. In August I was proud to announce that Start Safely would be expanded and made available for those earning a moderate income, not just those eligible for social housing or on very low incomes. That is a very big win for some of our State's most vulnerable. There have been incredible achievements in the first year of the Domestic and Family Violence Blueprint for Reform. *[Extension of time]*

This included the awarding of contracts for seven projects in the first phase of the domestic violence innovation fund, including initiatives that will provide greater support in rural areas, for people with a disability and for Aboriginal communities. Expressions of interest are currently being considered for the second round. In the first year of the blueprint we also expanded Tackling Violence, a great program that uses regional rugby league clubs to promote changing attitudes and behaviours about domestic violence, to nine new locations across New South Wales. I am also advised that the Explore, Question, Understand, Investigate, Practise to Succeed [EQUIPS] program, which works with high-risk offenders to change their behaviour, was completed by more than 150 participants. The New South Wales Government will continue to champion social policy reform to make people's lives better. We will continue to put Labor's record to shame. I am very proud of our achievements on this side of the House. We will continue to support our State's most vulnerable.

#### *Documents*

### **ADVOCATE FOR CHILDREN AND YOUNG PEOPLE**

#### **Reports**

**The SPEAKER:** In accordance with section 35 of the Advocate for Children and Young People Act 2014, I announce the receipt of the report of the Office of the Advocate for Children and Young People for the year ended 30 June 2017, received out of session on 20 October 2017. I order that the report be printed.

### **OFFICE OF THE CHILDREN'S GUARDIAN**

#### **Reports**

**The SPEAKER:** In accordance with section 190 of the Children and Young Persons (Care and Protection) Act 1998, I announce the receipt of the report of the Office of the Children's Guardian for the year ended 30 June 2017, received out of session on 20 October 2017. I order that the report be printed.

### **OMBUDSMAN**

#### **Reports**

**The SPEAKER:** In accordance with section 31AA of the Ombudsman Act 1974, I announce the receipt of the report of the NSW Ombudsman for the year ended 30 June 2017, received out of session on 20 October 2017. I order that the report be printed.

**NSW CHILD DEATH REVIEW TEAM****Reports**

**The SPEAKER:** In accordance with section 34I of the Community Services (Complaints, Reviews and Monitoring) Act 1993, I announce the receipt of the report of the NSW Child Death Review Team for 2016-17, received out of session on 20 October 2017. I order that the report be printed.

**INFORMATION AND PRIVACY COMMISSION****Reports**

**The SPEAKER:** In accordance with section 39 of the Government Information (Information Commissioner) Act 2009 and section 61D of the Privacy and Personal Information Protection Act 1998, I announce the receipt of the report of the Information and Privacy Commission for the year ended 30 June 2017, received out of session on 20 October 2017. I order that the report be printed.

**INDEPENDENT COMMISSION AGAINST CORRUPTION****Reports**

**The SPEAKER:** In accordance with section 78 of the Independent Commission Against Corruption Act 1988, I announce the receipt of the report of the Independent Commission Against Corruption for the year ended 30 June 2017, received out of session on 20 October 2017. I order that the report be printed.

**LAW ENFORCEMENT CONDUCT COMMISSION****Reports**

**The SPEAKER:** In accordance with section 142 of the Law Enforcement Conduct Commission Act 2016, I announce the receipt of the report of the Law Enforcement Conduct Commission for the year ended 30 June 2017, received out of session on 20 October 2017. I order that the report be printed.

**NSW DOMESTIC VIOLENCE DEATH REVIEW TEAM****Reports**

**The SPEAKER:** In accordance with section 101K of the Coroners Act 2009, I announce the receipt of the report of the NSW Domestic Violence Death Review Team for the period 1 July 2015 to 30 June 2017, received out of session on 3 November 2017. I order that the report be printed.

*Committees***COMMITTEE ON THE OMBUDSMAN, THE LAW ENFORCEMENT CONDUCT COMMISSION  
AND THE CRIME COMMISSION****Report: 2017 Review of the Annual Reports of Oversighted Bodies****Report: Review of the Public Interest Disclosures Act 1994**

**The CLERK:** In accordance with section 31FA of the Ombudsman Act 1974, I announce the receipt of the following reports of the Committee on the Ombudsman, the Law Enforcement Conduct Commission and the Crime Commission, dated October 2017, received out of session on 23 October 2017 and authorised to be printed:

- (1) "2017 Review of the Annual Reports of oversight bodies", Report 2/56
- (2) "Review of the Public Interest Disclosures Act 1994", Report 3/56

*Documents***AUDITOR-GENERAL****Reports**

**The CLERK:** In accordance with section 63C of the Public Finance and Audit Act 1983, I announce the receipt of the following reports of the Auditor-General:

- (1) Report entitled "Report on State Finances", dated October 2017, received out of session on 24 October 2017 and authorised to be printed
- (2) Performance Audit Report entitled "Sharing school and community facilities", dated 1 November 2017, received out of session on 1 November 2017 and authorised to be printed
- (3) Performance Audit Report entitled "Government advertising: 2015-16 and 2016-17", dated 2 November 2017, received out of session on 2 November 2017 and authorised to be printed

*Committees***LEGISLATION REVIEW COMMITTEE****Report: Legislation Review Digest No. 46/56**

**Mr MICHAEL JOHNSEN:** As Chair: I table report No. 46, entitled "Legislation Review Digest No. 46/56", dated 14 November 2017. I move:

That the report be printed.

**Motion agreed to.**

**Mr MICHAEL JOHNSEN:** I also table the minutes of the committee meeting regarding Legislation Review Digest No. 45/56, dated 17 October 2017.

*Business of the House***SUSPENSION OF STANDING AND SESSIONAL ORDERS: PAPERS**

**Mr ANTHONY ROBERTS:** I move:

That, for the remainder of the 2017 sittings, standing and sessional orders be suspended to provide:

- (1) The tabling of papers by Ministers may be effected by an announcement in the House without handing up copies of such papers.
- (2) Any papers tabled by announcement shall be lodged with the Table Office prior to their announcement in the House.

**Motion agreed to.****INAUGURAL SPEECHES: ORDER OF BUSINESS**

**Mr ANTHONY ROBERTS:** I move:

That the business of the House be interrupted:

- (1) On Tuesday 14 November at the conclusion of consideration of the motion accorded priority to permit the presentation of inaugural speeches by the members for Cootamundra and Murray.
- (2) On Tuesday 21 November 2017 at the conclusion of consideration of the motion accorded priority to permit the presentation of an inaugural speech by the member for Blacktown.

**Motion agreed to.****DAYS OF SITTING FOR 2018**

**Mr ANTHONY ROBERTS:** I move:

That unless otherwise ordered, the House meet during the 2018 autumn and spring sittings as follows:

Autumn Sittings: February 6, 7, 8, 13, 14 and 15; March 6, 7, 8, 13, 14 and 15; April 10, 11 and 12; May 1, 2, 3, 15, 16, 17, 22, 23 and 24; June 5, 6, 7, 26, 27 and 28.

Spring Sittings: August 7, 8, 9, 14, 15 and 16; September 18, 19, 20, 25, 26 and 27; October 16, 17, 18, 23, 24 and 25; November 13, 14, 15, 20, 21 and 22 and November 27, 28 and 29 as a potential reserve week.

**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**.

**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**.

### Inner-city Public Housing

Petition opposing the sale of public housing in Millers Point, Dawes Point and The Rocks, received from **Mr Alex Greenwich**.

### RESPONSES TO PETITIONS

**The CLERK:** I announce that the following Ministers have lodged responses to petitions signed by more than 500 persons:

The Hon. Anthony Roberts—BaptistCare Centre, Point Clare—lodged 20 September 2017 (Ms Liesl Tesch)

The Hon. Mark Speakman—Sussex Inlet Community Church—lodged 20 and 21 September and 10, 11, 12 and 17 October 2017 (Mrs Shelley Hancock)

*Business of the House*

### BUSINESS LAPSED

**The DEPUTY SPEAKER:** I advise the House that, in accordance with Standing Order 105 (3), General Business Notices of Motions (General Notices) Nos 1941, 1943 to 1973, 1975 to 2031, 2033 to 2036, 2038 to 2042 and 2044 to 2054 have lapsed.

*Motions Accorded Priority*

### STATE GOVERNMENT INFRASTRUCTURE PROGRAM

#### Consideration

**Mr DAMIEN TUDEHOPE (Epping) (15:48):** My motion, that this House notes the New South Wales Government's record infrastructure program, deserves priority because it is the biggest good news story that has ever been told in this State. Today the National Australia Bank business survey delivered the verdict that New South Wales was a stronger State in which to do business than any other State in Australia. In fact, New South Wales is on 31 index points and the next best State is on 16 index points. New South Wales is the best State in which to do business because of the manner in which the Government has conducted the economy and, in many respects, because of the Government's strong economic performance in delivering infrastructure to this State. When this Government came to office there was a \$30 billion black hole relating to the delivery of infrastructure.

**Dr Geoff Lee:** How much?

**The DEPUTY SPEAKER:** Order! If the member for Parramatta ceased interjecting he would hear what the member for Epping is saying.

**Mr DAMIEN TUDEHOPE:** The member for Parramatta is probably the greatest beneficiary in this place of the delivery of infrastructure. I allude to the strong economic indicators which underpin the delivery of infrastructure—the "drivers of change" as the Premier described them in an address she gave to the Business Council a fortnight ago. All of those opposite ought to read the transcript of that address and cry because of the message it delivers. The Premier asked:

So how has our Government achieved what we have to date?

In NSW, we have restored fiscal discipline and efficient, accountable government.

Cut back office costs by \$10.3 billion ever since 2011.

And moved government resources from the bureaucracy to front line workers and services.

Our asset recycling transactions have raised \$30 billion to rebuild NSW with world-class infrastructure which will power our economy for decades to come.

Over the next four years, we will invest \$73 billion in the transport, hospitals, schools, sporting, cultural and local infrastructure of the future.

This Government is committed to delivering infrastructure and jobs for families.

### FREE GONG SHUTTLE

#### Consideration

**Mr RYAN PARK (Keira) (15:52):** Guess what: Anyone who comes to the Illawarra tomorrow will see a headline in the great newspaper, the *Illawarra Mercury*, saying, "The Illawarra has never had it so good". If the people in that community have never had it so good, why are they complaining? Ask the thousands and thousands of people who have signed the petition—the petition that Paul Scully, the member for Wollongong, and

I established—about this disastrous decision with respect to the Gong Shuttle. Ask Councillor Colacino, the Liberal councillor who is in the gallery today. Councillor Colacino has been attacking that decision. Ask Cameron Walters. Who is Cameron Walters? He works for the member for Kiama. You would not read about it: "The Illawarra has never had it so good"!

My motion should be accorded priority, because this Government is completely out of touch. This Government has absolutely no idea what it is doing. This Government would not have a clue where the Illawarra is. The biggest issue in the past five years is being debated on the floor of Parliament, and the Parliamentary Secretary for the Illawarra and South Coast is not here. A few days ago the *Illawarra Mercury* headline was "Ward Says, 'Suck it up' on Shuttle". The Opposition says to Gareth Ward and the entire Liberal-Nationals Government that we are not sucking anything up, because over the next two weeks those on the other side of the Chamber will feel the pain of every person in the Illawarra as the member for Wollongong and I represent them on the floor of this Parliament.

Government members will feel the wrath of the community, where even their own councillors hate them. Government members are so hopeless that their own staff members hate them. Government members are so hopeless that the former candidate for Keira said the other day, "The last thing I want to do is run for them." Government members are so hopeless that ALP membership in the Illawarra has gone up by 95 per cent in the last two weeks. Government members are so hopeless that Labor members look forward to bashing them up in 2019. I say one thing to them: I dare you to come to the Illawarra.

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

**The House divided.**

Ayes .....49  
Noes .....38  
Majority.....11

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	Cooke, Ms S
Coure, Mr M	Crouch, Mr A	Davies, Mrs T
Elliott, Mr D	Evans, Mr A	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	Humphries, Mr K
Johnsen, Mr M	Kean, Mr M	Lee, Dr G
Maguire, Mr D	Marshall, Mr A	Notley-Smith, Mr B
O'Dea, Mr J	Patterson, Mr C (teller)	Pavey, Mrs M
Perrottet, Mr D	Petinos, Ms E	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	Atalla, Mr E	Bali, Mr S
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
Harris, Mr D	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

## NOES

Tesch, Ms L  
Watson, Ms A (teller)

Warren, Mr G  
Zangari, Mr G

Washington, Ms K

## PAIRS

Berejiklian, Ms G

Harrison, Ms J

**Motion agreed to.**

*Committees***JOINT STANDING COMMITTEE ON ELECTORAL MATTERS****Extension of Reporting Date**

**The DEPUTY SPEAKER:** I report the receipt of the following message from the Legislative Council:

Madam SPEAKER

The Legislative Council desires to inform the Legislative Assembly that it has this day agreed to the following resolution:

- (1) That the reporting date of the inquiry into "Preference counting in local government elections in NSW" by the Joint Standing Committee on Electoral Matters be extended to 30 November 2017.
- (2) That a message be forwarded to the Legislative Assembly conveying the terms of this resolution and the terms of reference for the joint committee's inquiry referred by the Legislative Council on 9 August 2017.
  - (1) That the Joint Standing Committee on Electoral Matters inquire into and report on:
    - (a) the current system of 'random selection' in the counting of preferences in local government elections;
    - (b) whether this system delivers fair results in all cases for candidates;
    - (c) whether there are any alternative methods of ballot counting which would produce more accurate preference flows; and
    - (d) any other related matter.
  - (2) That the Committee report by 14 November 2017.

Legislative Council  
14 November 2017

JOHN AJAKA  
President

*Motions Accorded Priority***STATE GOVERNMENT INFRASTRUCTURE PROGRAM****Priority**

**Mr DAMIEN TUDEHOPE (Epping) (16:03):** I move:

That this House notes the Government's record infrastructure program.

This motion is important. Last week, I had the great privilege of visiting the Cherrybrook Station Precinct, which was designed for the delivery of the new metro line to Sydney. In many respects that metro line is the first and most fundamental part of the restructuring of Sydney through infrastructure projects. It will be finished and ready for the running of trains by this time next year and will be opened to the travelling public in April or May 2019. One of the great things about being a local member is being able to see what the Government is doing in my electorate and every electorate across the State. In addition to the Sydney Metro Northwest, my electorate will also get the NorthConnex Tunnel, which will reduce travelling time for people on Pennant Hills Road, one of the busiest and most controversial roads in New South Wales. The tunnel will divert all trucks from Pennant Hills Road into a tunnel where they can bypass Sydney and reduce the congestion on Pennant Hills Road.

It gets better: In addition to the metro and the NorthConnex Tunnel in my electorate, there will be 22 new classrooms for Epping Public School and 26 for Carlingford Public School.

**Ms Sophie Cotsis:** Demountables.

**Mr DAMIEN TUDEHOPE:** They are not demountables. This is a building project. At Cherrybrook Technology High School, the biggest high school in New South Wales, we are delivering a new science block. The people in my electorate are seeing the benefits of infrastructure rebuilding, as well as the delivery of

infrastructure to other electorates in New South Wales. With two wonderful new members to give their inaugural speeches in this place today, it is worth reflecting on the infrastructure projects for the people of Cootamundra from this Government. Not only have we delivered in Epping, but we are also delivering in Cootamundra.

**The DEPUTY SPEAKER:** Order! I remind the member for Canterbury that she has been called to order several times.

**Mr DAMIEN TUDEHOPE:** At Gerringong there is an \$18 million upgrade to realign the highway to improve freight efficiency. There is a \$70 million upgrade of Gocup Road at Gundagai; \$14.7 million for heavy vehicle alternative routes at West Wyalong; \$5.5 million for the Hume Highway near Gundagai; \$4.4 million for Sturt Highway at Gundagai; almost \$6 million for upgrades of the Olympic Highway; and approximately \$3 million for the Mid-Western Highway at Cowra, West Wyalong and Woodstock. These are only the road projects in the electorate of Cootamundra.

In education in Cootamundra there is \$1.3 million for a combined trade centre and metals and construction facility at Temora High School; \$1.2 million for a refurbishment of the kitchen areas at Young High School; \$1 million to provide hospitality facilities at Murrumburrah High School; and \$1 million for the refurbishment of kitchen areas at Aria Park Central School. In health we are delivering the \$13.4 million Gundagai Multi Purpose Service and the operating theatre at Young is being upgraded with a \$300,000 spend. Coolamon ambulance station is receiving \$1.5 million. In the electorate of Murray there is \$17.8 billion for road upgrades under the Fixing Country Roads program and ongoing construction of the \$18.4 million Deniliquin Police Station. We are spending \$51.2 million fixing local country roads and in upgrades at Griffith Airport. This is but a snapshot of what is being done in the delivery of infrastructure, and we should never allow Labor anywhere near it to wreck it again.

**Mr RON HOENIG (Heffron) (16:08):** That most riveting contribution to debate in this House by the member for Epping tells us everything there is to know about the Government's infrastructure program, which is incompetent. The reason that the Government's infrastructure program is so incompetent is that it is not planned and not costed, and it has been roundly criticised by every independent analysis. I will begin with the largest road infrastructure program in the history of Australia, WestConnex, which was announced in 2012. It was designed to remove freight from Port Botany to the M4. When it was announced in 2012, the cost was estimated to be \$10 billion; in 2013, the cost was estimated to be \$11.5 billion; in 2014, it was \$14.9 billion; in June 2015, it was \$15.4 billion; in November 2015 it was \$16.8 billion; and in 2016, it was estimated to cost \$17 billion.

The \$17 billion road infrastructure project—the largest in Australia—whose object was to move freight to and from Port Botany does not go within eight kilometres of Port Botany. If more evidence of incompetence is needed, I cite the Government taking hundreds of people's homes from them in the process of constructing the WestConnex project and cheating them. The then Minister for Finance, Services and Property, who is now the Treasurer, admitted that Roads and Maritime Services [RMS] cheated them and then paid them \$75,000 extra in compensation. The New South Wales Auditor-General said that the Government's business case "has many deficiencies and falls well short of the standard required of such a document". Australia's largest infrastructure project is an embarrassment for the New South Wales Government. That is what this House should note.

Successful implementation of infrastructure is not achieved by making things up as you go. Successful infrastructure projects are achieved by proper planning, proper costings and proper design. Those elements are missing and that is why the Government's infrastructure program is in a mess. But that is not the only mess in the Government's infrastructure program. The cost of the CBD and South East Light Rail project was announced at \$1.2 billion, but the latest cost estimate is \$2.1 billion and the light rail will not carry the volume of passengers the Government thought it would carry. When the project was examined by the Auditor-General in relation to cost blowouts, the Auditor-General described the Government's explanation in 2014 that the costs had increased due to huge wins in the project's scope, such as the light rail's ability to carry more passengers than originally planned, as "incorrect". Whose assertion was then shown to be incorrect? It was the then Minister for Transport—the current Premier of New South Wales.

As part of the light rail project blowing out from \$1.2 billion to \$2.1 billion, the Auditor-General examined the Albert "Tibby" Cotter bridge—a bridge to nowhere over Anzac Parade, which had been costed at \$25 million but later cost \$38 million. Nobody uses that bridge. Again the Auditor-General exposed the Government as being hopeless. It is not just in the Sydney metropolitan area that the Government has been exposed as being hopeless. Do Government members want to know why people are not voting for The Nationals? Have a look at the vote of rural New South Wales. I can tell The Nationals members who are screaming at me from the other side of the House that if I were they I would be screaming too. They might remember that the Baird Government directed 90 per cent of its priority infrastructure fund to urban projects, despite having promised that 30 per cent of it would go to regional and rural areas. How much went to rural and regional areas? It was 10 per cent. It is no wonder that in rural and regional areas people do not want The Nationals. It is no wonder that

members of The Nationals are desperate to get out of this Parliament. So that the amended motion will read "That this House notes the incompetence of the New South Wales Government's record infrastructure program", I move:

That the motion be amended by inserting the words "incompetence of" after "the".

[*Time expired.*]

**Mr MARK TAYLOR (Seven Hills) (16:14):** It is with pleasure that I support the motion moved by the member for Epping being accorded priority. The member for Heffron chipped the member for Epping by describing his speech as "riveting". However, while I listened to the speech made by the member for Heffron it occurred to me his speech was one of the best fairytales this House has heard for some time. I invite the member for Heffron to my home one night to help my children go to sleep at 8.30 p.m. by telling them the riveting fairytales that this House just heard from him. I will put the infrastructure program for New South Wales into perspective: Jobs are up, cranes are in the sky, tunnels are underground, and on the surface we are putting in place massive infrastructure spends across the whole of New South Wales.

Particularly in my electorate in Western Sydney, hospitals are being upgraded, schools are being built and improved, rail lines are being put on the ground, and the north-west metro will service great growth areas. We also have the Schofields Road upgrade and extension project and there are improvements to railway stations in places such as Toongabbie, Wentworthville and Pendle Hill. But as the member for Epping pointed out, today we celebrate two great members of The Nationals being elected to Parliament—and what a great celebration it is.

Perhaps I can pick up where the member for Epping left off: in Cootamundra, recent infrastructure works include safety improvements and upgrades for the Goldfields Way at West Wyalong and Old Junee in March 2016 at a cost of \$2.6 million; construction of the Firetail rest area in Grong Grong at a cost of \$3 million; in education, the resources allocation model is being implemented at a cost of \$15.7 million for schools in the Cootamundra electorate in 2017, which represents a four-year increase of \$9.13 million; continuation of public school maintenance and capital works funding and expenditure worth \$46.5 million in the Cootamundra electorate since 2011; and the Young TAFE campus upgrade and redevelopment worth \$10.4 million, stage one of which was opened in June 2017 and stage two of which is currently underway; in health, we have the Cootamundra ambulance station's replacements and upgrades costing \$992,000; and infrastructure improvements include sewerage systems in Young, Junee, Gundagai; new Service NSW centres for West Wyalong, Narrandera and Cootamundra; and the opening of Service NSW centres at Cowra and Young. The New South Wales Government is all about getting the economy under control and launching infrastructure across this great State to improve the lives of the great people of New South Wales.

**Mr PAUL SCULLY (Wollongong) (16:17):** In the life of every government, there is a fraction of a second that determines the point in history when that government goes down. It is when the veneer of any pretence is shattered. It happened for the Fraser Government when Malcolm Fraser said that life was not meant to be easy and for the Howard Government when John Howard said that working Australians had never been better off. Recently the member for Kiama said it when he said that Gong Shuttle users feel "entitled to pay nothing", and today we heard it from the Premier when she said, in a statement of most breathtaking arrogance from an out-of-touch Premier, that the Illawarra has never had it so good.

Given such a statement I thought that we would have heard about all the great things that the Government has done for the Illawarra, such as: six years ago cancelling the lifts at the Unanderra railway station so that people had to climb 72 stairs to catch a train; when the Coalition did not turn up to contest the Wollongong by-election and did not give voters a choice of candidates; when the Government sold Port Kembla for \$670 million and took all the sale's revenue to Sydney, leaving only a tiny amount in the kitty for Wollongong. I get it: We in the Illawarra and in Wollongong should be grateful because we have never had it so good.

I want to discuss further some of the Sydney-based infrastructure projects: \$20 billion for WestConnex; \$2.1 billion for the CBD and South East Light Rail; and nearly \$2 billion for stadiums. We would not have heard at all about the measly \$750,000 that this Government is trying to save by cutting the subsidy to the free Gong Shuttle service. That works out at 3.4 million trips by passengers each year, which is less than 25¢ per passenger or less than 25¢ a journey. We in the Illawarra are told we should be happy because we have never had it so good. What happened when the member for Kiama heard the Premier say that? The Premier stopped dead in her tracks because she knew what she had said meant the veneer had been cracked and that the front page of the *Illawarra Mercury* tomorrow will carry that headline. That will haunt her every day until the next election in the Illawarra.

What happened to the member for Kiama, the Parliamentary Secretary for the South Coast, the boy who is suppose to defend the Illawarra in the Executive? He disappeared when the Premier said that we had never had it so good. John Dorahy, a senior Liberal councillor and former deputy lord mayor, was on the radio today complaining that he did not get a chance on Sunday to speak out against the Government's decision on the Gong Shuttle. Why? Because the Gong has never had it so good, according to those opposite.

**Mr DAMIEN TUDEHOPE (Epping) (16:20):** In reply: In many respects, the contribution of those opposite today has been a demonstration of all style, no substance. Let us examine Labor's record on the delivery of infrastructure before we came to office. Those opposite left a backlog of \$30 billion. They announced and cancelled the M4 East and rail for the north-west and south-west—all announced, never delivered. They announced the second harbour rail crossing, never delivered. They announced the M5 duplication and widening, the F3, the M2 link, the F6 extension—all announced, never delivered. In 1998 they announced the Pacific Highway duplication would be completed by 2012. When Labor left office only half the project had been completed, less than a year before it was supposed to be finished.

The Grafton Bridge upgrade was announced by Labor Premier Bob Carr in 2001. Guess what? Nothing happened. By the time that Labor left office, no construction had taken place to upgrade the bridge. This Government is funding this \$240 million project, and the major work has started. Most importantly, let me talk about the Metro. Those opposite promised to deliver a rail link from Chatswood to Parramatta. Guess where their geography got them? It got them to Epping, and then they ran out of money. They could do no more, and it is one of the great tragedies for my electorate that the Parramatta to Epping rail link has never been delivered. Those opposite are responsible for that because of their inability to plan one project. I will give another example: the light rail for Rozelle. Not only did they not complete that project, but they spent \$800 million and did not deliver anything. That is the way those opposite deliver infrastructure.

This side of the House is spending \$73 billion on the delivery of infrastructure for the future of this State. We owe the delivery of that infrastructure to our children and the families of this State, the people of New South Wales. What really delights me is every time I see a crane in the sky, which tells me that infrastructure is being delivered. Those cranes tell me that people are working on infrastructure projects. Those opposite want to take jobs from the people who are working to deliver the infrastructure. They want to stop the projects and create welfare dependency. We should support this motion.

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

**The House divided.**

Ayes .....36  
Noes .....50  
Majority.....14

**AYES**

Aitchison, Ms J	Atalla, Mr E	Bali, Mr S
Barr, Mr C	Car, Ms P	Catley, Ms Y
Chanthivong, Mr A	Cotsis, Ms S	Crakanthorp, Mr T
Daley, Mr M	Dib, Mr J	Doyle, Ms T
Finn, Ms J	Harris, Mr D	Haylen, Ms J
Hoening, 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

**NOES**

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
Cooke, Ms S	Crouch, Mr A	Davies, Mrs T
Dominello, Mr V	Donato, Mr P	Elliott, Mr D
Evans, Mr A	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	Humphries, Mr K	Johnsen, Mr M
Kean, Mr M	Lee, Dr G	Maguire, Mr D
Marshall, Mr A	Notley-Smith, Mr B	O'Dea, Mr J
Patterson, Mr C (teller)	Pavey, Mrs M	Perrottet, Mr D

## NOES

Petinos, Ms E  
Sidoti, Mr J  
Taylor, Mr M  
Upton, Ms G  
Williams, Mrs L

Provest, Mr G  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G  
Wilson, Ms F

Roberts, Mr A  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

## PAIRS

Foley, Mr L  
Harrison, Ms J

Coure, Mr M  
Rowell, Mr J

**Amendment negatived.**

**The DEPUTY SPEAKER (Mr Thomas George):** The question is that the motion as moved by the member for Epping be agreed to.

**The House divided.**

Ayes .....51  
Noes .....35  
Majority..... 16

## AYES

Anderson, Mr K  
Barilaro, Mr J  
Brookes, Mr G  
Cooke, Ms S  
Davies, Mrs T  
Elliott, Mr D  
Fraser, Mr A  
Grant, Mr T  
Hazzard, Mr B  
Johnsen, Mr M  
Maguire, Mr D  
O'Dea, Mr J  
Perrottet, Mr D  
Roberts, Mr A  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

Aplin, Mr G  
Berejiklian, Ms G  
Conolly, Mr K  
Coure, Mr M  
Dominello, Mr V  
Evans, Mr A  
Gibbons, Ms M  
Griffin, Mr J  
Henskens, Mr A  
Kean, Mr M  
Marshall, Mr A  
Patterson, Mr C (teller)  
Petinos, Ms E  
Sidoti, Mr J  
Taylor, Mr M  
Upton, Ms G  
Williams, Mrs L

Ayres, Mr S  
Bromhead, Mr S (teller)  
Constance, Mr A  
Crouch, Mr A  
Donato, Mr P  
Evans, Mr L  
Goward, Ms P  
Gulaptis, Mr C  
Humphries, Mr K  
Lee, Dr G  
Notley-Smith, Mr B  
Pavey, Mrs M  
Provest, Mr G  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G  
Wilson, Ms F

## NOES

Aitchison, Ms J  
Barr, Mr C  
Chanthivong, Mr A  
Daley, Mr M  
Finn, Ms J  
Hoenig, Mr R  
Lalich, Mr N (teller)  
McDermott, Dr H  
Mihailuk, Ms T  
Parker, Mr J  
Tesch, Ms L  
Watson, Ms A (teller)

Atalla, Mr E  
Car, Ms P  
Cotsis, Ms S  
Dib, Mr J  
Harris, Mr D  
Hornery, Ms S  
Leong, Ms J  
McKay, Ms J  
Minns, Mr C  
Scully, Mr P  
Warren, Mr G  
Zangari, Mr G

Bali, Mr S  
Catley, Ms Y  
Crakanthorp, Mr T  
Doyle, Ms T  
Haylen, Ms J  
Kamper, Mr S  
Lynch, Mr P  
Mehan, Mr D  
Park, Mr R  
Smith, Ms T F  
Washington, Ms K

## PAIRS

Rowell, Mr J

Foley, Mr L

**Motion agreed to.***Members***INAUGURAL SPEECH**

**The DEPUTY SPEAKER (Mr Thomas George):** Before I call the member for Cootamundra, I extend a very warm welcome to the family, friends and supporters of the member for Cootamundra, in particular her husband, Keith, her father, Stephen, her mother, Marie, and her brother, Andrew.

**Ms STEPH COOKE (Cootamundra) (16:36):** I stand here today very proud to have been elected to this position by the good people of the Cootamundra electorate. I do so noting that we are meeting on the traditional lands of the Gadigal people. I acknowledge them as custodians and traditional owners of this land and I extend my respect to their elders past and present. I further acknowledge the Wiradjuri people, who are the traditional custodians of the land where my electorate is situated and I pay my respect to their people, both past and present.

The Wiradjuri people are originally from the land that is bordered by the Lachlan, Macquarie and Murrumbidgee Rivers. The name Wiradjuri means people of three rivers and traditionally these rivers were the primary food source for the Wiradjuri people. The Cootamundra electorate is bordered by two of those rivers—the Lachlan to the north and the Murrumbidgee to the south, near beautiful Gundagai. It is little wonder that Wiradjuri were so mighty a nation, the largest in New South Wales, because the land in between, from the green undulating hills to the east, floating gently down to the lush fertile plains of the west, cradles a soil that spawns an abundance of produce that would leave this table before me heaving.

A few weeks ago I was a florist; a successful small business owner with three stores in Young, Temora and Cootamundra. Today I stand here in the oldest legislative chamber in Australia and on my shoulders is the expectation and belief of 70,000 people residing in the Cootamundra electorate. There can be no greater honour than to be entrusted to represent your community and no greater responsibility than advocating for their needs. This is my starting block. The step I take today, and from this moment on, is for them. Growing up in Temora, home of sporting champions like Paleface Adios and Mark Kerry, instilled in me the belief that anything was possible. I had this drive to be the top of every chosen endeavour. Aged nine, I taught myself to swim. By 12, I was competing at national championships and in 1992 qualified for the Barcelona Olympic trials.

I can proudly report that I have swum in nearly every pool in the Cootamundra electorate. The long journey that is representative swimming, the thousands of kilometres of training up and down our town pools before dawn and into the night in all types of weather, required focus, fortitude and heart. It also required broad shoulders that do not shirk loads. At 18, the pool gave way to the biggest stage of university and the corporate world. At 21, as the first female and youngest-ever Executive Director of the Baking Association of Australia New South Wales, I found myself before the Industrial Relations Commission fighting to clear the names of honest, decent, hardworking small business owners whom I represented against unfair dismissal claims. I quickly developed the ability to fight for a good cause, no matter what the perceived odds nor the strength of my opponent.

To the people of the Cootamundra electorate I say to you: I am a proven fighter and I will fight the good fight; stand with me and see what we can achieve. To my esteemed colleagues here today I say to you: I may be here in the centre of the city right now but my shoes will always carry the dust of New South Wales. Hear my voice and always know that in this place I am the voice of many. Today I stand proudly with the hardworking members of The Nationals who have their genesis among the rural dwellers of early Australia. Progressive we began and progressive we still are. The Nationals are an eclectic mix. We spring from all walks of life, be that a paddock, a woolshed, a store, a firm, a hospital, a workshop, a kitchen—or indulge me—the back of a florist shop. Individually we may differ, but we have one thing in common: Nearly 100 years on, what still unites us is the determination to be a strong voice in this place for the extraordinary people who are geographically located outside our major cities.

None of us is going to let you city dwellers forget what our people west of the divide do for you. Right now in my electorate there are farmers working around the clock windrowing their canola. The other day I saw one farmer at Thuddungra turning around the paddock as it bucketed down rain. If you know farming, you know that is bold. One day that canola will reach your table with a touch of vinegar, and perhaps a dash of mustard, offering a delightful gloss to your salad. It will likely be accompanied by a cheese and fruit platter and a good drop of wine—we are known for that too. There is undoubtedly a wool suit or two in this room today that began

life as a merino lamb that fortunately survived the bitter winter of the south-west slopes to finally deck the halls of Parliament with great aplomb.

It is not all fine food and flourish though. These communities, large and small, have stood the test of time. Tiny villages whose residents still travel 50 miles to do business, visit the doctor, socialise and shop. I know one or two of them have another 10 kilometres of dirt track and a couple of gates to tackle on the way home. You may have heard this before, but rural people generally take what life throws at them in their stride with little to no complaint. Seasons come and seasons go, and these people spend their lives adapting to and overcoming what life throws at them. Enjoy the fruit of our labours and know that men and women work hard, with hands that bear callouses and scars, to ensure you live a better, more comfortable life.

The electorate of Cootamundra spans 34,711 square kilometres, making it the fourth-largest electorate in this State. Crisscrossing that patchwork of farming communities and towns are 1,356 kilometres of State roads and 984 kilometres of regional roads. There are 385 bridges and bridge-size culverts on these State roads. Me and my little white van—the Bobby Dazzler—are very familiar with many of those roads, bridges and crossings. So too are my constituents. These roads are the lifeblood of our region. They connect our communities and our families, businesses and corporations. They connect producers to ports. For our regions to flourish, for this State to work to its strengths, our focus must remain on roads and rail.

The amount of freight movement to and from and also interstate through the electorate of Cootamundra is astonishing. I will advocate passionately to see a comprehensive freight plan implemented that fuses seamlessly with the neighbouring electorates of Barwon, Murray, Albury, Wagga Wagga, Orange, Bathurst and Goulburn. I look forward to contributing to the Draft Future Transport Strategy 2056. Special attention must shine on the now infamous Bells Line of Road and improving the Lachlan Valley Way—to name but two of our critical routes. The Coalition Government has spent more than \$500 million on roads in the electorate of Cootamundra since 2011 and the Minister for Roads, Maritime and Freight, the Hon. Melinda Pavey, has seen a lot of the electorate this year. The future is exciting and I look forward to the journey with you, Minister.

My husband, Keith, is a maths teacher and the principal of Young High School—and one of the most passionate advocates of public education I know. My favourite teachers from St Anne's Central School in Temora, Mr Barry Flakelar and Mrs Jan Sutton, are in the gallery today—and I thank you both for helping me and hundreds of other students reach their full potential in life. I am proud of the investment that the Coalition Government has made in public education in the electorate of Cootamundra through Gonski schools funding, the recently completed investment in the Young TAFE campus and, looking forward, to connected learning centres in Grenfell and Narrandera, and linkages and pathways to rural-based universities. Minister Adam Marshall and I have lots of work ahead of us.

However, for the thousands of educators in rural and regional New South Wales, the mental health and wellbeing of our students is as important as physical learning spaces and quality curriculum. Too often we hear of our young people—our future—engaging in self-harm and even taking their own lives. For those of us who had the most simple and delightful upbringing in our idyllic towns, these tragedies are as distressingly perplexing as they are heartbreaking. Just recently the Hon. Bronnie Taylor, MLC, announced a State-first School Health Pilot Program designed to improve the mental health and wellbeing of primary and high school students in Young through the engagement of a nurse in school. That commencement date cannot come soon enough. Minister Hazzard, you must really subscribe to Winston Churchill's fine words:

Healthy citizens are the greatest asset any country can have.

I owe a debt of thanks to you for your agile response to the needs of the Temora community and the resulting \$2 million operating theatre upgrade at our district hospital, which is due for completion in 2018. I look forward to your return to the region to discuss the prospect of a redeveloped hospital for the people of Cowra. My drive to Sydney yesterday involved a tour of the marvellous new ambulance station in Harden-Murrumburrah. With similar stations in Ardlethan, Coolamon and Grenfell, we are thankful to my predecessor, the Hon. Katrina Hodgkinson, who put in the hard yards for the people of our communities on this and innumerable other issues. What greater gift to be bestowed with than the blessing and legacy of Katrina Hodgkinson, who served the electorates of both Cootamundra and Burrinjuck so well over 18½ years. So much was achieved on her watch thanks to her tireless agitating.

I would not be standing here today if not for the unwavering support of the Leader of The Nationals and Deputy Premier, the Hon. John Barilaro. He was a stalwart during the campaign from start to finish, visiting the electorate on countless occasions—including a whistlestop tour of many township booths on election day to meet locals and thank our members, supporters and volunteers. John Barilaro is a fellow tradie—a chippie—who has also spent thousands of hours building and growing a small business. We both understand that small business is the heart and friendly face of regional economies. Small businesses are the backbone of small communities like

Ariah Park, Ardlethan, Jugiong and Ganmain and, of course, our larger towns. As roads are the lifeblood to connecting people physically, small businesses are the key to economic growth, viability and liveability in our region. Their long-term sustainability is vital.

There are many small businesses operating from farms and settlements. For instance, the Quandialla Candle Company relies on good telecommunications and freight services. Over and over again, I hear that poor telecommunications are standing in the way of progress. The additional \$50 million announced through the Connecting Country Communities Fund will go some way to filling the blackspots, and I applaud that. Having toiled through the 10,000-hour mark in owning and operating a small business, I will always be a strong and passionate advocate for the needs of this critical sector across my electorate. Small businesses provide goods and services, drive innovation, creativity, industry and growth, contribute to local charities and causes, and employ people. We all know that jobs change lives.

Being here today, representing the people of the Cootamundra electorate, would not be possible without the help and support of so many around me. I acknowledge and thank The Nationals State Chairman, Mr Bede Burke; State Director, Nathan Quigley; Deputy State Director, Tom Aubert; and The Nationals head office team and the campaign team on the ground: Gill Burke, Mitch Coveney, Josie Coles, Alexandra Hall, Isabelle Gillespie and Jack Piggott. Many of them are in the gallery today. I make special mention of Cootamundra State Electorate Council Chair Mo Simpson, John Hetherington and Peter Toole for being there every step of the way, and the members of the Young branch, of which I have had the pleasure of being president these past few years.

I owe a debt of gratitude to Pam Halliburton, Margaret Hill, Beth Firman, and all the workers, supporters, volunteers and branch members who helped during the Cootamundra campaign. Determined to see the seat retained by The Nationals, they braved all types of weather over the two weeks of pre-polling. On polling day they arrived as one united army, decked out in those fabulous canary yellow T-shirts. I assure them that I will work as hard for them. I thank my campaign manager, Ross Cadell, whom I have known for more than two decades. He kept my perfectionism at bay. Thank goodness for that, or we would still be arguing largely inconsequential semantics ahead of my very first local media interviews.

I cannot forget to mention the Hon. Ben Franklin, who introduced me into this world of politics some 20-plus years ago. I also thank Niall Blair, Adam Marshall, the Hon. Wes Fang, Paul Toole, Rick Colless, Kevin Anderson, Ray Williams, David Elliott and all my colleagues from The Nationals and the Liberal Party who made the huge effort to travel to the electorate many times to support me. Niall, the people of Narrandera are tremendously thankful for your visit and announcement of \$1.1 million in funding for the fisheries research centre. It is a vital investment in that region's future. I thank also the effervescent Bronnie Taylor, who all but lived in the electorate for almost two months, going above and beyond to ensure that the constituents were not adversely impacted during the by-election campaign. She did a magnificent job. I acknowledge also Federal members Michael McCormack and Craig Laundry, and friend and Mayor of Temora Rick Firman, OAM, for his sound advice and support before, during and since the by-election. I thank also Fiona Nash for her unwavering belief in me while she was facing great difficulty.

The Coalition is an incredibly strong team, committed to delivering for the people of this great State. Joining it at this time is very humbling indeed. I have many long-time friends in the House today, and am very blessed to have been so warmly welcomed and supported as I navigate this new territory. I acknowledge my very dear friends Premier Gladys Berejiklian and her remarkable chief of staff, Sarah Cruickshank, to whom I owe—or blame—my decision to stand for preselection. I have known them both for so long and to see the strong women they have become has been inspiring. Being here together today is due in no small part to them both.

To the people of Temora, who I wish could all be here, I am so proud to have grown up in this town and among people whom I love and cherish. I thank my team—my friends—at Native Botanical. Together we have created one of the most beautiful, successful, award-winning businesses in New South Wales. They are the reason I am able to step out of customer service and into public community service without hesitation. My very good friends Natalie Bains, Sharon Richens, Tiffany Olssen, Holly Bradford and Nicole Sanderson have travelled vast distances to be here today. I could not have made it through the rigours of those weeks, and in particular election day, if it were not for their support. My husband, Keith, is in the gallery today. He stood outside the Young polling booth for days on end. I am not sure that when we married he knew he was signing up for all of this. But thank you, sweetie, for your love and support throughout.

I acknowledge and give my heartfelt thanks to my parents, Stephen and Marie Cooke, who are also in the gallery. We are, after all, a product of our parents. Mine, hailing from Tallimba and West Wyalong, instilled the traditional values of honesty and decency, and that nothing comes without hard work. My brother, Andrew Cooke, who is also in the gallery, and I are testament to that. However, the most important lesson they imparted is that service is the most important thing a person can offer in life: service to those in need, service to your family, to your friends and to your community. They have proudly displayed and lived by this virtue. As a result, I, too,

serve my community and give back to the town and region that has given me such an amazing life. It offers the riches of country life and all that it entails to future generations and ensures that we remain a viable alternative to a city-centric existence.

Finally, I acknowledge the people of the Cootamundra electorate. Our electorate is my home, and it has been the home of my family for generations. I made a vow on election night—one that is incredibly important to me and one that I intend to keep. I am here to fight for you and alongside you. While we might not always win everything we want, everyone will know that we fought until there was no fight left. I will earn your trust, I will earn your belief, and I will be your voice. I have never been more humbled nor more determined in my life. Thank you and God bless.

*Members stood in their places and applauded.*

*Private Members' Statements*

**NARELLAN VALE PUBLIC SCHOOL TWENTIETH ANNIVERSARY**

**Mr CHRIS PATTERSON (Camden) (16:58):** By leave: I speak today about one of my local schools, Narellan Vale Public School, which celebrated its twentieth anniversary at the beginning of this month. Narellan Vale Public School opened in 1997 with 165 students and, with the rapid growth in population, the school has forged ahead to accommodate 850 students. Narellan Vale, in the scheme of things, is a relatively new suburb. The first residential land was released in 1990. Part of the land that was developed for housing was the old Gayline drive-in theatre, which operated from 1967 to 1990. I spent many of my younger years at the Gayline drive-in. The word "Narellan" is believed to be derived from the word "Narralling", which was the name of the 700 acres of land granted to William Hovell in 1816. As part of the commemoration, a mural was created and is now a timeless feature in the school. The students were assisted in the creation of the mural by local IMB Bank Artist in Residence, Ken Tucker.

I am sure that the school felt privileged to have an artist of Ken's calibre assist with the mural. Ken Tucker was born in Bathurst and at 30 years of age decided to follow a burning passion he had had since childhood to become an artist. As a self-taught artist, Ken has established himself as a household name in the art world. Ken's magnificent works have been hosted at Jenolan Caves, Japanese Gardens in Cowra, Warrumbungle Mountains, botanical gardens and in Sydney. Ken's passion for art has extended to tutoring in schools. Every student contributed to the mural. It is made up of a series of individual artworks and its design was created by Ken. The 10 square metre mural represents the history of the suburb and the school. The mural will be a bit like a time capsule without having to navigate the grounds in another 20 years to dig it up.

Narellan Vale Public School students will be participating in the 2017 Schools Spectacular, which will be held on 24 and 25 November. The spectacular is unequalled in the world, with a 2,700 strong choir, 2,300 dancers and an 80-piece orchestra. It was wonderful to attend the twentieth anniversary celebrations. Also present were the inaugural principal from 1997 to 2005, Tracey Hayne; principal from 2006 to 2016, David Byrne; deputy principal from 2008 to 2016, Brian Hodge; and past students Nick Leech and Christopher McLaren. Regional Director Christine Tasker also attended and opened the art show, themed "Celebrate". Narellan Vale Public School offers a well-rounded education to all students. It is not just about books and learning; it is about preparing the students for life in the big world. I congratulate Principal Michelle Sarjana and all her staff, who do an outstanding job within the school.

Last night I attended the Campbelltown, Macarthur and Wollondilly Principals Network Awards Public Schools NSW at which two outstanding teachers from Narellan Vale Public School were acknowledged: Zahraa Hamka, who was recognised with an early career teacher award; and Fiona Moffitt, who was recognised with a classroom teacher award. Narellan Vale is a wonderful school within my community of which I am extremely proud. Principal Michelle Sarjana and all her staff do an outstanding job. I am extremely proud to help them celebrate the school's twentieth anniversary.

*Members*

**INAUGURAL SPEECH**

**The DEPUTY SPEAKER (Mr Thomas George):** I extend a very warm welcome to the family, friends and supporters of the member for Murray and particularly his wife, Demi, and his children, Oht, Declan, Darby and Wilkie, who are guests today of the member for Murray. I invite members to welcome the member for Murray.

**Mr AUSTIN EVANS (Murray) (17:04):** Gawaym banha yuwin ngadhi Austin Evans. Gadhng badhu girra-girra-bang badhu. Dyiramadilinya badhu nginhagu Wiradjuridya Dhaagundha. Nginha ngurambang marunbunmil girridyu. Biyambul Dhirrangal nganhalgu mudyigandhi. Yindyamalgirridyu biyambul mayinyguwal. Greetings, my name is Austin Evans. I am pleased, I am happy and I am proud to be from and

belonging to Wiradjuri Land—the area I grew up in. I love this country—my region, my electorate, my State and my nation. All elders are important to me and I will respect all people.

I thank the voters of Murray for giving me the opportunity to serve them in this place. Less than 2½ months ago I was planning for the end of the year and what I had to do with Coleambally Irrigation Co-operative and Murrumbidgee Council. And then the whirlwind happened: Adrian Piccoli resigned and I embarked on this journey. I will start with some thank-yous. I thank the National Party, a party that has supported me and been incredibly welcoming, and that I have found to be incredibly democratic. I thank Joan Douglas, who has supported me in roles within the party all the way along, from when I showed up at my first meeting.

I thank the National Party members who made the trek to Griffith at very short notice for the preselection meeting—80 of them with four days notice to come along and participate in the democracy of the National Party. I thank my campaign committee, Jack Piggott, Nathan Quigley, Tom Chesson, Daniel Johns and Josh Hodges, and the staff at head office, many of whom are here today, who helped those guys make it look as if they had been planning an Austin Evans campaign for months—they had not. I thank all the members of Parliament and ex-members of Parliament who came and helped, many of whom are here today: John Barilaro—congratulations for tomorrow on 12 months as the Deputy Premier, and happy birthday too—Gladys Berejiklian, Barnaby Joyce, Adrian Piccoli, Bronnie Taylor, Niall Blair, Paul Toole, Troy Grant, Steve Bromhead, Wes Fang, Sarah Mitchell, Michael McCormack, Kay Hull, Leslie Williams, Mel Pavey, Adam Marshall, Geoff Provest, Greg Aplin, Daryl Maguire, and then our Victorian friends Peter Walsh, Peter Crisp, Andrew Broad and Tim McCurdy.

I thank Remi Luxford and the video crew, and all the people who at very short notice stumped up and appeared in video pieces for me. I thank the guys who did the photos and all the people who appeared in the photos for me at very short notice. I thank the volunteers on the booths all over the vast electorate—an army of workers who mobilised at very short notice. I have not fully absorbed the magnitude of the number of people involved—friends, relatives, former and current members of Parliament, staffers, party members, supporters, friends of relatives, relatives of friends and relatives of ex-members of Parliament. It has been such a short time and an absolute whirlwind since the election.

That was the election campaign. But I would really like to thank and acknowledge the significant people—many of whom are here today—places, experiences and events that have made me who I am, and note what I can bring to this place because of them. My grandparents, William and Gladys Evans and George and Barbara Allen, were all born in Australia. However, they were born in Victoria—so hopefully Victoria does not change its citizenship rules or I will be in trouble. They all migrated to the Riverina at a young age and created new lives a long way away from where they grew up. My dad, Max Evans—who is in the gallery and with me today—taught me many things. Chief amongst them was to be myself, even if that is different, and to never judge people by the superficial.

My dad left school at 14 because the train on which he had to travel to high school got him there at 11.00 a.m. every day, but he is one of the smartest people I know. He built machinery on the farm. He built ski-boats—half a dozen of them. He built water skis when his family wanted to go water-skiing. He learnt to use a computer when he was in his seventies. He is an incredibly smart man, who taught me to judge people by what they are. In the 1960s, my father planted hundreds of trees across his farm—long before the word "environmentalist" was fashionable. In the 1980s we planted a bunch more trees, probably at the worst time ever—at the start of a drought. We looked after those trees. We watered them and got them to maturity. One of the strange things is that, probably because of planting those trees, I was a member of the Australian Conservation Foundation at one stage—no longer. My father—this is remarkable, and probably speaks of a couple of issues—has probably lived on that farm longer than any white man. That goes to explain how short a time Europeans have been in this country, and how committed my father has been to his farm.

My mum, Val, is here today. She has loved me and provided for me. She spent a lot of time driving me to fun runs. You may not think it now, but once upon a time I was quite a reasonable runner. On Saturdays if there was a fun run in Wagga Wagga my mum would take me there and do the fun run with me. That is probably where I got my athletic ability. Sorry, Mum: I have let that go! My mum's greatest gift to me was her faith and teaching Sunday school to a sceptical, argumentative boy—me. Whilst I probably did not appreciate it and understand it at the time, it was a key foundation for the faith that has been a guiding aspect of my life. Many years later I made a commitment to become a Christian at a strange place—a Pentecostal Uniting church in Townsville—but that faith has guided me for the last 30 years and has become a key part of my life.

I went to school at a small school in Matong. There were two teachers and 30 kids in two divisions. I used to sit there in third grade trying to answer the questions that all the sixth grade kids were doing. I was that obnoxious little know-it-all. My sister, Lee, probably hated me for that. We had to go 22 miles to school each day even though we were only six miles from town because my dad had the bus run. We used to travel those dirt roads, and if it was wet weather we would often have to cross the creek to get to school.

I attended Narrandera High School—my local school—and went on to do my Higher School Certificate there. I only did that because I was not old enough to get a licence, and without a licence you could not do much in the country. After leaving school I worked in agriculture for a number of years. I picked fruit, carted hay and worked as a labourer in an engineering workshop. I had stints as a tourist officer and a youth worker. In 1993 I went to university and got an agricultural engineering degree. I worked for a couple of years in North Queensland in irrigation and a couple of years for the Kondinin group. Thirteen years ago I went to do a month's work at Coleambally for Coleambally Irrigation; I only finished up there two weeks ago.

The people in those jobs have taught me a valuable lesson—the power of hard work and teamwork. I am proud to have been involved in agriculture all my life. I think it has been an incredible industry for Australia and very successful. A mark of that is the fact that we have not been concerned about the widespread availability of food since my father's generation, which grew up in the 1930s. Agriculture has done such a marvellous job of delivering for this country that, to some extent, we take it for granted.

My older sister, Toni, and her husband, Mark, are here today. Toni has worked hard all her life to try and bring a bit of decorum and class to me. She would probably be quite pleased to see me in a suit today. I guarantee that everyone in the gallery and most of the people here who know me are quietly laughing to see me in a suit today. I am, and probably will always remain, a slob and a bogan.

My other sister, Lee, is here. Her husband, Mick, could not be with us today but Lee has made a particular sacrifice because it is her son's birthday today. Happy birthday, Calem; sorry that I am taking your mother away. My brother, Warren, and his wife, Neena, are also with us. Warren is my blood brother but also my spiritual brother. Neena has been a good friend to me. A mark of that was the way she embraced politics for me. For the first time in her life she stood at a booth handing out cards for me. She had her daughter, Carina, and her granddaughter, Nevaeh, with her. At five years old, Nevaeh was probably amongst my youngest booth workers. Nevaeh asked about it and was told that she was playing a game with Uncle Austin. She said, "If I'm playing a game with him why isn't he here?"

I wish to talk about Steven and Delwyn. Steven is here but Delwyn, unfortunately, was unable to be here. Steven is like a brother to me—a spiritual brother. Like Neena, he embraced politics for me—even though, as a long-time union member, he is probably more of a Labor voter than a Nationals voter. He has a lot of other interests but I was very moved that he was willing to do that for me.

My wife is Demelza. Demi saw through the superficial to see the person in me. Our first date was to a friend's twenty-first birthday party. I think all her friends that night were amazed at this person she had brought along—this person with the long hair and beard, dressed in a flannie and no shoes. They all said, "This isn't Demelza's type." My mother-in-law, Faye—who is also with us here today—had such low expectations after first meeting me that her only condition was that I had to wear shoes to the wedding. I am sure that my sisters are still amazed that Demi married me. I certainly am—and I am so incredibly grateful that she did. Demi has challenged me; she has been challenged by me. She has supported me, laughed, cried, been frustrated and been frustrating—but we would not have it any other way. I thank her for coming on this journey with me. Two-and-a-half months ago, when Adrian Piccoli announced his retirement, I asked, "Are you ready to jump on a bolting horse and hold on for dear life?" She said, "Yes," shaking her head the whole time.

We have been blessed with four wonderful boys who are also here today—Oht, Declan, Darby and Wilkie. It has been an honour to get to know these four boys as they have grown up. Each is an individual; each is unique. They make me laugh and they make me cranky, but it breaks my heart when they are sad. They have changed me in so many ways. I am older, wiser, more responsible and more compassionate. I do not sleep in anymore. I used to—all the time—but I suspect that 12 years of babies and toddlers in the house has brought about a permanent change. Thanks, boys: I am going to find that really useful in this new job!

I have been lucky, most of my life, to be surrounded by positive, can-do people. All those people have played a role in creating who I am. They are unique, as are all people. They are a constant reminder to me to treat all people as unique individuals and not to stereotype people or put them into boxes. I am also unique. If you try to put me into a box there is a good chance I will not fit. Whatever stereotype you think I fit is more than likely wrong. That idea is something I bring with me into this place. I know some people in this Chamber quite well; some I know a little; most I have not met yet. I look forward to meeting each and every person in this Chamber and learning about their uniqueness.

I thank the people of Murray who have given me this opportunity. I am blessed to live in such a beautiful and diverse electorate. It is a large electorate. I say to those of you who are not in Cabinet, and who were not in Griffith three or four months ago, that Adrian Piccoli made a comment which will allow you to appreciate the size of the electorate. He said that the Murray electorate has only one airport which has regular commercial flights to

Sydney, and that is at Griffith. Griffith is closer to Bondi than it is to parts of my electorate in the Wentworth shire. That is how big the electorate is.

Murray is a big and diverse electorate with a huge history. Mungo Man, who will be repatriated this Friday, is one of the oldest known sets of human remains in Australia and, some say, the world. More than 5 per cent of the population identified as Aboriginal in the 2016 census and 15 Indigenous nations are represented in my electorate. They have faced competition for land, disease has wreaked havoc on them, and their culture and language has been suppressed. Those nations have survived that and are forging a renewed connection with their culture—like at Tirkandi Inaburra, an Aboriginal community centre between Darlington Point and Coleambally, which is connecting boys with their culture and giving them pride in who they are. Dr Stan Grant, who helped me with my opening Wiradjuri remarks today and who wrote the Wiradjuri dictionary, has seen a great increase in the use of the language and the pride of Wiradjuri people. In the 1800s, Europeans started moving into the electorate, building industries and creating communities. People like my grandparents moved to the area in the early 1900s. Migrants from all over the world moved there throughout the 1900s to build lives, industries and communities.

The newest town in New South Wales is Coleambally. There are many people in the public gallery today who are from Coleambally. The town was built from nothing. When the first people moved to Coleambally there was a sign on the highway that said, "This is where Coleambally will be", and nothing else. They lived in sheds when man was walking on the moon. They were pioneers who saw the area turn from six sheep farms into productive irrigation country. Some of those pioneers are still alive. Migrants still came to the area in the 2000s, building on the past and creating their own piece of rich tapestry. Over 10 per cent of my electorate was born overseas. When the number of parents born overseas is added, the number is enormous. There are numerous nationalities that thrive as active communities work together to improve our lives. These are people who have spent time—years, decades, lifetimes, generations, millennia—creating viable, successful communities.

We are a large electorate in area, but a small voice when it comes to democracy. We have seen the impacts of decisions made elsewhere affect us much more than most of the people making those decisions. The Murray-Darling Basin Plan and water is a good example of that. With 70 per cent of New South Wales water entitlements sitting in the Murray electorate, this was always going to affect us badly. Along with the communities dependent on the other 30 per cent, we are wearing the brunt of the impact from decisions made by people who bear minimal impact. The same goes with the decisions to make the red gum forests national parks. It is communities in the Murray electorate that have borne the brunt of those decisions, not the people who have made them. These decisions impact and damage industries and communities that were built over years, decades, lifetimes and generations.

My constituents look at the time they have spent building their industries and communities and compare it to the time spent on the decisions that have undone their work, and they see a mismatch. They feel disrespected. That is the intention of no-one in this building, but my constituents have asked me to ask members to give them some of their time so that they feel respected, particularly on the issues that have big impacts on their lives. The kicker for me is that I cannot ask that of anyone and not do that myself. My final comment is that it is now my responsibility to bring those issues to this place. I have to listen to the opposite viewpoint; I have to give my time, which I have found to be more precious in this last month, to the issues that will affect others significantly. I have to do my best to understand the issues fully and put myself in someone else's shoes. That is no small commitment, especially with the time pressures that this place brings, but it is the minimum I need to do to fulfil the pledge I made earlier today. Thank you.

*Members stood in their places and applauded.*

**The DEPUTY SPEAKER:** I am sure I speak for every member in this place and everyone associated with the Parliament in wishing both Austin and Steph the very best and very successful careers representing the electorate of Cootamundra and the electorate of Murray.

*Bills*

## **ELECTORAL BILL 2017**

### **Second Reading Debate**

**Debate resumed from 17 October 2017.**

**Mr PAUL LYNCH (Liverpool) (17:25):** I lead for the Opposition on the Electoral Bill 2017. The Opposition does not oppose the bill. I note that the NSW Labor Party made submissions on the draft bill and a number of those submissions were successful. The object of the bill is to make provisions for the conduct of State parliamentary elections. The bill repeals and replaces the Parliamentary Electorates and Elections Act 1912.

It is based upon a number of reports from the Joint Standing Committee on Electoral Matters, on which I served from June 2012 until 2015, and on other suggestions from the NSW Electoral Commission. Self-evidently, the legislation that this bill repeals is over a century old and, frankly, it looks it. A series of amendments and changes have done nothing to make it clearer or better designed. The joint committee's intention and the Government's aim in introducing a modernised version of the bill is entirely sensible.

The Government presents the bill as a modernised version of the existing law, largely based on the current position with a number of useful if not earth-shattering improvements. That is a characterisation with which I largely agree. The only thing that the Government got categorically wrong was the Minister's assertion in his second reading speech that the comment "whilst the essential principles of our representative democracy remain valid, the legislative framework through which they are given effect, requires modernisation" was the conclusion of the committee—in fact, that is the verbatim comment of the Chair's foreword at page viii of the report, rather than a comment of the committee. On the other hand, I have no dissent from the substance of the comment. While the Government places great emphasis upon its reliance upon the joint committee's reports to develop the provisions of the bill, it is certainly not the case that all the committee recommendations in their entirety have been adopted.

I am not critical of that. Granted the plethora of recommendations, it would be nothing short of extraordinary if all of them were adopted in toto. For example, recommendation 19 of the committee's report on the administration of the 2015 New South Wales election and related matters recommended that the Government increase the number of required nominators for independent Legislative Council candidates from 15 to 100. Clause 83 of the bill does something else and says there are 50 rather than 100 nominators for both the upper House and lower House, not just the Council. On balance, the Government rather than the committee is correct. Recommendation 6 of the committee's 2015 election report made some very cautious commentary about iVote. The bill in part 7 (j), division II on technology-assisted voting seems to have gone beyond the committee's recommendation, although not in a particularly dramatic way.

The effect of clause 152 is that extra classes of voters will be able to use iVote, including silent electors, registered early voters and electors in by-elections not in the electoral district concerned during voting hours. The most significant discrepancy between the committee's recommendations and the provisions of this bill, however, and one that deserves particular comment, relates to recommendation 1 of the 2013 report. That recommendation states:

That the NSW Government introduce legislation for a new electoral act for NSW which provides for both the conduct of State elections and the regulation of campaign finance and expenditure. Of course this bill does only half of that by repealing and replacing the Parliamentary Electorates and Elections Act. It leaves entirely untouched and alone the Election Funding, Expenditure and Disclosures Act 1981, which often is referred to as the EFED Act. Undoubtedly, that would be a much more challenging task. The Government has left that in the too-hard basket. I ask the Minister to indicate in reply when, if ever, the Government proposes to introduce amendments to the Election Funding, Expenditure and Disclosures Act.

In accordance with modern practice, the bill adopts an objects clause. Its definition provisions clarify and aim to simplify the terms used in the legislation. Clause 10 states that the Electoral Commission can institute proceedings for electoral offences. The commission as defined can provide assistance for the conduct of elections by the Electoral Commissioner. Part 2 division 2 deals with the role of the Electoral Commissioner, particularly emphasising the role in conducting elections, including maintaining an electoral information register, not just authorised rolls. Part 3 retains the substantive scheme presently existing for redistributions. Part 4 establishes an entitlement to enrol and vote, which posits that in terms of legal status and not just a mechanical process of filling in forms. SmartRoll continues, allowing the commission on its own initiative to automatically enrol people under clause 34. The complaints process is more formalised: Disputes go to the New South Wales Civil and Administrative Tribunal [NCAT] rather than the Local Court.

The bill continues the provisions for registration of political parties with apparently an enhanced capacity to obtain information from parties. In relation to the conduct of parliamentary elections, the Electoral Commission is provided to be the returning officer with the appointment of officials to assist. The issue of writs for the normal four-yearly election is set for the Monday following the expiry of the Legislative Assembly. This allows more time to publicise the date for the close of authorised rolls. The opening of nominations is allowed before the issue of writs for general elections. This can allow a longer period between the close of nominations, the subsequent ballot draw and the opening of the pre-poll period.

There are changes concerning child-related conduct. Candidates for election will have to declare whether or not they hold a Working With Children Check clearance and whether or not any apprehended violence order has been made against them in relation to protecting a child from sexual assault. Obligations as to further declarations fall upon candidates without a Working With Children Check. The Children's Guardian has an audit function post-election. There is streamlining of the various criteria for early and postal voting. Granted increasing usage of those avenues, that makes sense.

The Electoral Commission will have powers with the approval of the Secretary of the Department of Premier and Cabinet to requisition halls and rooms as voting centres because of the features of the facilities—for example, wheelchair accessibility—or if other premises in the district have become unavailable due to fire, flood or other emergency and no alternative is reasonably available. A voting centre cannot be a room or hall used exclusively for religious or residential purposes. No cost is payable, except reasonable costs for lighting, heating, air-conditioning or cleaning or the costs of repair. Disputes about the amount payable are to be resolved in the Local Court.

The bill remakes the provisions for the Court of Disputed Returns. There are new provisions about prosecuting parties that are unincorporated associations. Part 10 of the bill has various miscellaneous machinery provisions that include a regulation-making power. I note that penalties for electoral offences have been maintained. The draft bill seemed to reduce currently existing penalties in, for example, clauses 183, 186, 187 and 195 of the draft bill. However, that has been remedied in the bill before the House and was the subject of some of the submissions made by Labor. As I stated, the Opposition does not oppose the bill.

**Mr GARETH WARD (Kiama) (17:32):** I support the Electoral Bill 2017. I thank the Opposition spokesman for his comments. The 2013 Federal election featured a suspected 8,000 cases of voter fraud—a number that increased to 16,000 in the 2016 Federal election. That type of activity in the Australian voting system is unacceptable. It undermines our democratic values and casts doubt on what I believe is one of our finest systems when it comes to democracy. Compulsory voting means that everyone gets a say. Moving forward, we need to ensure that voting is as secure and as accurate as is possible. A shadow of doubt was cast over the most recent United States elections as a result of Russian interference in the 2016 election.

**Mr Jamie Parker:** Alleged.

**Mr GARETH WARD:** I acknowledge the interjection. The alleged Russian interference in the 2016 United States election has cast doubt over the democratic election processes in the United States. It is a stark reminder that, as technology improves, so must our systems to ensure the integrity and trustworthiness of the Australian electoral system in all States and the Commonwealth. The Electoral Bill 2017 revises and updates the Parliamentary Electorates and Elections Act 1912 with particular reference to the introduction of technology assisted voting, which is defined as voting "by means of an electronic device ... such as by a telephone or by a computer". According to part 7 division 11 clause 152 (1) (a), (b), (c) (d), (f) and (g) of the bill, "eligible electors" for technology assisted voting will include electors with a disability that restricts them from voting at a voting centre or without assistance, electors with low or no literacy skills, silent electors, those living in remote areas, registered early voters and voters who cannot be present in their electoral district during the voting hours of a by-election.

The bill adheres to the recommendations as set out in the June 2017 "Third interim report on the inquiry into the conduct of the 2016 Federal election: AEC modernisation" by the Commonwealth Joint Standing Committee on Electoral Matters. Prominent in the report's recommendations are the allocation of additional funding to the Australian Electoral Commission for the purpose of modernising future Federal elections, including upgrading technology and business systems, training staff to allow for a successful integration of new technology, the deployment of additional electronic certified lists at polling stations and a trial of electronic scanning practices of the House of Representatives ballot papers. The Australian Electoral Commission [AEC] identified certain vulnerable or isolated groups that require additional technology to ensure full participation in the electoral process, including some Aboriginal citizens, voters with disabilities and some homeless and elderly voters.

Mr Assistant Speaker, those recommendations are a long way from where voting systems previously have been, as we both know from being members for some time of the New South Wales Joint Standing Committee on Electoral Matters. The reticence of our Federal colleagues to embrace electoral reform has been significant. The State joint standing committee's report noted the beneficial potential of technology in increasing elector participation and recommended the use of technology for the creation of specific operational systems and training to accommodate specific challenges of certain groups in certain areas. In Australia in my own electorate we have an ageing population, which means that new methods of voting—such as using the technology assisted voting options of telephone or computer—will prove highly beneficial to those who struggle to get to a polling station, particularly in regional areas.

Having a visual impairment, I know how significant this watershed legislation will be for people who are blind and vision-impaired right across the State. The Electoral Bill 2017 is targeted at those very groups with its purpose of improving voter participation in remote or low socio-economic areas. This issue is addressed effectively and efficiently with the use of technology assisted voting proposals in the bill. Ultimately this legislation will facilitate a greater degree of voter access to the electoral process in more ways than one. I recall the former Electoral Commissioner telling an inquiry I chaired that iVote is as safe as, if not safer than, casting

a vote at a local polling station in one's local electorate. I am sure we all remember the thousands of ballot papers that went missing in Western Australia during a recent Senate election.

As well as identifying certain groups that are unable to access the current voting system, we have also seen the popularity of pre-poll voting increase exponentially. I am sure all members of this House would be aware of that. The Electoral Bill 2017 will enable the obvious shift towards a model of convenience, which will both ensure voters' willingness and ability to vote and promote a positive attitude towards a modernised, convenient and efficient electoral system. Of particular importance to me is the bill's tough stance on penalties for electoral offences. This demonstrates the importance of secure election practices for upholding our democratic rights. This legislation will do exactly that. The bill also demonstrates that New South Wales is at the forefront of electoral reform. Domestically, Queensland is the only other State to introduce voter identification requirements. Indeed, in 2014 the Queensland Legislative Assembly passed the Electoral Reform Amendment Bill 2013 that requires voters at State elections to provide identification at the polling booth.

The Human Rights Law Centre has identified tens of thousands of people whose voting rights are at risk due to the voter identification policy. Obviously, that is not a long-term solution for resolving the issue of voter fraud, but the legislation before the House is innovative and holds great promise for the future of Australia's electoral system and for the electoral system that operates in this State. Mr Assistant Speaker, you developed a private member's bill at one point to introduce voter identification.

**The ASSISTANT SPEAKER:** Twice.

**Mr GARETH WARD:** I stand corrected. I certainly believe that that is in the long-term interests of our electoral system, in spite of what other commentators may have said. Some try to argue that there is no need for such reform, but I note that the Government is supportive of the notion of introducing electronic mark-off. Under that system, when people vote, their names will be marked not just at their polling booth but right across the State. That should reduce the likelihood or inclination of some people to try to defraud the system. This model also is highly popular and has been tested in other areas. I note the United Kingdom plans to trial a new system of voter identification checks in its May 2018 council elections at which voters will be required to provide voter identification before being issued with a ballot paper. That reform largely mirrors the approach adopted by the United States where 34 States have enforced voter identification laws.

This practice has been proven to be problematic, both internationally and by the Australian Electoral Commission [AEC]; however, I am sure the debate will continue. There are certainly some concerns about delays, but I think we need to weigh those up against the integrity of our electoral system. It is a truism that the future is digital, not analogue. I have no doubt that a time will come soon when a high percentage—perhaps even a majority—of votes are cast electronically. Effective lawmaking requires Parliament not merely to be reactive to issues but rather to pre-empt and adapt to emerging concerns, particularly those that threaten institutions vital to the stability of our society, and also to embrace new technologies that enhance voter access and their ability to cast a ballot.

The existing paper-based voting system carries with it longstanding as well as intrinsic difficulties. There is very little stopping an individual from voting numerous times across an electorate. While this bill will not in itself address concerns tied to multiple voting all over the State, it will serve to ensure that our electronic voting system is stronger and more reliable than the existing system. Not only will these reforms address existing weaknesses in our voting system, such as multiple voting and voting fraud; they will also provide the foundation for a safe and secure digital voting system. The legislation before the House also will balance respect for traditional voting methods and recognition of the need to adapt to opportunities offered by the technological age.

The Parliamentary Electorates and Elections Act 1912, which governs the conduct of this State's parliamentary elections, was originally passed by Parliament more than 100 years ago. The review and rewrite of the Act has involved, among other things, bringing the legislation into line with contemporary practices and processes of current-day elections. A key aspect of this reform has been to update the language in the Act, replacing outdated language with clearer and more succinct phrasing and terminology, so that it is in plain English. In line with this, the bill introduces a general object provision that would assist with judicial interpretations of the Act. The bill also reflects modern processes—for example, it modernises options for the payment of nomination deposits and removes the prescribed forms and prescribed details of certain administrative forms from the principal Act and regulations, requiring instead that these be in a form approved by the Electoral Commissioner. It also clarifies that the Electoral Commissioner is required to keep and maintain an accurate electoral information register, rather than a paper roll for each district.

The Electoral Bill 2017 will bring the legislation governing State parliamentary elections into the twenty-first century. All members of this Parliament who contest elections want the best electoral system to be in place—indeed, I served as chairman of the Standing Committee on Electoral Matters in the last Parliament.

I served on the committee with you, Mr Assistant Speaker, and the previous Labor speaker, Mr Paul Lynch. By and large this committee has worked collaboratively to find the best reform for the electoral system to the advantage of not the political parties and the candidates but people contesting elections. However, debate will have to continue as to how to provide the best and most robust democratic system. All of us who sit in this place are the custodians of our democracy. We must ensure that, wherever possible, we introduce tough laws to deter voter fraud and to protect this intrinsically valuable system.

Our electoral system is precious because we know that in some quarters of the world people are not given the opportunity to vote. The fact that so many individuals, many of them women, in other parts of the world cannot cast a ballot makes us realise that we are fortunate to live in a State where we can do so. We must protect the system to the last.

**Mr GREG PIPER (Lake Macquarie) (17:42):** I contribute to debate on the Electoral Bill 2017. I state at the beginning that while I agree with most of the bill, I do not support the part that places independent candidates at what I believe to be a distinct and unreasonable disadvantage when choosing to contest elections in the future. Although I start on what might sound a negative note, I draw to the attention of the House the size of the bill before us. This is a substantial document that takes a lot of time and energy to pore through and to understand. We need to be able to understand the issues that exercise the minds of those who have contested elections in this State in the past as well as those who will contest elections in the future. I acknowledge members of the Standing Committee on Electoral Matters, who have sat on this committee for a number of years. It plays an important part in the electoral process and, as the member for Kiama said, it is important that we ensure that we stamp out electoral fraud in this State. At the same time, we must ensure that we do not make the system so complex that we inadvertently deter people from standing for election and thus becoming involved in our democratic system.

This bill will provide some long overdue reform to aspects of the State's electoral laws. The one aspect I cannot support is the perhaps inadvertent impact it will have on independent candidates that will make it hard for them to compete with those standing under the umbrella of political parties, particularly the major parties. Division 3 of part 7 of the bill specifically proposes that independent candidates for election to either the Legislative Council or the Legislative Assembly will in future require 50 nominators before they can lodge an application. This stands in stark contrast to the 15 nominators currently required. It also stands in contrast to the fact that someone standing on a party ticket simply needs the party to nominate them and will not be required to seek 50 signatures, plus a few extra for good measure just in case some nominators are found to be ineligible.

I note that the bill was introduced to the House by the member for Lane Cove, and Special Minister for State, on behalf of the Premier and following considerations by the Joint Standing Committee on Electoral Matters. In his second reading speech the Minister said that this specific change would help to reduce the size, cost and complexity of the ballot. I appreciate that there have been occasions when the ballot paper, particularly for the upper House and perhaps only for the upper House, has been large and somewhat difficult for voters to wrestle with in a small voting booth. However, that is democracy, and while we can improve the system we need to be careful that we do not overstep the mark. While there should be a reasonable test for those wishing to stand for election, the impost should not be unreasonable.

I believe the provisions of the bill, as they stand, will impact unreasonably a person wishing to contest a lower House seat as an independent candidate. It might seem that I have a vested interest in making this point, but, as a reasonably longstanding member of this House, having contested numerous elections as an Independent member, I would say that I am in a fairly good position to collect 50 nominators. I am trying not to reflect on my experience but rather on how this might impact on other independent candidates who do not have the advantage of being known in their electorate.

There is no doubt that the electoral system will always find a critic, and rightly so. We cannot legislate for all the issues that will manifest in some instances, and therefore it is appropriate that we continue to review the rules and regulations in the legislation governing this system. I believe my view is shared by the Independent member for Sydney, who has been very vocal about the implications of this clause of the bill. In a joint letter to the Premier in October, we asked the Government to reconsider that aspect of the bill and retain the status quo when it comes to the requirements for independent candidates standing for election. The member for Sydney and I said that healthy democracies do not restrict who can run for office; they do not actively or even deliberately seek to exclude some people from election simply by making it harder for them to nominate.

It is important also that they do not achieve that outcome inadvertently, as I believe could be the case for lower House candidates. I do not believe that there has been any ill intent in proposing this change, following good discussions with the staff of the Premier. However, I draw the attention of the House to the fact that the Joint Standing Committee on Electoral Matters did not recommend that the number of nominators be raised for independent candidates seeking election to the Legislative Assembly and neither did any submission. The recommendation from the committee related only to candidates for the Legislative Council; however, following

discussions with the staff of the Premier, I understand why members of the committee believe that there may be risks in having different positions for the two Houses. In general terms, large ballot papers are not an issue in the Legislative Assembly, so I can see no reason to discourage independent candidates from running in the lower House. I will not give the statistics for the number of candidates who have contested Legislative Assembly seats in New South Wales, but overall relatively small numbers have contested on each occasion.

I speak from the position of having had some experience when I say that organising 15 nominators, the current number required, in a short window has been relatively difficult and time-consuming. Some members might think it is an easy task, but members of parties have probably never experienced this process. The idea of organising 50 nominators in that short period puts those people at a distinct disadvantage. Being positive now, what I am pleased about is that the Premier and her staff, particularly Tom Payton, have been forthright and helpful in discussing the reasoning for the bill being drafted this way and have been open to the argument about the differential impact on independent candidates for the Legislative Assembly. Considering the understandable desire to implement changes recommended by the Standing Committee on Electoral Matters, I believe a better outcome would be to reduce the proposed number of nominators to an equal value of, say, 25 for each candidate, a figure that requires greater effort to achieve but which should be reasonably doable.

Having discussed this and reached agreement with the Government, I foreshadow an amendment which will achieve this, along with a number of minor amendments, which have been found to be needed from the drafting of the bill. I will speak to those later, but I am happy to include them in my amendment on behalf of the Government. I have provided a number of copies of the amendments, which were drafted by Parliamentary Counsel this afternoon, including to the member for Liverpool. I acknowledge that it was provided late.

**Mr Paul Lynch:** But we still agree.

**Mr GREG PIPER:** The member acknowledges that the Opposition is still in agreement with those amendments. With the amendments as foreshadowed, I am pleased to support the bill, which I believe is a comprehensive review and a very worthy attempt to make sure that we retain a modern electoral system that does exactly what we want to keep fraud out of our electoral system, and to make our democratic system accessible to everyone.

**Ms MELANIE GIBBONS (Holsworthy) (17:50):** I speak in favour of the Electoral Bill 2017, which is designed to modernise the legislative framework for elections in New South Wales. The bill will streamline the existing legislation and, therefore, the electoral process. The bill implements many recommendations following the 2011 and 2015 State elections. The legislation has been modernised as a result of the many organisations and individuals who made submissions after the draft was released.

The bill is a revamped copy of the original Parliamentary Electorates and Elections Act. It consists of the same key principles but has the main focus of simplifying all the processes involved. Part 1 of the bill contains matters involving preliminary machinery provisions. It defines terms, phrases and concepts used in the Act. Part 2 consists of electoral administration and contains provisions providing for the appointment of members and the Electoral Commissioner, and their functions. It also encompasses matters regarding employment of staff in the public service to enable the Electoral Commission to carry out their functions. Part 2 also allows the Electoral Commission to make applications to the Supreme Court for injunctions, declarations or other orders within this jurisdiction to ensure compliance.

Part 3 relates to redistribution of electoral districts. This part is in accordance with the Constitution Act 1902. This contains specifications for the establishment of an Electoral Districts Redistribution Panel. The panel consists of three members, including the chairperson, who is required to be a current or former judge, the Electoral Commissioner and the Surveyor-General. These members will be responsible for the process of preparing the draft and final determinations of redistributions. Every member in this House knows how important redistributions are. Part 4 makes provisions for the entitlement to enrol and vote. It remains that a person is entitled to be enrolled at 16 years of age, is an Australian citizen and has resided at an address within New South Wales for at least a month before enrolling. This part also provides that anyone serving a sentence of imprisonment for 12 months or more is ineligible to vote.

Part 5 of the bill relates to enrolment procedures and information. This part requires anyone who is enrolled to vote to keep their details up to date. Additionally, it also enables a person to make a complaint to the Electoral Commissioner about the enrolment of a person or failure to enrol, and continues the practice of the SmartRoll enrolment, which enables the Electoral Commissioner to enrol persons automatically. This simplification imposes a duty upon the Electoral Commissioner to investigate complaints and enrolment errors. Registration of political parties is addressed within part 6 of the proposed rejuvenated Act. The part contains a new provision requiring a registered political party to provide detailed information, including: the party's objects; how the party amends a written constitution; membership procedures of a party, including ending a membership, the

description of internal affairs of the party, procedure for selecting and removing a person from office; and the name of the members or officers of the party responsible for ensuring the party complies with the proposed Act. This will allow the voters to have a clearer understanding of political parties.

Part 7 highlights the most significant reforms of the bill. It continues with the simplification and makes provision for the conduct of parliamentary elections. Part 7 has come about from a recommendation that the Government look over the role of a returning officer in New South Wales elections to determine whether there is a more effective and efficient way to carry out the functions associated with this position. This part of the bill contains the process of nomination of candidates for the election, the preparation of ballot papers for the election, and the appointment and operation of voting centres, including dealing with early voting and mobile voting centres. It also continues the process of ordinary voting, the determination of election results and offences in relation to elections.

For example, part 7 changes the number of required nominators for independent Legislative Assembly and Legislative Council candidates from 15 to 50 to ensure that candidates have a reasonable level of community support before being eligible. Amendments in the bill also propose that the number of candidates in a Legislative Council group must not exceed the number of members required to be elected. Both of these reforms have been derived from recommendations made by the committee in its report on the 2015 State election.

These attempts are expected to help reduce the size, cost and complexity of the ballot papers. The bill will also ensure greater consistency with the Child Protection (Working with Children) Act 2012. As a result of the change, candidates have to disclose past history of child-related conduct and declare if any apprehended violence orders have ever been made against them to the voting public before they cast their vote. I have always found it interesting that that is something that is often asked after the election, and wondered what would happen at that point. I have signed the form after the election to state that I have never had a problem with that and I always wondered why it was not done beforehand rather than afterwards. I am pleased to see this change in the bill.

The bill also provides much-needed clarification and improvement regarding alternative methods of voting. The Government has used the technological iVote system to ensure the consistency of technology-assisted voting and to give opportunities to those who face barriers to voting in person. This bill will also allow for by-elections to have technology-assisted voting, which is incredibly important. This part also simplifies and streamlines multiple criteria for early and postal voting. Part 7 of the bill additionally provides authority to the Electoral Commissioner, with the approval of the Secretary of the Department of Premier and Cabinet, to requisition the use of rooms and halls to enable wheelchair accessibility. This will help to provide a simpler solution, provide cost savings and expedite the counting and declaration of the result.

The reformed bill stabilises the penalties for offences under the current Act, as well as consolidating the broad number of existing offences into a concise general category. The modernisation of this bill increases the secrecy of the vote and the privacy of everyone participating in the electoral process. The bill has also secured penalties that apply to some of the more serious offences, including electoral bribery. Part 8 of the bill deals with the constitution and functions of the Court of Disputed Returns. It largely replicates the existing provision of the Act. Part 9 deals with enforcement of the Act. It contains provisions dealing with proceedings for offences and the issue of penalty notices for certain offences. It clarifies the process of an electoral offence alleged by the party and not in the name of particular members. It is parallel to the United Kingdom approach to political donations. The bill also states that any penalty imposed on an unincorporated party is payable out of the property of the party.

Finally, part 10 contains miscellaneous machinery provisions, including: the making of regulations for the purposes of the Act; the prohibition of the disclosure of any information obtained by administration or execution of the Act; and a review of the bill by the Electoral Commissioner after each State parliamentary general election and by-election. Importantly, the bill provides safeguards to ensure that there is a reduction in the number of electors who vote more than once. It enables the ability to designate a person who has engaged in multiple voting as a special elector, meaning they can only cast a declaration vote. This will reduce electoral fraud and is consistent with the second recommendation of the committee's 2015 report.

It is clear that this new legislative framework in New South Wales will positively update and modernise existing legislation. The bill has been developed to simplify the electoral process and to improve the State's electoral laws. The legislation has been prompted by many recommendations and submissions following the 2011 and 2015 elections. I am glad to see a new streamlined approach to the New South Wales electoral process and I commend the bill to the House.

**Mr RON HOENIG (Heffron) (18:00):** I contribute to debate on the Electoral Bill 2017 and I endorse the remarks of the member for Liverpool, who has outlined the Opposition's position. The bill is a very good effort by the Special Minister of State and enacts some bipartisan recommendations of the Joint Standing Committee on

Electoral Matters. I understand that the Minister has been receptive to a number of views that have been expressed prior to the introduction of the bill by a variety of participants.

There are three areas in which I will make a contribution. The first relates to the committee's concern about electronic voting and the related security. All members will know that the history of electronic voting in the United States of America over a number of decades has indicated substantial fraud associated with some of their voting machines. We need to be very careful—having seen the interference by foreign powers in relation to the United States presidential elections, although at this stage it seems that knowledge is only through social media—that those with greater capability than us do not interfere with the system. At least with the manual system that has always operated, ballot papers can be produced. I understand the attempt is to modernise but it is a concern that was expressed by the parliamentary committee.

The second issue, which was the subject of submissions I made to the committee, relates to complexity and is somewhat related to the matters raised by the member for Lake Macquarie. The Electoral Commissioner—who has the responsibility to design and make the process of voting efficient and easier for people—fails to understand that it is not just the polling booth staff who participate in democratic elections, there are also candidates and their workers and supporters. When there is an election or a by-election what happens outside the polling booth is just as relevant as what happens inside the polling booth. I direct my remarks in particular to the multiple electorate polling booths when they are not required. There are ample examples—and no doubt the Electoral Commissioner is motivated by providing a service—where two or three electorates share the same polling booth for people to cast their votes. That means there are representatives not only of the major political parties at those booths but also a variety of independents, minor parties and others who might be contesting individual seats.

Voters attending those booths are pounced upon by poll workers and given a huge variety of material before going into the polling booth. Most of that material is not about how to vote in respect of the electorate in which they are voting, and considerable confusion prevails at those booths. While I accept that there may be occasions where multiple electorate polling booths are needed, particularly in remote areas or areas where the Electoral Commissioner might not have access to the required premises, it should be the exception rather than the rule. Not all voters are necessarily as engaged as members of this House or the Electoral Commissioner or their staff. For example, I have seen at one of my polling booths in Centennial Park people walking in with 30 or 40 pieces of paper. How does a person discern that? It is confusing, ridiculous and causes complexity and that is why we have the optional preferential system.

If we are about simplifying election ballot papers and we put on them the parties that candidates belong to, then we need to understand also that the people working outside the polling booths who are handing out the how-to-vote cards are an integral part of the democratic process. I recommended to the committee and I strongly urge the Electoral Commissioner or the Minister who has regulation power to examine the confusion before the 2019 election. Legislative change may not be the way to deal with the problem. It must happen in polling booths in Lane Cove as well as in polling booths everywhere else. The Electoral Commissioner is trying to be efficient and provide a service but ultimately that probably impacts on the informal vote and the inability of the party to get the right how-to-vote card in the voters' hands.

The third matter I raise relates to part 9 of the bill, the prosecution power of the Electoral Commission. I accept the Parliament has removed from the Independent Commission Against Corruption the responsibility for investigating matters in this area. From memory the Opposition did not oppose it. It is appropriate that the Electoral Commission has that responsibility because there is a better chance of their understanding the motives and the decision-making process of people who participate in democracy. From my long experience in the criminal justice system I inform the House that one of the things that is always missing in legal proceedings in the courts and through the judicial arm of the legal profession is that they have no understanding or perception as to what motivates elected people to make decisions. They do not understand it because they have never been in that position. One needs to be an elected person or a party official to understand that decisions are not just in black and white as they would be in the interpretation of the law.

There is no requirement under the prosecution powers for the Electoral Commission to prepare guidelines for prosecutions. The Director of Public Prosecutions is required to prepare a set of guidelines under his Act and it is published. Because the Electoral Commission is not required to prepare no guidelines, we had the recent debacle where the Electoral Commission prosecuted the member for Wallsend, amid much media fanfare, for an alleged offence under the current legislation. The matter received considerable media publicity. Without going to the facts, the result was that the prosecution was withdrawn. The member for Wallsend should never have been subjected to the sort of publicity associated with being accused of committing a criminal offence when the prosecution could not sustain it. What is worse, had the commissioner applied the Director of Public Prosecutions guidelines, no court attendance notice would ever have been issued for that matter.

It is good to have an independent commission with a judge and individuals appointed, but when it comes time to institute proceedings, particularly alleging criminal responsibility, a more seasoned, reasonable view needs to be taken, as would a law enforcement officer or the Director of Public Prosecutions. We cannot have an independent statutory officer careering around charging members of Parliament with an offence, embarrassing them, and then having to withdraw the charge. The member's local media and the metropolitan media gave prominence to the original story but not to the fact that it had no substance and that the information was withdrawn. Guidelines provide a check and balance on people who make decisions about prosecutions. It is not strict black-letter law that determines prosecution of offences; other public interest tests also apply. In my view, if we had guidelines such as those applied to other prosecution authorities, that sort of error would not have occurred. Other than that, the bill is a genuine attempt to reform parliamentary democracy in this State. For that reason, the Opposition does not oppose it.

**Mr ALEX GREENWICH (Sydney) (18:10):** I support the Electoral Bill 2017 and the amendments that will be moved by the member for Lake Macquarie. While most provisions of the bill are good, I am concerned that it proposes to increase from 15 to 50 the number of eligible voters that an Independent candidate would need to nominate for a State election. This represents a substantial increase for Independent candidates in the face of no changes for party candidates. I strongly believe this would disadvantage new Independent candidates. Democracies function best when any person, regardless of their wealth, associations and political affiliations, can put up their hand to contest an election. Finding 50 people enrolled in a district in a short time during a hectic election campaign when candidates are attending forums, doing interviews, completing questionnaires, doorknocking, holding stalls, and writing and delivering leaflets would be onerous, particularly for new candidates.

In areas with large numbers of renters and frequently changing residents, candidates must verify that all those signing the nomination form are enrolled correctly. However, this would be impossible for new Independent candidates, who, unlike incumbents, do not have access to the electoral roll. Independent candidates are already disadvantaged compared with party candidates, who need only to be nominated by their party office and whose campaign has the support of a statewide party campaign structure. The existing public funding model discourages candidates without community support from running because they need to get at least 4 per cent of the first preference vote to have their campaign expenditure reimbursed.

The involvement of any candidate in the political process can play an important role in a democracy. Independent candidates can add a new voice to debate in contrast to those of the major parties. The increase in the number of nominators proposed in the bill came from a recommendation of the Joint Standing Committee on Electoral Matters. The committee referred to Independent candidates running for election to the Legislative Council only as a way to reduce the ever-growing size of its ballot papers. It is unreasonable to limit the number of Independent candidates contesting Legislative Assembly seats because its ballot papers are relatively short. In the 2015 State election, only 50 candidates ran as Independents in only 36 Legislative Assembly electorates. The highest number of candidates in a seat was eight and eight candidates were recorded in only six of the 93 electorates. Only three seats had three candidates running as Independents, including my seat of Sydney, and none had more.

I understand that the Government would like to respond to the Joint Standing Committee on Electoral Matters recommendation and that for constitutional reasons the change requires a corresponding change for Legislative Assembly candidates. I believe the existing requirement for Independent candidates contesting an election for a Legislative Assembly seat should remain at 15 nominations from the district. However, I accept that the Government is tied if it wants to make a change in the Legislative Council. While the member for Lake Macquarie and I would have no problem obtaining 50 nominations, we negotiated with the Government to reduce the number to 25 to ensure that new Independent candidates are not disadvantaged. That amendment will be moved by the member for Lake Macquarie and applies to both Houses as is required under the Constitution. I thank the Government for working with us to create a fairer situation. I also thank the member for Lake Macquarie for proposing the amendments.

It is essential for healthy democracies that new and genuine Independent candidates are able to contest an election to represent their local community. Healthy democracies provide a competitive field of candidates that enable any individual regardless of wealth or party membership to put themselves forward as a community representative. We need competition beyond the major parties. I support the foreshadowed amendments and the bill.

**Mr JAMIE PARKER (Balmain) (18:14):** I speak on behalf The Greens in addressing the Electoral Bill 2017. At the outset, I acknowledge the incredible amount of work that has gone into the preparation of this bill. I also acknowledge the work done by the members of the Joint Standing Committee on Electoral Matters in examining the conduct of elections and how they can be improved. Many of the provisions in this bill contain

mechanical changes that seek to improve the conduct of State parliamentary elections, and The Greens support them. I acknowledge in particular the provision allowing for nomination fees to be paid other than in cash. That provision has caused concern in the past. It might appear to be a small issue, but it is important. I also note the clarification of the role of the Electoral Commissioner, which is an important step.

These changes are important in developing a more robust electoral system. However, I will raise two issues of concern to The Greens: first, iVoting; and, second, the right of prisoners to vote. Legislation dealing with a prisoner's right to vote varies across the country. The Federal jurisdiction disqualifies prisoners from voting if they are serving a sentence of three years or more. It is proposed to rescind the right to vote of prisoners in this State serving a sentence of imprisonment of 12 months or more. Some jurisdictions impose significant restrictions on prisoners voting and some impose no restrictions. For example, the Australian Capital Territory and South Australia impose no restrictions, but our good friends in Queensland have legislation providing that any prisoner serving a sentence can be excluded from voting.

This is a significant issue for those of us who support universal suffrage and who want to see democracy extended to the largest number of people. Prisoner disenfranchisement has been on our statute books for many years. In fact, the Commonwealth Franchise Act 1902 included provisions dealing with convictions under a sentence for any offence punishable by imprisonment for one year or more. It remained in the legislation in a similar form until 1983. The Greens have expressed concern about this issue. We believe it is important to ensure that every citizen has the right to vote. People who are imprisoned forfeit a range of rights, the most important being the right to freedom. The Greens believe imprisonment is punishment enough and that prisoners should retain their right to vote.

This issue has a greater impact on Indigenous people because their representation in the prison system has increased significantly. The provisions in this bill, which do not seek to change the current arrangements, serve to disenfranchise Indigenous Australians more than other groups in the community. The Joint Standing Committee on Electoral Matters examined a range of issues, but it should have given more attention to this issue. Provisions such as this should not stand and there should be opportunities at least to match the Federal provision, which allows the right to vote to be rescinded if a prisoner is serving a sentence of three years or more. The Australian Constitution clearly deals with the right of Australians to vote in Federal elections. The Greens believe the provisions rescinding the right of prisoners to vote are in conflict with the Constitution and that this issue deserves closer examination. The legislation should be reassessed to take it into account.

I turn to another related issue—that of iVote. The 2016 report of the joint standing committee [JSC] discussed the issue of security and said that it should be referred to a panel to be addressed in detail. Several articles have appeared in the news and also on very popular blogs such as *tallyroom.com.au* and other blogs that are psephology focused—they study elections and the impact of elections. The JSC discussed security of the system, and Antony Green also addressed this issue. It is not just about security flaws. In the previous election with iVote, 36 hours after the voting had started it emerged that an online ballot paper did not include the above-the-line boxes for two groups, the Outdoor Recreation Party and the Animal Justice Party. This could have had a very significant impact and is obviously something we need to adequately resource the Electoral Commission to address. Another issue is with the ballot paper. When one looks at the ballot paper, particularly the upper House ballot paper, one can see that the first five or six columns appear on the screen but when scrolling only a small proportion of the ballot paper is revealed. The blog on *tallyroom.com.au* states:

Antony Green demonstrated that the first four groups on the ballot, all minor parties or independents, had a massive increase in their vote on iVote compared to other vote types. For all four groups, their percentage of the iVote is at least twice as high as their percentage of the total vote, with the independent Group D polling 2.8 times as many votes proportionally on the iVote compared to the total statewide vote.

I have raised this and I know the Electoral Commission has been looking at this issue. The unintended consequences of using this voter technology can be significant. It is something that must be approached cautiously and carefully. I understand that extending iVote technology to other classes of people, as the member for Kiama discussed, is something the Government is thinking about taking forward in a very cautious way, but I raise this issue so members can be made aware that the concept of electronic voting, while it can be very popular and very useful, needs to be implemented very carefully. That is evident from the way the ballot paper is presented on the screen and the way that some above-the-line voting boxes were excluded.

Crikey also ran a story about people who had trouble with the iVote system and who called the Electoral Commission hotline. The person who answered the phone suggested that they be removed from the electoral roll as a solution to the problem. It is important that we recognise the opportunities iVote provides for the people of New South Wales but we must also apply very carefully the lessons we have learnt from previous elections. On the whole, The Greens do not oppose this proposal. We recognise that an incredible amount of effort has gone into it. I recognise all the staff involved in the government organisations and agencies that have been working on

this project. I impress upon this Parliament the importance of ensuring that suffrage is extended to as many people as possible and that we act cautiously on the iVote system.

**Mr ANTHONY ROBERTS (Lane Cove—Minister for Planning, Minister for Housing, and Special Minister of State) (18:22):** In reply: I thank members for their contributions to the debate. The Electoral Bill 2017 is a rewrite of the Parliamentary Electorates and Elections Act 1912 that provides a modernised legislative framework for the conduct of State parliamentary elections in this great State of New South Wales. The bill implements many recommendations made by the Joint Standing Committee on Electoral Matters, as well as proposals for reform suggested by the Electoral Commissioner of New South Wales. It also benefits from a period of public consultation in August this year. The bill will update and streamline the existing legislation for the benefit of all participants in the electoral process.

I raise the matters brought forward by the member for Liverpool. New South Wales' election funding and expenditure laws are covered in separate legislation—the Election Funding, Expenditure and Disclosures Act 1981. The election funding Act was the subject of a separate review by an independent panel of experts led by Dr Kerry Schott in 2014. In response to the expert panel's interim report, the Government introduced measures including increasing penalties for breaches of election funding laws and extending the limitation period for prosecuting offences from three years to 10 years. In 2015 the Government referred the expert panel's final report to the Joint Standing Committee on Electoral Matters for consideration.

The committee, as we are aware, tabled its report in June 2016, which supported either in whole or in part the majority of the panel's recommendations. In December 2016 the Government announced its support for all the committee's recommendations. Consistent with the views of both the committee and the panel, the Government will continue its review of the State's election funding legislation in consultation with stakeholders. The Government intends that any new election funding laws would, of course, be in place in advance of the 2019 State election. I will now address the concerns raised by the member for Heffron.

The Government acknowledges that a balance must be struck between the convenience of iVote and concerns about possible security, verifiability and transparency issues. We consider that at this time iVote should not be expanded beyond its existing role "as a tool for certain categories of voters". Consistent with this view, the Electoral Bill 2017 largely maintains the existing situation in respect of iVote. Under the proposed Act, technology assisted voting remains an option for certain specified categories of voters. It would not be made more generally available by this bill. However, in updating the Parliamentary Electorates and Elections Act the categories of voters who are eligible to vote by way of technology assisted voting, including the iVote system, have been reviewed. This has been done to make sure that the policy grounds for providing access to technology assisted voting are clear and consistent, and that it is available to those who face barriers to voting in person.

As a result of this review, the bill allows technology assisted voting to be used by additional classes of persons, including silent electors and registered early voters. It also enables technology assisted voting to be used at by-elections by electors who will not, throughout the hours of voting on the election day, be within the electoral district concerned. I note also that, in its response to the report of the Joint Standing Committee on Electoral Matters on the 2015 election, the Government accepted in principle the committee's recommendation that an inquiry be conducted into iVote, in particular to consider security, auditing and scrutineering issues. It is crucial to the integrity of the democratic process in New South Wales that the iVote system is secure. The Government agrees that the importance of this issue warrants a detailed examination of the existing system and that the outcome of this review should help to determine the future use of iVote in New South Wales. The NSW Electoral Commission has been tasked with facilitating an inquiry to consider this issue. It is anticipated that a report on the inquiry will be provided in mid-2018—again, well in advance of the 2019 election.

I now turn to issues and matters raised by the fantastic member for Lake Macquarie. It gives me great pleasure to say that the Government will support the foreshadowed amendments. The bill will increase required nominators for Independent Legislative Assembly and Legislative Council candidates from 15, as required in the current Act, to 50. That particular reform arose out of recommendation 19 in the report of the Joint Standing Committee on Electoral Matters on the 2015 State election, although the recommendation was that the number of nominators be increased to 100. The proposed change is about ensuring that candidates have a reasonable level of community support before being eligible to nominate for election, which in turn will help to reduce the size, cost and complexity of the ballot papers. However, the Government is concerned to ensure that this provision is not prohibitive.

We on this side accept the concerns raised by the member for Lake Macquarie and support amendments Nos 1 and 2, which will reduce to 25 the number of required nominators. We also support amendments Nos 3 and 4, which will correct an unfortunate drafting error. The Government is pleased with the support of members for the proposals in the bill. I also place on record the Government's thanks as well as that of the Parliament for the great work that has been done with respect to this legislation. I will name a few people and parts of this Parliament

that have contributed so much: Julia Carland and Kate Boyd from the Department of Premier and Cabinet; the members of the Joint Standing Committee on Electoral Matters; the NSW Electoral Commission and its staff; and political parties of all persuasions for their contributions. I particularly mention Mr Tom Payten of the Premier's office who has done a remarkable piece of work, as he always does, with respect to having this bill introduced. I commend the bill to the House.

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that this bill be now read a second time.

**Motion agreed to.**

**Consideration in detail requested by Mr Greg Piper.**

#### **Consideration in Detail**

**TEMPORARY SPEAKER (Mr Adam Crouch):** By leave: I will deal with the bill in groups of clauses, and one group of schedules. The question is that clauses 1 to 82 be agreed to.

**Clauses 1 to 82 agreed to.**

**Mr GREG PIPER (Lake Macquarie) (18:30):** By leave: I move amendments Nos 1 and 2 on sheet C2017-112A in globo:

No.1 **Requirements for nomination**

Page 47, clause 83 (2) (b), line 11. Omit "50 persons". Insert instead "25 persons".

No. 2 **Requirements for nomination**

Page 47, clause 83 (2) (c), line 14. Omit "50 persons". Insert instead "25 persons".

I believe all members have had access to the circulated amendments. I will invoke a mercy clause and not speak in great detail to this, as I have foreshadowed the issues in my substantive speech. Along with the member for Sydney, I was concerned that the requirement to obtain the nomination of 50 people would be unjustifiably onerous for Independent candidates. I think our point has been well articulated and has been accepted by both sides of the House. I thank members and the Government for that.

**Mr PAUL LYNCH (Liverpool) (18:31):** I indicate on behalf of the Opposition that we agree with the amendments. We have had a discussion with the member and we think he makes a powerful case.

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that amendments Nos 1 and 2 on sheet C2017-112A be agreed to.

**Amendments agreed to.**

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that clause 83 as amended be agreed to.

**Clause 83 as amended agreed to.**

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that clauses 84 to 236 be agreed to.

**Clauses 84 to 236 agreed to.**

**Mr GREG PIPER (Lake Macquarie) (18:32):** By leave: I move amendments Nos 3 and 4 on sheet C2017-112A in globo:

No.3 **Voiding election for illegal practices—cross references**

Page 104, clause 237 (1), line 36. Omit "the offence of bribery or interference with political liberty".

Insert instead "an offence under section 209 (Electoral bribery, treating and selling of votes) or 210 (Interference with right to vote)".

No. 4 **Voiding election for illegal practices—cross references**

Page 105, clause 237 (3) (b), lines 1 and 2. Omit "bribery or interference with political liberty or attempted bribery or interference with political liberty".

Insert instead "a contravention or attempted contravention of section 209 (Electoral bribery, treating and selling of votes) or 210 (Interference with right to vote)".

I do not believe any explanation is required, other than that these are minor drafting errors that were brought to the attention of the Government by Parliamentary Counsel. When the Government generously offered to accept my amendments I agreed to incorporate these amendments for the ease of passage.

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that amendments Nos 3 and 4 on sheet C2017-112A be agreed to.

**Amendments agreed to.**

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that clause 237 as amended be agreed to.

**Clause 237 as amended agreed to.**

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that clauses 238 to 272 be agreed to.

**Clauses 238 to 272 agreed to.**

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that the schedules 1 to 8 be agreed to.

**Schedules 1 to 8 agreed to.**

### **Third Reading**

**Mr ANTHONY ROBERTS:** I move:

That this bill be now read a third time.

**Motion agreed to.**

## **STATE REVENUE LEGISLATION AMENDMENT (SURCHARGE) BILL 2017**

### **Second Reading Debate**

**Debate resumed from 17 October 2017.**

**Mr CLAYTON BARR (Cessnock) (18:33):** I lead for the New South Wales Labor Opposition in the second reading debate on the State Revenue Legislation Amendment (Surcharge) Bill 2017. I note from the outset that there are some worthwhile parts to this bill, but unfortunately they are caught up in a series of other, completely unacceptable, elements. It is for the sake of the worthwhile parts of this bill that we will move sensible amendments, rather than opposing the bill outright. We will, in fact, seek to improve the bill. The overview of the bill states:

The object of this Bill is to make amendments to the Duties Act 1997, the Land Tax Act 1956 and the Land Tax Management Act 1956 for the following purposes:

- (a) to provide for exemption from and refunds of surcharge purchaser duty and surcharge land tax payable in respect of residential land by a foreign person that is an Australian corporation when the land is used for the construction of new homes or is subdivided and sold for the purposes of the construction of new homes,
- (b) to provide that the small business declaration required for the purposes of the small business exemption from duty on an insurance policy is to be provided in a manner approved by the Chief Commissioner (replacing the current requirement that it be provided in writing),
- (c) to enact consequential savings and transitional provisions.

Our amendments will, in essence, seek to save the Government from itself—from another Fire and Emergency Services Levy mess. Quite ironically, our amendments will propose that the Government stick with the foreign investor surcharge policy that the Government introduced under then Treasurer Berejiklian. So let us be very clear on that point: The Opposition wants the Government to adopt the policy that the current Premier had when she was Treasurer. That is the choice the Government members make today. If Government members do not support our amendments they will, in essence, be undermining their own Premier and her record as Treasurer. They would be suggesting that when she made that principled decision about the foreign investment surcharges she was, somehow, wrong or incorrect.

Let me tell members about another way that we are trying to save the Government from itself. Just last week Premier Berejiklian told a room full of business elites that the days of backflips were over, and that she would start to stick to her decisions. And here we are, less than one week later, staring down the barrel of yet another backflip. We will try to save the Government from this. There are three key elements to this bill, the first of which the New South Wales Labor Party rejects, the second of which the New South Wales Labor Party supports, and the third of which the New South Wales Labor Party rejects because it is directly consequential on the first. To understand the debate today—and to understand the bill and its place in history—we need to reflect a little on the context, so I will go through a brief history.

In June 2016 then Treasurer Berejiklian announced that the Government would introduce a foreign investor surcharge. It was a key piece of the 2016 budget for her. It was meant to be a means both to collect

revenue and to discourage foreign investment, in the hope that it would cool demand in the housing market and, consequentially, make housing more affordable for the residents of New South Wales. As regional members will know, I am speaking primarily about the Sydney housing market. At the time of introducing her new foreign investor surcharge reform then Treasurer Berejiklian determined that the surcharge should be applied to all foreign investment—be that for purchasing housing stock as a buyer, or investing in property development and the creation of housing stock. Under the 2016 Berejiklian model everybody would pay, and this would create much-needed revenue. In her Budget Speech delivered to Parliament on 21 June 2016 then Treasurer Berejiklian said:

The surcharges are expected to generate around \$1 billion in revenue over four years that will be invested into vital services such as health and education. At this point I pause to pose the obvious and simple question: What has changed? Does the State no longer need the revenue to invest in health and education? Let us leave that question hanging for just a few moments. Let us fast-forward to the 2017 budget delivered on 20 June this year—just four-and-a-half months, or 22 weeks, ago in June of this year, via the budget, new Treasurer Perrottet, presumably with the endorsement of now Premier Berejiklian, quietly snuck through a significant amendment to the foreign investor surcharge. It was as though it was a sneaky little admission of error, egg on the face of the new Premier, that no-one really wanted to talk about. Strangely, Treasurer Perrottet in his Budget Speech did not talk about changes to the foreign investor surcharge. In essence, the changes made in the 2017 budget were significant increases to the tax rate paid by foreign investors in the New South Wales property market. But there was not a mention of it by the Treasurer.

It is interesting that the Treasurer did not mention the change to the surcharge or tax rate in his speech, given that they were set to capture for the State an additional \$893 million over the forward four years. The Treasurer did not mention these tax increases in his speech, even though the Treasurer and the Premier had gone to great lengths to do media on this issue three weeks prior to the budget being delivered and proclaiming the benefits of the additional \$893 million in revenue. This new revenue, to be achieved by increasing the rate applied to foreign investor surcharges, was to be used to offset the cost of changes to transfer duties for first home buyers, which will cost the State some \$1.1 billion over the forward four years.

If anyone is concerned that I might be making up these figures, I refer them to Budget Paper No. 1, pages 5-3 and 5-4. These figures are taken directly from the New South Wales budget. In 2016, the extra foreign investor surcharge revenue was to go to vital services such as health and education. In 2017, the additional foreign investor surcharge revenue was to go to first home buyer schemes. All of these plans for revenue and the intended recipients of additional funding are worthy and appropriate aims; there is no argument from me in that regard. But again I pose the question: What has changed? Do we no longer need to fund these worthy causes—health, education first home buyers?

As I noted a few moments ago, the Treasurer did not talk about the foreign investor surcharge increases in his speech. This is a blight on the Treasurer, not for his forgetfulness but for his calculated dishonesty. Members will see that the Treasurer wanted to paint an image of the Liberal-Nationals Government cutting taxes, when in fact the opposite was true. The Treasurer made the false claim in his speech that "good Liberal budgets do not increase tax, they decrease it". But at the very same time, in the same budget, the Treasurer was increasing the tax on foreign investment by \$893 million. Which of those comments is true? Either it is not a good budget or it is not an honest Liberal government. The Treasurer painted them into a corner because both cannot be true. As an aside, what about the poor old Nationals who never got a mention in the policy of the Coalition?

The Treasurer introduces increased taxes on foreign investors in his budget and does not mention them, despite previously doing media about it. To find a mention of the changes to the foreign investor taxes, one has to go to a speech in the Legislative Council, two days after the Budget Speech, in which budget papers were tabled by the Hon. Don Harwin on behalf of the Treasurer. Finally, in that speech, there was the admission by the Government, in a form not involving the complexities of drafted legislation, that plans were afoot to give foreign developers a free ride on these foreign investor surcharges and taxes on foreign money.

Clearly, in the 12 months since the then Treasurer Berejiklian first introduced the Foreign Investor Scheme, the developer lobby groups had been active in the Liberal ministerial offices of the Premier and Treasurer. Apparently, so we are led to believe, then Treasurer Berejiklian had created a messy and expensive problem for developers and Treasurer Perrottet was now trying to clean up this perceived mess—and to not mention the mess. Alas, Treasurer Perrottet's June budget attempt to clean up the Berejiklian mess did not go far enough for the developer industry. They did not want a refund, they wanted an exemption. Not only that, they did not want a five-year limit on their development opportunity, they wanted 10 years. Interestingly, Treasurer Perrottet told us, in the documents tabled in the Legislative Council, that the five-year limit that he was imposing would prevent land banking.

With the legislation having passed through the Parliament in June this year, containing the changes that Treasurer Perrottet was putting forward, the Government was now lampooned with amendments that did not get the developers off its back. So the Government has sat on its approved June 2017 legislation and not enacted it. And here we are with the Government again seeking to make changes to the Berejiklian bill of 2016, although

this time the Liberals and The Nationals are going the whole hog for the foreign developers. They are cashing in all of their chips in this one last effort to appease the property developer lobby.

That ends the history and brings me to the immediate issue, which is this bill. This bill seeks to offer complete exemptions for developers on the foreign investor surcharge and to allow them 10 years to develop their land—as though holding land for 10 years would not allow for land banking. Think for a moment about the housing stock that is coming to market today. Land was purchased and housing planned prior to the global financial crisis, which seems like a lifetime ago. At that time, the average housing price in Sydney was almost half what it is today. There is a significant windfall benefit from property developers sitting on their acquisition or allowing development to take up to 10 years because their expected income will double.

Under this bill proposed by the Government, a foreign developer could buy property today and not develop it until 2027. Today is lottery day for foreign developers. Under this Government and this bill, foreign investors who build houses will be showered with riches of exemptions, but foreign investors who buy the housing will be taxed at will. What about our hospitals and schools and our first home buyers? After all, were they not to be the recipients of these additional surcharges being placed on the foreign monies that were coming through the system? In simple terms, if a government is going to collect less income from the foreign investor taxes or surcharges by creating a special exemption classification for developers, then this will certainly mean that there is less to spend on intended purposes.

I reiterate that the Government had said the money was for hospitals, schools and first home buyers. If less money is collected up-front there is less to spend at the other end. If a government wants to spend the same amount of money at the other end, then it has to take it from somewhere else. From which of the essential services being provided across the State does the Government plan to take it? We have a choice with this legislation: we can back in our hospitals, schools and first home buyers, or we can back in the profits of the foreign developers. A very reasonable question to ask is: How much money are we talking about? How much in taxes, fees and charges are being imposed on these foreign developers, and how much money potentially will be forgone if exemptions apply? I think that that is a very sensible and logical line of questioning. If the Government is going to shave money from our hospitals and schools and first home buyers, how much is being shaved off? Or, more importantly, is the amount of money to be cut more of an amputation than a simple shave. I asked for a Treasury briefing, and I thank the Minister for providing it.

I asked about the number of foreign investors, the size and scale of their involvement in the market, which part of the market they were involved in, and how much of their supply was sold within the New South Wales market as opposed to off the plan in a foreign country. I asked what impact the changes imposed in this bill would ultimately have on the budget. I hope that all sides of the House agree that they are fair and reasonable questions. In trying to land on a position in dealing with this bill, having the budget impact information is a reasonable request. Treasury could not say for sure what the impact would be. That is not a slur on Treasury. In fact, there is a very reasonable and sensible explanation why Treasury cannot give the detail. The fact is that prior to 2016 we had never, ever needed to capture the detail of who were foreign investors, who were foreign developers, how much money were they putting in and what stock were they bringing to market. We had never needed to do that.

It is impossible for Treasury to do reasonable modelling on this, by which I mean provide a figure that is accurate within a ballpark. In reality, in dealing with this bill today it is literally impossible for us to know how much money we are talking about. It is a blank cheque. If we believe then Treasurer Berejiklian and now Treasurer Perrottet, the money that will be forgone will be taken from schools, hospitals and first home buyers. Not knowing the budget impact is one thing; making a decision that will impact the budget while not knowing is quite another. That is the position we are in today.

To find evidence of just how big or small the blank cheque might be, I went through the Treasury papers. When a budget is delivered in June the Treasury papers are released under Standing Order 52 in the other place. There are thousands of pages in dozens of boxes. I spent a few hours with them. On two separate pieces of paper in one box I found an estimated impact on the budget of \$34 million over the forward four years as a result of these changes. In context, \$34 million would build at least one if not two schools or provide for a significant upgrade to a regional hospital or for a stamp duty exemption for 100 or more first home buyers. I then spoke to the stakeholders from the development industry and asked them for a gauge of the size and impact. They had a significantly different view from Treasury. In lobbying for their constituency the housing industry has proffered that the size of the impact would be easily into the tens of millions of dollars each year.

The gap between these figures is striking. The Treasury figure suggests \$34 million over four years while developers say it could be tens of millions of dollars each and every year. Is it \$34 million or is it \$300 million? We do not know, but this bill is asking us to write a blank cheque. It is asking the Treasurer to sign at the bottom and not worry about the numbers because they will be filled in later. Can members imagine Treasury approving

a blank cheque? This bill does that. Members will be asked tonight to vote or not for a blank cheque. Hundreds of millions of dollars could be at stake. Which member of this House would not want some of that money spent in their electorate? Who would not want an upgrade to a hospital or a school? Who would not want first home buyers to have more success in entering the market?

Members opposite might say that we will get the money from somewhere else in the budget. Anyone who reads the budget knows that the money is already allocated. If money is to come from somewhere else it will be taken from another project. I invite members opposite to begin sticking their hands up and saying, "You can take the money out of my electorate. No worries. Don't worry about that road project. Take the money off me." If we do not collect the money to fund schools, hospitals and first home buyers—those are the words of the Treasurers, I am not making them up—we do not have the money to spend. If just a single dollar is not realised that dollar cannot be spent on the projects that were promised.

Poor old Minister Dominello has been sold a dog of a bill. This ridiculous situation was not of his making the first time or the second time, but he has been sent in here to clean it up. What really alerted me to the smoke and mirrors was the Minister's second reading speech, which failed his usual standard. Minister Dominello normally delivers a second reading speech that clearly articulates the problem, how we got there, where we need to go, how we get there and, importantly, the financial impact of taking a course of action or not. But on this occasion his second reading speech was full of fluff and motherhood statements. I guess it is a compliment to the Minister that it was the fluff and blow of his second reading speech that belled the cat for me.

The New South Wales Labor Party will not vote for an unknown and unknowable budget impact. After the next several years of gathering data to tell us the budget impact of such exemptions or refunds so we can clearly articulate the budget impact we might be having a different conversation about a bill like this. We are not yet in a position to know the detail. The reasonable and practical reason is that prior to the June 2016 legislation introduced by then Treasurer Berejiklian we never had to collect this information.

Putting aside the money, let us cast our minds towards some of the realities under this bill. First, under an exemption model, the responsibility to monitor, pursue and check compliance would be borne by the State government and taxpayers over future years. The job of compliance would not land on the developer; it would land on the State. This would lead to a burden of proof and potentially lengthy and expensive legal battles, with the Government seeking to recoup money from foreign developers who failed to do the right thing and meet the agreements they set in seeking their exemption. This would cost more money that could have otherwise been invested in hospitals, schools and first home buyers.

Secondly, with a 10-year time limit to develop and no need to make a surcharge down payment—with no charge having been levied—the developer becomes less motivated by a time deadline and far more motivated by a maximum profit deadline as to when to release supply to market. Let us face it, the way to drive the market higher is to limit supply. Under the proposed exemption model, other than some arbitrary 10-year guillotine set far into the future, there is no incentive for the foreign developer to develop with speed. That incentive was originally put in place just 22 weeks ago by Treasurer Perrottet.

I know that the developer and housing industries will be up in arms at the prospect of a "no refund, no exemption" model as proposed by the Labor Opposition. In fact, I have spoken to a number of stakeholders in recent days who claim that cashflow is tight and that the impact on the books will make some developments untenable. Both of those things might or might not be true. At the moment, it is a question of trust and faith as to the reliability of the information because Treasury is unable to provide accurate modelling. The reality is that someone has to carry on their books this opportunity for revenue or, as the Government would prefer, the forgone opportunity for revenue. It has to appear on someone's books. Through this bill and the bill moved in June, the Government is saying that the taxpayers of New South Wales should carry the financial burden at the expense of schools, hospitals and first home buyers. A part of this bill that the Labor Party can support is the simple change to allow for a small business to make a declaration of their small business status to the chief commissioner without that declaration needing to be in writing.

In the big scheme of things this is a good, minor amendment, but given that the Government has not yet identified what this other not-in-writing method might be, we in this Chamber are yet again debating legislation where the Government is saying, "Trust us, we will figure it out later". I will make the point again and again whenever the Government brings these "trust us" clauses to Parliament in its bills: No, we do not trust the Government. There is hardly a person left in New South Wales who does trust the Government, including its supporters. But in this instance, even in the absence of trust, we figure that surely this lot cannot make a mess of something as simple as changing the requirements so that declarations are not required to be in writing. We will support this part of the bill.

It is worth noting that this small proposed amendment would allow the Government to forgo \$318 million in duties and taxes from small businesses that would normally be collected by way of duties imposed at the time that a small business takes out an insurance policy. The Government suggests that this might make the difference between taking out insurance or not taking out insurance, which, like the Fire and Emergency Services Levy that it tried to impose, shows the Government's complete lack of understanding about the quite minor impact that this change will have and how far removed this is from the tipping point of decision-making in businesses and households. The Government typically creates its own fantasy world and then seeks debate on it, no matter how fictitious. I used the word "minor" a moment ago because per business, stamp duty or policy, the amount of money is quite minor. But on the whole, when we aggregate all of those monies which will now be forgone by the State, it is quite a significant amount, listed at \$318 million in the budget. That is a heck of a lot of cash.

For the past six years this Government has been telling the people of New South Wales that we all have to tighten our belts, that we all need to make sacrifices, and that the increases in fees and charges across the board have been a hard decision but necessary for the broader good. These are the words of the Government. We have heard them use this language time and time again. Unfortunately, if anything, this \$318 million offer to small businesses only confuses the Government's message and sadly creates a division between the small business sector and its customer base. This contradictory language does not bind communities; it divides communities.

I believe that as Australians if we are called to arms to make a necessary financial sacrifice, as per the Medicare increase to cater for the National Disability Insurance Scheme [NDIS], then we should all do that willingly. In this instance, the Government is determined to pit small businesses against their customers in terms of who has to make sacrifices and tighten their belts and who does not. Small businesses benefit enormously from all of the infrastructure, the health and education and the first home buyer grants that are funded by the revenues we raise by any means. However, this bill deals quite simply with the means by which a small business declares its status. The proposed amendments would no longer require that declaration to the Chief Commissioner to be provided in a written form.

I conclude my contribution to this debate by articulating the path forward from the perspective of the New South Wales Labor Party. We will put forward amendments that will remove any option of a refund or exemption for foreign property developers. I will table these amendments at the conclusion of my speech and they can be distributed immediately. We stand at odds with the Government's position of drafting a blank cheque for foreign developers and the short-changing of health, education and first home buyers in New South Wales. In addition, the New South Wales Labor Party will support the simplification of declaration processes for small business, and it is up to the Government to disentangle the two. I look forward to the debate in detail to deal with the amendments.

**Mr STEPHEN BROMHEAD (Myall Lakes) (19:03):** I support the State Revenue Legislation Amendment (Surcharge) Bill 2017. I commend Minister Victor Dominello, the Minister for Finance, Services and Property, for bringing the legislation before the House. We have heard it all. There is no way in the world the Government will be dictated to and lectured by those on the other side of the Chamber. It is as if they are suffering some form of amnesia. They are forgetting the 16 shameful years of Labor government where they took New South Wales from the penthouse to the outhouse and absolutely wrecked the place. Those opposite left this State in the greatest mess ever, and we remember the budget—a \$7 billion black hole of a budget.

**TEMPORARY SPEAKER (Mr Greg Aplin):** Order! The member for Canterbury will come to order.

**Mr STEPHEN BROMHEAD:** The budget of those opposite included \$4.1 billion in unfunded liability for workers compensation. What did the chief executive officer [CEO] of the Workers Compensation Commission, Garry McCarthy, have to say? He said nobody had their hands on the tiller. Nobody was running the place. We raised these issues with the Labor Government and they did nothing about it. That is the record of Labor. And yet they dictate to us about fiscal responsibility, about budgets and about fixing State revenue. We must remember what this legislation is all about. It is about getting more affordable housing and more houses in the market. Listening to those opposite, one would think that they have a problem with foreign ownership or foreigners. For 200 years, Australia's economy has been built on the back of foreign investment and foreign assistance. We are not talking about foreign companies that are registered overseas, practising overseas and doing things here. We are talking about foreign ownership: Australian companies registered in Australia and doing things in Australia to reduce the cost of housing through putting more houses on the market.

The member for Cessnock spoke about hospitals and schools. This Government has put record amounts of money into building more schools and more hospitals. Across New South Wales, we have the greatest budget ever for hospitals and schools in New South Wales. The member for Cessnock also spoke about developers. In the 16 years of Labor government—and we can only judge people on their track record or history—the greatest friend of developers in those 16 shameful years was the Labor Party. There was a conga line of developers going into the ministerial offices and into Eddie Obeid's office. We came into office and changed the legislation. We

made changes to stop the rotting and corruption that was evidenced under Labor for those 16 years. Remembering that New South Wales is the powerhouse driving the economy of Australia, the worst thing that could happen to this country is for those on the other side to get back control of our economy and the Government of New South Wales.

The member for Cessnock raised all sorts of issues, but none of them are true or legitimate concerns. The legislation we are bringing forward is about getting more houses into the market and greater housing affordability. The Housing Affordability Strategy announced by this Government in June this year is our commitment to do all we can to make the dream of buying a home a reality for hardworking people. Labor turned its back on the working class, the hardworking ordinary people, years ago, but the Liberal-Nationals are the party of the worker. We are the party of those hardworking, ordinary families and we are proud of that. We are driving down the price of housing and making it affordable. We are the ones creating jobs. Nothing could be better for a person than to be able to have a job. This Government has created more jobs in this State than have been created in the rest of Australia. We are building more homes, with a record number of new home starts in the history of New South Wales. This bill forms an important component of that important Housing Affordability Strategy.

In addition to measures that directly assist first home buyers, such as abolishing stamp duty for first home buyers on existing and new homes of up to \$650,000, stamp duty discounts of up to \$800,000 and reforms to accelerate infrastructure, a major focus of the strategy is boosting supply. As members would be aware, the strategy has already had an impact on the housing market, with a significant increase in the number of first home buyers purchasing properties since the budget. This bill furthers our efforts to ensure the strategy delivers long-lasting results. Coming to the reforms contained in this bill, it is in the supply part of the equation that this bill will make a contribution. Australian property developers, both Australian-owned and foreign-owned, are crucial players in boosting supply. As part of the budget, we took steps to ensure that foreign-owned Australian developers do not face cost impediments to investing in housing projects that were not faced by Australian-owned developers.

Australian-owned developers do not pay surcharge, whereas foreign-owned developers do, which potentially constrains their investment capacity to buy, develop and release land in this country, although the companies are registered in Australia. Accordingly, the budget measures make foreign-owned Australian corporations eligible for refunds of the surcharges if they constructed and sold new homes to the public no later than five years after the acquisition of the residential land. This bill builds upon that initiative. Having discussed the budget reforms further with industry representatives, the Government considers that these reforms can be made even more effective. This bill will achieve this goal through further amendments to the Duties Act 1997, the Land Tax Act 1956 and the Land Tax Management Act 1956.

I draw members' attention to schedule 1 section 1 and schedule 2 section 3 in particular. In these sections, the bill provides for the Chief Commissioner of State Revenue to grant a developer an exemption from the surcharges in lieu of a refund. The rationale for this is that it will reduce the up-front cost pressures faced by developers, thereby making investment in new housing a more attractive proposition. The Government considers that an exemption approach can be executed without in any way compromising the objectives of the reforms, which are to get developers to develop new housing in a timely manner and not engage in land banking or other speculative behaviour that results in a delay in selling homes to the public. Guidelines containing the criteria against which developers are assessed and the information that will need to be furnished demonstrating a developer's suitability for an exemption will be developed to support the Chief Commissioner's decision-making on applications. Importantly, the legislation gives the Chief Commissioner powers to attach conditions to an exemption, vary those conditions and revoke an exemption.

A developer whose exemption has been revoked will be liable to pay any surcharges that were avoided as a result of the exemption. These provisions give the Chief Commissioner the tools to help ensure that developers who receive an exemption honour the Government's policy objectives. The second important reform contained in this bill is extending eligibility for surcharge relief from companies that build and sell new homes to those who service land and sell that land for the purposes of new home construction. By "service", I mean that they get the land ready for residential use by installing infrastructure, such as water and sewerage systems, electricity and roads under a subdivision process. Under the current provisions, such organisations would not be eligible for surcharge relief. However, given the nature of their business and the contribution they make to housing supply, there is ample justification for surcharge relief to be granted to them. The bill also extends the time frame in which a developer must develop the land after acquiring it.

The current provisions impose a five-year time frame. This was designed to discourage developers from merely holding land until market conditions were ripe for the sale of homes. Further discussions with industry indicated that a five-year time frame could be unrealistic given the need to obtain various planning and building approvals and the size of some developments, which take place over stages. In light of this, the bill extends the time frame to 10 years for land acquired after 21 June 2016. This extension accommodates industry's need for an

adequate period of time in which to obtain planning and related approvals and to develop the land, while still providing a healthy incentive for industry to undertake development in a timely fashion. [*Extension of time*]

Among the initiatives contained in the 2017-18 budget was an exemption from insurance duty for small businesses for certain insurance products, such as commercial vehicle insurance, commercial aviation insurance and occupational indemnity insurance. In order for a contract of insurance to receive a small business duty exemption, the insurer must obtain a small business declaration in writing. The need for a declaration is, of course, paramount to ensuring that only genuine small businesses are able to claim the exemption. However, it is now clear that other non-written forms of declaration are increasingly being used. In schedule 1 section 2, the bill gives the Chief Commissioner the discretion to determine the appropriate form in which a small business declaration must be made rather than mandating that it be in writing.

It is important to note that there are significant safeguards against potential abuse of the exemption. A person who knowingly provides a false or misleading declaration is liable for a penalty of \$11,000. In addition, the Chief Commissioner of State Revenue will rely on provisions in the Taxation Administration Act 1996 that require taxpayers, including insurers, to keep records and provide access to those records, so as to monitor the extent to which the exemption is being claimed and identify any possible abuse of the exemption. Any legislation and amendments that we bring before this House that assist in the affordability of house prices and bring more houses onto the market to increase competition and lower house prices should be applauded and supported by all. I commend the bill to the House.

**Ms JENNY LEONG (Newtown) (19:15):** Before I raise The Greens' concerns with the State Revenue Legislation Amendment (Surcharge) Bill 2017, I note that the previous speaker, the member for Myall Lakes, just put on the record that the Government was keen to introduce measures that would assist with housing affordability. It is relevant to note that when the first debate on the stamp duty surcharge for foreign investors occurred in March 2017, the ABC reported that the Premier herself acknowledged that the stamp duty surcharge for foreign investors was designed to raise revenue for the Government and not to make housing more affordable for first home buyers. It seems that since that time opinions have changed and some good headlines were needed to whip up a bit of anti-foreigner sentiment by introducing some measures on foreign investors—heaven forbid we talk about measures on investors in general.

We really need to look at the housing affordability crisis as a whole. But an attempt to draw some headlines around foreign investment turned into a scenario with a slow winding back of some of the measures to meet the call of the Property Council of Australia, reported in *Domain* magazine in May 2017, for the New South Wales Government to remove hurdles for overseas investors as part of its housing affordability plan. In New South Wales there is currently a housing affordability crisis. There are 60,000 individual applications which probably represent more than 100,000 individual people who are currently approved for public housing in this State but unable to access it because there is not enough public housing stock and the stock that is there is not being properly maintained. At the other end of the spectrum there are more and more people living in rental accommodation who are unable to own their own home. I note that in the latest census, renters outnumbered people with mortgages in many of the electorates of Ministers and shadow Ministers.

Young people in those electorates are no longer in a position where they can put themselves under the extreme housing stress that so many first home owners find themselves in. They are not able to take up a mortgage and find themselves subjected to the private rental market, which leads them into a life of insecurity and forces them to move house every six to 12 months. Let me be clear: This is not a public housing crisis because the tenants are in crisis; the tenants are wonderful people who are doing their best in the worst conditions. There is an underinvestment in public housing and the maintenance of public housing and a failure to provide affordable housing stock across the public and community housing sector for the urgent, critical need in this State. We are seeing people in the private rental market living with massive insecurity. This legislation does not address the housing crisis that is before us, and it does not do anything to assist people in that. Instead, exemptions are being provided to big property developers.

Let me take a second to put this legislation into context. We have tens of thousands of people who are waiting for public housing, we have claims by the Government that it cannot find the funds to invest in more public housing, and what are we as members of Parliament doing about that? This bill provides exemptions for big property developers and big corporations. We are making sure that they are provided with exemptions or, basically gifts, as the member for Cessnock described it earlier. We are virtually giving a blank cheque to property developers. No-one can answer the question: How much will those exemptions cost in terms of money that will not be received by consolidated revenue?

When the amendments were first announced, The Greens called on the Premier and the Government to make the surcharge a housing affordability measure. One simple way to make this legislation not just a revenue-raising exercise would be to hypothecate the money raised from the surcharge and apply it to the provision of

housing affordability measures. We know there exists in this State a massive need for investment in community, public and affordable housing, and one way to address that would be to turn revenue-raising legislation into an affordable housing measure. It looks like what has happened is that yet again the Government has caved in to big developers. The Minister stated in his second reading speech that, as a result of the Government's announced housing affordability strategy, "Subsequent discussions with building industry bodies suggested that additional flexibility would be beneficial ...". It seems that the only people who were consulted about these measures are those who will benefit by receiving the exemptions.

I acknowledge suggestions that building industry bodies are those who build the houses, but we need to be clear that supply of itself is not the solution to the housing crisis. However, supply of affordable housing is the answer, and that is what we need to see. Allowing more and more property developers to provide more and more supply at a larger and larger profit for their bottom line is not the answer to the housing affordability crisis. The Greens know that this Government continually abdicates its responsibility when it comes to dealing with the housing crisis in this State.

If the Government genuinely wanted to deal with the issues facing communities and people in New South Wales who are facing housing stress, we would see a number of reforms—to which The Greens are committed—and they would include: immediate and urgent reform to rental laws in this State, which would provide people with the security they need if they are living in the private rental market; an immediate and significant investment in public and social housing provided to people to reduce the 60,000-strong application waiting list that represents 100,000 people who are without a home because, despite being eligible, they are not being provided with public housing; and an end to the idea of providing property developers with an endlessly open door to this Government so that property developers' profits and bottom line are put ahead of an essential need that should be a basic human right, which is that in this State housing is provided so that everybody has a safe and secure place to call home.

There is no denying that New South Wales is in a housing crisis. Instead of debating housing affordability measures, this Government is introducing not only exercises in revenue raising that do not specifically address housing affordability but also attempts to wind back housing affordability funding to provide property developers with exemptions and blank cheques. This legislation is not the solution to the housing affordability crisis. The Greens do not support the bill. In conclusion, I sound a final note of caution to Government members and campaign teams that may join them in the lead-up to the next State election. While there is a focus on foreign investment in relation to the surcharge, any attempt by anybody in this House or anybody in the community to try to whip up racist fear about foreign investors or foreign owners of property somehow being to blame for the housing crisis in this State will be called out.

I will call them out in this House and I will call them out on the streets. I adopt that position because we need to acknowledge that that is not an acceptable answer. Any Government or Opposition member who attempts to shift the blame for the housing affordability failures of successive Labor and Liberal governments onto some foreign investor or foreign shore entity will be called out by me and other members of The Greens.

**Mr KEVIN CONOLLY (Riverstone) (19:25):** It is obvious why we are fortunate that neither The Greens nor Labor is in government and attempting to provide housing for the people of New South Wales. As the Government made clear when it delivered its budget earlier this year, the Government is committed to seeing more homes delivered across Sydney and other regions of New South Wales. Guess what? It is happening. There are record levels of home starts, construction and completion—record levels of actual homes being delivered. If there are insufficient homes in New South Wales for people to live in, what do members think would be the answer to that problem?

**Mr James Griffin:** Build more.

**Mr KEVIN CONOLLY:** Building some homes might be one of the solutions we might think of; another might be that we actually need somebody to build some homes. Therefore, the development and building industries might have legitimate roles to play in that discussion. What is holding builders and developers back from providing homes for people? That is a question we might want to ask in our search for a solution. If we could find some of the obstacles or barriers and then move them aside, that might be a sensible thing to do. That has been part of the approach of this Government since being elected. When this Government succeeded the previous Labor Government, the number of housing completions for New South Wales was at record lows. Fewer homes were produced in New South Wales in 2010-11 than were being produced in South Australia.

**Mr David Harris:** What about the global financial crisis that hit the whole world? It hit the whole world.

**Mr KEVIN CONOLLY:** Clearly the member for Wyong thinks that South Australia was not affected by the global financial crisis. South Australia must have had a wonderful exemption from that crisis.

**Mr David Harris:** You have a failed view of history.

**Mr KEVIN CONOLLY:** New South Wales had fewer homes than South Australia had. It is not my intention to denigrate South Australia: Other people do that perfectly well without my help. New South Wales was at the bottom of the pack; the State was number eight in economic terms in the Commonwealth, and housing was one of the worst casualties. For almost a decade fewer homes were delivered in New South Wales than could be attributed to the natural growth of population. In that period, New South Wales had a huge shortfall of homes. Of course that would result in pressure on prices. When supply and demand get out of balance, guess what happens? The price goes up. Of course a rental property shortage would result. If there are fewer homes and more competitors for rental properties, it will be increasingly difficult for people to find a home.

Even when the current Government started to reinvest in public housing, it inherited a huge waiting list backlog that was so large it was not published. No information was available to the public about who was on the waiting list. It is testament to the openness of this Government that The Greens can cite waiting list figures shown in regions so that people can see the true position. This Government's predecessors hid the public housing figures. This Government has taken huge steps forward by doing a number of things to increase supply. Despite what the member for Newtown may think, supply is a critical part of the answer. When supply and demand are out of kilter, the natural forces of economics go to work. When there is insufficient supply and too much demand, prices will increase. That happens with every commodity and in every market. We cannot wish it away or talk it away.

When New South Wales had a huge shortfall in public, social and affordable housing, it was a matter that had to be addressed. Fortunately for the people of New South Wales, the Government has addressed this issue. The record number of dwellings coming onto the market over the past three or four years has stabilised the market. At long last for a short time in Sydney we experienced price stability. I hope it lasts for a long time into the future and allows people to get back into the housing market. One of the other bright spots that has occurred since the most recent State budget's change to first home buyer grants is a return of homebuyers to the market. Last year there were 3,000 applications for the first home buyer grants and this year there are 10,000 applications, a very promising sign of a rebalancing of the market.

The member for Newtown attempted to whip up a story about hysteria and racism, claiming we could not mention foreign buyers. A year or two ago there was an issue concerning the level of demand for Australian homes from overseas capital, but nobody claimed it was a negative to have foreign buyers for homes in Australia. It will continue to happen and the surcharge will apply to foreign buyers. However, the flow of capital a few years ago was such that prices in Sydney were being pushed up, because cashed-up foreign buyers were able to outbid local buyers, so first home buyers were not breaking into the market—and even second home buyers were finding it difficult to progress from one house to another. It was reasonable for the Government of the day to cool the market by a putting a surcharge on foreign capital, not banning foreign buyers from owning property in certain circumstances. We decided to control that element and we helped to cool the market.

The member for Cessnock and the member for Newtown may not have noticed that there have been significant changes in flows of capital out of China, in particular, in the last 12 months due to domestic policy changes. There have also been significant lending policy changes by Australian banks to investors. Both of those factors have changed the mix of demand for property and both need to be factored in as we fine-tune and tweak the arrangements we have in place to ensure continuity of supply of housing for the people of New South Wales. That is fundamentally the objective of this legislation. The aim of the legislation is to ensure that locally based companies, which may be foreign owned or part foreign owned but employ Australians in delivering housing for the people of New South Wales, are not penalised in conducting their business. We must ensure that these companies are not prevented from creating work, economic activity and multiplier effects in Australia, which after all is what government policy would want them to do. We know that the construction of new homes not only increases supply for new home buyers but also significantly benefits the economy, with strong jobs growth in those areas where homes are being built.

The electorate of Riverstone, which I represent, is a centre of growth activity. It is part of the North West Priority Growth Area where thousands of homes are being delivered precisely because this Government has invested in the infrastructure to enable development to occur. This Government has also removed some of the obstacles that prevented companies from getting on with developing homes for the private market, as well as rezoned land, in a manner designed to remove some of the red tape to allow developers to get on with construction. I note that this bill increases the exemption period from five years to 10 years, which recognises that it takes a number of years to bring land to the market. In my electorate, the Riverstone and Alex Avenue priority precincts were rezoned in 2010, but only now, in 2017, are many of those homes being constructed, in part because the previous Government did not provide the infrastructure that was required.

We can hardly blame the developers for the delay, because they could not get on with construction before services such as sewerage, roads and power supply had been provided. This Government has got on with the job

of providing the infrastructure, with some Precinct Acceleration Protocol agreements arranging for private developers to invest private capital up-front. The net effect has been the delivery of homes since 2015, several years after the rezoning. The same is true for the Area 20, Marden Park and Vineyard precincts, as well as the Riverstone East precinct, which were rezoned under this Government, where development will take several years. We recognise that it will be several years before new homes in these precincts reach the market as staged processes of development occur. It is realistic to expect that large developments, at least in the experience of the electorate I represent, can take up to 10 years to bring to market because it simply takes that long for these large-scale developments to happen.

As part of this year's budget, this Government therefore introduced legislation entitling foreign developers to a refund from the surcharges if they completed and sold new homes within five years of acquiring residential land. We recognise the complexity of the development process and have extended the time frame to a more realistic 10 years. We have concluded that this concession can be enhanced to maximise its impact on supply in two ways. The bill before us, in particular at schedule 1 section 1 and schedule 2 section 3, gives effect to these measures by allowing for an exemption from the surcharges to be granted. This is not a refund after the event, and it will remove that hurdle to development. It also recognises the time it takes for development to occur and is designed to ensure that companies providing housing can be confident they will meet the time frame within the framework of this legislation.

This bill is sensible. The process of refining legislation is not unusual. We are trying to target the benefits of these measures to meet the demand for housing in this State and therefore reduce the pressure on the cost of housing in New South Wales. We recognise that benefits are already emerging, following a lot of hard work by this Government. We will continue to refine and target measures with those goals in mind, and we make no apology for providing homes for the people of New South Wales.

**Mr ANOULACK CHANTHIVONG (Macquarie Fields) (19:35):** I contribute to the debate on the State Revenue Legislation Amendment (Surcharge) Bill 2017. The bill is before us because New South Wales has a government lacking political conviction. This bill makes a mockery of this Government's claim that it wants to be taken seriously. This bill, like so many others before it, demonstrates that under this Liberal Government, political expediency and policy lobbying override principles and the public interest. This bill proves—yet again—that we are dealing with a Marxist government. Now, before colleagues on the other side of the Chamber get too excited, I am not referring to Karl Marx—the historian, economist and revolutionary socialist eternally residing in Highgate Cemetery in the United Kingdom. No, the Marx I am referring to is the film producer and comedian Julius Henry Marx, or Groucho, as he was professionally known, who is eternally residing in Eden Memorial Park Cemetery in Los Angeles.

I refer to this Government as a Marxist government because it is clear that with yet another policy backflip under its belt, this Government—this Marxist Government—has 100 per cent embraced one of Groucho Marx's most famous lines: "Those are my principles, and if you don't like them ... well, I have others." Think about that for a minute: On every occasion, when the political lobbying intensifies, when the poll numbers start to fall, when the media inquiries start buzzing, this Government abandons any semblance of orderliness and adopts a new set of principles. Groucho Marx would be proud of this Government. It is not that this Liberal Government lacks principles, it is just that it has so many of them. As we all know, a political party that stands for everything actually stands for nothing.

The Foreign Investor Surcharge [FIS] was originally announced with conviction and on principles because this new policy was, one, going to "fund vital services, such as health and education", in the current Premier's own words back in June 2016; and, two, going to address housing affordability in an overheated housing market which was putting home ownership beyond the grasp of hard-working people in New South Wales, especially younger people. These are noteworthy principles, but as we all know it did not take too long to unravel under this Liberal Government. Those were the Government's principles, but because the development industry did not like them, this Liberal Government has others. We would have thought Treasurer Perrottet, in his first budget speech, would have made mention of this great policy that was going to fund vital services and address housing affordability to the tune of approximately \$1.1 billion over the forward four years as stated in Budget Paper No. 1. But, no, there was not even a whisper, because of an imminent sneaky, tricky change that was in the pipeline. The Treasurer was content with doing media three weeks prior to his first budget speech proclaiming the FIS policy's financial and service benefits, but then fell silent. The Treasurer's actions should not really surprise anyone who has followed this Liberal Government's policy-making conviction.

Let us go to another great financial reform that was debated, legislated, enacted and then redacted. I am, of course, talking about the fire and emergency services levy [FESL]. The FESL and the foreign investor surcharge [FIS], two major F-grade policy convictions based on Marxist multiple principles and policy decision-making. On 7 March the Treasurer informed this House, "This is an important significant reform. However, in some ways,

it is a very simple reform." Later, on 30 May, the same Treasurer stated in his media release, "The FESL is a complex reform." Which one is it, Treasurer? Is it simple, is it complex, or is it simply Marxian? There are things that the Treasurer had to say about his signature reform: "Our reform is better", he boasted, but if that is the case, then why has he abandoned it? Marxism you say—you would be right. In the Premier's and the Treasurer's combined 400 or so word media release outlining the reversal of the FESL legislation, hardly a single mention was made of the pensioners and the low to middle income earners who are going to be slugged with significantly higher premiums.

**Mr Kevin Conolly:** Point of order—

**Mr ANOULACK CHANTHIVONG:** There is no point of order, sit down.

**Mr Kevin Conolly:** Point of order: I ask that you draw the member back to the leave of the bill before the House, not some other bill that was dealt with earlier in the year.

**TEMPORARY SPEAKER (Mr Greg Aplin):** Order! The member for Macquarie Fields has entertained us, but he will return to the leave of the bill.

**Mr ANOULACK CHANTHIVONG:** There was barely a footnote among all the rhetoric, as in this situation where the vital health and education services, which were referred to by the Premier, and housing affordability which the FIS was designed to address, barely got a four font sized footnote; rather, the spin flowed freely: "We knew there would be challenges during the transition stage". "We have heard the concerns". "We want to get this right". "Additional flexibility so said the Minister for Finance in his second reading speech". The insincerity is so thick in the media spin it is difficult to come up with the appropriate words. A new issue, a new media release and a new set of carefully spun words, but we have heard and seen it all before. A government that lacks conviction and lacks leadership will always retreat to its Marxist principles of adopting anything and everything to survive, but because of this Government's lack of conviction and competency, millions of taxpayers' dollars have been wasted with thousands of staff hours lost. Those costs are passed onto the public in the lost opportunity cost in providing better services in health and education.

We have heard, not only tonight but for a long time, the self-assessed rhetoric about how the Liberals are addressing housing affordability mainly through supply, supply and supply—a one-trick political pony that has realised that housing affordability is not a one dimensional issue. Under this Liberal Government, let us increase supply and put downward pressure on housing affordability in a shorter time period by inserting schedule point 6 and extending the time period for exemptions and refunds for up to 10 years to enable people to develop their land holdings. Rather than encourage supply in a shorter time frame, which would assist in putting downward housing pricing pressure because as we all know, the cost of land is the major component of housing, let us instead extend the time period so that those who have market power in land holdings can then drip-supply land to the market to maximise their profits at the expense of would-be homeowners who are working longer hours and may never own their own home.

They would not do that, because I always thought that in any capital market economics a private firm would maximise its profit through the market with a 10-year time frame. I thought that was simple economics. But of course, we do not do that. Professor Thaler won this year's Nobel Prize for Economics for his many decades of work on irrationality in decision-making. He could have just used the Liberal Government as a case study over the past 2½ years to prove his point. He would have saved at least two to three decades worth of work. This backflip is not new but has occurred under this Liberal-Nationals Government at all times. Let us just take a brief—or maybe not so brief—moment to examine this Government's track record of backflips. There are so many it is hard to know where to begin. Number one, greyhounds—backflip. Number two, council amalgamations.

**Mr Geoff Provest:** Point of order: I appreciate this history lesson, but the member should return to the leave of the bill. Further to my point of order, I did not see the word "greyhound" in this bill.

**TEMPORARY SPEAKER (Mr Greg Aplin):** Order! The member for Macquarie Fields will return to the leave of the bill.

**Mr ANOULACK CHANTHIVONG:** It is a broad planning speech which goes to the heart of the FIS bill, which is also about backflips. The list is endless. I will be fair. I will take your call and I will not mention them, but there are many. Of all the backflips, from the greyhounds to the council amalgamations to Hurlstone Agricultural High School, I can add to the list now the FIS and the FESL—F-grade backflips laced with confusion and humiliation. Governments are elected to govern, but what does this Government do? Backflips, one after the other. A perfect 10—Olympic gymnast Nadia Comaneci would be so proud. My colleague, the shadow Minister for Finance, has outlined some sensible amendments— [*Time expired.*]

**Mr VICTOR DOMINELLO (Ryde—Minister for Finance, Services and Property) (19:45):** In reply: I thank members for their contributions to the debate on the State Revenue Legislation Amendment (Surcharge) Bill 2017. The reforms in this bill enhance important concessions in respect of the Surcharge Taxes and Duties Act 1977, the Land Tax Act 1956 and the Land Tax Management Act 1956. The surcharge purchaser duty and surcharge land tax introduced in the 2016 budget were clearly stated to be intended to apply to foreign purchasers and investors of residential real estate. They are not intended to apply to property developers but to the foreign investors who purchase residential property. Important reforms to the surcharge taxes were introduced in the 2017 budget to address a potential unintended liability on Australian-based developers. The bill complements those changes following consultation with the property industry. Sadly, there have been some attempts to misrepresent the effect of these changes.

The amendments are not about providing a tax break for developers, they are about maintaining the supply and affordability of new housing for New South Wales residents. If the amendments proposed in this bill are not implemented, some New South Wales residents who purchase residential property could end up bearing the costs of the surcharge taxes that would otherwise be payable by property developers. Clearly, that is not a desirable result. The refinements to the provisions allowing foreign-owned Australian corporations to obtain surcharge relief will help ensure that such organisations are not placed at a competitive disadvantage to their Australian-owned counterparts. This will help those organisations to invest in new housing projects, so the supply of new homes is as strong as possible. The bill also extends the time frame in which a development must be completed to be eligible for the refund or exemption from five years to 10 years.

I have heard the concerns from those opposite that this extension is unnecessary. This will not facilitate land banking by developers, but it is a realistic maximum period during which developers can acquire, consolidate, plan, build and sell large residential developments. As outlined in its housing affordability strategy, the Government is committed to doing what it can to make buying and owning a home a realistic proposition for as many hardworking people as possible. A strong supply of new housing is an essential component of this strategy. Having listened to industry, we believe that the refinements we are proposing are justified. At the same time, I cannot emphasise enough that the concessions we are providing to industry come with obligations. No developer will be able to take an exemption from surcharge for granted. The reforms contain important accountability measures to help ensure the goals of the housing affordability strategy are met.

In particular, the Chief Commissioner of State Revenue has the power to revoke approval and to assess a developer to surcharge purchaser duty or land tax at any time if the developer is not meeting the conditions of approval. I thank the following members for their contribution: the member for Myall Lakes, the member for Riverstone, the member for Newtown, the member for Macquarie Fields and the member for Cessnock. I recommend to members that the amendments contained in this bill are necessary and appropriate. Those amendments are, first, to allow developers to receive an up-front exemption as an alternative to refunds to help in mitigating the upfront costs faced by developers. Secondly, they will extend eligibility for surcharge taxes relief to developers who subdivide land, install infrastructure and sell that land to home buyers who engage with other parties to build homes as an important part of the development of the supply of new housing. Thirdly, they will remove the requirement for a small business declaration to be made in writing to provide the insurance industry with greater flexibility in taking and recording declarations made for the purposes of obtaining an exemption from insurance duty. I commend the bill to the House.

**TEMPORARY SPEAKER (Mr Greg Aplin):** The question is that this bill be now read a second time.

**Motion agreed to.**

**Consideration in detail requested by Mr Clayton Barr.**

#### **Consideration in Detail**

**TEMPORARY SPEAKER (Mr Greg Aplin):** By leave: I shall propose the bill in groups of clauses and one group of schedules. The question is that clause 1 be agreed to.

**Clause 1 agreed to.**

**Mr CLAYTON BARR (Cessnock) (19:51):** I move Opposition amendment No. 1 on sheet C2017-095A:

No. 1     **Commencement**

Page 2, clause 2, lines 5-7. Omit all words on those lines. Insert instead:

This Act commences on the date of assent to this Act.

In relation to Australian-based developers that are foreign persons, we will be voting no to the question that the schedules as read stand part of the bill. I outlined all of the reasons for this in my second reading speech. I do not need to go back through the detail, as much as that disappoints the member for Tweed. We are making a decision in this place today to vote against a piece of legislation that has no certainty in terms of budget impact.

**TEMPORARY SPEAKER (Mr Greg Aplin):** The question is that Opposition amendment No. 1 on sheet C2017-095A be agreed to.

**The House divided.**

Ayes .....32  
Noes .....48  
Majority..... 16

**AYES**

Aitchison, Ms J	Atalla, Mr E	Bali, Mr S
Barr, Mr C	Car, Ms P	Catley, Ms Y
Chanthivong, Mr A	Cotsis, Ms S	Crakanthorp, Mr T
Daley, Mr M	Dib, Mr J	Doyle, Ms T
Finn, Ms J	Harris, Mr D	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	Parker, Mr J
Smith, Ms T F	Tesch, Ms L	Warren, Mr G
Watson, Ms A (teller)	Zangari, Mr G	

**NOES**

Anderson, Mr K	Ayres, Mr S	Berejiklian, Ms G
Bromhead, Mr S (teller)	Brookes, Mr G	Conolly, Mr K
Constance, Mr A	Cooke, Ms S	Coure, Mr M
Crouch, Mr A	Davies, Mrs T	Dominello, Mr V
Elliott, Mr D	Evans, Mr A	Evans, Mr L
Fraser, Mr A	George, Mr T	Gibbons, Ms M
Goward, Ms P	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	Perrottet, Mr D
Petinos, Ms E	Piper, Mr G	Provest, Mr G
Roberts, Mr A	Rowell, Mr J	Sidoti, Mr J
Speakman, Mr M	Stokes, Mr R	Taylor, Mr M
Toole, Mr P	Upton, Ms G	Ward, Mr G
Williams, Mr R	Williams, Mrs L	Wilson, Ms F

**PAIRS**

Foley, Mr L	Barilaro, Mr J
Harrison, Ms J	Grant, Mr T
Park, Mr R	Hancock, Mrs S
Scully, Mr P	Humphries, Mr K
Washington, Ms K	Tudehope, Mr D

**Amendment negatived.**

**TEMPORARY SPEAKER (Mr Greg Aplin):** The question is that clause 2 be agreed to.

**Clause 2 agreed to.**

**TEMPORARY SPEAKER (Mr Greg Aplin):** The question is that clause 3 be agreed to.

**Clause 3 agreed to.****TEMPORARY SPEAKER (Mr Greg Aplin):** The question is that schedules 1 to 3 be agreed to.**Schedules 1 to 3 agreed to.****Third Reading****Mr VICTOR DOMINELLO:** I move:

That this bill be now read a third time.

**Motion agreed to.***Private Members' Statements***TUGGERAH PUBLIC SCHOOL**

**Mr DAVID MEHAN (The Entrance) (20:01):** Tuggerah Public School is one of the oldest schools on the Central Coast, having been established in 1895. It is important to understand that the old timber schoolhouse, which still exists on the school site, was built on the top of a ridge next to the Pacific Highway, which constrains expansion on one side of the site, and on another side the land falls steeply into a heavily vegetated, dark and damp gully. The school was expanded in 2000 because the population of the Central Coast had grown, and it now has more than 500 students. When it was expanded, great effort was made to ensure that the level of the old school was retained. To achieve that, the new classrooms—which have filled rapidly—were built on dramatic columns.

However, the available playground space is insufficient to accommodate the increased school population during recess. As a consequence, playground time is allocated according to a roster, and that is unacceptable to the school community. Soon after I was elected in 2015, the community approached me with a simple solution. It had identified unoccupied, open forest Crown land on the ridgeline located next to the school and on the same level as the old schoolhouse. It was not overgrown and was ripe for conversion to a playground. As I said, it appeared to me to be a logical and simple solution. Who would object? I will relate the story of what has progressed since I first raised the issue with the then Minister for Education on 20 May 2015. The Minister responded in June stating:

The Department recently approached Crown Lands again, and proposed giving Tuggerah Public School tenure over Lot 7019. Crown Lands is currently considering the proposal. The Department will advise the school of the outcome of Crown Lands' deliberations.

The school has heard nothing more from the Department of Education. I raised the matter again following the tabling in March 2016 of a petition circulated by the school which attracted more than 500 signatures. The Minister responded:

The Department of Education understands that Lot 7019 is currently subject to an undetermined Aboriginal Land Claim and as such, the Department of Primary Industries—Lands is not able to give Tuggerah Public School tenure over the land at this time.

I made inquiries of the Minister for Lands and Water in May 2016, and he provided the following response:

I have requested that every effort is made by DPI Lands to ensure assessment of ALC 17440 be undertaken through the priority register process.

I inquired about the status of that investigation in December 2016 and received a response in April 2017 stating:

Initial investigations were commenced in early June 2016...

After several follow-up enquiries, on 11 August 2016, DET provided the ALCIU—

That is, the investigation unit—

a response indicating that although it may have expressed an interest in the site prior to the date of the Aboriginal Land Claim in 2009, it was conducting an assessment to see if it still has plans for the site.

I have heard nothing from the lands Minister since then. I have made inquiries about what the Department of Education is doing to progress the claim. In May this year I wrote to the new Minister for Education, but I have received no response. My office contacted the Minister again last week and he claimed not to have received the letter. That is not good enough. This Central Coast school community should not be treated in this way. This is further evidence that the only time the Central Coast matters to members opposite and to the Liberal-Nationals Government is during election campaigns. I will not stop raising this issue until it is resolved to the satisfaction of the school community. The community has made it clear that it wants the unoccupied, unused Crown land adjacent to the school transferred so that it is no longer required to roster the time of students spent on the playground. The Minister should get off his bum and do his job.

### TRIBUTE TO SUPERINTENDENT DANIEL SULLIVAN

**Mr ADAM CROUCH (Terrigal) (20:06):** I pay tribute to Superintendent Daniel Sullivan, who is the commander of Brisbane Water Local Area Command [LAC]. I was understandably saddened recently when I was informed that Danny will be leaving the Brisbane Water LAC in December to take up a new position as commander of the Lake Macquarie Local Area Command. Tonight I pay tribute to Danny's service to our local community. The Brisbane Water LAC covers my electorate of Terrigal and is one of the largest commands in the State. It includes major urban centres such as Gosford and Erina, rural areas such as Mangrove Mountain, and beachside suburbs including Terrigal, Avoca Beach, McMasters Beach, Copacabana Beach and other beaches. It stretches from Hawkesbury River in the south to Ourimbah in the north, and from the coastal strip in the east to the Judge Dowling Ranges in the west.

Superintendent Sullivan has been commander of Brisbane Water LAC for five years, and is our longest serving commander. He also has an impressive working record of more than 28 years of service while progressing through the ranks of the NSW Police Force. Danny joined the force in 1989 as a constable at Waverley Station. In 1994, he commenced work as a police prosecutor, which led to his promotion to sergeant at Newcastle Local Court in 1998. Following that, Danny worked in general duties and with the Target Action Group in the Hunter Valley LAC. He subsequently achieved the rank of inspector and assumed responsibility for 200 staff at the Police Assistance Line. I am told that one of Danny's major achievements during his distinguished career so far is his reform of the Police Assistance Line, which improved service to the public and is something for which we should all be very grateful.

In 2007, Danny achieved the rank of superintendent with responsibility for business and technology services. In 2010, he was appointed as a commander in the statewide police radio operations unit. This job involved leading the largest private radio network in the entire Southern Hemisphere—an enormous responsibility indeed, which he obviously fulfilled with great relish. Finally, in 2012 he moved to Operational Programs in the Major Events and Incidents Group, before being appointed commander with the Brisbane Water Local Area Command [LAC]. Danny has received many awards and acknowledgements throughout his career, which are testament to the fantastic work he has done and continues to do. Just a few of the honours he has received include the National Police Service Medal, the National Medal, the New South Wales Police Medal, a Premier's award, a State Medal, and several commissioner's awards and citations and deputy commissioner's awards.

I also will outline Danny's enormous commitment to the Central Coast region. Indeed, he was born and bred on the Central Coast, and throughout his time with Brisbane Water Local Area Command he has been very involved in a range of community initiatives. In addition, Danny and I share a birthday. Danny is a White Ribbon Ambassador and a passionate advocate for reducing men's violence towards women. I am proud to have walked side by side with him at our annual White Ribbon march in my electorate of Terrigal—a march that sees us walk up the Skillion in defence of women suffering from domestic violence.

One of the recent events organised by Brisbane Water Local Area Command is the Paddle for Police Legacy, which I have spoken about in this Chamber before. This year's event was held in September and involved more than 30 watercraft paddling up Brisbane Water from Ettalong to Gosford. Police Legacy supports the families of officers who have paid the ultimate price in the line of duty. Danny and his colleagues were involved in organising this event, which is an important fundraiser for police families in need of support. Danny is also responsible for the Brisbane Water Local Area Command Facebook page. Again, I have spoken about that many times in this Chamber. The page has almost 50,000 likes and contains extremely helpful information for local residents. It is a fantastic community noticeboard for police-related news and information as well as for community-activated policing.

Just these few things demonstrate how community minded and focused Danny is. The Central Coast has been very lucky indeed to have such a great commander in Daniel Sullivan. He will certainly be missed by me and by many others in our community. I wish him all the best in his new role as commander of Lake Macquarie LAC. I know the member for Lake Macquarie is already singing his praises. I look forward to meeting his replacement, Superintendent Anthony Joice from Mudgee LAC, who certainly has big boots to fill.

### PROCUREMENT POLICY REFORM

**Mr ANDREW FRASER (Coffs Harbour) (20:12):** I speak tonight yet again about an issue that has affected the Coffs Harbour electorate and, dare I say, the North Coast and other electorates for a number of years. I refer to companies with government contracts going broke and leaving local subcontractors out of pocket. Tonight I highlight the \$7 million debt owed to North Coast companies working on the Pacific Highway. Quite rightly, Treasury and Roads and Maritime Services say, "We cannot pay for this work twice," because they have already paid a head contractor somewhere along the line. The trouble is that the money does not flow down the

line to other contractors, who in correspondence say in part, "We personally have now funded sections of the Pacific Highway."

Members will be aware of Pearl, a building company that was issued a contract by the previous Government to build Department of Housing units in Coffs Harbour. Local builders picked up the tab to the tune of almost \$1 million when two businesses went broke. Eventually we worked out a deal whereby they did not get 100 per cent of their money but they ended up with warranties on the buildings. I wonder who will have the warranty on the sections of the Pacific Highway. I call on my Government to change the procurement laws in such a way that when a head contractor puts in an account for payment he needs to submit all the accounts of the subcontractors, who will receive individual cheques.

When I made a submission to Bruce Collins, QC, about private contracting, I was told that this process was too cumbersome. At the time the Government asked, "How are you going to draw all these cheques?" I tell you how: employ one person to input data for a day. They feed in the information, they hit the button at the end of the line, and the separate cheques come out for all the individual contractors. The debt on the particular section of road north of Coffs Harbour to which I refer is \$7 million. The company involved, Ostwald, owes approximately \$31 million in total. I will read one paragraph from a letter received from Jo Franklin, one of the contractors who has lost hundreds of thousands of dollars. I think this single paragraph sums it up. She wrote:

We ... spoke to Melinda Pavey and her response was that this situation is just like any other contractual business unfortunately.

I understand that. She continued:

I responded that it wasn't, and that subcontractors on the ground have zero protection and at this point, we have built that section of the road for free, or more accurately at a cost to us, the cost not only being financial but personal, people are selling their homes, marriages are falling apart, gear is being sold off, businesses wound up with debt, the mental health issues surrounding this event are critical, this collapse may very well wipe out some of these mum and dad businesses, what is left for the next generation of construction ... workers?

Often with these contracts there is the head contractor who takes his 10 per cent or 15 per cent, the next one down the line takes their 10 per cent or 15 per cent, and then the local contractors wear the cost and have the "benefit". I put that word in inverted commas because there is no benefit. They walk out the back door with the backside out of their pants, having to sell their homes and pull their kids out of school. Mum cannot go and get her hair done. That happened when Pearl collapsed. Women cancelled hairdressing appointments so hairdressers were affected. The impact goes down the line to the local butcher, baker and so on.

As far as I am concerned, it is a simple fix: change the procurement policies to ensure that every contractor down the line gets a cheque. I cannot accept the excuse from any department—I do not care which department it is, whether it is RMS or someone else—that they cannot have data fed into a computer and the contractors paid directly. I have spoken to the Minister for Finance, Services and Property about this issue. I raise the matter in Parliament sincerely because it is a problem not just in Coffs Harbour but across the State. We must ensure that all government contracts are protected because we are paying the dough. We cannot pay twice. We should pay once and make sure the money goes into the bank account of the person who did the work in the first place. A debt of \$7 million is owed to contractors on the North Coast in this particular case, with total debts of \$31 million. That is appalling and cannot be sustained by small businesses in regional areas.

### **MOUNT DRUITT HOSPITAL**

**Mr EDMOND ATALLA (Mount Druitt) (20:17):** I bring to the attention of the House the progress of services at Mount Druitt Hospital. Following years of hardship for Mount Druitt residents, who were forced to travel to Blacktown Hospital or Nepean Hospital to receive emergency surgery, services were finally reinstated at Mount Druitt Hospital. The reinstatement of emergency services at Mount Druitt Hospital will alleviate the enormous pressure placed on Blacktown and Nepean hospitals, and the needs of Western Sydney residents will be better met. The hospital is also benefiting from the newly installed magnetic resonance imaging [MRI] machine and a dialysis centre that will be opened later this year. While these achievements are a step in the right direction, Mount Druitt Hospital still lacks basic services that would benefit the wider community.

Mount Druitt Hospital is pivotal to the residential growth currently being experienced in the north-west region in the newly developed suburbs surrounding Mount Druitt. Simply put, Blacktown and Nepean hospitals will not cope with this growth, and priority must be given to increasing the number of medical beds within the hospital. I understand that Mount Druitt Hospital currently has 137 active beds. That is less than 70 per cent of the total capacity of the hospital when it was opened by Her Majesty Queen Elizabeth II in October 1982. In the 2015-16 financial year the hospital had 32,437 attendances. However, as there are no active medical wards any patients attending the emergency department who require hospitalisation are transferred to either Blacktown or Nepean hospitals. This just adds to the pressure on these two hospitals and exacerbates the waiting times in the

emergency department. The lack of medical beds also hinders a sick or injured person's ability to be medically treated locally and in a timely manner.

Mount Druitt Hospital has the infrastructure in place to accommodate an increase in medical beds; it just requires consideration about managing staffing levels between Blacktown and Mount Druitt to facilitate the additional services. The infrastructure for the fourth operating theatre is available and could be opened at any time if resourced to allow more emergency surgery cases to be performed locally at Mount Druitt. The Mount Druitt community only seek that their hospital offer the basic services that are expected at countless other hospitals around the State. I look forward to seeing Mount Druitt Hospital extend its services and provide the very basic services needed to meet the demands caused by recent population growth. Hospital services will continue to be sub par as large growth is predicted in the area in coming years. Without these services, more and more pressure will be placed on Blacktown Hospital and Nepean Hospital. Without these services, patients at all three hospitals will suffer. It is only logical that Mount Druitt Hospital should be viewed as an important part of the health facilities planned for Western Sydney.

### **BOOLAROO LAND CONTAMINATION**

**Mr GREG PIPER (Lake Macquarie) (20:21):** More than a century of lead and zinc smelting at the former Pasmenco site at Boolaroo in my electorate has left a legacy of soil contamination that still burdens the local community. The level of risk this poses should not be overstated to a point that causes undue concern, but also it should not be understated and the need to manage the issue must be taken seriously. To address the problem, the former Labor Government agreed to a lead abatement strategy [LAS], which was implemented between 2007 and 2013 to address soil contamination and associated health risks. The effectiveness of the LAS was called into question following a 2014 research study by Macquarie University students supervised by Professor Mark Taylor, which found evidence of elevated lead levels in the yards of suburban homes and public parks.

The Environment Protection Authority [EPA] later convened a panel of experts, which became known as the Lead Expert Working Group [LEWG], to review the effectiveness of the scheme. It also appointed a community reference group, which I chair, to, amongst other things, liaise with the LEWG on behalf of the community. In late 2016 the LEWG released its report into managing the legacy lead issue at Boolaroo, making 22 recommendations. I do not wish to go through all those recommendations here now, but I am pleased to say that I have been working with the Government and the appropriate Ministers to get a positive outcome and I believe we are very close to achieving those main aims. However, I regret to say that one aspect of those recommendations has led to an almost farcical situation where the only victims have been the current residents and homeowners at Boolaroo.

Late last year the EPA announced that residents would soon be able to dispose of lead-contaminated soil at Newcastle's Summerhill waste facility, and with only a modest premium above the cost for uncontaminated fill. At the time, residents were faced with the hugely expensive option of transporting contaminated soil to Kemps Creek in Sydney's south because there was no local repository. They were faced with disposal costs as high as \$800 a tonne, but the Summerhill deal would reduce that cost to about \$275 a tonne when the scheme was introduced in February. February came and went, and so did March, April and May, and three more months without Summerhill becoming available. I was made aware of the problem when I was contacted by local resident Mark Hambier, who had tried to dispose of contaminated soil from his residential property at Boolaroo.

Representations I made to the EPA and to Newcastle and Lake Macquarie councils elicited the information that the deal had been delayed and that the EPA and Newcastle council would soon have the issue resolved. They later announced that the scheme would be available to the likes of Mr Hambier by 14 August. Mr Hambier had pushed on with his plans but was forced to leave piles of contaminated soil on his property. With 40 tonnes of soil to dispose of, he was facing a \$32,000 bill to transport it to Sydney but opted to wait again for the promised Summerhill option, which would cost him only \$11,000. Then there was another setback when Newcastle council delayed receipt of the material until after a workplace health and safety review. This was sensible, but clearly should have been done long before a starting date of 14 August was announced.

Just when everyone thought this complete shambles could not get any worse, it did. Not only were things delayed again, but the fine print revealed a mandatory requirement that the contaminated soil now had to be bagged and measured in bulk bags—which would add significant cost for Mr Hambier and others in his position. The shambolic nature of this scheme has been an embarrassment to all concerned. For whatever reason, all parties have failed to do what they set out to do, which was to provide an easy process for people to dispose of contaminated soil from their yards at a reasonable cost. While Summerhill will now accept such waste, the eleventh hour changes to conditions mean that the objective will not be met because the costs will make it prohibitive for many people.

This is a poor outcome all round, and I genuinely fear that contaminated soil that could be removed easily and stored safely in a controlled situation will now be more prone to being disposed of illegally. We are left with nothing more than a shambles, a lot of wasted time and a mountain of frustration. I have great sympathy for the likes of Mr Mark Hambier and others who will come after him, who, through no fault of their own, are the victims of a ridiculous bureaucratic mess. Unless Newcastle council is willing to revisit its requirements, then Lake Macquarie City Council and the EPA should revisit the matter with a view to building a new repository in the local government area of Lake Macquarie. While it will not help Mark Hambier—because he will have moved on by then—it will certainly assist people like him in the future, who will otherwise continue to carry the cost burden from the legacies of lead smelting in the region.

**The House adjourned, pursuant to standing and sessional orders, at 20:26 until  
Wednesday 15 November 2017 at 10:00.**