

7-ELEVEN FRANCHISES	3900
ADJOURNMENT	3916
AGRICULTURE SEASONAL CONDITIONS	3912
ALBERT (TIBBY) COTTER WALKWAY	3907
ANTHONY MITCHELL FORTIETH BIRTHDAY	3922
AUDITOR-GENERAL'S REPORT	3875
BARLEY INDUSTRY	3908
BEEF PRODUCTION ENVIRONMENTAL IMPACT	3917
BUSINESS OF THE HOUSE	3876,
3879, 3900	
CHILD PROTECTION LEGISLATION AMENDMENT BILL 2015	3887
COAL SEAM GAS	3907
COBBORA COALMINE	3914
DRIVE-BY SHOOTINGS	3906
F3 MERGING LANES	3912
FOCUS ON ABILITY SHORT FILM FESTIVAL	3910
GUN BUYBACK	3905
HEALTH BUDGET	3920
HEAVY VEHICLES AND MOTORWAY TOLLS	3908
HOMELESSNESS	3915
IMPOUNDING AMENDMENT (UNATTENDED BOAT TRAILERS) BILL 2015	3874
LIMITATION AMENDMENT (CHILD ABUSE) BILL 2015	3887
MEMBER FOR EAST HILLS AND 2015 STATE ELECTION	3876
MEMBER FOR KIAMA COMMENTS	3910
NATIONAL CHILD PROTECTION WEEK	3879
NATIONAL DISABILITY INSURANCE SCHEME	3905
NELSON BAY ROAD, PORT STEPHENS, HEAVY VEHICLE TRAFFIC	3914
NEWCASTLE RAIL LINE	3910
NEWCASTLE REDEVELOPMENT	3915
NSW 2021 STATE PLAN	3921
OZHARVEST	3918
PALLIATIVE CARE	3916
PAPUA NEW GUINEA INDEPENDENCE FORTIETH ANNIVERSARY	3875
PARAMEDICS SAFETY	3913
PARLIAMENT PROCEEDINGS VIDEO PRODUCTION, MR GREG KAY	3876
PLANNING REFORM	3919
QUESTIONS WITHOUT NOTICE	3904
RACIAL AND RELIGIOUS VILIFICATION	3914
ROAD SPEED LIMITS	3891
ROADS AND FREIGHT INFRASTRUCTURE	3904
ROADS, MARITIME AND FREIGHT PRIORITIES	3909
ROYAL BOTANIC GARDENS	3916
SMART AND SKILLED	3913
SPECIAL ADJOURNMENT	3876
STATE EMERGENCY SERVICE YOUNG VOLUNTEER AWARD	3874
SYDNEY TRAINS UNUSED RAIL PLATFORMS	3911
VOCATIONAL EDUCATION AND TRAINING	3915
WESTCONNEX	3913
WILLIAMTOWN LAND CONTAMINATION	3904,
3905, 3915	
YELLOW DIAMOND FOUNDATION	3875
YOUNG NATIONALS ANNUAL CONFERENCE	3875

LEGISLATIVE COUNCIL

Thursday 17 September 2015

The President (The Hon. Donald Thomas Harwin) took the chair at 9.30 a.m.

The President read the Prayers.

IMPOUNDING AMENDMENT (UNATTENDED BOAT TRAILERS) BILL 2015

Message received from the Legislative Assembly agreeing to the Legislative Council's amendments.

Pursuant to sessional orders Formal Business Notices of Motions proceeded with.

STATE EMERGENCY SERVICE YOUNG VOLUNTEER AWARD

Motion by the Hon. Dr PETER PHELPS, on behalf of the Hon. NATASHA MACLAREN-JONES, agreed to:

- (1) That this House acknowledges the State Emergency Services [SES] Young Volunteer Award, an annual award established in 2013 to recognise the contribution of a young volunteer between the ages of 16 and 25 who has demonstrated a commitment to learning and contributing as a member of a New South Wales SES unit or region.
- (2) That this House congratulates Mr Shaun Farmer, the 2015 recipient of the NSW State Emergency Services Young Volunteer Award.
- (3) That this House notes that:
 - (a) Shaun Farmer is from SES City of Newcastle Unit, which he joined at 16 years of age, undertaking his training with great passion and enthusiasm, and completing courses in Storm and Water Damage Response, Swift Water Awareness, Rescue at Heights, Communications and First Aid, and has proven to be a valuable asset by responding to many call-outs to assist the community; and
 - (b) Mr Farmer participated in the SES Secondary Schools Cadet program at Lambton High School at 15 years of age, and went on to become the Team Leader of the SES Cadet team and participated for the first time in the Rural Fire Service Australasian Fire Cadet Championships later that year.
- (4) That this House acknowledges the implementation of strategies by the SES since 2009 to increase the volunteer membership of 16 to 25 year olds in New South Wales, which has resulted in the number of young volunteers having more than doubled, from 901 active members in 2009, to over 1,800 in 2015.
- (5) That this House commends and thanks all SES volunteers across New South Wales for their bravery and commitment to serving the New South Wales community and keeping residents safe and secure.

YOUNG NATIONALS ANNUAL CONFERENCE

Motion by the Hon. BEN FRANKLIN agreed to:

That this House:

- (1) Notes that on 27 and 28 August 2015, the Young Nationals held their annual conference in Corowa, New South Wales.
- (2) Notes that the conference was held exactly 50 years after their first conference in Corowa in 1965.
- (3) Congratulates the Young Nationals on their robust and fearless debate on a range of issues that are important to young people in regional New South Wales.
- (4) Congratulates Chairman, Dominic Hopkinson; Vice Chairmen, Jessica Price-Purnell; Sam Pearn and all other newly elected State executive members of the NSW Young Nationals.
- (5) Congratulates the Young Nationals on turning 50 and wishes them well for the next 50 years.

PAPUA NEW GUINEA INDEPENDENCE FORTIETH ANNIVERSARY

Motion by the Hon. Dr PETER PHELPS, on behalf of the Hon. NATASHA MACLAREN-JONES, agreed to:

- (1) That this House acknowledges that 16 September 2015 is the fortieth anniversary of Papua New Guinea Independence.
- (2) That this House notes that:
 - (a) from 1945 to 1973, Papua New Guinea was administered by the Commonwealth of Australia as a single territory, comprising the former Australian territory of Papua and the former German colony of New Guinea;
 - (b) Papua New Guinea became a self-governing territory on 1 December 1973, as a prelude to independence, and later achieved independence from Australia on 16 September 1975, becoming a constitutional monarchy with membership of the British Commonwealth;
 - (c) the fortieth anniversary of Papua New Guinea Independence was celebrated with a reception at the Parliament of New South Wales on 15 September 2015, with guest speaker the Hon. Shelley Hancock, MP, Speaker of the Legislative Assembly, and hosted by the Hon. Natasha Maclaren-Jones, MLC; and
 - (d) the celebration was organised by the Consulate General of Papua New Guinea and brought together supporters of Papua New Guinea, including consular representatives, Papua New Guinea Tourism, members of Parliament and parliamentary representatives, non-government organisations, and the Papua New Guinea Association.
- (3) That this House thanks Mr Sumsay Singin, Consul-General of Papua New Guinea in New South Wales, for his commitment to maintaining the strong relationship between New South Wales and Papua New Guinea.

YELLOW DIAMOND FOUNDATION

Motion by the Hon. GREG DONNELLY agreed to:

- (1) That this House notes that:
 - (a) each year in Australia around 1,600 people are diagnosed with brain cancer;
 - (b) brain cancer is the leading cause of cancer death in children;
 - (c) one person is diagnosed with brain cancer every six hours in Australia; and
 - (d) no significant improvement has been made in survival rates in almost two decades.
- (2) That this House notes that:
 - (a) the Yellow Diamond Foundation for Brain Cancer is a registered charity, run by volunteers, that specifically raises funds for brain cancer research;
 - (b) on Sunday 30 August 2015, the Yellow Diamond Foundation for Brain Cancer hosted its third annual luncheon at Doltone House Darling Island Wharf, Pyrmont; and
 - (c) the annual luncheon, in addition to bringing together people who are devoted to discovering both the causes and cures of brain cancer, is a major fundraising event for the Yellow Diamond Foundation for Brain Cancer, and the generous donations from the various sponsors enabled the auctions and raffles to raise much-needed funds for ongoing research.
- (3) That this House acknowledges and congratulates Mr Sam Campione and Mr Vince Agostino who together in 2012 established the Yellow Diamond Foundation for Brain Cancer, as their vision and drive has created an outstanding charity that is funding cutting edge medical research that is being undertaken in Sydney.
- (4) That this House thanks all those involved in the running of the Yellow Diamond Foundation for Brain Cancer including Mr Sam Campione, Chairman; Mr Vince Agostino, Deputy Chairman; Mr Norman Arena, Secretary/Treasurer; Mr Frank Mirabito, Fundraising Director; Mr Nathan Bennett, Online Manager; Ms Daniela Agostino, Business Development Manager; Ms Maria Postelli, Administrator; and Ms Kathy Klonis, Legal Adviser.
- (5) That this House expresses its appreciation and encouragement to Dr Helen Wheeler and Dr Jonathon Parkinson for the medical care they are providing to patients with brain cancer and the research that they are undertaking with funding and support from the Yellow Diamond Foundation for Brain Cancer.

AUDITOR-GENERAL'S REPORT

The Clerk announced the receipt, pursuant to the Public Finance and Audit Act 1983, of the Performance Audit Report of the Acting Auditor-General entitled, "Albert 'Tibby' Cotter Walkway: Transport for NSW and Roads and Maritime Services", dated September 2015, received and authorised to be printed this day.

The PRESIDENT: In September 2003 a new television camera system was installed in the Legislative Council Chamber. The new system consisted of three cameras controlled by Mr Greg Kay from a control room in the upper gallery. Mr Kay had already been operating the camera system in the other place since 1994, having begun there with just a single camera on a tripod controlled and operated from the Speaker's Gallery. This system has been developed over the years and today is driven from a purpose-built multi-camera control room in the Parliamentary Library. This broadcast is now an invaluable resource for members, the media and the public, and is webcast to the world through the Parliament's website. Mr Kay has also covered the official openings of the House through the years and is responsible for the footage in the Parliament's DVD resource.

Today I announce that Mr Kay will be leaving us after 21 years of service to the New South Wales Parliament. The Parliament is very grateful for the work of Mr Kay and his staff in recording the House and its members on film. I am pleased to welcome Mr Greg Kay into the President's Gallery this morning for this acknowledgement.

The Hon. WALT SECORD (Deputy Leader of the Opposition) [9.46 a.m.], by leave: On behalf of the New South Wales Opposition, I add to your remarks, Mr President, and support them. I extend a fond farewell to Mr Greg Kay. As a ministerial staffer and now as a member of Parliament, I have known him and witnessed his work since June 1995. Mr Kay has been a fine chronicler of the proceedings of both Chambers. We are all well aware of the power he wields as the person behind the camera lens and as the Parliament's camera operator. He has always conducted himself without fear or favour over those 21 years. Farewell, Greg Kay, and best wishes in your future endeavours.

SPECIAL ADJOURNMENT

Motion by the Hon. Duncan Gay agreed to:

That this House at its rising today adjourn until Tuesday 13 October 2015 at 2.30 p.m.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Motion by the Hon. Dr Peter Phelps agreed to:

That standing and sessional orders be suspended to allow the moving of a motion forthwith relating to the conduct of the business of the House this day.

Order of Business

Motion by the Hon. Dr Peter Phelps agreed to:

That the order of Private Members' Business for today be as follows:

- (1) Private Members' Business item No. 4 in the Order of Precedence standing in the name of Ms Voltz relating to activities in the East Hills electorate during the 2015 State election.
- (2) Private Members' Business item No. 88 outside the Order of Precedence standing the name of Mr Shoebridge relating to the Limitation Amendment (Child Abuse) Bill.
- (3) Private Members' Business item No. 286 outside the Order of Precedence standing the name of Mr Green relating to National Child Protection Week.

- (4) Private Members' Business item No. 6 in the Order of Precedence standing in the name of Mr Khan relating to speed limits on New South Wales roads.

MEMBER FOR EAST HILLS AND 2015 STATE ELECTION

Debate resumed from Thursday 10 September 2015.

The Hon. LYNDA VOLTZ [9.49 a.m.]: As I was saying before the debate was interrupted on 10 September, I have worked on every local, State and Federal election since the Whitlam Government. Never in my time of working on elections have I seen such a level of abuse and disregard for the electoral laws that govern elections in this State. The member for East Hills, quite frankly, should not be a member of this, the oldest parliament in Australia. I will be interested to see the manner in which members opposite will spin away the matter of how the Liberal Party happened to know an illegal billboard was being erected by Queen Street Racing. It will also be interesting to see how much Queen Street Racing was paid for that illegal billboard and how it was invoiced.

Another of Mr Brookes' friends who seems to have had a role in his campaign is Mr Carl Trad. Members may be thinking that, as with Queen Street Racing, that name also sounds familiar and it is. Like Queen Street Racing, Mr Carl Trad also had a starring role in the wedding of the deputy mayor of Auburn, Mr Salim Mehajer. Mr Trad is the owner and driver of the \$2 million Koenigsegg car that led the convoy for the wedding. He was sitting next to Mr Mehajer. Mr Trad is a well-known—perhaps we could say colourful—figure around Sydney. He is a convicted drug money launderer who has spent time in jail and he is a cohort of "Big" Jim Byrnes.

Yet Mr Trad's organisation was invoiced for the payment of the water bottles for Glenn Brookes' campaign. The invoice for payment was addressed to the Australian Multicultural Christian Society Incorporated [AMCSI] at an address in Swan Street, Revesby. Mr Carl Trad is the contact for the AMCSI. Of course, he is well known to Mr Brookes and his electorate staffer Jim Daniel. In 2012 Jim Daniel and Carl Trad were part of a failed attempt to take control of the Bankstown Trotting Club, a club which Jim Daniel had joined only four months prior to the takeover attempt and from where he was escorted, at one stage, by New South Wales police. Reverend the Hon. Fred Nile may recall the incident, as it was his brother they tried to remove in their attempted takeover.

Despite the obvious conflict, Jim Daniel ensured that Carl Trad's charity has had plenty of funds from Bankstown Council—allegedly for the purchase of a bus. Mr Trad also appears to have been well served by Glenn Brookes, with grants through the Community Building Partnership program. In 2014 Mr Trad received \$18,000 for the purchase and installation of a covered outdoor learning area [COLA] and play equipment. The address for this organisation is a residential property owned by the Trad family. I can find no other address and I will be interested to see where the equipment has been erected. I have applied under the Government Information (Public Access) Act 2009 [GIPA] for these applications but, despite having sent the application on 18 August this year, I have yet to receive a response from Family and Community Services [FACS].

The Hon. Walt Secord: You should have received it by now.

The Hon. LYNDA VOLTZ: Yes, one would think I would have received it by now. In 2013 Mr Trad also received \$10,000 under Community Building Partnership grants for the purchase and fit-out of a bus. Vans seem to be receiving a lot of grants but I guess you need something to drive when the Koenigsegg is in the garage. That Jim Daniel and Glenn Brookes appear to have a close relationship with the same people as the deputy mayor of Auburn, Salim Mehajer, comes as no surprise. It is consistent with a member who, in the other Chamber, threatens the Leader of the Opposition with violence.

I have made a number of complaints to the Electoral Commission regarding numerous incidents of electoral treating during the East Hills campaign. Indeed, I sent copies of an email from a community

fete, noting the donation by Glenn Brookes of 1,500 water bottles with his campaign labels attached and asking us to match this donation. Given that the cheapest price I could find for these items was 80¢ each, this equates to \$1,200. All this information was provided to the Electoral Commission well before the event, yet the Electoral Commission took no action at the time. Mr Brookes appears to have no problem ignoring the electoral treating laws of the Electoral Act. He also provided free water bottles with campaign labels to be sold for a profit by local shops. Again, this information was provided to the Electoral Commission in a timely manner.

I also received complaints of an email that was sent from the member for East Hills' personal parliamentary electorate account to local journalists, community and sporting groups, attacking Mr Cameron Murphy, the Labor candidate for East Hills. Perhaps members on the other side of the Chamber can provide Mr Brookes with a copy of the members' Code of Conduct. The Code of Conduct appears to mean nothing to the member for East Hills. To use one's parliamentary email account to circulate an email to community and sporting groups personally attacking the Labor candidate is clearly a breach. Yet again there has been no calling to account of the member by the Premier of this State, no public reprimand for his behaviour, no action of any kind. Indeed, the member claimed in the media that someone else had accessed his parliamentary email account. The unauthorised use of an email account of a member of Parliament is a serious breach of the parliamentary information system. I assume the member will give an explanation in the House as to how this has happened. This is a matter that certainly should be referred to the Parliamentary Privilege and Ethics Committee in the other Chamber.

I wrote to the Electoral Commission on numerous occasions during the election asking what action was being taken on these matters. The escalation of such misbehaviour during the East Hills campaign was incremental and should have been nipped in the bud. I was told that the Electoral Commission was very busy during the election and would look into the matter afterwards. The Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council stated in this Chamber yesterday that the Electoral Commission is investigating the distribution of electoral leaflets. That is but one isolated event of many. Plenty of evidence regarding electoral treating was provided to the commission well in advance, yet it took no action. Pictures of an unsigned bus parked at Mr Brookes' workplace were provided to the commission, as were pictures of the same bus, subsequently painted. Copies of the invoice to the AMCSI for payment of the water bottles were also provided well before the election, as were copies of receipts for water bottles provided free to shops which were then sold for profit and copies of emails requesting the Labor candidate to match Glenn Brookes' donations.

Numerous local residents attended the Electoral Commission office in East Hills to complain of the distribution of illegal, defamatory leaflets, including an eye witness who caught Jim Daniel handing them out. The illegal billboard, distribution of material outside polling booths—and, outside the blackout, breaches of donation caps—and a video of Glenn Brookes' electorate staff using his work vehicles, his company vehicles, to remove Labor Party A-frames were all provided. Yet, six months after the election, the Electoral Commission is investigating one event.

It is clear the Electoral Commission does not have the resources to deal with breaches of the Act, and certainly not the resources to deal with breaches in a timely manner. This is clear from its response, not only in East Hills but in Auburn, and it is clear from the information that it has placed on its website. It also makes a mockery of the Premier's claim that he is cleaning up politics in New South Wales. It makes a mockery of his statement in the other Chamber that:

The Government is resolute in its commitment to restore integrity in public administration. We have zero tolerance for corruption in this State.

It creates a dangerous precedent in our democracy when the rules do not apply and debate is reduced to the lowest level. That the Liberal Party does not condemn the vilification of candidates outside the law speaks loudly as to its true nature. Under this Government elections are reduced to "whatever it takes". There is no option left but to condemn Mr Brookes for his actions in the running of his campaign during

the 2015 New South Wales State election. Those actions have brought the electoral process into disrepute. Members on the other side of the Chamber may wish to sit back and watch the slippery slope of "anything goes" for future elections but I have enough experience to know where it will end. Liberal Party members may wish to turn a blind eye but that is not my job in this Chamber. I am going to call it for what it is: a corruption of the electoral process presided over by Glenn Brookes.

I have asked this House to call on the Premier of New South Wales to ascertain whether these matters have been investigated by the NSW Electoral Commission, when they were investigated and whether the Electoral Commission has adequate resources to stop breaches of the Parliamentary Electorates and Elections Act 1912 during the election process. Whilst I have always had a high regard for the Premier, Mr Mike Baird, in this instance I must say I am shocked that he has not condemned the behaviour of the member for East Hills during the election and taken some action, particularly given his statements in the other House. The Premier should have acted on the breaches of the Parliamentary Electorates and Elections Act 1912 by Mr Brookes when they were first reported in the media.

The fact that the member for East Hills has not been pulled into line has caused significant distress to individuals, particularly Mr Cameron Murphy and his wife, Agatha, who had to walk their child past the disgraceful stickers and allegations such as "paedophile lover" and "rapist" that were posted on his electoral posters. It has also significantly undermined public confidence in the electoral process. As the Hon. Shayne Mallard noted in a recent speech, "Sometimes we had better get ready for a whole lot of ugly when the mob is unleashed". Let us see if members on the other side of the Chamber are going to get up and defend the "whole lot of ugly" that went on in East Hills. I urge members to support this motion.

The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council [10.00 a.m.]: On behalf of the Government I refer to the current Electoral Commission investigation, which is the correct way to deal with these types of allegations. The Government will not speak to this inappropriate motion. It does not support it and will vote against it.

Debate adjourned on motion by the Hon. Peter Primrose and set down as an order of the day for a future day.

BUSINESS OF THE HOUSE

Postponement of Business

Private Members' Business item No. 88 outside the Order of Precedence postponed on motion by the Hon. Dr Peter Phelps, on behalf of Mr David Shoebridge, and set down as an order of the day for a later hour.

NATIONAL CHILD PROTECTION WEEK

Debate resumed from 27 August 2015.

Reverend the Hon. FRED NILE [10.01 a.m.]: I support this motion moved by my colleague the Hon. Paul Green. National Child Protection Week takes place from 6 to 12 September each year, and this year marks its twenty-fifth anniversary. I am pleased that Bravehearts' annual White Balloon Day is also held during National Child Protection Week. Friday 11 September 2015 was Bravehearts' nineteenth anniversary of raising awareness and funds to enable the continued delivery of vital support, protection and prevention programs, and to give kids the confidence to come forward and break the silence. The key purpose of Bravehearts is to educate, empower and protect Australian kids from sexual assault, and it calls on the community to support National Child Protection Week and White Balloon Day.

In considering this motion I am reminded of the tragic disappearance of William Tyrrell. Yesterday the family drew more attention to his disappearance. The police are currently conducting extensive

inquiries and searches to try to discover what happened to that young boy. It is a mystery how a small boy can just disappear off the face of the earth. No-one saw him being taken. He has disappeared without a trace, with no evidence pointing to a particular individual being responsible. Suspicions were directed at a local repairman who had visited the house but recently he made a public statement denying any connection with the disappearance of William Tyrrell. I urge the police to continue their thorough investigation to identify the individual who kidnapped William Tyrrell. I move that the motion be amended by adding the following paragraphs:

- (f) Where's William? Week has been officially running from 12 to 18 September 2015 to generate awareness of William and support the work of the authorities and volunteers in their mission to return William to his family.
- (g) An event to support national Where's William? Week in the New South Wales Parliament was held on Tuesday 15 September 2015 to coincide with the 12-month anniversary of William Tyrrell's disappearance.
 - (i) This event included addresses from a family spokesperson, Hetty Johnston, AM, chief executive officer of the campaign's charity partner Bravehearts Inc., Hayden Tee and Peter Price, OAM, Crime Stoppers Australian Director, New South Wales Chief Executive Officer and Vice-President Crime Stoppers International.
- (h) Commends the NSW Police Force, the Australian Federal Police, Bravehearts Inc. and all other involved agencies for reaching out to the community to generate potential information that will assist police in the investigation of William's disappearance.
- (i) This House stands in solidarity with William Tyrrell's parents and family during this extraordinarily difficult time.

We all pray that William Tyrrell is still alive and that he will be returned to his family. Sadly, he may be in the hands of a child abuser and, tragically, it could come to a sad end. But we hope and pray that that will not be the case. I am pleased to move this amendment and to support the motion.

The Hon. COURTNEY HOUSSOS [10.07 a.m.]: I make a brief contribution to the debate and offer my sincere and genuine support of the motion, as amended. I welcome the inclusion of reference to the Where's William? campaign in the motion. In a week when parliamentarians have come together to mark the tragic first anniversary of the disappearance of William Tyrrell, I think it is only appropriate that the motion should include a reference to him. I put on record my sincere and genuine support for Bravehearts and commend the organisation for its fantastic work. On the one hand, it is upsetting and distressing that such an organisation is required but, on the other hand, it does fantastic work in educating and empowering Australian children. I congratulate Bravehearts on its work, and I heartily support this motion.

The Hon. SARAH MITCHELL (Parliamentary Secretary) [10.08 a.m.]: I strongly support the National Child Protection Week motion and congratulate the Hon. Paul Green on moving it in the House. Last week we discussed the reasons we became members of Parliament. The Hon. Paul Green said that he sees it as his role to do everything he can to help protect children. It is a role he performs very well and we are fortunate to have such an advocate for children and organisations such as Bravehearts in this place. The Hon. Paul Green has a genuine passion for these issues, and I commend him for his stance. I agree completely with the amendment moved by Reverend the Hon. Fred Nile.

I attended the Where's William? Week event in Parliament a few days ago. Our Parliament works best when we act in a bipartisan manner on these issues. It was good to see the Deputy Premier, and Minister for Justice and Police Troy Grant, shadow Minister Jodi McKay, local member Leslie Williams and other members from across the political divide in both Chambers come together in support of the

Tyrrell family. It really was an emotional event. Most of us in this place are parents. I am the mother of a two-year-old. The thought of something like the disappearance of a child happening in our families is too terrible to contemplate. William's parents and family attended the event and we saw what they are going through. It is impossible to imagine what it would be like to be in their shoes. It is right to amend the motion to include William Tyrrell and his family, particularly this week. Subparagraph (i), which states that this House stands in solidarity with William Tyrrell's parents and family during this extraordinarily difficult time, is incredibly important. It is fair to say that the entire country stands in solidarity with them. We hope that William is back with his loved ones very soon.

For 25 years the annual National Child Protection Week has provided a focus on increasing awareness and understanding of the importance of primary prevention to reduce child abuse and neglect in Australia. Each and every Australian has a role to play in helping children and young people to live in safety and grow into strong and happy adults. There is always more that we can do. National Child Protection Week serves as a timely reminder that we cannot rest on our laurels. The Play Your Part campaign is a reminder to us all of the role that we can play on a daily basis to support and care for children. Prevention of child abuse and neglect is a key priority, as is having a strong and responsive child protection system in New South Wales. Last year the Government began an important reform program to strengthen the child protection system, which is called the Safe Home for Life program. The investment of \$500 million over four years represents the next step towards a more inclusive child protection system that streamlines how government and non-government agencies work together, and places children at the centre of decision-making.

As part of Safe Home for Life, the New South Wales Government has implemented legislative amendments and practical initiatives including parent capacity orders, parent responsibility contracts and family group conferencing. The reforms are aimed at promoting good parenting, providing a safe and stable home for children and young people in care, and creating a child-focused system. Wherever possible we want children to be able to remain safely at home with their family. The reforms prioritise working with families to achieve this goal. Unfortunately, even with support some families are not always able to do what is necessary to keep their children safe. In those cases, the reforms offer a range of options for permanency, including new guardianship provisions and open adoption. It is vital for government and non-government agencies to work together and place children at the centre of decision-making.

Organisations such as Bravehearts and the National Association for Prevention of Child Abuse and Neglect are important parts of the child protection system. I know that the Minister for Family and Community Services shares the thoughts that members have expressed in this Chamber in acknowledging the good work of all government and non-government agencies that strive so hard to keep our children safe. As I said at the outset, this is an incredibly important motion. As legislators we must do everything we can to protect children. I have no more important role in my life than being a mother. It is important we do all we can to ensure that every child in this State has a safe and happy childhood. I commend the Hon. Paul Green for moving this exceptional motion.

The Hon. MATTHEW MASON-COX [10.13 a.m.]: I join members in supporting the fine motion moved by the Hon. Paul Green. It is important to recognise National Child Protection Week in this Parliament. I also commend Reverend the Hon. Fred Nile for his amendment. Like a number of other members, I attended the launch of Where's William? Week in Parliament House. It was an incredibly moving event—in fact, it was the most moving event I have attended in this place. It has had an enormous impact on me over the past 24 hours. I encourage everybody to do whatever they can to support child protection. I recognise the Hon. Paul Green for his leadership in this area. He has been a great advocate for the protection of children in this State.

Bravehearts and Hetty Johnston do wonderful work to protect children in our State. That work is acknowledged by this Parliament and by people such as the Hon. Paul Green and many others who demonstrate their support on White Balloon Day. There are some practical things that members can do,

and it is important to note that the Government has introduced a range of initiatives to promote child protection. I am pleased that the Ditto's Keep Safe Adventure education program toolkit has been distributed to approximately 1,600 schools in New South Wales. It is an important practical measure to ensure that teachers are able to communicate with children about what they need to do to keep safe. It is tragic that we need to have such a program in our communities, but we must talk to our kids about staying safe.

I showed the Ditto video to my children. It was a wonderful way to open up the discussion. I encourage all members who are parents to speak with their children and raise their awareness. It is not an easy discussion to have but it is extremely worthwhile. Children need to get the message at a young age, and often we do not speak to them early enough. Obviously, parents need to exercise judgement as to what age is appropriate but it is important that they become aware of the message. It is amazing what young children absorb. The purity and wonder of children is always to be exalted, but we must not forget that those qualities can be taken advantage of by sick and evil people in our community.

I was pleased that the amendments to increase penalties for offences under our child protection legislation passed through Parliament this week. Increased vigilance on the part of the Government is an important part of our toolkit to address this heinous crime. I think all members would agree that child protection is one of the most important things that Parliament can work practically to address in order to ensure that our communities are as safe as possible. Many of our colleagues made first-class contributions during the Where's William? Week event in Parliament House. I congratulate the Deputy Premier, the shadow Minister and the member for Port Macquarie on their poignant addresses that put the issue in perspective. Like the Hon. Sarah Mitchell, I was in awe of William's parents, their strength and how they are coping. They shared their daily struggle—every day the sun comes up and every day the sun sets—through their spokesperson, Hetty Johnston. I do not think there was a dry eye in the room. Listening then to the wonderful song *Bring Him Home* from *Les Misérables* was incredibly moving.

The Hon. Paul Green is taking his children to see *Les Misérables* soon. He did not offer me a ticket, but I would have gone. Listening to *Bring Him Home* was one of the most poignant moments I have had the privilege to experience in this place. Again, it is wonderful to speak in support of this motion and the members behind it. I congratulate the Hon. Paul Green for moving this motion and the Reverend the Hon. Fred Nile for moving his amendment, which I support wholeheartedly. I hope that the message about the importance of child protection resonates strongly in our communities.

Mr DAVID SHOEBRIDGE [10.19 a.m.]: On behalf of The Greens, I indicate our strong support for this motion recognising National Child Protection Week. Too many children do not receive protection. Too many children are lost. I, like many of my colleagues in this Chamber, attended the event this week with William Tyrrell's family. It was a deeply touching and moving event. It was a privilege to see the courage of that family and to witness their continuing resilience in the face of an appalling tragedy, which we cannot comprehend. They continue to be proud parents, to be strong parents and to do all they can for their little boy. They have my endless admiration for the work they do. For those reasons, we support the amendment that has been moved to the motion.

They, like so many victims of crime in this State, are extraordinarily fortunate to have the services of a wonderful police officer, Gary Jubelin. I cannot think of a better person to be on this case and to be providing not only strategic and policing advice but also the rock-solid emotional support that victims and their families need in these circumstances. I commend the work of not only Gary Jubelin but also the team behind him, both uniformed and non-uniformed. They support the work he does and all too often they are not recognised. It is not about Gary alone; it is about the team behind him as well. They are enormously dedicated men and women who in many ways have an awful job to do, given the nature of the crimes they deal with. I reiterate my admiration for them. National Child Protection Week and the commitment to the prevention of child abuse and neglect should unite us all, and today it is doing just that. I thank the mover of the motion for bringing it to the House.

The Hon. BEN FRANKLIN [10.22 a.m.]: I start by quoting *To Kill a Mockingbird* by Harper Lee, who wrote:

They've done it before and they'll do it again, and when they do it seems that only the children weep.

Today I will reflect briefly on two things. The first is the concept of pure evil. As public legislators, we in this Parliament have many responsibilities. We have the responsibility to provide good government and we have the responsibility to provide protections to the most vulnerable—and surely of those vulnerable people the most vulnerable are children. In our society we have always had a tiny minority of people who seek to do evil to children. To me, there is no greater sin and no greater crime that humanity can commit.

Secondly, I share the reflections of all members who have spoken about the extraordinary event held to acknowledge the disappearance of William Tyrrell. Like Mr David Shoebridge, I cannot even begin to understand the turbulence that those incredible parents have been experiencing every day now for more than a year. The waking hours would be bad enough but what they must have to endure at night time is beyond comprehension. I commend strongly the motion moved by the Hon. Paul Green and his dedication and work in this area for many years. I absolutely commend the work of Bravehearts to ensure that children enjoy the innocence, the peace, the childhood and the wonder they deserve.

I am not blessed with children myself but last night I was privileged to have dinner with my godson, who came to the Chamber. He is four years old. If he was not protected and went through what poor William Tyrrell would be going through, I am not sure how I could deal with it. For the family and the police, every day must be the most incredible trial. They must be going through the most extraordinary turmoil. They must feel a sense of failure even though they are doing absolutely everything they can, and doing an extraordinarily professional job. We know that if William can be brought home safe, he will be. Like the other members who have spoken to this motion, I was incredibly moved by the event held here a couple of days ago. For me, there has been no more moving event during my time in Parliament. I entreat anyone who might be listening to or watching this broadcast to contact Crime Stoppers New South Wales if they know anything, if they have seen anything, if they have heard anything or even if they suspect anything—

Mr David Shoebridge: Anything at all.

The Hon. BEN FRANKLIN: Yes, anything at all—no matter how trivial or irrelevant they may think it to be. We were all deeply moved by the rendition of *Bring Him Home*, which has been adopted as the song for William Tyrrell, at the event a couple of days ago. To conclude, I will quote from the final verse in honour of young William:

Bring him peace,
Bring him joy,
He is young,
He is only a boy,
You can take,
You can give,
Let him be,
Let him live,
If I die,
Let me die,
Let him live,
Bring him home,
Bring him home,
Bring him home.

The Hon. SCOTT FARLOW [10.27 a.m.]: I had not intended to speak to this motion but, having listened to the moving words of other members, I think it is important to contribute to the debate. I thank the Hon. Paul Green for his motion on the importance of protecting children in our community. Picking up on what the Hon. Ben Franklin said, I think all members in this place were moved by the presentation for William Tyrrell in Parliament House this week during Where's William? Week, which is focused on bringing him home. None of us can fathom what his parents are going through, and none of us want to fathom what William is going through or has endured while separated from his parents. We are all incredibly moved to do whatever we can to help.

While watching the video of William, which was shown as a community service announcement this week, and seeing William, who attended the same childcare centre as my son, walking down the path that I have taken my son along, it got me thinking about what I would do if I were in a similar situation to his parents. It must be dreadful for them, every single second of the day. None of us wants anyone to go through that. I think of that poor family and that poor boy. If anyone in the community knows anything, I encourage them to come forward and to give any information they have to the police to help bring William home.

This week is National Child Protection Week. As I said, I had not intended to speak to this motion but sometimes one is so moved by the debate that one is inspired to contribute to it, and I feel it is important to be open and honest. There is nothing worse than abuse of a child. Children are so innocent. My son is almost two years old. Like all children, he was born a perfect little blank canvas. It is the events of our lives that shape us. Sadly, some events take away children's innocence and fashion their future lives.

I will share with the House something that I do not often speak about. When I was young I took part in childhood gymnastics, amongst other activities. One of my earliest memories in life, and it is a very sad one, is that one of my teachers did unspeakable things to some children involved in that activity. Luckily, I was not one of them. My parents and others had put their trust in that teacher. I remember at the age of four or five being called to Campsie Police Station where I was taken to a room and asked questions. I remember feeling that I had done something wrong. I was quivering with fear because the police were talking to me. I had done nothing wrong. Indeed, none of those children had done anything wrong but they were subjected to such an ordeal because of the evil inflicted by one man.

The love and support of my parents allowed me to share what I had seen. Unfortunately, other children will go through this process in their lifetime and they too will think that somehow they have done something wrong. They will be reluctant to tell what has happened to them because of the fear of authority. We need to give every possible support to them. I agree with the comment of Bravehearts founder Hetty Johnson that we cannot accept one such instance to happen. As a society we cannot accept as a statistic that children will go missing. That sort of culture must not be allowed. A zero tolerance of any harm occasioned to children, whether physical or sexual abuse, abduction, hostage or ransom, must be maintained. Our society must say no.

This heinous crime is the worst thing that could possibly happen to anyone because it robs that person of his or her life forever. We must protect and nurture our children for them to grow into the people they should be, not who they become as a consequence of this heinous crime. I thank all members for their commitment to protecting children, but we must continue to do everything possible to ensure that this sort of behaviour is not in any way acceptable in our society. I commend the Hon. Paul Green for bringing forward this motion and Reverend the Hon. Fred Nile for his amendment. I commend the motion to the House.

The Hon. JOHN AJAKA (Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism) [10.33 a.m.]: I speak in support of the motion moved by the Hon. Paul Green and congratulate him on moving it. It is an honour and a privilege to be elected as a member of Parliament. On days such as this when we are dealing with such an important motion I am reminded of that honour

and privilege. I also support the amendment of Reverend the Hon. Fred Nile. This week is Where's William? Week, so his amendment is particularly relevant. I also offer my support to the Bravehearts Foundation, which does such tremendous work. In my early days on being elected to this Chamber, Hetty Johnston was one of the first people to approach me as a member. She gave me a clear understanding of the great work performed by Bravehearts. Sadly, I realised even then that the foundation's great work would have to continue for a very long time.

In this world there are some incredibly evil people, men and women, who have absolutely no sense of justice for our young children. I find it difficult to understand or fathom how they could commit such evil acts. As a father and now as a grandfather, every day I thank God that I do not find myself in the same position as the Tyrrell family. Some 25 years ago my first child, who was two years old at the time, disappeared from our backyard. The gate had been left open. It was a stupid act on my part; I had been responsible for looking after her. To this day I still find it hard to speak about what I went through at that time. It took almost four hours to find her. She was playing in a park two kilometres away from our home. She had decided to take the next-door neighbour's puppy for a walk. For those four hours I went through every conceivable, horrible thought, and I still shake when I think about it 25 years later. It is hard to imagine what William's parents are going through: the continual hope that their child will be found, the continual prayers that he will be okay, but at the same time the continual dread of the worst that could have happened.

Government does all it can—and I refer to government, not our Government—to try to stop this evil. I believe that all governments genuinely try to do whatever they can to protect our children. In this debate the Hon. Sarah Mitchell has clearly outlined the actions of our Government. But, as I have said on a number of occasions, it is impossible for government to do it on its own. Whatever action government takes it will never be enough. This issue requires all of us—government and non-government agencies, communities and families—to work together. As Mr David Shoebridge said earlier, our communities need to be our eyes and ears. People need to immediately report anything they see, hear or know to the authorities. Even small leads will help to eliminate this evil and protect our children. I again thank the Hon. Paul Green for bringing forward this motion and Reverend the Hon. Fred Nile for his amendment. I commend both to the House.

The Hon. MICK VEITCH [10.39 a.m.]: I associate myself with the motion moved by the Hon. Paul Green. Newer members may not be aware that my former wife and I were foster parents for 15 years, fostering nearly 50 children. The majority of those children had disabilities. So I speak from experience in this debate. In a regional community it is not just mums and dads who raise children, it is the community. One would hope that the community acts as the eyes and ears of our children, as the Minister for Ageing said in his contribution to the debate. The community plays a role in raising our children. It also plays a role at the end of our lives in looking after elders, but that is a debate for another day.

Regional communities are the eyes and ears of children who may find themselves in trying circumstances. When a transgression is committed against an innocent child, the regional community feels it deeply and will draw together to help. It impacts not just on the families but on the whole community. My former wife and I fostered 50 children in our home. We all have in our minds an understanding of the term "child", from the age of a toddler up to a teenager. The children we fostered spanned that age range. Some of the teenagers who came through our place were seriously damaged individuals. They did not deserve the treatment that had led them to the position they were in. I hope that under our roof, for a little while, they experienced love, care and laughter. They also received guidance on how not to live life, because sometimes our house was not the perfect place.

The Hon. Dr Peter Phelps: No-one's is.

The Hon. MICK VEITCH: That is right. Hopefully, we were able to provide nourishment for the individuals who spent time at our place. We saw some damaged individuals and we also fostered toddlers. The pain inflicted on toddlers leaves as much of a psychological scar as it does on teenagers,

but in a different way. It is difficult to reconcile ourselves to the fact that there are individuals in our society who inflict pain and damage on children. Fostering is rewarding, but it is difficult. From time to time I am asked to speak to potential foster parents. I encourage people to become foster parents but I tell them that it is not something everyone can do. It can be difficult.

Some children were in our care for a short while, for three or four weeks. We would have a collective cuddle with our children and a chat about the impact of events on them, as well as on us. Every child who came through our house had a story and every child who came through our house left an impression. We always tried to find the good in the kids who spent time with us. We tried to provide direction so that they could draw on the good. Today we live in a "me, myself and I" society. Mentorship, guidance and leadership are missing, particularly for adolescent boys. Primary school-aged children also need a trusted adult other than mum and dad to talk to. Many teenagers feel—and my teenage children were no different—that there are matters they cannot discuss with mum and dad and they need a trusted adult to talk to. It is really important for them to be able to do that.

As parents, my former wife and I tried to identify trusted adults with whom our children could develop a relationship so that if ever they needed to they could talk to them, away from us. That option is not available for a lot of children in foster care, particularly those who move from home to home, as foster children with disabilities tend to do. That is sad and an indictment on society. In a fair, just and rational society our kids would be able to run free. Parents would be able to leave the back gate open and know that their children would be safe. Our children would be able to grow and explore, as they are meant to. Some of those freedoms have gone. Parents put up barriers to protect their children, even though they know their children need to explore and develop their independence and decision-making abilities.

Mr David Shoebridge: Get out of the helicopter.

The Hon. MICK VEITCH: That is right, but it is a difficult thing to do as a parent, particularly with teenagers. We hope that our children will be able to enjoy life as much as we did when we were their age, but society has changed. National Child Protection Week draws attention to not only the plight of children in our society but also society's role in raising and protecting our children. We all benefit when something causes us to focus on a topic, and National Child Protection Week does that. There has been a lot of talk in the Chamber today about the sad case of young William Tyrrell. My heart goes out to his parents and his community. Unfortunately, there are other children in similar situations.

We must be the eyes and ears of our children and protect them at arms' length so that they can grow up safely in society but also be able to explore, develop and mature in the way that they were meant to. We do not want them to live in an over-protective society. I say again that fostering is not for everyone but it is very rewarding. Although it is difficult, I encourage people to think about doing it. My former wife and I are still foster parents; we still take kids into care. We have experienced wonderful moments from fostering children. I commend the Hon. Paul Green for his motion.

The Hon. SOPHIE COTSIS [10.47 a.m.]: I thank the Hon. Paul Green for moving this motion relating to National Child Protection Week. I know that he is passionate about this issue. Over the many years that we have been in this House together he has been a strong advocate for child protection. He constantly raises this important issue with Ministers and Opposition members. I thank him for bringing this motion forward and I thank members who have spoken in the debate. Everyone in this place has a story to tell. We are all distressed when we hear stories of child abuse and learn of cases that have been brought before the royal commission. It is distressing when we hear about the murder or disappearance of a small child. Over the past year we have been hearing about William Tyrrell. We want to find out what has happened to William, and to other children as well. I commend the Hon. Mick Veitch and his family for fostering 50 children, some with disabilities, over many years. That is hard work and a big job. It requires a big heart to embrace and love those children. I commend him and the thousands of other foster parents who do it every day.

As previous speakers have said, nothing is more important than keeping our children safe. Many members in this place are parents and grandparents; Minister Ajaka spoke of his grandchildren. We all love and adore our kids and grandkids. As a mother, I know there is nothing more precious than our children. Sometimes, with helicopter parenting, we smother our kids and wrap them in cotton wool. I get deeply distressed every time I hear a terrible story of families whose lives are torn apart when their children have come to harm. We ask ourselves how did this happen and what can we do as legislators to stop such terrible things happening again.

I commend those who are strong advocates on this issue, such as Hetty Johnston, Chief Executive Officer of Bravehearts. For many years, she has been pushing governments to bring in tougher legislation. We have introduced legislation but we have more to do. Every day we hear stories of child abuse. We must be strong and tough in our actions. Yesterday the Opposition in the other place moved a motion and called on the Government to support the Opposition and introduce tough new penalties for those who commit violent offences against children. The Opposition gave notice of motion to introduce the Children and Young Persons (Care and Protection) Amendment (Protection from Serious Offenders) Bill 2015.

Under that proposed legislation, a parent or guardian previously convicted of murder or manslaughter of a child would have any future children automatically removed at birth. The new laws Labor is proposing would also apply to those convicted of serious violent offences against their own children. Any person convicted of the murder or manslaughter of or a violent offence against a child would be prohibited from caring for or living with a child or young person. In developing the bill, the Opposition consulted widely with a range of stakeholders through the Child Protection Reform Discussion Paper and the Child Protection Roundtable, which included frontline service providers, legal experts and non-government organisations.

The Opposition also worked closely with Jannice Florendo, whose daughter, Ikicia Leach, was tragically murdered at the age of seven weeks by her own father. The New South Wales Leader of the Opposition, Luke Foley, also met with the maternal grandparents of Bailey Constable, who was killed by his stepfather Nathan Forrest at four years of age. Yesterday this House debated the Child Protection Legislation Amendment Bill 2015. I know that Minister Hazzard is listening and will look closely at the bill proposed by the Opposition. As many speakers said in the debate yesterday, we are part of an adversarial system and debate is part of our robust democracy, and is important to improving our community. But it is also important on issues such as child protection to listen to each other and to experts and to work together in order to strengthen child protection laws.

I urge Government and crossbench members to talk to the Minister for Family and Community Services about the bill that the Opposition will bring before the Parliament. National Child Protection Week is now in its twenty-fifth year. This year's theme was "Protecting children is everyone's business". That statement could not be truer. Last week Bravehearts held a number of events across New South Wales and Australia. I know that many members participated in the annual White Balloon Day. I did, and I saw a number of my colleagues on the steps of Parliament House promoting White Balloon Day to our communities and our supporters. Bravehearts put out a media release that stated:

White balloons adorned the streets of towns like Bega and were the focus of more than 700 awareness and fundraising events in schools, child care centres, churches and businesses in towns across Australia as a symbol of hope for the 1 in 5 children sexually harmed before their 18th birthday.

Battery World gave the day plenty of charge fundraising money at each of its stores—

and I commend Battery World for its involvement—

while Affinity Education Group held white morning tea activities ... Brisbane played host to

Bravehearts' annual White Balloon Day lunch which acknowledged and celebrated the "children's champions" helping to make Australia the safest place in the world to raise a child.

I again commend Hetty Johnston from Bravehearts and her team and the many advocates and champions across New South Wales. Bravehearts runs a fantastic education program called the Ditto's Keep Safe Adventure Show. I quote again from the Bravehearts' media release:

The purpose of "Ditto's Keep Safe Adventure Show" is to teach children personal safety in a non-confrontational, fun and engaging fashion. Bravehearts' Education Teams deliver the show's messages into schools, day care centres, shopping centres, sporting clubs and other facilities ... to provide students, parents, teachers, carers and the general community with specialised child sexual assault awareness and education.

[The program] aims to continue communicating essential personal safety messages and works tirelessly to reach children across Australia.

I commend Bravehearts and its volunteers and educators for running this program. The program reached its 300,000th child in August 2013. That is a huge number of children. It is promoted to children at childcare centres and at schools. Bravehearts says:

The shows' main contents address:

- Yes and No Feelings
- Warning Signs
- Scared and Yucky Feelings
- Private Parts and Privacy
- It's OK to say NO if you don't feel safe
- What to do if you feel unsafe or unsure.

That is important information for our beautiful children: it increases their awareness and tells them that if they are affected to go to the authorities. We are talking about this issue; it is out in the domain. Media commentators are writing and talking about it. We always need to be vigilant. I commend those who have been very strong champions and advocates for ensuring tougher laws. I commend this motion and I thank the Hon. Paul Green for bringing it to the House.

The Hon. PAUL GREEN [10.58 a.m.], in reply: I thank the Hon. Sarah Mitchell, the Hon. Courtney Houssos, the Hon. Matthew Mason-Cox, Mr David Shoebridge, the Hon. Ben Franklin, the Hon. Scott Farlow, the Hon. John Ajaka, the Hon. Mick Veitch and the Hon. Sophie Cotsis for their contributions. I also thank my colleague Reverend the Hon. Fred Nile for his amendments to the motion. This is the sort of motion that every member can contribute to because it basically reflects what is in their heart. I am absolutely committed to ensuring that her child and the child of the Hon. Courtney Houssos reach their full potential. I want them to have the best opportunity to thrive, succeed, grow and contribute to our world. However, we will not be able to do that if our children have been broken, stolen from us emotionally and ripped off sexually by evil people. I reflect on the *Bible*, which says:

The heart is deceitful above all things, and desperately wicked: who can know it?

As long as we leave people to their own devices, our children will never be safe. We must educate our children in order to protect them. To that end we can use educational programs such as Ditto's Keep Safe Adventure Show. I give credit to the Government because, after a bit of convincing, that program has been rolled out across the 1,600 schools in New South Wales. But there is more to do. Teachers have to be trained in how to implement the program in the education of our children. The Hon. Sophie Cotsis spoke about that fantastic program.

I always say that one can tell the Government's priorities by its cheque book. The Government can write a cheque for any cause across New South Wales that it thinks appropriate, but what sort of cheques have been written for child safety protection and education? I spoke about this last night during the debate on the Child Protection Legislation Amendment Bill 2015 and the Working With Children Check. The Government has written a \$4 million cheque for the next four years for child protection, but there is so much more to do. If the Government does not help children to help themselves and to identify when the wrong thing is being done to them, we are letting them down. I am committed to helping our children in this way. The Government and members of Parliament are committed to dealing with this terrible crime that is being perpetrated upon so many children. Of course, the internet is now complicating that matter.

The amendment relating to William Tyrrell and his parents broke my heart the other day. Most of us attempted to say something, but we did not know what to say. Our words simply could not reflect the weight of the grieving and loss of William's family. I think of that wonderful song *Bring Him Home* and, as a father, I know that there would be nothing more devastating than not knowing where my child is, where they are sleeping or how they are being treated. In the song *Bring Him Home*, the father says that he would give his life to enable his child to have the opportunity to live a fulfilled life. The Hon. Mick Veitch said that William Tyrrell is the face of the many missing people and of friends and family who suffer the dire situation of wondering where their loved ones are, what they are doing and what has happened to them. I am proud to be a member of a Parliament and a cross-parliamentary team that has committed to increasing the opportunities to protect our children and to ensure that they have the future they deserve.

I will conclude with the poignant moment when Jesus, as the disciples tried to move the children away from him, said, "Suffer the little children to come unto me." There was a great moment for humanity—that God himself, in Jesus, wanted the children to receive the love that he had intended for them. That should be the goal of this House, this Parliament and this nation. I commend the motion to the House.

Question—That the amendment of Reverend the Hon. Fred Nile be agreed to—put and resolved in the affirmative.

Amendment of Reverend the Hon. Fred Nile agreed to.

Question—That the motion as amended be agreed to—put and resolved in the affirmative.

Motion as amended agreed to.

CHILD PROTECTION LEGISLATION AMENDMENT BILL 2015

Message received from the Legislative Assembly agreeing to the Legislative Council's amendments.

LIMITATION AMENDMENT (CHILD ABUSE) BILL 2015

Bill introduced, and read a first time and ordered to be printed on motion by Mr David Shoebridge.

Second Reading

Mr DAVID SHOEBRIDGE [11.05 a.m.]: I move:

That this bill be now read a second time.

Victims and survivors of child sexual abuse look to their elected representatives for justice. The Limitation

Amendment (Child Abuse) Bill 2015 endeavours to deliver an important and much-delayed reform, to respond to victims' requests to deliver substantial reform to justice. The object of this bill is to amend the Limitation Act 1969 to remove any limitation period applying under that Act on a cause of action for damages that relates to the death or personal injury of anyone, resulting from child abuse. This Parliament has an obligation to deliver practical assistance and real legal remedies so that victims and survivors of child sexual abuse, whenever that occurred, have it within their power to gain access to justice.

While the Royal Commission into Institutional Responses to Child Sexual Abuse is ongoing—and I commend its work—there are simple changes that can now be made that will immediately help those victims and survivors of past child sexual abuse. In a context where the average time for disclosure of child sexual abuse is approximately 23 years—it differs slightly for men and women—the three-year time limit for civil claims for compensation is a serious and inevitable obstacle to justice. Victims and survivors of abuse have enough challenges in their way coping with the effects of the abuse so, wherever possible, the law and especially our limitations laws should not add to the burdens they already have.

Currently to make a civil claim out of time—that is, beyond the three years after which a child victim of abuse has turned 18—a survivor must seek the leave of the court to allow their claim to be brought out of time. As anyone who has looked at this knows, and as anyone who has spoken to the lawyers who act in this jurisdiction or the victims and survivors who have sought compensation know, defendants use the existence of the statute of limitations to beat down victims and survivors in order to reduce the amount of compensation they have to pay.

In the very first settlement conference, when a survivor of abuse is sitting across the desk from the lawyers and the representatives of the institution that they say abused them, often the first thing that is raised in the negotiations is, "Well, I am terribly sorry, but you are out of time and you are going to have a great deal of difficulty convincing the court to extend time in which to bring this claim. Therefore, we will offer you 50 per cent or 20 per cent of the value of your claim." Time after time, victims and survivors are beaten down in negotiations and the law should not give the institution that abused them that power. While access to the leave of the court to bring a claim out of time has allowed many victims to seek justice, an extension of time should be as a matter of principle not at the discretion of judges. Survivors of abuse ought to have a substantive right to their day in court with their claim. We cannot and must not allow technicalities to stand between victims and access to justice.

This bill relates to civil claims for the simple fact that compensation is recognised by everybody as an important part of the healing process for many victims. The report from the Victorian parliamentary inquiry into the handling of child abuse by religious and other organisations was presented to that Parliament on 13 November 2013. That report identified the operation of the statute of limitations in Victoria as a substantive obstacle for victims seeking redress, and the Victorian Parliament acted. The Victorian Limitation of Actions Amendment (Child Abuse) Act 2015 came into operation on 1 July 2015. That State has removed the operation of the statute of limitations for all civil claims relating to child sexual abuse, and it has expressly made that change retrospective.

On Monday this week the Royal Commission into Institutional Responses to Child Sexual Abuse handed down its final report into redress and civil litigation. It is an extraordinarily important 600 page report that required deep research and contained carefully considered recommendations. In the political maelstrom that was Monday—with the removal of former Prime Minister Abbott and the installation of new Prime Minister Malcolm Turnbull—that extraordinary piece of work from the royal commission did not receive the attention it deserved.

Quite rightly, I think victims and survivors have been greatly disappointed that that important piece of work that proposes a national redress framework and essential reforms to our civil litigation systems, so that victims and survivors can stand on a near equal footing with the institutions that abused them, has not been given the attention that it deserves in our State and national media. I urge all

members to at least read the executive summary of the report and to digest the work that has been done by that royal commission, founded on the best expert advice, but also the hundreds and thousands of case studies from victims of abuse. It is essential reading for anyone who professes to have a genuine interest in delivering justice for victims of abuse.

The royal commission found that the statute of limitations, not only in New South Wales but also in each State and Territory across the country—and indeed at a Federal level—is an inappropriate and unfair obstacle to victims of child sexual abuse seeking civil redress. The royal commission made many recommendations, two of which are:

85. State and territory governments should introduce legislation to remove any limitation period that applies to a claim for damages brought by a person where that claim is founded on the personal injury of the person resulting from sexual abuse of the person in an institutional context when the person is or was a child.
86. State and territory governments should ensure that the limitation period is removed with retrospective effect and regardless of whether or not a claim was subject to a limitation period in the past.

Those recommendations are clear and compelling but without action from parliaments and law reform they will ring hollow for victims. This bill seeks to make the exact change that was implemented in Victoria and deliver on the recommendations of the royal commission. In New South Wales we often hear recommendations, such as those that came from the royal commission, and then proceed to undertake a further inquiry into possible changes. Parliament or the Government then receives another report, more meetings are held, further delay happens and, at best, years later a change to the law is introduced to give effect.

This time we do not need to do that. This time we have seen what has happened in Victoria and we have the Victorian model to follow. This time we have the clear and compelling policy support that has been delivered by the recommendations from the royal commission. The royal commission recommends this change. Victoria has already done it. We can do it here too and we can do it now. With cross-party support we can deliver this long-awaited reform the very next day this Parliament meets. The Limitations Act currently puts in place a time limit of three years from the date that the survivor of abuse reaches maturity, which is 18 years of age, in which to make a claim.

In general, such limitations are designed to facilitate the resolution of matters within a reasonable period of time. As a general principle in the general law there is a strong policy reason to have in place a statute of limitations that ensured that wherever possible claims are brought where the events that are relevant to the claim are fresh in the minds of the witnesses. There are good public policy reasons to support a statute of limitations in the broad. However, in the case of child sexual abuse, the research, study and history proves that the limitations period of three years—indeed any limitations period—is highly inappropriate.

We know that the average time for disclosure for victims of child sexual abuse is in the order of 23 years—for male victims it can be slightly longer; for female victims some studies have suggested it is marginally shorter. However, the average time is in the order of 23 years. Of course the time in which any individual will be able to talk about, disclose or seek action for redress for the injury that happened to them will depend enormously on the personal situation of the victim. In that context, no-one who has looked at the issue supports the retention of a statute of limitations for child sexual abuse claims—apart from a handful of institutions that want to defend their wealth and the status quo. They want a law that allows them to beat down victims when they bring forward a claim for compensation. As I speak, that number is getting smaller and smaller as the case for reform is building.

Some organisations do not seek to rely upon the statute of limitations. I note that after being

grossly embarrassed by the appalling manner in which the State of New South Wales exercised the defence of a statute of limitations against a number of children who had been abused in the care of the State decades ago, that it has now made a policy position—not a legal position—not to use the limitations of defence in relation to child sexual abuse claims. Other institutions have chosen voluntarily to restrain themselves and have not relied upon the limitations defence, but to this day many institutions continue to rely upon the defence to defend the claim.

I want to be clear: no survivor of abuse should ever be reliant on the goodwill of the institution that abused them in order to bring their claim for just compensation. Tragically, that is the situation the law currently places them in. Some research that has been gathered by Bravehearts shows that the figures in relation to delay are reasonably consistent across Australia. In Queensland the Project Axis survey, according to Bravehearts, found of the 212 adult survivors of child sexual abuse that 25 took five to nine years to disclose it; 33 took 10 to 19 years; and 51 took more than 20 years. The time taken to disclose can be substantially longer where the perpetrator is a relative. The Queensland Crime and Corruption Commission found of 3,721 reported offences committed by relatives, 25.5 per cent of survivors took one to five years to report the acts; 9.7 per cent took five to 10 years; 18.2 per cent took 10 to 20 years; and 14.2 per cent took more than 20 years.

That data shows that even a 20-year statute of limitations would exclude many victims who, through no fault of their own and often by reason of the damage occasioned to them as a result of the abuse, would not be able to bring a claim for compensation in that time frame. Indeed, sometimes the most damaged individuals are the ones least able to bring a civil claim in a timely fashion against an organisation that failed to protect them. They should never have to pay an additional penalty as a result of that.

I will give just one example of an individual who demonstrates this. Some three years ago I was contacted by a man after my office and the *Newcastle Herald* held a public event in the Workers Club at Newcastle to ask whether there should be a royal commission into child sexual abuse. Although we had promoted the event we were not sure how many people would turn up. We set out 100 seats. When I arrived 10 minutes before the club opened there was already a crowd out the front. Once we opened the doors more people streamed in. The more seats we put out the more they were needed. The auditorium was full to bursting and people ended up having to stand in the aisles.

At that event we heard from Peter FitzSimons, extremely brave former New South Wales police officer Peter Fox, and survivors and families of victims of abuse. One person spoke about the tragic case of an abuse survivor who had only recently taken his life in the Hunter. One after the other individuals spoke very emotionally about the abuse they had suffered and their need to get some justice. At the time we were calling for a royal commission. After I came back to Sydney I received a call from an elderly gentleman who had been at the event with his wife of some 40 or 50 years. He commented on how emotional it was and then said that it was only on the way home from the event that he had ever found it within himself to disclose the abuse that he suffered. At the time of that conversation I realised that the limitation legislation must go; we must act to ensure that people like him have access to justice. Of course we should, and that is what this bill does.

Schedule 1 [1] excludes an action on a cause of action for damages that relates to death or personal injury resulting from child abuse from the operation of the Limitation Act. It removes the Limitation Act provisions and accordingly makes the bringing of proceedings on such causes of action not subject to any limitation period provided for in the Act. The common law provides no limitation period, so removing the statutory prohibition would remove the limitation period at law. The proposed provision is expressed not to limit—nor should it—any existing powers or jurisdiction of the courts. An example is the power or jurisdiction to stay or dismiss proceedings where a court determines that the lapse of time has a burdensome effect on the defendant is so serious—meaning it is vexatious—that a fair trial is not possible.

Schedule 1 [3] makes it clear that the exclusion of such actions from the limitation periods applying under the Act extends to existing causes of action, including cases where the relevant limitation period has already expired. It also ensures that the bill applies to past causes of action. In that regard I will note how new sections 9 and 10 in the Act will read. Section 6A, which is the substantive provision that removes the limitations provisions for actions for the recovery of damages for child abuse, provides:

Section 6A applies:

- (a) whether or not any limitation period previously applying to the cause of action to which section 6A applies has expired, and
- (b) whether or not an action has been commenced previously on the cause of action, and
- (c) whether or not a judgment on the cause of action has, on the ground that a limitation period applying to the cause of action had expired, been given previously, and
- (d) whether or not a judgment in respect of legal professional negligence has, on the ground that a limitation period applying to the cause of action had expired, been given previously.

New section 10 relates to pre-existing judgements and settlements. It provides in part:

- (1) An action on a previously barred cause of action may be brought even though:
 - (a) a judgment on the cause of action has, on the ground that a limitation period applying to the cause of action had expired, been given previously, or
 - (b) a judgment in respect of legal professional negligence has, on the ground that a limitation period applying to the cause of action had expired, been given previously, or both.
- (2) An action referred to in subclause (1) may be brought as if the action in which such a judgment was given had not itself been commenced.

In other words, for those individuals who have suffered an unjust outcome—and inevitably historical child sexual abuse claims that are dismissed on a limitations offence are an unjust outcome—that unjust outcome will not bar them from bringing a claim if this bill becomes law. The Greens have consulted widely on the bill and have received endorsement for it from the following organisations and individuals: the Indigenous Social Justice Association; the Hon. Hal Sperling in his personal capacity; Bravehearts; the Survivors Network of those Abused by Priests [SNAP]; Women's Legal Services NSW; the Survivors and Mates Support Network [SAMSN]; and Adults Surviving Child Abuse [ASCA].

Each of those organisations does essential and important work and I think they all have the full respect of members in this Chamber. Each of those organisations supports the law reform we are putting forward. In consultation Bravehearts chief executive officer Hetty Johnston—an indefatigable campaigner in this area—noted that the bill not only has the support of Bravehearts but it also represents the position they have held for more than 15 years. Their position is that the statute of limitations applying to child sexual abuse matters is "draconian and must disappear". Hetty Johnston went on to say:

Victoria has already done this and we predict that the Royal Commission is going to recommend all States and Territories do the same. I actually think this legislation has a shelf life of about 3 nano-seconds ...

Let us hope that is the case. With cross-party support we can make this bill law the very next day that this Parliament meets. We thank all of the survivors, victims and organisations that have contacted my office

to offer their support. We also thank them for their ongoing courage in insisting that the law is changed not just so their claims, which are often fully resolved, can be given a fair hearing but so that all future claims can be given a fair hearing. They deserve justice according to law, not justice at the discretion of the institution that abused them. Reform is needed now. This widely supported and essential reform can ease at least one burden for victims immediately. I call on members of all parties to support this bill. There is a simple political fact: doing nothing in the face of injustice places those in power on the side of the abusers. It is time we stood firmly on the side of victims and survivors. I commend the bill to the House.

Debated adjourned on motion by the Hon. Dr Peter Phelps and set down as an order of the day for a future day.

ROAD SPEED LIMITS

The Hon. TREVOR KHAN [11.28 a.m.]: I move:

That this House notes that:

- (a) As the standards of roads are increasing in New South Wales, there is cause for the Centre for Road Safety to look at increasing speed limits on approved roads.
- (b) Roads such as the Newell and Pacific highways would be well served by a new maximum speed limit of 120 kilometres per hour in dry conditions, an increase from the current maximum speed limit of 110 kilometres per hour.
- (c) The trial in the Northern Territory of open speed limits has thus far been successful, and the New South Wales Government's close consideration of this trial shows sensible assessment of the potential for this change.
- (d) Further developments in this discussion are encouraged.

I note that this motion is worded carefully and deliberately—that is, my motion does not seek the immediate introduction of increased speed limits; it calls for discussion and thought. I am reminded in that regard of the speech given at the memorial service following the death of Robert Kennedy. On that day his brother Edward Kennedy, referring to his brother, quoted a fairly famous line that he said his brother had used. It was something to the effect of, "Some men see things and ask why; I dream things that never were and say, why not?" In essence, my motion does that. I ask that we all use a little imagination and inventiveness and consider that what we did in relation to road safety and speed limits in the 1960s, 1970s, 1980s or 1990s may not necessarily be applicable today.

There have been enormous improvements in the standard of our roads throughout New South Wales. That is particularly true of the duplication of the Pacific Highway, which is due for completion in 2020. It has been an enormous project, and a project of great vision that has obviously consumed great treasure. But the outcomes in terms of road safety are undeniable. The same can be said about the Hume Highway, the duplication of which was completed only last year. The sheer travelling pleasure and safety of those roads is extraordinarily different from how it was in the 1970s and 1980s—those of us who used those roads then will remember what it was like.

One thing we can say for sure is that the increase in safety delivered by roadworks is reflected in the road toll in New South Wales now compared with that of a decade or so ago. I congratulate the Minister for Roads, Maritime and Freight, who is in the Chamber, for his commitment to completing the Pacific Highway duplication and to seeing the funding provided by this Government—and, just as importantly, the Federal Government—to ensure that the duplication is finally effected for the people of New South Wales. That is an outcome of which he can be justly proud well into the future. I am sure that the Hon. Paul Green, who is in the chair, will be aware that speed limits are reviewed and assessed by

experts—it is not a matter of politicians simply acting on a whim; these things are based upon science—and the Centre for Road Safety is to be congratulated on its efforts in the past.

Of course, it is not the only organisation involved in setting speed limits in Australia. Everyone will be aware of the case of the Northern Territory. It has embraced a far more ambitious scheme than simply increasing speed limits to 120 kilometres an hour; it has introduced an open speed limit along a 276-kilometre stretch of highway. The Chief Minister, Adam Giles, handed down a report only in the past week or so confirming that the open speed limit had reduced the number of accidents compared with when the limit was 130 kilometres an hour. No fatalities occurred on that section of the road during the trial, and therefore it is being expanded. The Northern Territory is looking to increase the maximum speed limit of 130 kilometres an hour, and my understanding is that some of the speeds that have been clocked on the new section are well and truly beyond anyone's reasonable expectation or imagination.

Of course this is not just about the improvement in road standards. Over the past decade or so there has been an extraordinary improvement in the safety of motor vehicles. Almost all cars sold in Australia now have a five-star Australasian New Car Assessment Program [ANCAP] rating. That safety rating will be aligned with the European New Car Assessment Program [ENCAP] by 2018, which is an even higher standard. Those of us with a penchant for German cars have seen that with Mercedes-Benz.

The Hon. Dr Peter Phelps: Spot the lawyers in the House—disposable income.

The Hon. Sophie Cotsis: Even traffic lawyers?

The Hon. TREVOR KHAN: Yes, even traffic lawyers. One sees that with modern cars, whether a Mercedes-Benz, a BMW or even an Audi. They utilise a variety of technologies. For instance, they have stronger chassis, blind-spot warning systems, lane departure warning systems and collision avoidance systems. In a sense, we are no longer wholly in control of our cars—various technologies are making them far safer. Of course, that extends to the car braking systems. The sheer quality of the suspension means that the dynamic control of these cars is extraordinarily different from that of only a few years ago. Those changes have also contributed significantly to reducing the number of deaths and injuries on our roads.

If we talk in terms of the German experience, one is immediately drawn to the fact that those same cars that in New South Wales are limited to travelling at 100 kilometres or 110 kilometres an hour travel on the German Autobahn system on roads that have no speed limits. The fatality rate in Germany is lower than in Australia. In Germany the fatality rate is 1.9 deaths per billion kilometres travelled. That compares with Australia's fatality rate of 4.7 deaths per billion kilometres travelled on urban roads and 6.6 on rural roads. In other words, one cannot simply say that because one travels at high speed it is unsafe.

Properly controlled conditions such as occur on the Autobahn system allow higher speed limits to be considered. The German Autobahn system has an unlimited speed limit and vehicles travel well in excess of 120 kilometres per hour. I have travelled on the Autobahn, and it is fair to say that moving from the Australian system to the Autobahn takes a little getting used to.

The Hon. Duncan Gay: Sitting at 160 kilometres per hour and getting passed.

The Hon. TREVOR KHAN: That is precisely right. Huge speeds are travelled on those roads in safety but conditions are controlled. For instance, what is allowed in dry conditions is not allowed in wet, overcast or foggy conditions. If we are looking at increasing our speed limits—and I ask that that be considered—we must look also at the technologies that allow for speed control, such as variable speed conditions signage and the like. In short, speed limits should be set to suit the road conditions. In New South Wales suitable roads are being constructed and the Government has done an enormous amount of work to ensure that motorists are safe. I do not suggest that we should consider lifting speed limits on unsuitable roads, in urban areas, or where there is merging traffic and the like. In those circumstances the

Centre for Road Safety would recommend against any change or suggest appropriate road improvements before increasing speed limits. Nevertheless, we should not be blind to the possibility that increasing the maximum speed limit from the current 110 kilometres per hour would be possible without damaging our road safety record.

The Hon. Dr PETER PHELPS [11.42 a.m.]: I speak in support of the motion. This is a very good motion, and I endorse it wholeheartedly. Personally, I would go further but I understand that the Hon. Trevor Khan is a very moderate man.

The Hon. Sophie Cotsis: Say it. The roads Minister is here.

The Hon. Dr PETER PHELPS: The roads Minister is within easy stabbing distance. In saying that I support the motion, I must make a full declaration that I am in favour of increased speed limits on certain roads across New South Wales that have the built capacity to accommodate them.

The Hon. Sophie Cotsis: Name the roads.

The Hon. Dr PETER PHELPS: There are a number of roads—for instance, the newer sections of the Hume and Pacific highways. Recently I drove from Ballina to Queanbeyan and I can attest to the excellence of the new sections.

The Hon. Duncan Gay: It is pretty good, isn't it?

The Hon. Dr PETER PHELPS: I warmly look forward to the completion of those roads. Indeed, there are sections of the Pacific Highway where the speed limit as currently set is entirely appropriate. For instance, on the bends coming down towards the Hawkesbury River it would be ridiculous to suggest that the existing traffic infrastructure could in any way accommodate a significantly higher speed limit. In fact, the variable speed limits signs in that area take account of the fact that it was one of the older constructions in what might be called the modern highway system in New South Wales. It met the design limitations of the time and was far superior to the existing Pacific Highway through that area, but we must recognise its limitations. It is a product of the time in which it was built, and the State traffic authorities have recognised that by imposing the 100/90 variable speed limits depending on road conditions.

With that caveat, if one drives along the newer sections of the Hume or Pacific highways or presumably—and I have not done it as yet—the newer sections of the Newell Highway, or indeed any of the highways that have been built from the mid-1980s onwards, one will find that the design standards are very high in terms of not only Australian but also the world. Those roads have been conspicuously designed to be, as they say in defence terminology, for but not with—that is, they have been built to a design standard that recognises they have the ability to go above and beyond what the current road rules are designed to achieve. In public life we should always look to question whether the existing mode of doing things is appropriate. We do not want to fall back on the reactionary position of saying that we should do something because that is the way it has always been done. Indeed, if we were to do that we could throw back to the past.

As a child I remember travelling on sections of the old Hume Highway that had an unlimited speed limit. The sign displaying a black zero with a line through it indicted that one could do whatever speed one liked, provided it was safe for the conditions of the road. In effect, it threw the responsibility back onto the driver to drive to their capability and to the capacity of their vehicle. We do not want to say that the past is always bad or always good; rather, we should open up the field of inquiry to ask, "Are we as good as we should be?" Whether it is speed limits, criminal law or a range of issues discussed in Parliament, we should always ask, "Is this the best that can be achieved?" While I am pleased that the Hon. Trevor Khan has requested that this matter be reviewed, I suggest that in view of the current state of our roads it should be reviewed with a view to increasing the speed limit on newer sections of road.

A number of arguments are advanced in opposition to increasing speed limits. For instance, some argue that more fuel will be used so we should not do it on the basis that it will increase greenhouse gas emissions—members can well imagine how strongly that argument resonates with me. Others argue about the safety aspect. But if someone runs off the road and into a tree at 110 kilometres per hour or 120 kilometres per hour the material difference between those two speed limits would be so negligible that it is not worth worrying about. Others argue that some people do not have the capacity to drive at higher speeds. That is absolutely true; I accept that.

I would like to see—where it can be done—better and more significant driving training provided. My son is currently learning to drive and the process he has to go through is remarkably more stringent than when I learnt to drive. Indeed, the process by which I learnt to drive was probably more stringent than when the Hon. Duncan Gay learnt to drive. These days people are trained to be better drivers, so the argument to retain a speed limit that was set to match the driving ability of people 40 years ago probably cannot be sustained. But I will defer to expert investigation and analysis of that matter.

The Northern Territory experiment is interesting. For a while there was no speed limit, then a fixed limit was imposed and recently the decision was made to return to an unlimited speed. I am hesitant to support that because, manifestly, the traffic conditions on the highway in the Northern Territory are not the same as one would find on the Hume Highway or the Pacific Highway, other than for minor stretches. In the Northern Territory there are long, straight roads that go for tens of kilometres in a treeless landscape where visibility is excellent. There are material differences between the Northern Territory and the Southern Highlands of New South Wales that even the strongest supporters of increased speed limits would have to acknowledge have an effect on ensuring that there is a speed limit, even if the capacity of the roads, the vehicles and the drivers has unquestionably increased in the past 40 or so years.

I am not opposed to a reduction in road rules per se. In certain areas of the Netherlands, towns have been experimenting with the abolition of many road rules, including speed limits, stop signs and traffic lights. They have found that, generally speaking, there is a beneficial effect. Drivers are forced to pay far greater attention to their surroundings. Where there are no external stimuli for them to rely on, they are forced to rely on their internal awareness and perception of what is going on around them. Evidence shows that in one town, where there were eight collisions per year, following the removal of traffic signage and restrictions the number of collisions per year was reduced to one. This is an 85 per cent drop in traffic accidents following the removal of external traffic management stimuli. That correlates with other studies showing that motorists who travel at higher speeds have a better perception of the world around them than those who travel at lower speeds. The reason is that when one is travelling at a higher speed one must, of necessity, be more aware. One must have a better situational awareness of what is going on.

The Hon. Duncan Gay: But they need breaks more often because they are concentrating and get tired.

The Hon. Dr PETER PHELPS: That is true. The other point is that, for professional drivers or people who travel long distances on a regular basis, higher speed limits mean that they get from point A to point B more quickly. On that basis, they spend less time on the road. Safer drivers are not drivers who get tired because they feel that they must get to a particular point irrespective of how they are feeling. Drivers should be able to get there as quickly as is reasonably possible so that they do not overstretch themselves. Good driving skills should be rewarded. Currently, we are forced to accept a single level—a level that I suggest does not take into account those who have the ability to drive at higher speeds in good vehicles on modern roads.

I am very pleased that the issue is being examined. I look forward to seeing the results of the review. I hope it is an expansive review that looks not only to previous experiences in New South Wales and other States and Territories but also to international experiences. There are valuable lessons to be learned from other nations and other traffic management systems that place greater reliance on the good

sense of drivers rather than imposing on them government-standardised mediums that are designed to regulate their behaviour unnecessarily. Such mediums extend the power of the State beyond what is reasonably necessary to effect good outcomes for people on the highways, tollways, local roads, country roads or backstreets of New South Wales. I support the motion.

The Hon. LYNDA VOLTZ [11.56 a.m.]: Mr Deputy-President—

The Hon. Trevor Khan: Be nice.

The Hon. LYNDA VOLTZ: Not a chance. I am going to be nice to the Minister for Roads, Maritime and Freight. I oppose the motion. I refer to a question that I asked the Minister for Roads, Maritime and Freight during the week about concerns expressed by NSW Police Force Commissioner Andrew Scipione. He said that speed is one of the big problems affecting road safety and contributing to the high road toll. In answer to the question, the Minister said that he had the same concerns about the effect of speed on the death toll and how important it is to keep speeds at a safe level.

The motion moved by the Hon. Trevor Khan cites the Northern Territory as an example of where speed limits do not apply. Like the Minister for Roads, Maritime and Freight, I have a military licence. I spent a lot of my time in the military travelling between places like Ingleburn and Darwin. I am well acquainted with the stretches of road that the motion refers to. The reality is that the road has very low traffic volumes. The population of the Northern Territory is 240,000. The population of New South Wales is about seven million. The number of vehicles on New South Wales roads in the past 20 years has increased hugely.

The Hon. Duncan Gay: You would be one of the few people in this country who could quote their licence number, because your military licence number is the same as your civilian licence number.

The Hon. LYNDA VOLTZ: I did not know that, but I will check it. In the 1970s in my street, Wentworth Street in Birrong, there were probably four cars. Now almost every house has two or three cars. That is reflected on the Pacific Highway, even though work has been undertaken to make it a dual carriageway. The entry ramps onto the highway are dealing with volumes of traffic that have never been seen before. Southbound from Newcastle to Sydney at peak times, particularly in the mornings, there is wall-to-wall traffic travelling at 110 kilometres per hour, which creates difficulties at entry and exit ramps. Austroads makes the point on road design:

At all interchanges on high-speed roads—

those roads with a speed limit of more than 80 kilometres an hour—

it is good practice to provide an auxiliary lane to enable entering traffic to travel parallel to and at the same operating speed as the through carriageway whilst searching for a gap in the adjacent lane.

The reality is that on many of our freeways drivers do not travel on an entry ramp that is parallel. Usually the entry ramp comes from an overpass. Drivers are entering the carriageway from a height, and often there is a curve in the entry ramp. It is not until drivers get to a certain point that they can see the oncoming traffic. That poses a difficulty for those drivers because they are driving nowhere near the speed of the cars already on the freeway and at peak times there are no gaps in the freeway traffic, particularly on the Wyong, Morisset and Toronto entry ramps.

The Hon. Dr Peter Phelps said that in the past there were no speed limits in the Northern Territory. I have travelled through the Northern Territory a number of times and I know that until 2007 there were no speed limits. The Hon. Trevor Khan noted that no road fatalities occurred in the 12-month trial period of no speed limit on a stretch of the Stuart Highway in the Northern Territory. I point out that

since the speed limit was set at 130 kilometres an hour on that road there have been no road fatalities over a 10-year period. The 130 kilometres an hour speed limit was introduced on that stretch of road in the Northern Territory because of the previously high incidence of fatalities.

The Northern Territory transport Minister said he was extremely disappointed to learn that people were taking their cars to that stretch of road and driving at 250 kilometres an hour; they were using it as a racing track. That was never the intention of the no speed limit. The Northern Territory has long, straight pieces of road and drivers can see oncoming traffic about half an hour before it gets to them. That is why the speed limit on those roads was increased. When I was up there you would pass one car or truck every hour, if you were lucky; there may be more traffic now. There is no correlation between the roads in the Northern Territory and the congested roads up and down the east coast of New South Wales.

The Hon. Trevor Khan also raised the autobahn. The autobahn in Germany does not have an unlimited speed limit all the way. It has small sections where the speed is unlimited and those sections are monitored by closed-circuit television cameras so that anyone driving in a reckless manner can be dealt with appropriately. More importantly, to go above a certain speed on the autobahn drivers have to have a special licence which they can obtain by undertaking an advanced driver training course. This issue is not just about the type of road; it is also about the type of driver and the congestion. The roads Minister would agree that on New South Wales roads our first priority should and must always be keeping people safe.

There will always be revheads who do not think the speed limits apply to them. I defy anyone to tell me that there are not people driving on our freeways at more than 110 kilometres an hour. I sit on 110 kilometres an hour and plenty of people pass me. The police try to stop that behaviour because they know—and the Commissioner of Police made it clear in budget estimates—that that type of behaviour is dangerous. Roads should be improved and upgraded because the roads are going to become more congested as more cars come onto the roads. More cars mean we need better roads, not a change in the speed limit. Improved entry ramps and exit roads and extra lanes will help to prevent crashes.

Dr MEHREEN FARUQI [12.04 p.m.]: On behalf of The Greens I contribute to the debate on the motion put forward by the Hon. Trevor Khan. I have driven on both the highways noted in the motion. I have travelled on the Newell Highway en route to Narrabri, for reasons which the Hon. Trevor Khan may not quite agree with—that is, to join in solidarity with the activists protesting against the Maules Creek coalmine and coal seam gas mining in the Pilliga.

The Hon. Trevor Khan: I respect your right.

Dr MEHREEN FARUQI: I note that interjection. On the Pacific Highway I have driven perhaps hundreds of times, principally to and from the best city in Australia, Port Macquarie, both when I was living there and now as a frequent visitor. Whilst the upgrade of the Pacific Highway has been painstakingly slow, over the years there have been improvements in travel times and road safety. The Government should be concentrating on putting in the money to complete the upgrade in the most environmentally sustainable and safe manner, not wasting millions of dollars on increasing speed limits when the highways are not even up to standard. I have to say that I would have much preferred to make those journeys on high-speed rail, comfortably reading a book or watching a movie or even enjoying a little nap.

I note at the outset that an investment and improvement in country and regional trains and train services across New South Wales is what is needed if we are serious about serving the people of our State well. Faster and reliable intercity train services will open up our regions for economic growth and tourism while also ensuring that more people can travel on a safer and more comfortable mode of transport. Shamefully though, this Government is intent on doing the exact opposite. The bill to rip up the Newcastle rail line passed the lower House yesterday and I wonder how many other rail lines will have a similar fate under this Government and its ill-conceived, ridiculous decisions that are crippling transport in

New South Wales.

There is no doubt that in Australia we are faced with the tyranny of distance, given the vastness of our land, but the safety of people must always be at the forefront of our minds in the decisions we make. Recent figures from the Centre for Road Safety state that, tragically, 252 lives have been lost on our roads already this year—33 more than this time last year. I am sure that all members in this House would agree that 252 deaths are 252 too many. Safety must be the utmost priority for any decisions that are made and safety is obviously the major concern if we decide to increase speed limits.

The European Transport Safety Council found in 2008 that "the relationship between speed and road accidents has been studied extensively and is very clear: the higher the speed, the greater the probability of a crash and the severity of the crashes". This, however, was an analysis of traffic deaths in Germany where the autobahn concept exists and parts of the autobahn have no speed limit. I understand that this option is not being canvassed in this motion. However, the principal piece of evidence and the comparison being provided in this motion is that of the Northern Territory where there is no speed limit.

The Northern Territory Government opened up a 204 kilometre stretch of the Stuart Highway between Alice Springs and Barrow Creek to no speed limit, provided people did not drive carelessly, recklessly or dangerously. I am not quite sure how that was being monitored. This was later expanded to include a further 72 kilometre stretch along the Stuart Highway and Barrow Creek. Media reports suggest that based on a survey of drivers, not actual speed measurements, the fastest speed admitted to by a driver was 295 kilometres per hour and the lowest speed was 85 kilometres per hour, with most driving at 138 kilometres per hour, which is only slightly above the previous limit of 130 kilometres per hour. The Northern Territory Government reports a lower number of accidents in the trial sections than the average in the previous five years.

The Northern Territory trial has been running for only one year and I have the same concerns that the Australian Medical Association Northern Territory president, Dr Robert Parker, has raised about the validity of the data and the short time frame of data collection. It also appears that the report in its entirety will not be released due to Cabinet-in-confidence issues, which seems quite unusual when safety is at stake. There are obviously a lot of differences between the Northern Territory and New South Wales. Many more people and communities are living alongside and using the highways, particularly the Pacific Highway, in New South Wales than in the Northern Territory.

The Pacific Highway is 960 kilometres long and runs alongside towns such as Bulahdelah, Port Macquarie, Taree, Kempsey, Coffs Harbour, Grafton and Ballina. Similarly, the Newell Highway is around 400 kilometres long and services towns such as Dubbo, Parkes and Narrabri. In both cases, even if there are bypasses, residents of these towns still use these roads regularly. There is much more traffic volume on these highways compared with the Stuart Highway, so really it is a poor comparison.

As a civil engineer I know that we need to have the infrastructure in place to manage higher speed limits. We must ask: Are both vertical and horizontal curves on these roads designed for 120 kilometre an hour speeds? And, as my colleague the Hon. Lynda Voltz pointed out, are the roads designed and constructed for higher speed limits in a safe way? The answer to those questions is probably no. From my knowledge, it cost \$4 million just to put up signs for the Stuart Highway trial. I can only imagine how much more it would cost to upgrade the Pacific Highway or the Newell Highway to introduce higher speed limits.

Money should instead be used for making roads safer and for improving train services and public transport. While we have little progress on putting freight on rail, while bridges in the country need to be upgraded, and while traffic across Sydney comes to a grinding halt because of congestion—effectively leading to zero speed—it is ridiculous that the Government is planning on spending millions of dollars to increase the speed limit on two roads to 120 kilometres per hour. The NRMA is sceptical of the ability of Australian roads to safely manage higher speeds, with NRMA spokesperson Peter Khoury recently

stating:

We need to remember that if you look at the Australian Roads Assessment Program, which basically gives a star rating to the national highway network, there is not one highway in this country with a five-star safety rating—not one.

For example, when one looks at the AusRAP 2013 assessment report, for the Newell Highway, out of a possible five stars, 63 per cent of the road is graded two stars or less. We should also discuss whether trucks should be travelling at a higher speed. Truck driving is Australia's most dangerous job. Safe Work Australia has found that truck drivers are 15 times more likely to die than workers in any other industry. A principal reason for this is the unreasonable expectations on truck drivers to get from one point to another as fast as possible. We need to ensure that faster speed limits are not an excuse for some freight companies to extract more profit while putting the safety of drivers at risk.

We also need to consider the amenity of regional communities that live alongside busy highways. I am thinking particularly here of the upgraded 25 kilometres of freeway from Woolgoolga to Korora and the residents of Emerald Beach, many of whom have contacted me over the past year. The principal source of their concern was the failure of Roads and Maritime Services to introduce effective noise mitigation measures. The reality is that as speeds increase so does noise pollution. While the motion calls for discussion on this matter, it also calls on the House to note that:

... the Newell and Pacific Highways would be well served by a new, maximum speed limit of 120 kilometres per hour in dry conditions, an increase from the current maximum speed limit of 110 kilometres per hour.

However, the evidence before us does not support this assertion. Drivers and passengers driving on these roads will not be well served by an increase in speed. Safety, not speed, must be the priority. The Greens do not support the motion.

The Hon. SHAYNE MALLARD [12.12 p.m.]: I support this sensible motion moved by the Hon. Trevor Khan. I note that the motion calls for further discussion on the issue of increasing speed limits on the two roads he has nominated. I suggest that he also include the Hume Highway from Campbelltown to the Victorian border and even all the way to Melbourne. That highway is now an amazing piece of infrastructure, with separated carriageways and township bypasses along the way. It is now a very safe piece of road infrastructure. Having driven to Melbourne many times, particularly down to Albury I see the frustration of motorists, as they go past police radars monitoring the traffic, all sticking to 110 kilometres an hour when the road infrastructure can clearly support a higher speed. The speed of 120 kilometres an hour seems a sensible speed for those freeways and motorways.

The road infrastructure that has been built in Australia over the last 20 to 30 years is a far cry from the old Pacific Highway or the old Hume Highway, with their winding roads, passing lanes, sharp curves and steep hills. I remember as a child passing broken down trucks and cars on the Hume Highway on the way to Bellingen where we went for our holidays. That highway was a far cry from today's freeways. Today our roads have separate carriageways and the cable system on stretches where cars are more likely to go off the road. That system saves lives by restraining such vehicles. With modern engineering, sharp bends and curves are removed and flyovers and underpasses are built where there were once crossroads. Townships are now bypassed, to the great amenity and improvement of townships such as Albury and Goulburn. After some adjustment, the main streets of these towns have become flourishing centres. They no longer have trucks passing through in the middle of the night or drivers stuck in traffic and frustrated by an inability to get through the town.

I have driven in Denmark; it is a much smaller country than Australia and does not have as much infrastructure to invest in. But Denmark has an impressive freeway and highway system. It did have an open autobahn-style speed limit but that has been reduced to 130 kilometres an hour on sections where it

can be sustained. Europe is much more connected now with incredible bridges connecting countries, as opposed to rail connections. I would like to bring some ideas from Europe to the attention of the Minister for Roads, Maritime and Freight at another time. For example, in Denmark trucks are restricted to one lane only during peak hour and certain heavy trucks are restricted to 90 kilometres an hour. Denmark balances the safety and speeds issue quite well.

The variable sign system should also be considered. It is already used on the freeway to Wollongong where the speed limit is changed based on weather conditions. If it is wet, the speed limit goes down because vehicles and drivers react differently in the wet. City drivers on freeways also react differently in the wet to people who are used to driving in the country. Indeed, the variable sign limit could also be applied when there is increased traffic at Christmas or Easter and more chance of an accident because less experienced drivers are on the road. At that time speeds could be dropped to 110 or 100 kilometres an hour in order to manage traffic flow. Technology is also advancing road and motor vehicle safety. Satellite technology enables speed limits to be displayed in cars and in the not-too-distant future driverless cars such as the proposed Google cars will be on our roads. Vehicles are being manufactured with radar and automatic braking systems, such as that installed in a Mercedes I travelled in recently. It is a good Liberal Mercedes.

The Hon. Daniel Mookhey: Is it your car?

The Hon. SHAYNE MALLARD: I acknowledge the interjection suggesting that I own a Mercedes. My partner wishes. For the record, I do not own a motor car. I use GoGet CarShare, I ride a bicycle, and I travel by public transport. I probably live more sustainably than members of The Greens and the Labor Party. I do not have a parking spot in Parliament House. The Prime Minister and I are both big public transport fans. I am not speaking from the point of view of owning a car. In fact, I am using a GoGet car on the weekend to travel to Wollongong for a function. I am trying to be sustainable and appropriate, as all members should be. I admit that it is easier for me living in the inner city and not in a country or remote area.

Vehicles are much safer today with better brakes, air bags, and the sort of technology I have just described. The Hon. Daniel Mookhey might make a joke about a Mercedes but we know that the technology in a Mercedes today will be in the Holdens and Toyotas of tomorrow. Technology transitions quickly into other vehicles—air bags, seat belts, all those things. Volvo put seat belts in and that improvement went from Volvo to other cars. Dare I say, the markets and the private sector led that safety development.

I am also concerned about inexperienced city drivers, in particular, being intimidated by heavy B-double trucks, as we head towards the notion of increasing speed limits. My parents live in Dubbo and other family members live in western New South Wales. I do not make light of this but, tragically, fatalities on country roads often are associated with inexperienced drivers, probably from the city. When I was being brought up in the bush I was taught to never swerve to miss a kangaroo or a flock of galahs—

Mr Scot MacDonald: You can't avoid them here.

The Hon. SHAYNE MALLARD: That is right; there are plenty of galahs here. When one does that, it has a high statistical likelihood of a fatality. I am also concerned about placing a limitation on the speed of cars driven by young people. Young drivers are massively over-represented in the accident statistics. If we want roads with a speed limit of 120 kilometres per hour, we do not want young drivers using the roads as speedways at night. That will have to be addressed, but technology can help in that regard. As I said, I would like the Hume Highway to be added to the motion.

About two years ago, when I drove from Melbourne to Sydney—I love country drives—I saw the engineering feats of roads infrastructure under construction. The construction occurring in our nation is amazing. I saw the creation of the dual freeway and, over 100 or 200 kilometres, large construction sites

at 40 or 50 different locations. It is a huge investment in our country's infrastructure. In my view, the Hume Highway is of global standard and could certainly tolerate a speed limit of 120 kilometres an hour, with variable signs to deal with the conditions. I commend the motion to the House.

Mr JEREMY BUCKINGHAM [12.22 p.m.]: I refer to the motion moved by the Hon. Trevor Khan. I have lived in the country almost all my life and as a member of The Greens and someone who is an advocate for public transport, I think that there is great merit in the Government upgrading our major highways. I do not in any way begrudge the cost of upgrading the Pacific Highway, the Princes Highway, the Great Western Highway and the Hume Highway, all of which have served and will continue to serve our community into the future. I hope, in parallel, there are upgrades to public transport—for example, rail—but there is so much to be gained environmentally, socially and economically from the highway upgrades.

The upgrade of the Pacific Highway is an important nation-building exercise. I concur with the vast majority of the contribution of the Hon. Shayne Mallard, particularly when he said that the Pacific Highway upgrade is saving lives. I now live on the mid North Coast and my 17-year-old son is beginning his journey as a driver and currently is on a learner permit. It gives me enormous satisfaction that the highway around Coffs Harbour, Urunga and Kempsey is being upgraded. I would hate to think of the number of fatalities that have occurred on that road as result of its substandard condition. I concur with the comments of the Hon. Shayne Mallard and, God forgive me, the Hon. Dr Peter Phelps that as we adopt new technology to improve our vehicles and better training for young drivers we should consider variable and higher speed limits on our roads. I am a fierce advocate for and early adopter of technology, and I am incredibly excited—

The Hon. Dr Peter Phelps: Teslas.

Mr JEREMY BUCKINGHAM: Teslas. Very soon it will not be necessary to have signs along the roadside because messages will appear on the dashboard of our cars. We will receive a warning that we are travelling over the speed limit. The Roads and Maritime Services will have the capacity to implement a system of variable responsive speed limits based on day or night driving and traffic conditions and these speed limits will be beamed into our cars. Anyone who uses Google maps or other satellite navigation technology for travel knows that they can access traffic congestion and road construction warnings. There is an environmental gain too. By travelling at a constant speed, we will be more fuel efficient. Constant acceleration and deceleration uses more fuel. We should also be open to a higher speed limit for the trucking industry than presently applies, but lower than that for cars.

The Greens opposition to this motion principally is because it is so specific. It refers to the Newell Highway. I am concerned about the Newell Highway as it is less well policed and is not of a high standard. When I was a stonemason in western New South Wales I travelled on that highway a lot and I know that drivers in trucks and cars travelled along it at crazy speeds. There was always the risk of accidents caused by kangaroos or as a result of wet weather. I remember a major hazard along that highway was locust swarms. If locusts swarm a car the driver cannot see through the windscreen. However, we should be mindful that most of this motion has enormous merit.

When I got my licence I just drove under a permit to the Deloraine Police Station where I completed an eyesight test and my birth certificate was checked. I then was asked to drive around the block and do a reverse park, and that was all the training I had. Now young drivers undertake hundreds of hours of training and are better skilled. That brings more collective responsibility and, as I said, trust builds speed. We can work more efficiently if we trust the people around us, and that is happening on our roads. Some roads are death traps, for example, Hungry Head Road at Urunga. We are relieved that the Pacific Highway upgrade from Ballina to Port Macquarie is proceeding. I congratulate the Government on that infrastructure and for getting on with the job. It will save lives, perhaps a life in this place. The motion moved by the Hon. Trevor Khan has merit.

They do it in other jurisdictions. The Midwest of the United States, which is about a third of the country, has a speed limit of 85 miles per hour. That is nearly 140 kilometres per hour. The United States interstate freeways are engineered like you would not believe. I am led to believe that one in every 10 miles can operate as a landing strip by Federal law. Some might say they are over-engineered roads, but they are incredibly safe to drive on. I often drive on country roads at 110 kilometres per hour and I know people who infrequently travel at 120 kilometres per hour. I believe in some circumstances that it is safe.

There is merit to many parts of the motion. Our concerns principally relate to whether speed limits will be increased on all roads. We are particularly concerned about the Newell Highway, but when it comes to the Pacific and the Hume highways it is inevitable that we will move to faster speed limits as road and driver technology improves.

Reverend the Hon. FRED NILE [12.31 p.m.]: On behalf of the Christian Democratic Party I indicate our support for the motion moved by the Hon. Trevor Khan. The motion reads:

That this House notes that:

- (a) as the standards of roads are increasing in New South Wales, there is cause for the Centre for Road Safety to look at increasing speed limits on approved roads;
- (b) roads such as the Newell and Pacific highways would be well served by a new, maximum speed limit of 120 kilometres per hour in dry conditions, an increase from the current maximum speed limit of 110 kilometres per hour;
- (c) the trial in the Northern Territory of open speed limits has thus far been successful, and the New South Wales Government's close consideration of this trial shows sensible assessment of the potential for this change; and
- (d) further developments in this discussion are encouraged.

We support the two propositions in the motion that there is cause for the Centre for Road Safety to look at increasing speed limits on approved roads and that there should be further discussion. Like other speakers, my main concern is whether our freeways are built to take cars travelling at 120 kilometres per hour. That is an especially important consideration for roads that have not been completed and gaps in the freeway would cause drivers travelling at 120 kilometres to have to sometimes reduce their speed to 80 kilometres per hour. Of course, that could be achieved by clear direction signs on the roadside. I think increased speed limits would work on four-lane freeways that have two lanes each way and strong centre dividers to prevent collisions between cars when drivers lose control. Obviously, there would need to be restrictions so that L and P plate drivers could not travel at 120 kilometres an hour. We support the motion.

Question—That the motion be agreed to—put and resolved in the affirmative.

Motion agreed to.

BUSINESS OF THE HOUSE

Suspension of Standing and Sessional Orders: Order of Business

Motion by the Hon. Daniel Mookhey agreed to:

That standing and sessional orders be suspended to allow Private Members' Business item No. 369 outside the Order of Precedence, relating to 7-Eleven franchises, to be called on forthwith.

7-ELEVEN FRANCHISES

The Hon. DANIEL MOOKHEY [12.33 p.m.]: I move:

- (1) That this House notes the joint investigation by *Four Corners* and Fairfax Media into the systematic and extensive wage exploitation of workers employed in 7-Eleven franchises in Australia, which has revealed instances of:
 - (a) underpayment as low as half the award rate;
 - (b) 18 hour shifts with no breaks;
 - (c) the doctoring of payroll records to avoid detection;
 - (d) threats of deportation to working visa holders; and
 - (e) employees forced to break conditions of their working visas.
- (2) That this House notes that:
 - (a) many of the employees exploited by 7-Eleven were international students, recent migrants and people with working visas, who came to Australia in the pursuit of a better life but have been exploited and taken advantage of by the 7-Eleven franchise;
 - (b) 7-Eleven in Australia had developed a franchise model that shifted all of the risk of profit onto franchisees with little to no safeguards that they would not undercut their employee's pay and conditions to meet their financial commitments; and
 - (c) 7-Eleven is an example of business models in Australia that transfer risk through market power onto employees with little to no regard for the impact that risk has on their industrial rights or quality of life.
- (3) That this House condemns the 7-Eleven franchise for its systematic wage abuse of vulnerable employees.
- (4) That this House commends:
 - (a) any persons who have come forth to reveal the systematic wage exploitation inherent in 7-Eleven's business model; and
 - (b) *Four Corners* and Fairfax Media for their reporting of the systematic wage abuse of the 7-Eleven franchise in Australia.
- (5) That this House supports the Fair Work Ombudsman's investigation into unfair and illegal wage exploitation by 7-Eleven of its employees.

I thank members for their indulgence in allowing me to bring forward this motion occasioned by the investigative journalism of *Four Corners* and Fairfax Media to the attention of the House. It is important to understand why matters relating to 7-Eleven franchises are of such resonance and importance. We have a 24-hour economy in this State, and it is good that we do. After a prolonged period of debate we said that it was legitimate to trade all hours. We recognised that it is uneconomic for some businesses to shut down overnight and we therefore needed to have a sector of the economy to provide essential services.

I am in no way attacking the concept of convenience retailing. Nor am I suggesting that

Parliament should revisit the topic. What I am saying is that the overnight period accounts for one-third of the day and the convenience sector is a huge part of the economy. The brand most identified with 24-hour trading is 7-Eleven. In New South Wales we rely on the 7-Eleven franchises to do things such as distribute Opal cards. We also allow seniors to access discounts at 7-Eleven stores. Those are good and sensible things. Indeed, we recognise the importance of enabling people to access these services so much so that we grant planning concessions and have a special purpose set of precedents that allow those businesses to operate 24 hours a day.

Most 7-Eleven stores tend to be concentrated in the urban cores of cities, such as this precinct in Sydney. The same thing happens in Melbourne and Brisbane. But 7-Eleven stores are also dispersed over a wider geographic area in places such as Parramatta and the western suburbs and regional cities such as Newcastle and Wollongong. That is fine, but because 7-Eleven has a majority market share and the most brand recognition of all convenience sector traders it is right that this Parliament looks into its practices when problems are revealed. 7-Eleven is the most iconic 24-hour business. It is important for us to understand that what happens in its business is a sign of normative behaviour in the convenience sector. When we find out that something is going wrong it is important for us to bring it to the attention of New South Wales and accept our responsibility as legislators to act.

I want to talk about what it is precisely that 7-Eleven has been doing that has created such problems. I understand that right now there is an insistence publicly that we do attribute all material that we cite in our debates. I will say that I am reading from an article published in the *Sydney Morning Herald* just two weeks ago—

[*Interruption*]

I understand that that insistence was mentioned obliquely and not in a way which was pejorative. It was mentioned in a way that suggested I should make sure that I am clear on the precise material that I am citing. I am citing a report published on 2 September 2015 entitled "7-Eleven: a sweatshop on every corner". It was written by Adele Ferguson, Sarah Danckert and Klaus Toft. It is an incredible story about what precisely happens in 7-Eleven stores. It reports on the fact that, firstly, 7-Eleven knows that 69 per cent its stores do not comply with payroll requirements. Secondly, a huge number of their stores allow people to work for 18 hours without a break. Thirdly, on the occasions when underpayment has resulted in the need for back pay to be paid to workers there has been the incredible scenario of franchise owners insisting the workers pay back to them the money that they were ordered to pay to those exploited workers as back pay. There have been incidents of timesheets being doctored.

The Hon. Sophie Cotsis: Shame! That is illegal.

The Hon. DANIEL MOOKHEY: Of course it is legal, and it should be illegal. The closed-circuit television [CCTV] in the stores filmed precisely what happened, and when compared to the timesheets of those working there—timesheets which are meant to explain to regulators and to anybody who asks who is working and when—it showed that there was timesheet fraud. There was the infamous half-pay scam, where the official roster listed a person as only having worked for 10 hours but the CCTV footage revealed that that person was working up to 20 hours per day. It was happening in 7-Eleven stores throughout New South Wales. We need to talk about the victims in this and precisely what has been happening to them. Yash Radcha, a student from India, said:

If I get only \$200 or \$250 I can't even pay my rent even. I can't eat anything here ... So there's a reason not only me, each and every international students here is working only for \$11 to \$15.

This is happening when the minimum award wage that should be paid to a 7-Eleven worker is \$24.69 per hour for a Monday to Friday shift, \$28.49 per hour for a Saturday shift and \$37.98 per hour for a Sunday shift. So these workers are receiving less than a third, and at times less than half, of what they are legally entitled to receive. No one would suggest that the behaviour that has been uncovered is legal, and it is

certainly not moral. But sadly it is common in the convenience store sector. Certainly it is common insofar as 7-Eleven stores go. In contemplating this motion we should avail ourselves of this opportunity to ask the bigger question about precisely what it is that the 7-Eleven business model says about the modern economy. We should ask questions about the moral choices reflected in the way in which this business operates and the sector in which it operates.

I will talk about three aspects of this story—firstly, the emergence of the franchise model; secondly, the role of the international student in the modern day labour market; and, thirdly, the role of enforcement in respect of the practices that have been uncovered. I will start by looking at the franchise model. To be absolutely clear, I am 100 per cent supportive of the franchise model in theory. Not for one second do I suggest that the behaviour of 7-Eleven is an indictment of all franchisees—not at all. We have seen franchise models like that of Harvey Norman. It is a great Australian business success story. It has created wealth for a whole bunch of people. That is the type of franchise model that we absolutely endorse.

We have seen the emergence of franchises such as Domino's, Hungry Jacks and McDonalds. It is absolutely the case that those franchise models work. But they work for a specific reason—they work when there is a sense of equality between the franchisor and the franchisee and when there is a common recognition that they are striving to achieve the same goals. Here the relationship is built not around exploitation but rather mutual cooperation to make profit that supports enterprise, pays taxes and hires workers. That is the form of capitalism that the franchise model represents and that is indeed a good thing. It is just not the type of franchise model that has been practised by 7-Eleven.

The Australian franchise of 7-Eleven came to Australia 40 years ago. It was brought here by Mr Russell Withers and Beverly Barlow. I am reliably informed that they are amongst Australia's richest people. They have controlled and managed the network of 7-Eleven stores in Australia for the last 40 years. They have made tremendous profits for themselves and built a tremendous fortune. The problem is that it seems their profit and their fortune has been built on a simple formula: they take the benefits, and their workforce and their franchisees cop the risks. When one looks at the way the franchise model seems to be working in 7-Eleven one sees that the entire model is built on a supply chain where the risk is kicked down and the reward is kicked up. This arrangement gives head office total control over what is sold in these stores and how those goods can be priced. The costs, the need for investment and the need to contribute to the marketing costs are all passed down to the franchisee.

So for the franchisee to make any kind of profit and to get any kind of return on their investment they have to cut corners. When people are in the convenience store sector—trading 24 hours and subject to the penalty rates regime that has been supported in this country for more than 120 years—labour costs can account for up to 30 or 40 per cent of their entire business costs. Apparently the modelling shows that if they were to pay the correct wages for just one month's operation it is roughly \$230,000 in labour costs. The corner that is the first and easiest to cut is wages, and that in itself is terrible.

I am not suggesting for a second that any particular franchisee is to blame—although on the face of it there certainly seem to be some who have gone way too far, who have acted particularly egregiously and who have failed to change their behaviour after being caught out by various regulators. What I am saying is that we should look at how this economic relationship has been designed and how this market has been structured, and whether that market has been structured in a way that nurtures compliance or otherwise undermines it. Certainly what we are learning about 7-Eleven is that they have designed a franchise model which causes franchisees and their employees to break the law, and that cannot be supported.

The second thing I turn my attention to is the role of international students. It is a good thing that Australia has so many international students. It is a fantastic thing that international education is our second greatest exporter earner. It is our biggest export earner in the services economy and our second greatest export earner overall after mining. It is fantastic that that has been nurtured with the bipartisan

support of both sides of politics. It supports so many of our universities in Sydney.

But we should be honest about some of the restrictions we impose on international students and the effect these have on their participation in the labour market. Under Federal law, any person who comes to this country as an international student cannot work more than 20 hours per week. That is done on the theory and the assumption that predominantly their time ought to be invested in their studies and the related ancillary activities associated with their studies. That is a long-standing arrangement dating back to roughly 1995 or 1996. These international students now come predominantly from countries like India. Their education and their involvement in Australia is absolutely the result of a huge amount of investment from their families.

These students do not come here with tremendous financial resources. They do not come here with bank accounts full of money. They have to work to support themselves, and they do so in the context of some of Australia's most expensive cities like Sydney and Melbourne where the cost of living is continuing to rise. Their English skills and their awareness of Australian workplace rights are by no means comparable to those of an Australian citizen. These circumstances make them prone to precarious employment. It means that for them to be able to support themselves they have a big incentive to try to get around the 20-hour work limit. Of course that is wrong. But it is equally wrong that we have employers who are prepared to take advantage of them.

This brings me to my third point about the 7-Eleven story—that is, the poor enforcement. In this country there has been the long-standing trend away from tripartite enforcement. We have walked away from the principle that it is the responsibility of business, workers and government to jointly work towards enforcing standards and to jointly make sure that normative behaviour is obeyed. This is particularly so in the Federal jurisdiction. We now endorse this idea that essentially it is the role of the regulator to investigate and enforce labour standards. The problem is that no-one is suggesting that the Fair Work Ombudsman is up to it; has the industry knowledge that people, particularly those in the convenience sector, share; or has the money.

The Fair Work Ombudsman has an intelligence-based enforcement approach. The regulator has to make competing assessments, for instance, about which examples of wage exploitation and breaches of labour laws get enforced. Indeed, it is often found that action is only taken after media reporting and by that time victims are well and truly past that employment. This is even truer for an international student who has usually returned to their domestic country before the regulator has figured out that something has gone wrong. The consequences are pretty straightforward. The workforce is harmed—the families they have to support and the incomes they are trying to supplement—and so are those legitimate businesses that want to follow the law: those businesses that want to take wages out of competition; those businesses that want to have their market positioning profit levels based on the quality of the service they offer and not a race to the bottom.

They are as much the victims of this as the workforce that has been stolen from. The convenience sector is currently experiencing a lot of disruption and a large number of people are entering it. But for those businesses, which have built business models of compliance, to know that one actor in the market is transgressing the law and obtaining an advantage is as outrageous as it is for those in its workforce. International education is a very big industry in Australia. The way in which we treat international students is having a huge effect on our reputation. International education is meant to forge and help make links, and Australia is increasingly using this form of soft power. It is bad for our reputation if guests to our country are treated in this way. Indeed, it is a violation of the values that this Parliament and our society uphold. It is also a violation of legal compliance—one of the consequences of 7-Eleven.

The Parliament must consider its response. The media should be acknowledged for its vigilance. I have never been an editor of a newspaper—and that is probably a good thing for the people of this State—but I am not necessarily sure that wage exploitation is as sexy a story as others that are published. It is fantastic that the media has dedicated its resources to expose this exploitation. I note that

Senator Deborah O'Neill is a member of a Federal Senate committee inquiry into wage abuse and visas. Indeed, that committee is also looking at whether a scenario has been created in our laws that fosters precarious employment. This Parliament should pay attention to the response of unions such as the Shop, Distributive and Allied Employees' Association [SDA] and support them. Indeed, well before this matter emerged in the public domain the SDA has been organising workers in the convenience sector. This gave those workers a sense of solidarity and the confidence to step forward. The Parliament should be thinking very hard about the question of supply chain regulation.

I intend to make this a hobbyhorse for many years to come. I intend to bore members about the need for our laws to be updated to reflect the fact that people work in and businesses trade in supply chains. Our laws do not necessarily need to be designed around a legal description of precisely who we can see; rather, they should reflect the economic realities of the industries to which they apply. We should be thinking about whether this surfaces the need to have another look at business-to-business relations. We should be thinking about the extent to which franchise disputes ought to be appellable outside of the franchise relationship and not simply limited to contractual disputes. We should be thinking about whether there is a need for a jurisdiction that other States have contemplated. We should also be thinking about enforcement. On that basis I urge members to support my motion. I hope this motion will give some solace to the victims of wage exploitation at 7-Eleven. I also hope that this will give us an opportunity to modernise our laws to ensure that the practices happening under our watch continue to improve. I commend the motion to the House.

The Hon. COURTNEY HOUSSOS [12.54 p.m.]: I make a brief contribution in support of this motion. I commend my colleague the Hon. Daniel Mookhey for moving this motion and for his eloquent contribution. I wholeheartedly endorse his comments, particularly those about international education. I am a proud trade union member. The labour movement has a long and illustrious history of improving the working conditions for people. For hundreds of years it has worked hard to improve safety for workers, to ensure fair and appropriate wages, to regulate hours of work and the payment of penalty rates for unsociable hours of work. The labour movement is now the leading advocate for gender pay equity.

The conditions outlined in this motion such as underpayment as low as half the award rate and 18-hour shifts with no break are conditions one would expect more from the Victorian era than from Australia in the twenty-first century. One of the most concerning aspects of the joint investigation by *Four Corners* and Fairfax Media—I commend them for that investigation and the considerable resources that went into it—was the revelation that payroll and other records were doctored to avoid detection. That deceit reveals an understanding that 7-Eleven was acting illegally and that it was sought to be covered up. I will be awaiting the findings from the Fair Work Ombudsman's investigation with great interest. Hopefully, it will lead to some level of penalty for this deceitful—

The Hon. Daniel Mookhey: Fraudulent action.

The Hon. COURTNEY HOUSSOS: —and fraudulent action. The exploitation of these most vulnerable workers—international students, recently arrived migrants and others on working visas—is disturbing. It is appropriate that this motion has been moved. I commend those workers who have courageously come forward to expose this illegal behaviour and act as whistleblowers. I also pay tribute to the Shop, Distributive and Allied Employees' Association for its advocacy on their behalf. As I said, Labor welcomes the Fair Work Ombudsman's investigation and will await its findings before making a call for action. I look forward to the findings of the inquiry of my good friend Senator Deborah O'Neill. I commend the motion to the House.

Debate adjourned on motion by the Hon. Dr Peter Phelps and set down as an order of the day for a future day.

[Deputy-President (The Hon. Paul Green) left the chair at 12.58 p.m. The House resumed at 2.30 p.m.]

Pursuant to sessional orders business interrupted at 2.30 p.m. for questions.

QUESTIONS WITHOUT NOTICE

WILLIAMTOWN LAND CONTAMINATION

The Hon. ADAM SEARLE: My question is directed to the Minister for Primary Industries, and Minister for Lands and Water. Given that commercial fishers at the Williamtown public meeting last night expressed their concerns about their long-term viability due to the Williamtown Royal Australian Air Force contamination issue, will the Minister consider extending the current one-month waiver of the fishing fee for the fishing and oyster industries, and will he consider special one-off hardship assistance as they are completely without any source of income?

The Hon. NIALL BLAIR: I thank the Leader of the Opposition for his question. It is important to acknowledge that what has happened to date was contained in part of his question—we have been responsive to the commercial fishers in the area and have investigated waiving the fees for one month. As I have mentioned on numerous occasions, we have staff on the ground at the moment who are gathering information and conducting testing. The Government is taking a precautionary approach and will make relevant decisions when we have the results of the information gathering and testing. It is important to acknowledge that Department of Primary Industries staff are on the ground and have been in communication with those who have been affected, and will continue to do so.

ROADS AND FREIGHT INFRASTRUCTURE

The Hon. GREG PEARCE: My question is addressed to the Minister for Roads, Maritime and Freight.

The Hon. Lynda Voltz: Did you write this one, Greg?

The Hon. GREG PEARCE: Yes, this is mine. Will the Minister update the House on the building of critical road and freight infrastructure in New South Wales?

The Hon. DUNCAN GAY: I thank the member for his question—it is a question I was hoping I would get all week. When we came to office in March 2011 New South Wales was a failed, crumbling State. The State's economy was at rock bottom, investment confidence had been shot to pieces by a series of dysfunctional Labor and Greens governments, jobs growth was stagnant, the building of critical transport and freight infrastructure had come to a dead end, and government agencies were totally demoralised and operating in silos.

The Hon. Walt Secord: Tell us about Tibby Cotter.

The Hon. DUNCAN GAY: The Hon. Walt Secord would know because he was part of that government.

The Hon. Walt Secord: Tell us about Tibby Cotter.

The Hon. DUNCAN GAY: You should have asked me a question about it. This is the legacy of Labor in this State. Thankfully, in the space of just four years we have dramatically reversed the fortunes of this State and its people—a State that in 2015 now leads the nation in every vital indicator. It is a telling reminder of the importance of good government—of a Government where actions speak louder than words, of a Government that puts people before politics. Today approximately 4,600 projects are underway in the Roads, Maritime and Freight portfolio alone.

This is the result of more than \$27.5 billion being invested in the portfolio since 2011, including a record \$7.5 billion this financial year. To put this investment into perspective, our portfolio budget this financial year is larger than that of the Labor States of Victoria, Queensland, South Australia, and the Australian Capital Territory combined. Shame on you! In every corner of this State we are building critical infrastructure—from Western Sydney, to far western New South Wales, to the North Coast. The Illawarra and South Coast are also enjoying the biggest spend on roads infrastructure in the history of the State, including a massive upgrade of the Princes Highway.

Here is another stunning statistic: Over the next 12 months more than 1,680 kilometres of new bitumen will be laid on our roads, highways and motorways in New South Wales. That is the distance equivalent of driving from Brisbane to Melbourne via the Newell Highway. Indeed, the Newell Highway is also a big winner in this year's budget, with 30 kilometres of bitumen being laid to help continue fast-tracking major upgrades—including extra overtaking lanes—to this vital inland transport and freight link. Just last week I was informed by Roads and Maritime Services how, in the month of August, we moved more than one million cubic metres of earthworks on the Pacific Highway upgrade between Port Macquarie and Coffs Harbour, and Woolgoolga to Glenugie. That is a hell of a lot of work happening up there.

The Hon. Robert Brown: Big diggers.

The Hon. DUNCAN GAY: It is a big dig. It is telling how Labor quietly opposes many of these upgrade works on the Pacific Highway in an attempt to claw back votes on the North Coast from The Greens. It seems, sadly, that bad habits never die in the Labor Party. [*Time expired.*]

WILLIAMTOWN LAND CONTAMINATION

The Hon. WALT SECORD: My question is directed to the Minister for Roads, Maritime and Freight, representing the Premier. Given the Parliamentary Secretary for the Hunter and Central Coast, Mr Scot MacDonald, last night declared at a Williamstown RAAF Base contamination public meeting that he would organise a meeting with the Premier for 8.30 this morning, what was the result of that meeting? Will the Minister provide an update on those deliberations and which Ministers, departmental officials and toxicologists attended those talks?

The Hon. DUNCAN GAY: The Premier is away sick. Even the best Premier in the Commonwealth finds it hard to attend a meeting when he is not well.

[*Interruption*]

The PRESIDENT: Order! Question time will continue when members come to order.

GUN BUYBACK

The Hon. ROBERT BORSAK: My question is directed to the Minister for Roads, Maritime and Freight, representing the Minister for Justice and Police, in relation to an interview given by the member for Prospect, Dr McDermott, in front of the Lindt Cafe in Martin Place yesterday afternoon calling for a gun buyback. Does the Minister support the calls from Dr McDermott in the other place and how would a gun buyback affect the proliferation of illegal firearms on our streets?

The Hon. DUNCAN GAY: I thank the member for his question. It is an important question and I will certainly take it on notice.

NATIONAL DISABILITY INSURANCE SCHEME

The Hon. SARAH MITCHELL: My question is addressed to the Minister for Ageing, Minister for

Disability Services, and Minister for Multiculturalism. Will the Minister update the House on where people can find more information about the rollout of the National Disability Insurance Scheme [NDIS] across New South Wales and the public reaction to the bilateral agreement?

The Hon. JOHN AJAKA: Yesterday's signing of the bilateral agreement between the New South Wales and Commonwealth governments was a great outcome for people with disability, their families and carers. The agreement provides certainty and confidence for how and when the National Disability Insurance Scheme [NDIS] will roll out across New South Wales. Yesterday the reaction to the announcement was extremely positive, especially on Twitter. People with Disability Australia tweeted to the Premier and to me:

Thank you both for sealing this important deal.

Disability Advocacy Network Australia and the Australian Federation of Disability Organisations congratulated Minister Fifield, Minister Foley and me on our historical work on the bilateral agreement. Roy Rogers from the Flagstaff Group tweeted:

@John Ajaka doing a great job [to] bring the NDIS to NSW – good for people with disabilities we now have certainty and can plan for the future.

Disability advocates on the North Coast stated that the arrival of the NDIS will empower local people with disability. Barry Murphy from Challenge Disability Services in north-western New South Wales said that yesterday's announcement is great news for those across the region. The support for this announcement also extended to many local members of Parliament. Bruce Notley-Smith stated on Facebook:

Wonderful news on so many levels.

The member for Orange, Andrew Gee, wrote in his op-ed for the *Central Western Daily*, published today:

The scheme delivers confidence to people with disability, their families and carers so they can look forward to the future. A future where they can identify their goals and exercise choice and control over the supports they need to meet them.

It is great to be receiving bipartisan support across the sector for this announcement. I point to another significant development. I am pleased to advise the House that we are the first State to have created a dedicated and comprehensive website: www.ndis.nsw.gov.au. It is the most accessible government website that has ever been created in New South Wales. Numerous options have been built in to ensure that the site is accessible to people with every type of disability.

Some of the features of this new website include a text-to-speech functionality for the hearing impaired and, for the visually impaired, text size, colour schemes and contrast can be changed with the click of a button. We have also incorporated an option that changes all text to a special font designed to make content easier for people with dyslexia to read. The site has received accreditation from WebAIM, an internationally recognised organisation that is dedicated to increasing website accessibility. Over the next few months we will further enhance the site through the addition of Auslan videos for the deaf and pages on the site translated into a number of community languages.

The website is more than a simple source of information: It contains a tool that will help people identify what will happen with the NDIS in their area by simply entering their postcode. Our new specially designed website has gone live to reach even more people with disability, their families and carers so they can find out more information about the NDIS. I was delighted at the reaction to yesterday's announcement and I look forward to further updating the House about the NDIS rollout in due course. I know that all members in this House welcome this bilateral agreement with the Commonwealth and welcome the great news for people with disability.

DRIVE-BY SHOOTINGS

The Hon. ROBERT BROWN: My question is directed to the Minister for Roads, Maritime and Freight, representing the Minister for Justice and Police. How many law-abiding firearms owners have been involved in drive-by shootings using registered firearms in the past five years and how many criminals have been convicted of drive-by shootings using illegal firearms in the past five years? What was the term of sentence imposed by the courts for each of those convictions?

The Hon. DUNCAN GAY: I do not know why the member is asking me; I suspect he already knows the answer to that question. But just in case he really does need that information, I certainly will take it seriously and pass it on to the Minister for Justice and Police, and obtain a full answer.

ALBERT (TIBBY) COTTER WALKWAY

The Hon. SHAOQUETT MOSELMANE: My question is directed to the Minister for Roads, Maritime and Freight, representing the Premier. Given that the Acting Auditor-General's report on the Albert "Tibby" Cotter Walkway, tabled today, said, "Transport for NSW and RMS could not provide evidence of a compelling economic or financial argument to support the construction of the Walkway or for the tight deadline", why was the project approved?

The Hon. DUNCAN GAY: I thank the member for his question—a question that the Opposition rates about a number three or four in importance. We said we would have the Albert "Tibby" Cotter Walkway open for the Cricket World Cup, when the eyes of the world were on Sydney, and we achieved that. A recent Roads and Maritime Services [RMS] survey indicated that more than 6,000 people used the bridge over a six-day period when there were no major events—that is an average of more than 1,000 users a day. In addition, since it was opened, more than 38,000 people have used it during major events.

As the member indicated, the Auditor-General's report has now been tabled and, for all the noise from The Greens and the Heritage Council, what have they got: three straightforward administrative recommendations. The Audit Office worked hard on this report and this is all it has come up with. We have accepted the recommendations. The first two recommendations, which related to project analysis and assurance, were already accepted as part of an earlier audit in May this year, which focused on all large-scale infrastructure projects having independent assurance via a Gateway review. I note that this covered all transport infrastructure projects across the State. The third recommendation was about improving reporting to Treasury, and RMS is already working with Treasury and Infrastructure NSW to improve processes. However, we disagree with a number of claims made by the Auditor-General.

Roads and Maritime Services does not agree that the increased cost can be attributed to the deadline. The deadline was achievable within the original budget. An independent project consultant report completed by TBH confirmed that external delays and scope changes imposed by the Heritage Council increased costs by \$10.6 million. The original bridge design was developed in collaboration with the NSW Government Architect's Heritage Division, heritage advisers Godden Mackay Logan, the Sydney Cricket and Sports Ground Trust and the Centennial Park and Moore Park Trust. They all supported the RMS-proposed truss bridge design, which could have been built within the time frame and cost estimate.

Design changes were requested by the Heritage Council on a number of occasions and each time approval was delayed. It is fair to say that it loaded up the project with extra changes and costs to stop it happening. In fact, at one stage the Heritage Council wanted the piers moved 80 centimetres—thankfully, it woke up to the ridiculousness and later withdrew the request. The Heritage Council's demands included changes in structure requiring an additional 100 tonnes of steel, changes in the shape of piers, more sophisticated lighting, and the list goes on.

The Auditor-General was critical of the alliance model, yet acknowledged that Roads and Maritime Services engaged "a highly experienced and qualified contractor, a decision which is clearly sensible and responsible project management." Alliances are not just used to meet tight time frames, as the acting Auditor-General alluded to. The model has proven to work effectively in the past and has successfully delivered numerous RMS projects over many years, including the Anzac Bridge. [*Time expired.*]

The Hon. Walt Secord: It sounds like "the Heritage Council ate my homework".

The Hon. DUNCAN GAY: Yes, I am not backing away from that.

COAL SEAM GAS

Mr JEREMY BUCKINGHAM: My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water, representing the Minister for Industry, Resources and Energy. In implementing recommendation 6 of the New South Wales Chief Scientist that government move to a single Act for all on-shore sub-surface resources, will the Government release an exposure draft of any bill or bills and will the Government commit to a broad and comprehensive consultation with a wide range of stakeholders before introducing any legislation?

The Hon. NIALL BLAIR: I thank Mr Jeremy Buckingham for the question. It seeks some detail and I believe he asks for commitments from the relevant Minister. I will refer the question to the Minister and, in due time, I am sure that the Minister will provide a response.

BARLEY INDUSTRY

Mr SCOT MacDONALD: My question is addressed to the Minister for Primary Industries, and Minister for Lands and Water. Will the Minister update the House on how the Government is supporting the State's barley industry?

The Hon. NIALL BLAIR: I thank the Parliamentary Secretary for his question. Earlier this week, in Wagga Wagga, I had the great opportunity of opening the Australian Barley Technical Symposium. It is the first time it has been held in New South Wales since 1987. The symposium is the premier event on Australia's barley calendar, bringing together scientists, researchers, agronomists, malting and brewing industry representatives and many others representing industry groups from all over the world to discuss the latest technological advances in the sciences related to barley agronomy, malting and brewing. I am proud this State is open for business and the primary industries sector in this State is leading the nation. One only has to look at the barley industry in this State to realise that not only are we leading the nation but our primary industries are among the best in the world.

Barley is Australia's second-largest grain crop after wheat, with about 1.2 million tonnes grown in New South Wales each year. Much of this makes its way into our homes in a number of our favourite items: Milo at breakfast, beer after work or a well-deserved whiskey—that's whiskey with an "e". It is no wonder it is one of our most popular crops. Most barley growers also grow wheat, so barley remains an extremely important crop for wheat croppers not just as a stand-alone cash crop but also in crop rotations in order to break down the soil-borne diseases of wheat. Australian barley has a strong export focus. Sixty per cent of the crop is destined for overseas markets. Australian barley trade makes up more than 30 per cent of the world's malting barley and about 20 per cent of the global feed barley trade.

World demand for barley is continuing to grow. A decline in the Northern Hemisphere wheat and barley crops—where production is swinging to corn and beans—means demand for Australian wheat and barley looks extremely bright. In the last two years, there has been an explosion in demand for Australian feed barley, with significant export growth to China. In 2013, China's total barley demand from all world suppliers was around three million tonnes, the vast majority of which came from Australia. This year

China's barley imports have risen to more than seven million tonnes. This is why the coming together of some of the greatest minds in barley research and development, from here in Australia and around the world, is more important now than it ever was.

I am proud that the New South Wales Government backs our primary industries such as the barley industry. The Government recently announced funding to upgrade rail tracks and sidings, which will help freight and supply chains to the benefit of our New South Wales grower communities. That is because we know that if we can make it easier for our farmers to do business they can generate better profits, access markets more easily and continue to grow. The Department of Primary Industries [DPI] researchers are contributing to advances in the field through the national barley agronomy trials and the Southern Barley Agronomy Project. Barley generates economic benefits to New South Wales through the domestic production of beef and a growing export market that drives employment across a wide range of industries.

Local and international brewers are tightly linked with barley production and strong relationships have been built to ensure better linkages between breeders and brewers. As the Minister for Primary Industries, I am proud to see our industries grow, and I am determined to make sure industries like barley are given the leg-up they deserve. One of the most enjoyable experiences I had during the symposium was the opportunity to speak to some of our DPI research agronomists based at Condobolin and Tamworth and to get an insight into the type of work they are doing. They are doing an outstanding job. New South Wales continues to lead the nation, particularly in malted barley.

HEAVY VEHICLES AND MOTORWAY TOLLS

The Hon. DANIEL MOOKHEY: My question without notice is directed to the Minister for Roads, Maritime and Freight. Given that a truck making a return trip between Ingleburn and Hornsby using the M7, M2 and the proposed NorthConnex will pay more than \$122 in tolls, has the Government conducted any modelling on how many vehicles will rat-run through the side streets to avoid paying these tolls?

The Hon. DUNCAN GAY: That is a hypothetical question. If a truck driver was going in that direction he would not take the great circle route; he would go the shorter route. What a silly example.

ROADS, MARITIME AND FREIGHT PRIORITIES

The Hon. TREVOR KHAN: My question is addressed to the Minister for Roads, Maritime and Freight. Will the Minister please update the House on key priorities in the Roads, Maritime and Freight portfolio?

The Hon. DUNCAN GAY: This week has seen a great deal of commentary around the New South Wales Government's key priorities for this State. Since March 2011, my priorities in the Roads, Maritime and Freight portfolio have been clear. Indeed, the majority of priority actions in my portfolios are well underway, with a host of major projects already completed. When we came to Government we promised to widen the M5 West. I am delighted to remind members of how this \$400 million motorway project was completed last year, on time and on budget. We said we would invest historic levels of funding to upgrade major roads in Western Sydney to support population and economic growth—roads such as Schofields Road, Narellan Road, Camden Valley Way, Richmond Road and Old Wallgrove Road. For those opposite, they are all west of Sussex Street.

The Government is investing a billion dollars—including \$167 million in this year's budget—to fast-track upgrades of these growth roads. As a case in point, stage one of the Schofields Road upgrade between Windsor Road and Tallawong Road has already been completed; stage two, between Tallawong Road and Vernon Road, is currently under construction; and stage three, between Vernon Road and Richmond Road, is in planning. When we came to office we promised to build a world-class motorway network for Sydney to help unclog the horrendous congestion on both the M4 and M5 motorways—a

project Labor should have delivered more than two decades ago. Today, the first stage of WestConnex is well underway, with massive widening works on the M4 between Church Street, Parramatta, and Homebush Bay Drive happening as I speak. If Labor members ever drove into those areas they would see it.

The Hon. Walt Secord: All night long.

The Hon. DUNCAN GAY: The honourable member says, "All night long". That is absolutely true. We are not just working during the day; we are working all night as well. If the member was not so rude he would be able to—

The PRESIDENT: Order! I call the Hon. Walt Secord to order for the first time.

The Hon. DUNCAN GAY: We promised to bust congestion on Pennant Hills Road and link the M1 to the M2 via a continuous free-flowing road tunnel. Just last week I had the pleasure of announcing the beginning of excavation work for the nine-kilometre NorthConnex twin tunnels. We also promised to fast-track major upgrades of the Pacific Highway. That task was made possible through our successful negotiations with the current Australian Government to restore the 80:20 funding split—a funding arrangement that Federal Labor abandoned in 2011.

The Hon. Walt Secord: Not true.

The Hon. DUNCAN GAY: It is true. Labor used the 80:20 funding ratio when it was in government in New South Wales but quickly dropped it when we came to office. Labor members who purport to represent the people of the North Coast should know that for every year of delay in building the Pacific Highway another 27 people die on that road.

The PRESIDENT: Order! I call the Hon. Walt Secord to order for the second time.

The Hon. DUNCAN GAY: We promised to move more freight from road to rail. That is happening. [*Time expired.*]

The Hon. TREVOR KHAN: I ask a supplementary question. Will the Minister elucidate his answer on the priorities of freight transport?

The Hon. DUNCAN GAY: As I indicated, we promised to move more freight from road to rail. That is happening with our historic levels of funding to upgrade rail lines in regional New South Wales, including an additional \$400 million investment under a Rebuilding NSW program called Fixing Country Rail. It is a cracker. Everywhere we look across the State—whether at the Princes, the Great Western, the Newell, the New England, the Mitchell, the Oxley, the Silver City or the Cobb highways—we are rebuilding this great State, after decades of neglect.

NEWCASTLE RAIL LINE

Dr MEHREEN FARUQI: My question without notice is directed to the Minister for Roads, Maritime and Freight, representing the Minister for Transport. In a recent interview on radio 2HD the Minister for Transport described the existence of section 99A of the Transport Administration Act—the requirement of an Act of Parliament to shut down a rail line—as an "archaic situation". Will the Minister confirm that the Government will not move to remove that section of the Act, and therefore leave our public transport network free from land grabs?

The Hon. DUNCAN GAY: I am not sure which hemisphere Opposition members are living in at the moment. The Minister has clearly indicated—as he has through a bill in the lower House—that the Newcastle railway is very much at the front of his mind. The Greens and the Labor Party want to stop

anything happening anywhere at any time. They want to live in the past with nothing being fixed. The community wants the changes in Newcastle. The Minister has properly indicated that we would like to go ahead but legal action is challenging that decision. We are looking to ratify it properly through the Parliament. It will be up to the Government to convince the elected representatives in both Houses in order to get it through the Parliament. I know what The Greens will do; they say no to everything. But we will be talking to the balance of reason in this House to see if we can convince them. We are nowhere near that at this stage, but we will be working inside and outside the House to prosecute the case that properly represents the people of this State.

Mr Jeremy Buckingham: You are scaring the children.

The Hon. DUNCAN GAY: I do not scare children. I have five grandchildren who think I am a lovely person.

The PRESIDENT: Order! I welcome to the public gallery 36 visitors, including year 6 leaders, teachers and parents from the Australian Christian College, Hambledon Public School, John Palmer Public School, Mary Immaculate Primary School, Parklea Public School, Quakers Hill East Public School, Riverbank Public School, Schofields Public School, St John XXIII Catholic Primary School and St John's Primary School in the Riverstone electorate.

MEMBER FOR KIAMA COMMENTS

The Hon. GREG DONNELLY: My question without notice is directed to the Minister for Roads, Maritime and Freight, representing the Premier. What is the Minister's response to community concerns about statements made yesterday by Parliamentary Secretary for the Illawarra and South Coast, and member for Kiama, Gareth Ward, that "booking people" for speeding is simply "raising revenue" and "police love nothing more"?

The Hon. DUNCAN GAY: My problem is in acknowledging that it is a proper quote of what the member said. Members opposite have a slight history in that regard, although the Hon. Greg Donnelly is normally more reliable than his colleagues.

The PRESIDENT: Order! I remind the Hon. Walt Secord that he is on two calls to order.

The Hon. DUNCAN GAY: I am always concerned about speeding and the connection between speeding and accidents, but the question relates to police. Whilst I handle issues to do with mobile speed cameras, the police cameras are the responsibility of the Deputy Premier.

The PRESIDENT: Order! If the Hon. Walt Secord makes another remark he will be removed from the Chamber.

The Hon. DUNCAN GAY: In conclusion, the Deputy Premier is the proper person to refer the question to and I will do so.

FOCUS ON ABILITY SHORT FILM FESTIVAL

The Hon. SHAYNE MALLARD: My question is directed to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. Will the Minister outline what the New South Wales Government has done to support Nova Employment's Focus on Ability Film Festival awards?

The Hon. JOHN AJAKA: Earlier this month I had the pleasure of attending the 2015 Focus on Ability awards, which was a remarkable evening. Focus on Ability is Australia's biggest disability-specific short film competition and is helping to showcase the talent of young filmmakers with disabilities in New South Wales and internationally. This year the event attracted more than 160 entries from 14 countries,

including 71 entries from Australian and New Zealand high schools and 24 entries from overseas high schools. The competition film entries were engaging, inspiring and insightful and they captured the imagination of many. The winners were selected from five film festival divisions.

The Best Australian Short Film award was won by Georgia Cramp for her moving film about a young girl who, with the help of a friend, is able to successfully attend her ballet class despite having a hearing impairment. Another favourite and winner of the Best Australian Short Documentary was Daniel Clarke's *Dragon Dreaming*, which documents the work of a young, contemporary Indigenous artist, Kushia Young, who is deaf. Kushia is a gifted young artist who uses a mixture of Auslan and traditional hand signs to communicate.

The winner of the Best International Short Film was Jenna Kanell. She was born with autism, cerebral palsy, epilepsy and other disabilities. Jenna's parents were informed that she would never be able to walk, read, write or speak. Jenna's film *Bumblebees* uses the example of bees to demonstrate that, despite people's attitudes, people with disability can achieve more than they are expected to. Like the bumblebee, which should not be able to fly due to its body size, Jenna has challenged convention and done all the things the doctors said she would never do.

I am delighted to see that Focus on Ability is breaking down barriers by demonstrating the achievements and abilities of individuals with disability. The interest the competition has generated, both in Australia and overseas, is showcasing the talent of Australian filmmakers with disability. More than 200,000 people from over 117 countries viewed the short films and documentaries entered this year. The award presentation ceremony was also streamed to 95 countries around the world. I was pleased to see the Focus on Ability competition receive support from many Australian businesses and partners, including the Australian Film and Television Academy; the Australian Film, Television and Radio School; the National Australia Bank; and ClubsNSW.

With the help of funding from the New South Wales Government, Focus on Ability has raised awareness of the skills of people with disability. The Government has supported the competition over the last three years, providing funding to Nova Employment to advertise and promote the event throughout the State. The Focus on Ability competition is now in its seventh year, and I congratulate all the individuals who participated in this year's competition. Their entries in the competition have helped to raise awareness of the skills and talents of people with disability. I also congratulate Martin Wren, chief executive officer, and all the staff at Nova Employment for making Focus on Ability a success for young filmmakers with disability. I thank them for all the hard work they do assisting people with disability.

SYDNEY TRAINS UNUSED RAIL PLATFORMS

The Hon. PAUL GREEN: My question without notice is addressed to the Minister for Roads, Maritime and Freight, representing the Minister for Transport. Can the Minister inform the House whether the Government has any intention of using the unused platforms 26 and 27 at Central Station and the half-built or unused platforms at Redfern and St James stations?

The Hon. Trevor Khan: That is a good question.

The Hon. DUNCAN GAY: That is a great question actually. Some members may not be aware, although I am sure many are—

The Hon. Mick Veitch: I used to work there.

The Hon. DUNCAN GAY: The Hon. Mick Veitch used to work there. There are unused platforms currently on the City Circle network, which runs from Circular Quay through to Central, St James and Redfern. The question is whether we can use these platforms for other uses. Many people have suggested that they could be used for a bus tunnel, light rail or maybe even the metro line. It would be

great to use them for one of these purposes or some other use. People have suggested many great plans for them. This is such a great question. I was not expecting it, so I do not have a direct answer. The question certainly deserves a proper answer so I will take it to my colleague the Minister for Transport and obtain an answer for the Hon. Paul Green.

F3 MERGING LANES

The Hon. LYNDIA VOLTZ: My question without notice is directed to the Minister for Roads, Maritime and Freight. Given that peak flows on the F3 are close to capacity and are expected to increase to 100,000 vehicles by 2021, does the Morisset interchange still meet the Austroads design requirements for a left-hand curve entry ramp and is the Government giving consideration to an upgrade to provide a parallel auxiliary lane to give drivers more time to view vehicles, select a gap and merge safely?

The Hon. Greg Donnelly: That is a great question.

The Hon. DUNCAN GAY: It is a good question. It is not often that there are great questions from the Opposition but that is one of them. It is certainly part of the improvements we are looking to in the future. As members would imagine, there are a hell of a lot of roads and turns in this State. I would be more than happy to take that on notice and get a detailed answer for the Hon. Lynda Voltz. I appreciate the suggestion that the Hon. Lynda Voltz has made.

AGRICULTURE SEASONAL CONDITIONS

The Hon. BEN FRANKLIN: My question is addressed to the Minister for Primary Industries, and Minister for Lands and Water. Will the Minister update the House on the current seasonal conditions?

The Hon. NIALL BLAIR: I thank the Hon. Ben Franklin for his question. Since becoming the Minister for Primary Industries in April, I have covered much of the State, meeting with as many people as possible who are impacted by my portfolios of Primary Industries and Lands and Water. This has provided me with the opportunity to get out into the regions and to see firsthand how the season is shaping up. While I note it is still desperately dry in a small pocket of the north-west, the season is shaping up as a cracker across the majority of our key agricultural production regions. When we couple that with good commodity prices—exceptional, even, for some sectors; like beef—and the low Australian dollar, it all adds up to our \$12 billion primary industries sector being in a great position.

Following good rainfall over most of the State during winter, we had ideal growing conditions across most of the cropping regions. Despite an El Niño event commencing in May, rainfall during winter has been good and has replenished soil moisture reserves in many areas. Warm sea surface temperatures to the west and north of Australia have helped mitigate any El Niño effects on rainfall to date. Rainfall during August was average across most of New South Wales and above average across a quarter of the State, including areas of the Riverina and the south-east.

Crop growth was good across most of the cropping belt, with the exception of some areas where crops were sown late, less rainfall occurred or subsoil moisture reserves were limited. Early sown crops are generally well advanced, although not as advanced as last year. Later sown crops have been slower to develop due to cool temperatures and wetter conditions. Frost remains a risk, particularly for early sown crops. Following above-average rainfall during June and July, crop growth and yield potential is also good across the north-west, to the east of the Newell Highway, but it is lower in the west due to very late sowing and limited subsoil moisture.

Supplementary feeding has ceased in many areas, although it remained necessary in some areas of the tablelands, eastern Riverina and mid North Coast due to slow pasture growth and limited biomass. If the current El Niño event has a greater influence on rainfall and frost incidence during the remainder of September and early to mid-October, crop yields may not reach their full potential. Prospects for summer

crops will be limited by subsoil moisture reserves in some northern and central areas and due to the availability and price of irrigation water in the south. Other areas of the north have good potential due to favourable soil moisture levels.

Following the good rainfall, run-off has improved in the south of the State but remains limited in areas of the north-west, the northern and central tablelands, the Central West and the south-west and western Riverina. In these areas, stock water supplies remain variable. While seasonal conditions are looking good across much of the State, with an El Niño on the cards, now is the time for farmers to prepare for the event that conditions deteriorate.

The New South Wales Government has allocated \$250 million over the next five years under our Farm Innovation Fund. That is a great program that provides farm businesses with 20-year loans at a concessional rate of 2.5 per cent. There has already been terrific take-up of the Farm Innovation Fund. Best of all, it does not matter where one lives in New South Wales or whether it is in drought, all farmers can apply, and I strongly encourage them to do so. Fingers crossed for the remainder of the cropping season. Let us hope that we can see the potential that is out there in the paddocks realised. We still need to get those crops off and into the silos. I will keep my fingers crossed and touch wood.

SMART AND SKILLED

Dr JOHN KAYE: I direct my question without notice to the Minister for Primary Industries, and Minister for Lands and Water, representing the Minister for Skills. Will the Minister provide the House with the following two figures? Firstly, the total payments that should have been made between 1 January 2015 and 1 September 2015 to providers in respect of the Smart and Skilled program if the allocation of all entitlements had progressed according to the original contracted quantities. Secondly, the total payments that have been made in this period to all providers in respect of Smart and Skilled. Will the Minister explain the difference between those two numbers?

The Hon. NIALL BLAIR: I thank the honourable member for his question. As it is a detailed question, potentially it could have been put on notice. I will refer the question to Minister Barilaro for a detailed answer and come back to the member.

PARAMEDICS SAFETY

The Hon. COURTNEY HOUSSOS: I direct my question without notice to the Minister for Ageing, representing the Minister for Health. What is the Government doing about the rising number of attacks on paramedics, including the incident last night at 8.30 p.m. when a crew transporting a sick patient to John Hunter Hospital had its windscreen smashed by rocks thrown from a Hunter Expressway overpass near Branxton?

The Hon. JOHN AJAKA: I thank the member for her question. I can assure her that any attack on a paramedic is both unacceptable and outrageous. Paramedics do an outstanding job for the people of New South Wales. Put simply, they save lives. Paramedics are one of the first authorities to be called on in any major incident. They are also the first to be called on to help with a serious health issue at someone's home. They do an extraordinary job. For that reason the Minister for Health has taken the necessary action to appropriately recognise paramedics with the provision of increased funding. We now have additional paramedics in New South Wales. Over the past four years the Minister for Health has taken a lot of action because of the failure of those opposite in 16 years in office.

The Hon. Lynda Voltz: What are you doing about paramedics getting attacked?

The Hon. JOHN AJAKA: What do I intend to do? I intend to ensure that those opposite never again get into government. I intend to support the Minister for Health in the great job she is doing for the paramedics in this State.

WESTCONNEX

The Hon. SCOTT FARLOW: I address my question to the Minister for Roads, Maritime and Freight. Will the Minister advise the House of the key features of WestConnex and any alternative proposals?

The Hon. DUNCAN GAY: I thank the member for his question. WestConnex is the largest integrated transport and urban revitalisation project in Australia, and one of the New South Wales Government's key infrastructure projects. It aims to ease congestion, create jobs and connect communities. It brings together a number of important road projects to form a vital link in Sydney's orbital network, including a widening of the M4 East of Parramatta, a duplication of the M5 East and new sections of motorway to provide a connection between the two key corridors.

The M4 East section of WestConnex will give motorists driving from Western Sydney the option to enter a tunnel east of Homebush Bay Drive and emerge near the Bunnings warehouse on Parramatta Road or on Wattle Street at Haberfield. The removal of thousands of cars and 3,000 trucks from Parramatta Road each day from Homebush to Wattle Street will breathe new life into this decaying road corridor. The new M5 section will be completed by the end of 2019. When WestConnex is completed, motorists will have the choice to stay on the new M5 for an underground connection to the M4, bypassing King Street, Newtown, or surface at the St Peters interchange to access a number of direct connections to areas such as Alexandria, Redfern and Mascot. WestConnex will finally deliver the infrastructure needed to support Sydney's long-term growth, boost the city's economic productivity and remove congestion.

I was also asked about any alternative proposals. In the lead-up to the last election Labor said it would build WestConnex but it is now campaigning against it—the same as light rail.

[Interruption]

Well, the shadow Minister is. As a policy Labor supports it, but it campaigns against it. During budget estimates the other great infrastructure guru in this State, The Greens transport spokesman, Dr Mehreen Faruqi, suggested that instead of WestConnex we should widen Parramatta Road—that was The Greens' solution. Those urban saviours have now become the greatest urban terrorists of all time.

The Hon. Dr Peter Phelps: How many heritage properties would you have to knock down?

The Hon. DUNCAN GAY: It would mean the removal of the footpath and a block of houses and businesses on each side. These are the same people who talk about heritage areas and people's homes being taken. How many homes do members think the plan of The Greens transport spokesman would remove from the city? We are in question time and The Greens are not here. They throw their bombs and walk out of this place with gay abandon. They know that sooner or later they will be held to account. I am holding them to account because the plan of The Greens transport spokesman would remove 4,000 houses and countless buildings from the inner city suburbs of Sydney. Not only did she have that plan but she also had plan B. Some of us do not need a plan B— *[Time expired.]*

RACIAL AND RELIGIOUS VILIFICATION

Reverend the Hon. FRED NILE: I ask the Minister for Roads, Maritime and Freight, representing the Premier, and Minister for Western Sydney, a question without notice. Will the Minister confirm that not one of the 15 unanimous recommendations made by the Standing Committee on Law and Justice for the reform of section 20D and related sections of the Anti-Discrimination Act have been given effect? Is the Minister aware of an incident that took place in Sydney in July 2014 in which a hate preacher known as Sheikh Ismail al-Wahwah accused Jews of corrupting the world "in every respect", describing them as

"the most evil creature of Allah", and threatening that "the ember of jihad against the Jews will continue to burn. Judgement Day will not come until the Muslims fight the Jews"? Does the Minister believe that it ought to be a criminal offence to threaten, intimidate or substantially abuse any person or group on account of their race or ethnic background? If the answer to the last question is yes, when will the Government act to make such conduct a criminal offence?

The Hon. DUNCAN GAY: I thank the member for his question. This morning on radio I heard concerns being voiced by the Jewish Board of Deputies about this. I found the concerns expressed in such a mild and measured way by the spokesperson on behalf of the Jewish Board of Deputies quite alarming. This is not acceptable to any member of this House. I am informed that the Attorney General is looking into this matter—as we should be—but I am not aware of the detail. I will take the question on notice and refer it to the Premier as I have been requested.

NELSON BAY ROAD, PORT STEPHENS, HEAVY VEHICLE TRAFFIC

The Hon. ERNEST WONG: My question without notice is directed to the Minister for Roads, Maritime and Freight. What is the Government's response to concerns expressed by the community, including the Salt Ash Public School Parents and Citizens Association, about a proposal to increase truck movements onto Nelson Bay Road in Port Stephens from 16 vehicles to 48 vehicles per hour between 7.00 a.m. and 10.00 p.m. from Monday to Friday and between 7.00 a.m. and 4.00 p.m. on Saturdays? Will the Government make a submission through Roads and Maritime Services to the inquiry into the sandmining plan of Macka's Sand?

The Hon. DUNCAN GAY: The question is detailed. I will take it on notice and procure an answer for the member as soon as possible. Sadly, the time for questions has expired.

COBBORA COALMINE

The Hon. DUNCAN GAY: On 13 August 2015 Mr Jeremy Buckingham asked me a question about Cobbora coalmine. The Treasurer has provided the following response:

If a satisfactory purchaser does not emerge from the current sales process then the Government will consider remaining options which will include sale of the land held by Cobbora Holding Corporation.

NEWCASTLE REDEVELOPMENT

The Hon. DUNCAN GAY: On 13 August 2015 the Hon. Lynda Voltz asked me a question about Newcastle redevelopment. I provide the following response:

The Minister for Planning has advised me:

UrbanGrowth NSW is leading the Newcastle Urban Transformation and Transport Program, a \$460 million investment by the New South Wales Government to deliver light rail, improve public domain and revitalise the city centre.

The New South Wales Government is committed to improving public transport in Newcastle and the Hunter region. Truncating the heavy rail line, creating a fully accessible transport interchange at Wickham and introducing light rail will enhance and support urban renewal in Newcastle. Planning for the light rail is well underway. The community will again have the opportunity to provide feedback for light rail later this year as part of the environmental approval process.

The Hunter Development Corporation lodged an appeal on 2 January 2015 against the

Supreme Court's decision relating to the truncation of the Newcastle railway. The Court of Appeal heard the matter on 15 and 16 July 2015, and a decision is pending.

The New South Wales Government is committed to revitalising Newcastle. UrbanGrowth NSW is getting on with the Revitalising Newcastle community engagement program. Community feedback is being sought on how the land should be used while the appeal about the closure of the rail line is being considered by the NSW Court of Appeal.

VOCATIONAL EDUCATION AND TRAINING

The Hon. DUNCAN GAY: On 13 August 2015 Dr John Kaye asked me a question about vocational education and training. The Premier has provided the following response:

I thank Dr Kaye for his question regarding the Reform of Federation White Paper and vocational education and training.

The Commonwealth Government has committed to releasing a White Paper on the Reform of Federation in 2016.

At the Australian Leaders Retreat in July, it was agreed to "consider a shift in responsibility for VET to the Commonwealth provided States and Territories could elect to remain TAFE providers within a national system".

NSW will participate in this process with all jurisdictions to ensure we have a vocational education and training system which best meets the needs of students, businesses and the NSW economy.

WILLIAMTOWN LAND CONTAMINATION

The Hon. DUNCAN GAY: Earlier in question time I was asked a question about Williamtown by the Hon. Walt Secord. I apologise. I may have almost misled the House by indicating that the Premier did not attend question time. He did attend. The Premier was sick this morning. It is a measure of the man that he got up from his sickbed and came to Parliament.

The Hon. Greg Donnelly: He is a great leader.

The Hon. DUNCAN GAY: He is a great leader. Given how sick he was, I did not believe that he would come to work, but he defied expectations. He picked up his bed and brought himself in here. It is incredible. The question was on the Williamtown Royal Australian Air Force base community meeting. The Premier, despite being sick this morning, came to work at 1.00 p.m. Mr Scot MacDonald met the Premier at 1.30 p.m. The Premier was briefed on the issue and has agreed to meet community members. He has instructed that a community consultation group be formed. The Chief Scientist and Engineer has been appointed to assess the risk and provide advice on how to proceed.

HOMELESSNESS

The Hon. JOHN AJAKA: On 13 August 2015 the Hon. Robert Borsak asked me a question about homelessness. The Minister for Family and Community Services, and Minister for Social Housing has provided the following response:

A media release providing details about the *Emergency Response for Rough Sleepers Protocol* and the City of Sydney street count is published on the Department of Family and Community Services [FACS] website at: www.facs.nsw.gov.au.

Information about homeless services across NSW including the inner city is also available on the

FACS website.

ROYAL BOTANIC GARDENS

The Hon. JOHN AJAKA: On 13 August 2015 Dr Mehreen Faruqi asked me a question about the Royal Botanic Gardens. The Minister for the Environment has provided the following response:

I am advised as follows:

The integration of Centennial Park and Moore Park Trust and Royal Botanic Gardens and Domain Trust operational areas is bringing together both management teams and staff to transform the new entity, Botanic Gardens & Centennial Parklands [BGCP], into a more modern, efficient, capable and responsive organisation. As the integration only relates to operational matters, the two trusts continue to carry out their statutory functions under their relevant Acts.

The commitment of new technologies in science and horticulture along with better structured horticultural teams and the outsourcing of non-core functions will form the basis of this modern organisation. The horticulture branch across the BGCP organisation has been reorganised to focus on the core functions and efficiencies. The BGCP has also created a new role in Science—biodiversity data analyst. This role will provide BGCP with an opportunity to be at the forefront of understanding and analysing DNA and genomic data.

To assist in the transformation the New South Wales Government has allocated almost \$23 million to capital projects across the sites managed by Botanic Gardens. The trust's overall budget of \$70.4 million for 2015-16 is a 26 per cent increase on the 2014-15 revised estimate. This investment is part of a major modernisation program underway across these parks and gardens that will create a world-class, sustainable operation for generations to come.

Questions without notice concluded.

Pursuant to sessional orders business interrupted to permit a motion to adjourn the House if desired.

ADJOURNMENT

The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council [3.34 p.m.]: I move:

That this House do now adjourn.

PALLIATIVE CARE

The Hon. GREG DONNELLY [3.34 p.m.]: Members wo;; be aware that I have spoken on previous occasions about the need to improve both the quality and availability of palliative care in this State. I believe progress is being made. This afternoon I would like to focus on the vital role volunteers play in helping to deliver palliative care services in New South Wales. Last year Minister for Health Jillian Skinner announced that Palliative Care New South Wales would receive \$1 million over three years to recruit and support palliative care volunteers across the State. The Ministry of Health, the Health Administration Corporation and Palliative Care New South Wales have joined forces to develop, implement and operate a statewide palliative care volunteer support framework. One of the first tasks to be undertaken was to establish a clear picture of existing palliative care volunteering arrangements. This

has been completed and brought together in a report titled "A Snapshot of Palliative Care Volunteering in New South Wales 2014". It is available on the Palliative Care New South Wales website and is well worth a read.

The survey that underpinned the report found that 1,242 volunteers are involved in 38 palliative care services, with 965 volunteers, or 77.7 per cent, actively involved at any given time. Volunteers are supported by 22 full-time equivalent volunteer coordinator roles statewide, not including services in which clinicians manage volunteers as an add-on to their role. Each full-time equivalent volunteer coordinator works with an average of 56.4 volunteers. The four largest volunteer services collectively account for 32.4 per cent of all palliative care volunteers in New South Wales. Three of them are non-government organisations. Active palliative care volunteers contribute 110,400 hours per year to their services. The report provides an insight into the broad range of activities undertaken by volunteer groups. The challenge now is to systematically build on the excellent work that is already being done. One of the highlights of the report is the volunteer profiles. As one reads them, what is impressive is not only how much good work volunteers are doing but also how generous people are to others in great need. In many instances the volunteers became involved because they had had the significant personal experience of the death of a loved one and felt drawn to help others going through a similar experience.

The Volunteer Support Services Program is being offered to local communities to assist with recruitment and training coordination. It will give palliative care patients access to appropriately trained, supervised and mentored volunteers. These services, provided in partnership with local health districts, will facilitate access to individuals who are interested in providing palliative care patients and their carers and families with physical, functional, emotional, psychological, social and spiritual care in the end-of-life period. A section of the Palliative Care New South Wales website is devoted to volunteering. It is continually updated. There is a wealth of information for volunteers and volunteer managers. A substantial amount of education and training material can be downloaded from the website. Work is being undertaken to create a web portal for volunteers and services. An application is being developed to assist with identifying local services and volunteer opportunities.

On Wednesday 14 October Palliative Care New South Wales will be sponsoring an event in the Jubilee Room from 1.00 p.m. to 2.30 p.m. The event is to officially launch a new publication titled *Palliare: A Handbook for Volunteers in NSW*. It provides background information and practical guidance for volunteers working in a range of palliative care settings. The information contained in the handbook is specific to New South Wales but will be of interest to hospices and palliative care volunteers everywhere. Copies of the handbook will be supplied at the launch. Electronic copies will be available via the Palliative Care New South Wales website after 14 October. All members of the Legislative Assembly, members of the Legislative Council and their staff are welcome to attend the launch.

I thank Palliative Care New South Wales. The management committee, including president Therese Smeal and executive officer Linda Hansen, is playing a key role in driving the development of palliative care in this State. I also acknowledge the manager of volunteer support services, Alex Huntir, and the communications manager, Cody Sheehan. It is pleasing to see that palliative care is starting to receive the recognition and support that it deserves. May that continue in the years ahead and may the work of Palliative Care New South Wales go from strength to strength.

BEEF PRODUCTION ENVIRONMENTAL IMPACT

The Hon. MARK PEARSON [3.38 p.m.]: When thinking about water use, our immediate focus is on how much water we use from taps or tanks around the house and garden. Perhaps we think about how much we use at work. Why is it, when we focus on the amount of water used to produce protein or food for human consumption, we conveniently neglect the elephant—or should I say the steer and the cow—in the room? Often a large volume of "embodied water" is associated with many items we use or consume on a daily basis. This is the amount of water used during the growing, transportation and processing of the goods and services we use or consume. However, what is clearly evident—and backed

by numerous scientific studies and reports—is that it is animal products that impart huge strains on our water resources and in turn our water security.

In Victoria animal agriculture is responsible for 51 per cent of the State's water consumption. The dairy industry alone is responsible for 34 per cent of that consumption. The size and characteristics of the water footprint vary across animal types and production systems. Beef production, which Australia is known for, is by far one of the worst and one that I want to bring to the attention of members today. Per tonne of product, animal products generally have a larger water footprint than plant products. The same is true when we look at the water footprint per calorie. The average water footprint per calorie for beef is 20 times larger than for cereals and roots. For beef, the water footprint per gram of protein is six times larger than for pulses. From a freshwater resource perspective it is more efficient to obtain calories, protein and fat from plants rather than animal products.

The Hon. Dr Peter Phelps: But it is not as tasty.

The Hon. MARK PEARSON: As a global average vegetables use 320 litres per kilogram and 26 litres per gram of protein; fruits, 260 litres per kilogram and 180 litres per gram of protein; cereals, 1,645 litres per kilogram and 21 litres per gram of protein; beef, 15,415 litres per kilogram and 112 litres per gram of protein. How does Australia fare in relation to global averages? Professor Wayne Meyer of the Commonwealth Scientific Industrial Research Organisation [CSIRO], and Professor of Natural Resource Science at the University of Adelaide, cites as much as 50,000 to 100,000 litres of water per kilogram of beef. By comparison, he calculated it takes between 1,550 and 2,000 litres to produce a kilogram of rice. Yes, not as tasty perhaps, for some.

There has been much discussion about whether a dry country such as Australia should be growing rice or other plant products and yet there is no public outcry about the heavy toll taken by supplying millions of litres of water to cattle for meat production. The CSIRO figures cannot be ignored. I cite some comparative water usage figures from Professor Meyer: beef, 50,000 to 100,000 litres per kilogram; rice, 2,385 litres per kilogram; and wheat, 110 litres per kilogram. This is an important matter because it is about looking after our agriculture, agribusiness, and providing food and nourishment for our children and their children in the world. Moving towards a plant-based diet can save households 35 per cent of their total water usage. Moving towards a plant-based diet means the grain that is grown and transported to feed the billions of cattle that are kept in feedlots could be used to save the starving people in this world. We will not save them and we may not save our own children's children if we do not.

OZHARVEST

The Hon. SHAYNE MALLARD [3.43 p.m.]: In 2005 this House passed into law an amendment to the Civil Liabilities Act that allowed the food industry to donate surplus food without fear or liability. This would drastically alter, in a fundamentally positive way, the course of the food cycles in this State. With this change in legislation, a company founded by social entrepreneur Ronni Kahn called OzHarvest and supported by hundreds of great volunteers emerged to engage in what is now a highly successful charitable business collecting and redistributing waste food that would otherwise end up in landfill. OzHarvest now supplies more than 500 charities across all major Australian cities who depend heavily on its collection of unspoiled food from supermarkets, farmers and commercial food outlets—such as cafes and restaurants—to feed society's most vulnerable.

The statistics are astonishing. Australia produces enough food to feed approximately 60 million people, yet two million Australians still rely on food relief every year. Three years ago it was estimated that businesses in New South Wales sent 400,000 tonnes of food waste to landfill each year, 75 per cent of which never made it to a customer's plate. New South Wales will realistically never be a "zero waste society", but it will not be for want of trying. With charities such as OzHarvest working together with government programs like Love Food Hate Waste, there are significant inroads being made in this global food supply challenge.

The latest figures—from the most comprehensive business waste audit ever undertaken—indicate that that figure has dropped to 170,000 tonnes, which is more than a 50 per cent reduction through education and awareness programs. In addition to the Love Food Hate Waste program and its ongoing cooperation with OzHarvest, the New South Wales Government is supporting food donation services by providing funding for equipment such as refrigerated vans and freezers to help not-for-profit organisations across New South Wales to expand services or introduce new ones where they do not currently exist. Unavoidable food waste, like vegie scraps and plate waste, is also being collected and recycled into compost rather than being put into landfill. In New South Wales we are investing \$43 million over five years in infrastructure to increase our capacity to process the extra waste that is collected. On 9 September OzHarvest received a grant to fund a new van and driver to service the Northern Beaches. The van will allow OzHarvest to substantially increase the amount of surplus food collected and redistributed to charitable agencies for people in need within the council regions of Mosman, Manly, Warringah, Pittwater, North Sydney, Lane Cove, Willoughby and Ku-ring-gai.

There is a lot more to this renewed interest in what I like to call the "food cycle". A great number of community gardens are sprouting up around Sydney. In suburbs as nearby as Alexandria not that far from where I live there was an overgrown patch of grass outside the Alexandria Park School and Community Centre, which is now a space for the community to come together to enjoy and grow their own food. It was hard work to get the garden to grow but a retired couple living in the area went to great lengths for their local community, mulching, planting vegetables, creating a frog pond and painting a mural with the school children.

As our city moves to denser modes of urban living, places like the Alexandria Park Community Garden will be vital to providing not just a place to grow vegies but also a place to bring communities together in shared, open space. These gardens reduce household waste through composting, and give people the opportunity to get their hands dirty while learning valuable skills and inter-social skills. It is not just the hip inner-city people embracing what is fast becoming a movement towards localised community-based food sources. I am a keen gardener and I was interested to read recently about suburban Sydney households taking up permaculture as a means of dealing with rising living costs. In doing so people are developing an alternative to shopping at the large supermarket chains whilst also avoiding wasteful processes involved in some commercial agricultural practices.

An article appearing in the *Sydney Morning Herald* on 17 April described the backyard of Linda and Nevin Sweeney, who produce about 80 per cent of their food in the Sydney suburb of St Clair. There is clearly quite an exciting revolution going on in the culinary culture of greater Sydney. Our attitude to food is changing, with regard to not just how it tastes but also how it is sourced, grown and disposed of. We must continue to strive to reduce waste and support those in need when it comes to supplying food. Supporting organisations and initiatives like OzHarvest and community gardens are a big part of the New South Wales Government's approach to this issue, and it is proving highly successful.

PLANNING REFORM

Mr DAVID SHOEBRIDGE [3.48 p.m.]: When the Baird Government announced its vision for the future of planning in Sydney many hoped for a new approach to planning. This was a chance to step away from the former Minister Hazzard's heavy-handedness, and Labor's corruption-primed part 3A. It was a chance to deliver accountable and sustainable planning. Instead, Sydney has been offered another bunch of unelected bureaucrats, this time with a fancy name called the Greater Sydney Commission and a new State Plan that wants to muzzle residents from having any say in 90 per cent of housing applications.

The Greater Sydney Commission will take over many of the Minister's planning powers for the Sydney region. This has a serious political advantage—at least in the eyes of the Baird Government. It takes the political heat out of controversial planning decisions by making the commission, not the

Minister, responsible for the most controversial one. It ensures that a baker's dozen of ministerial appointees deliver the decisions the Government wants for its big business developer supporters because none of the State Government's 13 appointees to the Greater Sydney Commission will be elected or accountable to the millions of residents whose suburbs, shopping strips, parks and neighbourhoods will be in their sights. Under this so-called plan, no local council or local community will have any meaningful role in the most important planning decisions for their area. Planning and zoning will all be done for them by yet another State-dominated planning body. The Greater Sydney Commission will not be democratically accountable to anyone—and that is exactly the result the Government wants.

On Monday this week the Premier announced the so-called "State Plan", which seeks to have 90 per cent of housing development applications determined within 40 days. That can happen only if the Government decides to remove neighbours' rights to have a meaningful say in development that affects them. A balanced development assessment process needs more than this sort of tick-and-flick approvals process. New housing developments last decades so there is absolutely nothing wrong with taking a few months to ensure that we get it right—in fact, most other developed societies demand that. Any kind of environmental assessment, especially where a development genuinely impacts on threatened species, biodiversity or local overshadowing, will inevitably take more than 40 days to do right. This past fortnight has seen just the latest moves in this Government's push to get rid of local government and community input in favour of centralised, top-down planning. As the Government persists with its plans to force amalgamations onto unwilling local communities—

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! I call the Hon. Shayne Mallard to order for the first time.

Mr DAVID SHOEBRIDGE: —community participation faces even more threats as the Coalition moves further and further away from its promise of returning planning powers to the community. We have seen how both major parties' planning processes have worked in the past, ensuring that the odds are stacked against communities and the environment from day one. This State's top planning body, the Planning Assessment Commission, has acted as little more than a rubberstamp for developers during the time the Coalition has been in government. Dominated by unelected technocrats, the so-called Planning Assessment Commission has given the green light to 95 per cent of the development applications referred to it for a determination and it agrees with the recommendations of the Department of Planning close to 98 per cent of the time. If that is independent then Tony Abbott is popular.

In the same deeply undemocratic and developer-friendly vein is the pre-Gateway review process. For the past three years the Coalition Government has allowed developers to fork out \$20,000 for an appeal to the State Government against a council decision not to rezone their land. That means developers are literally putting cash in this Government's pocket for the right to bypass the community's wishes. This process was apparently not primed enough for developers.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! I call the Hon. Shayne Mallard to order for the second time.

Mr DAVID SHOEBRIDGE: This month the Minister for Planning, Rob Stokes, took this one step further by announcing that the pre-Gateway process will be fast-tracked to make joint regional planning panels judge, jury and executioner for a local community's planning controls. These new fast-tracked pre-Gateway reviews will further remove planning powers from local councils and centralise those powers in another State Government dominated body—the joint regional planning panels. Remember that the Greater Sydney Commission is essentially one large, unaccountable and unelected joint regional planning panel for Sydney and the Planning Assessment Commission is its bigger cousin on a State level. It is increasingly hard to find decisions in planning, individual or strategic, made by people who are elected and thereby accountable—it is bureaucrats and appointees at almost every level.

There is a pressing need for reform in strategic planning, but any proposal must tip the balance

back to community-focused, accountable planning laws that will serve this city and the State well into the future. The Moore and Dyer planning review of 2012, which has been buried for four years, would be a great start. With the Greater Sydney Commission, a series of city-changing decisions will still have to be made; it is just that the millions of residents impacted will not have anyone to hold to account, or anyone elected to represent their interests. Any proposed city-wide or statewide planning commission must be supported by a democratic model, where regional planning is undertaken by democratically accountable joint organisations of councils backed up with legislative powers. What this wonderful city and its millions of residents do not need is another State-dominated planning body.

HEALTH BUDGET

The Hon. GREG PEARCE [3.53 p.m.]: Our Federation is facing considerable challenges, and one of the most significant is the growing fiscal gap, particularly as a result of our expenditure on health. States and Territories face a large fiscal deterioration, partly driven by a reduction in Commonwealth health and education transfers announced in the 2014-15 Commonwealth budget. Ahead of the July 2015 Leaders Retreat, PricewaterhouseCoopers estimated that States and Territories could be running a combined fiscal deficit of around \$85 billion, or 2.4 per cent of gross domestic product [GDP], by 2030. By comparison, the Commonwealth's proposed policy scenario in the 2015 Intergenerational Report projected a fiscal surplus of \$40 billion. Combined, this implies an Australia-wide deficit of \$45 billion, or 1.3 per cent of GDP, by 2030.

The Commonwealth's proposed policy scenario assumes that all its budget measures pass the Federal Parliament. Replacing this scenario with its legislated policy scenario, which excludes the budget impact of its proposed but unlegislated proposals, suggests that the Australia-wide deficit could be around 3.7 per cent of GDP, not 1.3 per cent. A large proportion of the States' shortfall is in Health. Annual growth in States' and Territories' expenditure on health is expected to average around 6.6 per cent over the 2020s, while health-related Commonwealth transfers to States and Territories are expected to grow by only 4.1 per cent per annum and aggregate gross State product [GSP]—and hence States' and Territories' own revenue—is expected to average 5.5 per cent. As a result, by 2030 the States and Territories are expected to face a \$35 billion shortfall in revenue to fund health expenditure alone.

The health funding gap will have serious implications for the provision of health services. In today's dollars, \$35 billion is equivalent to the running costs of nearly 30 Westmead-size hospitals or the annual salary of 191,000 nurses. Activity-based funding was introduced in 2012 as part of the National Healthcare Agreement, and is already driving efficiencies in hospitals. It requires hospitals to better track activity and understand costs, and it improves transparent purchasing and performance frameworks. However, the Commonwealth has announced that activity-based funding will cease from 1 July 2017. The shortfall cannot be resolved through efficiencies alone. Total expenditure on Health in Australia is relatively low in comparison to other Organisation for Economic Cooperation and Development countries, as a proportion of GDP. Australia's spending on public health is even lower relative to other countries. We need a revenue measure that will help close the gap.

Around \$20 billion of revenue is required by 2020 to close the fiscal gap the nation is facing. One option is adjusting the GST, for example, which could efficiently raise part of the revenue needed to close the gap. Other options could include a 15 per cent rate with the current base; a 10 per cent rate with a broad base—although broadening the base is considered by many to be a regressive measure—or increasing the Medicare levy, which is equivalent to a higher income tax. Increasing the rate of the GST to 15 per cent on the current base will raise around \$35 billion in 2020. Around half of that would likely go towards compensating low- and middle-income households—for instance, fully compensating households with an income under \$100,000 and providing half compensation for households with income between \$100,000 and \$155,000. That sort of compensation opens the option, for example, for the Federal Government to include part of the compensation by way of tax reductions.

There are other significant issues for the Federation. Some issues that are being considered

currently include vocational education and training funding responsibility being shifted to the Commonwealth; social housing tenants receiving rental assistance; early childhood services being better funded; and, as I have mentioned already, a reduction in the tax burden. There is a Council of Australian Governments process in place, and I congratulate the Premier on the leadership position he took at the most recent meeting when he raised these issues and sought to begin the debate as to how we can find longer-term solutions. The Federal Government is moving forward; it is preparing a paper on tax reform and a paper on the Federation. I hope to see those papers progress very quickly because these issues need to be addressed, certainly in the lead-up to the next Federal budget and to the election next year. I am very pleased to see that the Federal Government is led by someone who will attack those issues.

NSW 2021 STATE PLAN

The Hon. MICK VEITCH [3.58 p.m.]: Earlier in the week we all heard the announcement of the New South Wales Government's new State priorities plan—NSW: Making It Happen—and questions were obviously asked about that document during question time. In the short time available I will speak about the NSW 2021: A Plan to Make NSW Number One. One thing that was beneficial in the NSW 2021 plan was that it had clearly defined measurables and it also indicated the benchmark, the line in the sand, the point from which those measurables would be measured. Budget Related Paper No. 1, NSW 2021 Performance Report 2014-15, shows that at the time the Government was taking the plan seriously. It states:

NSW 2021 is the Government's plan to guide policy and budget decision making and sets out clear accountabilities for Ministers and the agencies which support them.

The plan provides a rigorous performance framework for the New South Wales public sector, managers, front-line staff and Ministers so resources can be allocated to deliver the goals and targets the community and taxpayers expect of the Government. It goes on to say, under the heading "Local communities set priorities" that there are "19 Regional Action Plans" and that the Government had "consulted with more than 3,500 community members" in their development. The interesting thing about that document is that it was last year's budget; there was no performance report in this year's budget. The Government did not report against its own plan for this year's State budget. It should be no surprise to find out that the Government has turfed that plan. The "Economic Development Strategy for Regional NSW", January 2015—I emphasise that it is dated January 2015—in the first line of the executive summary states:

NSW 2021 is the NSW Government's 10-year strategic plan.

That is now out the window and gone. It continues:

Regional NSW is home to more than 2.9 million people, around 41 per cent of the NSW population. It contributes almost one third or \$138 billion of Gross State Product [GSP]. The Government recognises the need and opportunity for a tailored approach to economic development for Regional NSW.

On page 7 under the heading "Developing Regional Action Plans" it goes on to say:

Regional Action Plans are developed in consultation with communities across regional NSW ...

Those Regional Action Plans underpinned NSW 2021. Why am I more interested in the previous plan than I am in the new one? It is because in response to my question yesterday the Minister for Primary Industries, and Minister for Lands and Water said that the new plan has a broad approach and affects everyone. But the old plan had measurables and there are none in the new plan. For instance, of the 32 goals set for NSW 2021, the third one is, "Drive economic growth in regional NSW". But it does not just say that; on many pages it indicates what those drivers will be. For example, it states:

Increase the value of primary industries and mining production by 30 per cent by 2020.

Give specific attention to regional tourism with an injection of \$5 million to regional tourism organisations,

Target the creation of 100,000 new jobs through our *Jobs Action Plan* ... including 40,000 in regional NSW.

They are clear measurables—and they indicate from what date they will be measured. The new plan does not do that. It is full of broad, motherhood statements with no measurement commencement point and nothing to measure against. The jobs situation in New South Wales is critical. We have heard members opposite talk about the economy and how well we are doing in regional New South Wales. But I have some Australian Bureau of Statistics figures for them from August this year.

Let us consider the unemployment rate for the rest of New South Wales category. When the Liberal-Nationals came to government, the unemployment rate stood at 5.9 per cent; it is now 6.9 per cent. These are figures for which those opposite are directly responsible. In the Central West of New South Wales the current unemployment rate is 9.8 per cent and for youth it is 14.1 per cent. The youth unemployment rate for the Far West and Orana is 19.1 per cent. In the Hunter Valley, excluding Newcastle, the general unemployment rate is 10.1 per cent but for youth it is 20.6 per cent. Is the Government happy with that? Government members like to tell us how well things are going but these figures show that things are not going well at all. Producing a plan with no measurables is a way of hiding what the Government is doing. It is a disgrace, and Government members should be ashamed.

ANTHONY MITCHELL FORTIETH BIRTHDAY

The Hon. SARAH MITCHELL (Parliamentary Secretary) [4.03 p.m.]: I want to use the last few seconds of the adjournment debate to wish my husband, Anthony, a very happy fortieth birthday for tomorrow. Our partners, spouses and families put up with a lot while we do this job and I take this opportunity to say: Happy birthday, Ant. I love you very much and I hope you have a wonderful birthday.

[*Time for debate expired.*]

VISITORS

The PRESIDENT: I welcome to the President's gallery Jack Abadee and Ryan Nindra, who are year 10 work experience students from Barker College and guests of the member for Hornsby.

Question—That this House do now adjourn—put and resolved in the affirmative.

Motion agreed to.

The House adjourned at 4.04 p.m. until Tuesday 13 October 2015 at 2.30 p.m.
