

ADJOURNMENT	6850
ALSTONVILLE COMMUNITY PRESCHOOL	6803
APOLOGY TO MARDI GRAS 1978 PARTICIPANTS	6802
ASYLUM SEEKERS	6851
AUDITOR-GENERAL'S REPORT	6807
BALLINA AND BYRON COUNCILS AUSTRALIA DAY AWARDS	6806
BALLINA ELECTORATE AUSTRALIA DAY HONOURS	6805
BALLINA KOALA PROTECTION	6844
BURTON CONTRACTORS AND GOVERNMENT CONTRACTS	6834
BUSINESS OF THE HOUSE	6803, 6803, 6805, 6807, 6807
CANCER TREATMENT AT ST VINCENT'S HOSPITAL	6803, 6805
CLIMATE CHANGE	6804
COMMUNITY ROAD SAFETY FUND	6842
DISCRIMINATION AGAINST VISION IMPAIRED PERSONS	6836
ELDER ABUSE IN NURSING HOMES	6806
FIXING COUNTRY ROADS PROGRAM	6835
GARDEN OF LIFE ORGANIC SHAKES	6840
GWYDIR SHIRE COUNCIL JOBS	6843
HEALTH FUNDING	6845
HEMP FOOD PRODUCTS	6825
HOME CARE SERVICE OF NSW	6838
HUNTER RIVER WATER AND FISHERIES	6842
LOCAL GOVERNMENT AMALGAMATIONS	6808
NSW CARERS STRATEGY	6854
NSW POLICE FIREARMS REGISTRY	6850
PEDESTRIAN CROSSINGS	6837
QUESTIONS WITHOUT NOTICE	6834
ROAD INFRASTRUCTURE CONTRACTS	6842
ROADSIDE DRUG TESTING	6839
RULINGS BY THE PRESIDENT	6845
SESSIONAL ORDERS	6803
SOCIAL AND AFFORDABLE HOUSING	6853
SPECIAL ADJOURNMENT	6807
TABLING OF PAPERS	6845
TERRANORA BROADWATER ENVIRONMENTAL PROTECTION	6841
THE HON. BEN FRANKLIN	6850
THE HON. IAN ARMSTRONG, AM, OBE	6840
WELLINGTON AND DUBBO COUNCILS AMALGAMATION	6852

LEGISLATIVE COUNCIL

Thursday 25 February 2016

The President (The Hon. Donald Thomas Harwin) took the chair at 10.00 a.m.

The President read the Prayers.

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

APOLOGY TO MARDI GRAS 1978 PARTICIPANTS

Motion by the Hon. TREVOR KHAN agreed to:

- (1) That this House notes that:
 - (a) the first Sydney Gay and Lesbian Mardi Gras took place on 24 June 1978 when more than 500 people assembled at Taylor Square for a public demonstration and march to call for:
 - (i) an end to the criminalisation of homosexuals acts;
 - (ii) an end to discrimination against homosexuals; and
 - (iii) a public celebration of love and diversity.
 - (b) the march proceeded down Oxford Street to Hyde Park and then along William Street towards Kings Cross;
 - (c) as the parade proceeded, patrons from nearby venues joined in and participants rose to more than 2,000; and
 - (d) police forcibly broke up a peaceful demonstration, making over 50 arrests.
- (2) That this House notes that the *Sydney Morning Herald* and *The Age* published the names, occupations and addresses of those arrested, indifferent to the likelihood that those named would subsequently become victims of discrimination and harassment.
- (3) That this House notes that the upsurge of activism following the first Mardi Gras:
 - (a) led to the 1979 repeal of the Summary Offences Act 1970;
 - (b) led to decriminalisation of homosexuality in 1984; and
 - (c) contributed to an effective community response to the HIV epidemic.
- (4) That this House:
 - (a) acknowledges that the Sydney Gay and Lesbian Mardi Gras has as its foundation the violence and struggles of 24 June 1978 and related protests; and
 - (b) notes that Mardi Gras now attracts worldwide attention as a beacon of positive social change.
- (5) That this House commends the work done by the 78ers for their tireless advocacy around ensuring discrimination of this kind is not repeated, as well as raising awareness of the events of 1978.
- (6) That this House affirms an ongoing commitment to an inclusive society and full respect for the rights of all lesbian, gay, bisexual, transgender, intersex and queer citizens protected in law.
- (7) That this House places on record an apology to each and every one of the 78ers from the Legislative Council for the harm and distress the events of 1978 have had on them and their families and for past discrimination and persecution of the lesbian, gay, bisexual, transgender, intersex and queer community.

SESSIONAL ORDERS**Precedence of Business****Motion by the Hon. ADAM SEARLE agreed to:**

That the sessional order for precedence of business be amended by omitting all words after "That," and inserting instead:

"during the present session and unless otherwise ordered:

1. Government business is to take precedence of general business on Monday, Tuesday, Wednesday and Friday, and after the conclusion of general business on Thursday each week.
2. General business is to take precedence until half an hour after the conclusion of Questions on Thursday each week."

BUSINESS OF THE HOUSE**Formal Business Notices of Motions**

Private Members' Business item No. 409 outside the Order of Precedence objected to as being taken as formal business.

CANCER TREATMENT AT ST VINCENT'S HOSPITAL**Motion by Mr JEREMY BUCKINGHAM agreed to:**

- (1) That this House notes that:
 - (a) up to 70 patients treated for cancer at Sydney's St Vincent's Hospital have received significantly less than the recommended dose of a chemotherapy drug, carboplatin, by one of the hospital's medical oncologists, Dr John Grygiel;
 - (b) St Vincent's Hospital has said that the under-dosage began three years before the hospital became aware of the issue in August 2015, but surviving patients and their families were only informed following questions from ABC's 7.30 report; and
 - (c) St Vincent's Hospital has said that it has undertaken an internal investigation of this issue, which has been independently reviewed, but has refused to make the reports of either of its inquiries public, or to say who undertook the independent review.
- (2) That this House calls on the Government to immediately table in Parliament the reports of both inquiries due to the large number of patients involved, the length of time before this issue was picked up and concerns about the adequacy and timeliness of St Vincent's hospital informing patients and their families.

BUSINESS OF THE HOUSE**Formal Business Notices of Motions**

Private Members' Business item No. 603 outside the Order of Precedence objected to as being taken as formal business.

ALSTONVILLE COMMUNITY PRESCHOOL

Mr JEREMY BUCKINGHAM [10.04 a.m.]: I seek leave to amend Private Members' Business item No. 606 outside the Order of Precedence for today of which I have given notice by omitting paragraph (d) and inserting instead:

- (d) Clubs NSW, Ballina RSL and Twin Towns Services Club, which contributed more than \$57,000 towards the build; and
- (e) that the Government through its Community Preschool Capital Works Grants, contributed \$384,881 towards the building.

Leave granted.

Motion by Mr JEREMY BUCKINGHAM agreed to:

That this House recognises:

- (a) the incredible work of the Alstonville community preschool, its volunteers, parents, students, and director, Narelle Walker, and president, Katherine Buckley, who have fundraised \$670,000 and worked with Ballina Shire Council to secure a 4,000m² parcel of land at Crawford Park in Alstonville for the construction of a purpose built community preschool;
- (b) the member for Ballina, Ms Tamara Smith, who secured \$40,000 towards the build and attended the opening of the new preschool on the 20 February 2016;
- (c) Ballina Shire Council for its ongoing support of the project and in particular the Ballina Mayor, Mr David Wright; and
- (d) Clubs NSW, Ballina RSL, Twin Towns Services Club, which contributed more than \$57,000 towards the build; and
- (e) that the Government, through its Community Preschool Capital Works Grants, contributed \$384,881 towards the building.

CLIMATE CHANGE

Ms JAN BARHAM [10.05 a.m.]: I seek leave to amend Private Members' Business item No. 608 outside the Order of Precedence for today of which I have given notice by omitting paragraph (4) and inserting instead:

- (4) That this House calls on the Government to take action to support the aims of the Paris Agreement, including by implementing legislation and policies that will place New South Wales on a pathway to leadership in pursuing the aims of the Paris Agreement.

Leave granted.

Motion by Ms JAN BARHAM agreed to:

- (1) That this House notes that:
 - (a) on 12 December 2015, an agreement was adopted by consensus of the 195 nations, including Australia, that participated in the twenty-first Conference of the Parties of the United Framework Convention on Climate Change;
 - (b) the Paris Agreement aims to strengthen the global response to climate change by:
 - (i) holding the increase in global warming to well below 2 degrees Celsius above pre-industrial levels and pursue efforts to limit global warming to 15 degrees Celsius above pre-industrial levels;
 - (ii) increasing capacity for climate change adaptation and fostering climate resilience and low-emissions development;
 - (iii) making finance flows consistent with the pathway toward low-emissions and climate-resilient development; and
 - (c) the agreement will open for signature with a signing ceremony at the United Nations Headquarters in New York on 22 April 2016 and will take effect when at least 55 Parties to the Convention accounting for at least 55 per cent of global greenhouse gas emissions have ratified the agreement.
- (2) That this House notes that in addition to the agreement by nation states, the Paris Conference saw significant involvement from regional governments, cities and business organisations, including:
 - (a) the release of the first Disclosure Report of the Compact of States and Regions, which brings together 44 subnational governments, including the Australian Capital Territory and South Australia, which have committed to set emissions reduction targets and report their annual performance;
 - (b) the addition of 43 new signatories to the Under 2 MOU, an agreement of subnational governments to limit global warming to less than 2 degrees Celsius above pre-industrial levels, bringing the total number of signatories to 123 jurisdictions; and
 - (c) the announcement that 53 major global corporations, including BMW, Google and Coca-Cola, have joined the RE100 initiative and made commitments to source 100 per cent of their electricity from renewable energy.

- (3) That this House notes that since the adoption of the Paris Agreement there have been further commitments and actions from governments, businesses and individuals, including:
- (a) the signing of the Paris Pledge for Action, a statement of support for the Paris Agreement and commitment to work to ensure the agreement's aims are met or exceeded by more than 400 businesses, 120 investors, and 150 cities and regions representing 700 million people and \$US11 trillion;
 - (b) the addition of four more signatories to the Under 2 MOU, including the United States State of Massachusetts, the Colombian regional governments of Guainia and Guaviare, and Lower Austria;
 - (c) the Welsh National Assembly's passage on 2 February 2016 of the Environment (Wales) Bill, which sets long-term and interim targets for significant emissions reductions and provides that sustainable management of natural resources must be a core consideration in decision-making; and
 - (d) the completion of the Independent Review of the Climate Change Act 2010 in Victoria, which:
 - (i) took into consideration the Paris Agreement, the Victorian Government's commitment to restore Victoria as a climate change leader and the increasing importance of subnational governments and non-State actors in taking climate action; and
 - (ii) delivered 33 recommendations including setting a long-term emissions reduction target and enabling interim targets at five-yearly intervals, introducing a Charter of Climate Change Objectives and Principles that must be taken into account by the Government when preparing climate change strategies and in all plans, policies, programs and operational decisions across government, and providing broad standing for judicial review of administrative decisions that may have climate change impacts or risks.
- (4) That this House calls on the Government to take action to support the aims of the Paris Agreement, including by implementing legislation and policies that will place New South Wales on a pathway to leadership by pursuing the aims of the Paris Agreement.

BUSINESS OF THE HOUSE

Formal Business Notices of Motions

Private Members' Business items Nos 611, 612 and 615 outside the Order of Precedence objected to as being taken as formal business.

BALLINA ELECTORATE AUSTRALIA DAY HONOURS

Motion by the Hon. BEN FRANKLIN agreed to:

That this House congratulates recipients of the Medal of the Order of Australia awarded in the recent Australia Day Honours List in the Ballina electorate:

- (a) Steven De Kruijff, OAM, for service to the mining industry and the community over many years;
- (b) Edward Fenton, OAM, for service to veterans and their families; and
- (c) Peter Noble, OAM, for contribution to the music industry as a producer and operator of Bluesfest at Byron Bay.

CANCER TREATMENT AT ST VINCENT'S HOSPITAL

Production of Documents: Order

Motion by Mr JEREMY BUCKINGHAM agreed to:

That, under Standing Order 52, there be laid upon the table of the House within 21 days of the date of passing of this resolution the following documents created between 1 January 2012 and 24 February 2016 in the possession, custody or control of the Minister for Health, St Vincent's Health Australia or NSW Health:

- (a) all documents and emails relating to the under-dosing of patients undergoing chemotherapy in New South Wales, including investigations and reports into the matter; and
- (b) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

ELDER ABUSE IN NURSING HOMES

Motion by Ms JAN BARHAM agreed to:

- (1) That this House notes that:
 - (a) New South Wales has the largest number of people living in residential aged care facilities in Australia, with 59,131 people living in 884 nursing homes across New South Wales;
 - (b) in 2014-15 there were 2,625 reports of suspected physical and sexual assault of nursing home residents across Australia;
 - (c) reports of suspected physical and sexual assault of nursing home residents across Australia increased by 11.5 per cent from 2013-14;
 - (d) there is no requirement for other types of elder abuse of nursing home residents to be reported, including verbal and psychological abuse and neglect;
 - (e) there is no requirement to report physical or sexual abuse of a nursing home resident if it was committed by a fellow resident who has a cognitive impairment;
 - (f) more than half of nursing home residents have some form of cognitive impairment; and
 - (g) that resident-on-resident abuse has resulted in serious injury and, in some cases, death of nursing home residents but there is no systematic collation of incidents of resident-on-resident abuse.
- (2) That this House notes that:
 - (a) the NSW Nurses and Midwives' Association report "Who Will Keep Me Safe?" raises the issue of elder abuse in nursing homes and that nursing homes are not legally required to report most forms of elder abuse that occur in these facilities to government authorities or the police;
 - (b) the "Who Will Keep Me Safe?" report's survey of nursing home staff shows that 8 per cent of survey participants have witnessed resident-on-resident abuse each shift, 20 per cent have witnessed such abuse once or twice per week, and 18 per cent have witnessed this kind of abuse once per month; and
 - (c) the "Who Will Keep Me Safe?" report states that 75.74 per cent of staff surveyed believed that insufficient staffing increases the risk of elder abuse occurring in their workplace.
- (3) That this House calls on the Government to urge the Commonwealth to act on the United Nations Universal Periodic Review recommendation 195 from New Zealand that Australia "introduce measures to address issues related to the treatment of persons with disabilities, including considering the implementation of recommendations from both the Australian Law Reform Commission's report on Equality, Capacity and Disability in Commonwealth Laws, and the Senate inquiry into high levels of violence and abuse of persons with disabilities in institutional and residential settings".

BALLINA AND BYRON COUNCILS AUSTRALIA DAY AWARDS

Motion by the Hon. BEN FRANKLIN agreed to:

That this House congratulates the following Australia Day Award winners in the Ballina and Byron council areas:

- (a) Dawn Sword, Ballina Shire Citizen of the Year, for services to the community and local groups such as the East Ballina Lions Club, Meals on Wheels and the Lennox Head View Club;
- (b) Harold "Bernie" Scanlan, Ballina Shire Senior Citizen of the Year, for tireless work with veterans and their families, the aged, Legacy, the Alstonville RSL Club and the Alstonville RSL Sub-Branch;
- (c) Jasmine Crethar, Ballina Shire Young Citizen of the Year, for incredible work as School Captain of Empire Vale Primary School and for her involvement in debating, public speaking, spelling, general knowledge championships, the Southern Cross University Science Challenge, the "Sweet As" art exhibition held at The Northern Rivers Community Gallery, and the Department of Education Arts Unit's "Operation Art" Program;
- (d) Garry Meredith, Ballina Shire Volunteer of the Year, for decades of work with coastal emergency services;
- (e) Alstonville's Sesquicentenary Celebrations, Ballina Shire Community Event of the Year, for organising various functions throughout a year-long celebration of Alstonville's 150th anniversary;
- (f) Jamaika Smith, Ballina Shire Arts Cultural Award, for sharing her vocal excellence with the community;
- (g) Riki Wood and Marc Bagatan, Ballina Shire Sports Award, for founding and growing Ballina Taekwondo to the benefit of the community;
- (h) Delta Kay, Byron Shire Citizen of the Year, for tireless work as an educator in the community, with her Arakwal Dolphin Dreaming program winning silver at the Australian Tourism Awards;

- (i) Holly Somerville–Knott, Byron Shire Young Citizen of the Year, for extraordinary services to the community in singing, public speaking, charity and youth sustainability;
- (j) Sage Nara, Byron Shire Sportsperson of the Year, for extraordinary contribution to the Brunswick Valley AFL, Brunswick Heads Surf Life Saving Club and Marine Rescue Brunswick Heads;
- (k) Elizabeth Watts, Byron Shire Volunteer of the Year award, for decades of service to local groups like Mullumbimby Swimming Club, Driver Reviver Yelgun, Meals on Wheels and St Martins Anglican Op Shop; and
- (l) Byron Bay Writers Festival, Byron Shire's Community Event of the Year, for two decades of service to local writers, Australian literature, and the Byron Bay community.

AUDITOR-GENERAL'S REPORT

The Clerk announced the receipt, pursuant to the Public Finance and Audit Act 1983, of the Acting Auditor-General's Financial Audits Report, Volume One of 2016, Areas of Focus from 2015, dated February 2016, received and authorised to be printed this day.

BUSINESS OF THE HOUSE

Postponement of Business

Business of the House Notice of Motion No. 2 postponed on motion by the Hon. Walt Secord and set down as an order of the day for a future day.

Private Members' Business item No. 1 in the Order of Precedence postponed on motion by Dr Mehreen Faruqi and set down as an order of the day for a future day.

SPECIAL ADJOURNMENT

Motion by the Hon. DUNCAN GAY agreed to:

That this House at its rising today do adjourn until Tuesday 8 March 2016 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 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. 588 outside the Order of Precedence standing in the name of Mr Searle relating to an order for papers concerning proposed council mergers;
- (2) Private Members' Business item No. 428 outside the Order of Precedence standing in the name of Mr Buckingham relating to a motion concerning hemp food products;
- (3) Private Members' Business item No. 6 in the Order of Precedence standing in the name of Mr Secord for the resumption of debate on a motion concerning the health and hospital system;
- (4) Private Members' Business item No. 8 in the Order of Precedence standing in the name of Mr Mallard relating to a motion concerning the Sydney Architecture Festival; and
- (5) Private Members' Business item No. 617 outside the Order of Precedence standing in the name of Mr Veitch relating to an order for papers concerning the Pelican Marina at Lake Macquarie.

LOCAL GOVERNMENT AMALGAMATIONS

Production of Documents: Order

The Hon. ADAM SEARLE (Leader of the Opposition) [10.23 a.m.]: I move:

That, under Standing Order 52, there be laid upon the table of the House within 14 days of the date of passing of this resolution the following documents created between 1 July 2015 and 23 February 2016 in the possession, custody or control of the Premier, the Department of Premier and Cabinet, the Treasurer, the NSW Treasury, the Minister for Local Government or the Office of Local Government:

- (a) all documents, including those in electronic form and those authored by consultants, relating to the council boundary review and merger proposal and process that was announced by the Premier on 18 December 2015, that have not previously been provided to the House; and
- (b) any legal or other advice regarding the scope or validity of this order of the House created as a result of this order of the House.

On 18 December last year the Premier made an announcement of a raft of forced council mergers after he, and many members of his Government, both Ministers and backbenchers, had all stated that their position was against forced mergers. The merger proposal was an unprecedented effort by any government—certainly not seen in my lifetime—to systematically sort council boundaries to advantage the conservative political parties in this State. Underpinning this outrageous power grab was a claim that the reforms proposed would lead to improved infrastructure, improved services and stabilised rates.

As long as I have been around politics there has always been this article of faith proposed by conservatives that merging councils is inherently a good idea—that by merging bodies and putting their resources together we get bigger bodies, economies of scale and somehow, under this magic pudding approach, we can provide more and better services and lower rates. But there has never been any serious intellectual or economic work that has ever backed up this far right wing conspiracy article of faith.

The Hon. Duncan Gay: So what do you say to the Tony Kelly reforms? Do you use the same argument?

The Hon. ADAM SEARLE: The interjections from the Leader of the Government demean him and his office. The fact is that this reform proposal by the Government is being done without coming clean with the community, which is why this call for papers is before the House. Submissions for affected communities close on 28 February. We think that it is unfair for affected communities, and for councils to be merged, to have to respond to a case for forced amalgamations that has not been made—in the absence of the information relied upon by the Ministers and by Government to make these decisions that are being foisted on the electorate.

The Government has refused to allow a debate in Parliament. It has refused to release papers. Government information public access [GIPA] requests that have been submitted on the subject matter have been returned with entire pages redacted—with pages blacked out and the information not able to be accessed. We asked, perhaps rhetorically: What is the Government hiding? If this reform proposal is such a good—if the Government has crunched the numbers and if it stacks up—why not release the information so we can all see it and so we can have an informed public and political debate on the facts in support of the Government's case? Then we could scrutinise the Government's case and have a sensible discussion about it. The fact is that the Government is running from the debate. It knows amalgamation is not a sensible idea. It knows its proposal is inherently partisan and political. It is not economic. It is not about bringing communities of interest together; it is simply about artificially constructing political boundaries that advantage the Liberal Party in greater Sydney.

Of course, everywhere we go—even in conservative strongholds—these proposals have caused great community angst. If members go out to the bush they will hear that everyone there is up in arms about this, because they know that these proposals will lead to more costs and less efficiency. The fact is that the Government is hiding the information that it is proceeding upon because it knows that its arguments simply do not stack up. It is instructive that the announcement by the Premier came one week before Christmas Day—after Parliament had risen and when there was no serious scrutiny going on in the media or in the community. It does smack of a cover-up. Let us not verbal the Government; let us give it the opportunity to agree to this Standing Order 52 request for the production of documents and to produce the information so that it can be seen by members of this House and by the wider community. The Government has not been transparent with the community, with councils or indeed with those—

The Hon. Dr Peter Phelps: Yes, we have.

The Hon. Duncan Gay: There is nothing more transparent than the Boundaries Commission.

The Hon. ADAM SEARLE: What is transparent is this Government's naked grab for power. This call for papers provides a way for affected communities to see the research, the information and the very basis upon which the Government has relied to come up with its forced council mergers and its particular proposals. Why has it drawn the boundaries in the way that it has? Let us see the data. Let us have the information available so there can be properly informed public debate. Otherwise it looks as if the Government is running scared of an informed debate and it is trying to cover up the fact that it has not got a legitimate reform proposal it is proceeding with, but rather that it is just blatant partisanship. That is bad policy.

The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) [10.30 a.m.]: The Government will be opposing this motion which relates to the production of documents under Standing Order 52.

The Hon. Peter Primrose: A cover-up.

The Hon. DUNCAN GAY: The Opposition screams "cover-up" but on the eve of Christmas we put this matter to the Boundaries Commission for public scrutiny. There is no greater democratic act than that, yet the socialists and their socialist friends scream "cover-up" to anyone who will listen. The genesis of this change was in 2011 when the mayors at a meeting in Dubbo asked for an independent panel. The Opposition says that the conservatives are implementing amalgamations which Labor would never attempt to do. I live in the Upper Lachlan Shire Council area, part of which used to be in the Crookwell Council area before the Labor Party amalgamated the councils.

Mr David Shoebridge: Point of order: The Minister is misleading the House. He lives in Redfern.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! There is no point of order.

The Hon. DUNCAN GAY: The whole premise of the argument put by the Leader of the Opposition that the Tories have a hidden agenda on council amalgamations and that they are the protectors of local government is totally flawed. The very good Upper Lachlan Shire Council, the council area in which I live, is an amalgamation of the former Gunning, Crookwell and a large part of Mulwaree councils.

The Hon. Peter Primrose: Release the information.

The Hon. DUNCAN GAY: The information that the Opposition asks for has been released. The Hon. Peter Primrose wants the release of sensitive information relating to the views of local government representatives who spoke to the Minister and the Department of Local Government. Those representatives would be embarrassed and compromised by such information being released.

The Hon. Peter Primrose: What about the KPMG report?

The Hon. DUNCAN GAY: The Opposition does not want the KPMG report. It wants incidental information, and the release of that material will impede proper democracy and proper reporting. The production of documents under Standing Order 52 clearly would be an abuse of process. The motion is designed to obfuscate what has been a very transparent and open process that has been underway for four years. The process has included consultation with councils, communities and other stakeholders as well as many independent assessments which have all reached similar conclusions that local government reform will deliver better services and better infrastructure for local communities. This motion is a self-serving attempt by Labor and the friends of Labor to interfere with an open and transparent process.

The results of work undertaken by the Government to date, including maps and reports relating to possible council amalgamations, which are requested in the motion, are publicly available on the Council Boundary Review website for all to see. The plethora of research includes panel reports, council responses, Independent Pricing and Regulatory Tribunal reports, council submissions, and merger proposals and supporting analysis. It is all publicly available. What is the Opposition scared about? It is scared about a full public inquiry. The Opposition does not want this to be a matter in which the community participates; it wants to scuttle the process.

A very robust and transparent process is in place for reviewing the Government's merger proposals. The Minister for Local Government referred the proposals to the Chief Executive of the Office of Local Government for examination and report under the Local Government Act. He has delegated this function to examine and report on each proposal. This process includes conducting a public inquiry, calling for written submissions, meeting with the councils concerned and submitting a report to the Minister and the Boundaries Commission for comment. As members can see, an extremely robust and transparent process is already in place and this Standing Order 52 application is clearly designed to stifle and throw into disarray the process as it draws to its conclusion.

The reform process has been underway for more than four years and has included consultation with councils. Councils want to get on with delivering better services and infrastructure, which will come from these reforms. The production of documents under Standing Order 52 will potentially undermine the robust and transparent process currently in place. It pre-empts the Government response to the General Purpose Standing Committee No. 6 inquiry into local government in New South Wales, chaired by the Hon. Paul Green. It also pre-empts the delegates' reports and the Boundaries Commission's comments to the Minister. No decision has been made. Furthermore, the request is very broad and the time frames for these documents to be produced pursuant to the requirements of Standing Order 52 are highly unrealistic. The Government would prefer to focus resources on robust assessment and implementation support of mergers.

This Government supports councils undergoing reform. On the issue of scope, the order will capture information that was provided to the Minister's office in confidence. It would be a breach of that confidence for records of such discussions to be disclosed. Meetings with councils, stakeholders and members from all sides have been held and it is not appropriate for this information to be made public. Members should be aware of the robust and transparent process that is currently underway in the public domain through the Boundaries Commission. Opposition members have said that this amalgamation is some sort of Tory plot to destroy local government. In fact, its genesis was as a result of concerns raised by the mayors. The Opposition says that local government amalgamations only happen under the Tories and pretends that it did not do it. It knows quite well that it did.

The Hon. Peter Primrose: Tell that to the mayors of Gundagai, Wellington, Shellharbour and Kiama.

The Hon. DUNCAN GAY: When you were a Minister you signed off on the last lot of amalgamations. You cannot deny it. The member is the world's greatest hypocrite and he is now trying to breach a proper process.

Mr David Shoebridge: Point of order: The Minister should address his remarks through the Chair.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I remind all members that interjections are disorderly at all times.

The Hon. DUNCAN GAY: As I have indicated very forcefully, the motion relating to the production of documents under Standing Order 52 wrecks with hypocrisy. You are like a dog returning to its own vomit. You were part of the decision last time.

The Hon. Greg Donnelly: Point of order: It is unparliamentary for the Minister to point to a member on this side of the House and make that statement. I ask that he withdraw the comment.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! There is no precedent that the comment is unparliamentary. The Minister was not directing his comments at a particular member. There is no point of order. I remind all members to direct their comments to the motion.

The Hon. DUNCAN GAY: My last comments were tough on the member.

The Hon. Shaoquett Moselmane: Apologise.

The Hon. DUNCAN GAY: I will if anyone took offence.

The Hon. Peter Primrose: I took no offence. I'm used to it.

The Hon. DUNCAN GAY: Thank you for taking no offence.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! The Minister will speak to the motion.

The Hon. DUNCAN GAY: I was talking about the hypocrisy of the motion. The Opposition is deliberately playing politics with an open and transparent process that involves the community. It is no different from the process it went through; in fact, it is better. When Crookwell Shire Council was amalgamated it did not get a chance to go to the Boundaries Commission. The members opposite just amalgamated it. Some people in our community were concerned about the amalgamation but they did not have an ability to have their say. On this occasion we are properly putting it forward to the Boundaries Commission. The Government is opposed to this request under Standing Order 52.

Mr DAVID SHOEBRIDGE [10.40 a.m.]: On behalf of The Greens I indicate our strong support for the request under Standing Order 52. The Leader of the Government made some interesting observations. In fact, "interesting" is a polite description. One of the most interesting parts of his contribution was his celebrating the fact that the Government commenced this process on Christmas Eve. He said that consulting on Christmas Eve was a wonderful thing and how could anyone possibly complain? When governments want to hide something from the public, engage in mock consultation and put forward a deeply unpopular proposal they open up their black arts of public consultation kit box.

Like previous governments, this Government knows that the first rule is to consult when people are distracted; for example, on Christmas Eve. That is a great idea. The Government knew that on Christmas Eve everybody would be taking a break from work, going on holidays or otherwise fully occupied with family events and festivities. That is exactly why it started its consultation then. Even so, the Leader of the Government has the effrontery to suggest that it was a great thing—as though forced council amalgamations, which are about as popular as 35 dead cats, were a Christmas present to the people of New South Wales.

Premier Baird needs to understand that the people of New South Wales reject his faux present of dead cats. They do not believe a word that this Government says about the mock financial benefits of amalgamations, even though Mike Baird's pet troupe of performing monkeys from The Nationals has come behind and meekly supported them. Besides Tamworth council, which perhaps wants to gobble up its neighbours, not a single council in the regions is actively behind these amalgamations. The list is like a triple cricket team. Start with Tumbarumba and then go to Kiama, Guyra, Walcha, Oberon and Cabonne.

The Hon. Dr Peter Phelps: Have you been to any of those places?

Mr DAVID SHOEBRIDGE: Around those regions—all of which I have visited—councils are in open revolt against the Government's proposals.

The Hon. Dr Peter Phelps: They must have been pretty surprised to see someone as slick as you.

Mr DAVID SHOEBRIDGE: I am sure the Government Whip has travelled to none, except maybe Queanbeyan. Maybe he was part of that secret meeting between the local member, the Minister and the mayor of Queanbeyan at which they arranged a political job on Palerang Council to chop it in half. Maybe he can come clean about his exact role in that crooked, cooked-up amalgamation between Queanbeyan and Palerang councils. Palerang had strong support from its community. Maybe the member can be honest in this Chamber about the ugly little political deal that was done to chop it in half.

The Government says that the people of New South Wales should be perfectly happy because there has been full disclosure. The Minister made the extraordinary argument that this motion from the Opposition is full of hypocrisy. What does the motion do? It asks for the Government to table the documents that have been hidden. We are now told that one reason that the Government is opposing the Standing Order 52 request—and it was interesting to hear—is apparently because the Minister for Local Government has been having secret meeting with mayors to do a job on their neighbours. We are told it might embarrass the Minister and the mayors if we were to find out about their secret meetings to try to do political jobs on neighbouring councils.

That was actually the argument that the Leader of the Government put for not agreeing to this request: it might show the kind of ugly political shenanigans that the Government has engaged in. They say, "Well, we wouldn't want that, would we?" Of course the Minister should table his diary and the details of all the secret little political hatchet job meetings he has been having. Those matters would be covered by this Standing Order 52 request and they should be produced not only to this House but also to the residents of those strongly supported councils that are overwhelmingly financially robust.

I will give an example. Tumbarumba Shire Council is the single most financially robust council in the State and is enormously supported by its local community. When surveyed, something like 93 per cent of residents said they opposed the amalgamation between their council and Tumut to the north. They say they have no community of interest with Tumut; their entire community of interest is with Wagga Wagga and Albury to the south. They do not want to be a part of Tumut Shire Council, which from their observations is not particularly well supported in its community. Tumut is shrinking in population while Tumbarumba is growing. Tumbarumba has a diverse economy. Supported by a strong council, the plantation forestry estate, the blueberry industry and the tourism and wine industries are growing.

What does this Government propose to do with the single most financially robust council in the State and which has the support of 93 per cent of its residents to stand alone? Without a single supportive report from Professor Sansom, the Independent Pricing and Regulatory Tribunal or anybody else, the Government proposes to merge Tumbarumba with Tumut. That is against the interests of local residents and will kill one of the best performing councils in this State. It is an absolute disgrace. For the Leader of the Government as a member of The Nationals to be supporting this kind of thing in the bush is shameful indeed. The Government then says that all of these documents have been put in the public domain.

The Hon. Walt Secord: Not true.

Mr DAVID SHOEBRIDGE: Not true.

The Hon. Duncan Gay: It is true.

Mr DAVID SHOEBRIDGE: It is deeply untrue. Instead of looking at what that Leader of the Government has said, let us look at what the Office of Local Government, the Minister for Local Government and the Department of Premier and Cabinet have said in response to requests made under the Government Information (Public Access) Act, known as GIPA. To educate members opposite, GIPA is about freedom of information in New South Wales. Just before Christmas The Greens made the same GIPA application to the Office of Local Government, the Minister for Local Government and the Department of Premier and Cabinet.

The Greens asked that they show us all of the supporting documents and consultants' reports for each and every one of the 35 forced merger proposals that the Government is proceeding with. The answers were illustrative. The Office of Local Government is made up of a couple of hundred bureaucrats who are paid by the State government and are meant to advise on what is in the best interests of local government. It is the brains trust for local government in New South Wales. We asked the Office of Local Government to show us the documents it had on the 35 merger proposals. It responded:

Reasonable searches have been undertaken of the Office of Local Government's records. No information falling within the scope of your application has been identified.

The Office of Local Government has never seen any of the supporting documents that the Government has in relation to its 35 merger proposals. This Government is so keen to do a political hatchet job on local councils in New South Wales that it has not even tested with the bureaucrats the consultants' reports that it retains. The Government has given none of the assumptions, none of the reports, nothing, to the bureaucrats in New South Wales who are paid to work out what is in the best interests of local government. The Government completely bypassed the department.

Why would a government bypass the department, the couple of hundred bureaucrats whose job is to work out what is in the best interests of local government? A government would only do that if it were engaged in an ugly political hatchet job and did not want the advice of the department. The Government says, "Don't ask, don't see, don't tell. We're doing a job on local government," and it does not want the bureaucrats to even advise it on the matter. The response we received from the Office of Local Government was that it has never seen any documents, it cannot help us and it has never been asked about the merger proposals.

I turn to the person who holds the job of Minister for Local Government. In this process, he is like a pimple on a pumpkin because, as we know, he is not really running the process. It is all being run out of the Premier's office. However, we thought it would be polite to ask him; he is meant to be the Minister for Local Government. Every so often he issues an incoherent press release and tries to tell the people of, say, Oberon why it is good for their council to be merged with the neighbouring council—even though, I believe, he had promised never to have forced amalgamations and was elected in 2011 on that basis.

We asked the pimple on the pumpkin the same question that we asked the Office of Local Government; that is, to show us all the documents he has that support the forced amalgamation process. What did the great pimple say? He said, "They are all on the public record. You can find them on the Council Boundary Review website, except for just two documents," which they are hiding under Cabinet-in-confidence. He said, "Every other document is out there". But there are two documents that they are hiding under Cabinet-in-confidence. Of course, they are two crucial documents. One is the Local Government Reform Merger Impacts and Analysis of December 2015—

The Hon. Duncan Gay: Point of order: My point of order relates to accuracy. I am sure the Minister for Local Government did not use the words "except for two documents that we are hiding".

The Hon. Peter Primrose: What is the point of order?

The Hon. Duncan Gay: The member is misleading the House.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I do not uphold the point of order. The member was speaking broadly rather than quoting the Minister.

Mr DAVID SHOEBRIDGE: There are two documents that the Minister for Local Government has refused to produce—some might call it hiding—the Local Government Reform Merger Impacts and Analysis document of December 2015, which the Government has stamped "Cabinet-in-confidence—Never to be released"; and the business case, which apparently the Government received in October 2015 and is stamped "Cabinet-in-confidence—Never to be released". If the business case is good, then show it to the residents. If the Local Government Reform Merger Impact and Analysis in any way supports this Government's crooked little political agenda in local government, why will the Government not show it to the residents? The answer is because the Government is embarrassed by the conclusion in the analysis and is no doubt embarrassed by the lack of detail. So it has stamped it "Cabinet-in-confidence".

Importantly, the Minister for Local Government said there are only two documents under Cabinet-in-confidence that have not been released—at least that is what he said—but every other document, at least that he knows of, is out there in the public domain on the website. We also asked someone who might know. We made the same GIPA request to the Department of Premier and Cabinet because, as I said, this process is not being run by the Minister for Local Government. He really does not know which end is which when it comes to local government and he is obviously in the dark on this process. It is not being run by the Office of Local Government because, as we know, it has never even been asked a question about these merger proposals and it has never seen the documents. So we asked the Department of Premier and Cabinet the exact same question: "Show us all the consultants' reports and documents relating to the 35 forced amalgamation proposals."

The department's response was that there are, in fact, 25 documents: 18 separate options analyses by KPMG as well as the business case, the Local Government Reform Merger Impacts and Analysis report, the KPMG model design methodology paper, and summaries of metropolitan and regional options for council mergers. Those 25 documents have all been stamped "Cabinet-in-confidence" and the Government has refused to release them. So it is not just two documents, as the Minister for Local Government said in his response to the GIPA application. We are led to two potential conclusions: either the Minister was not telling the truth when he responded to the GIPA application—I do not think that is the case; I think he has no idea at all—or the Minister has never even seen the other 23 documents that have gone to Cabinet.

Or perhaps he was asleep in Cabinet when the documents were tabled and did not even notice they were going through Cabinet. Perhaps that is what happened. It is clear that the Government is hiding documents; it is hiding the truth. The process is not being run by anybody who knows anything about local government. The issue of forced amalgamations is deeply unpopular in the regions. This request under Standing Order 52 says, "Show us the documents." Do not just show us the documents but show the residents who will be affected by the amalgamation of their well-supported and sustainable councils. Local government and the people in this State deserve nothing less.

The Hon. PETER PRIMROSE [10.56 a.m.]: I support the Hon. Adam Searle's Standing Order 52 call for papers relating to the forced council mergers to be laid before this House. This is not a request for the launch codes of nuclear missiles. This is a request for papers relating to local government reform. To understand what is happening currently, we need to go back and look at the history, which the Minister referred to in his

contribution to the debate. In 2011 the then Minister for Local Government had a meeting in Dubbo. Out of that meeting of mayors came what I think is a very good report, "Towards 2036". It was a voluntary proposal. People came together and voluntarily said that these are the things that need reform. For some weird reason the Government then involved the Treasury Corporation, known as TCorp, which did its own analysis and assessment, which seems to have died in a ditch in relation to what is happening—

The Hon. Shaoquett Moselmane: Point of order. There is too much discussion in the Chamber and I am unable to hear the member.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! Members who wish to have private conversations should do so outside the Chamber.

The Hon. PETER PRIMROSE: The discussions in the Chamber involving Government members indicate their attitude to this motion. They do not care about providing this information, particularly as it relates to rural and regional councils. The report "Towards 2036" was a good, genuine proposal. TCorp got involved and the Government appointed Professor Sansom to an independent local government review panel. The Minister referred to that independent panel in his contribution to the debate. Following discussions, the panel came up with the Fit for the Future proposal. Lots of maps were drawn and lots of debate ensued.

Last year, the General Purpose Standing Committee No. 6 again spoke to the Minister and had numerous discussions in relation to this whole proposal. Out of that, the recommendation to the committee was to stop just drawing lines on maps and look at council finances first. That was really important. That was the recommendation that went to the Government. I should also let those reading *Hansard* know that there are still discussions going on behind me between people who just do not want to listen to this debate. All the submissions, all the maps the Minister keeps referring to—the Minister in this House and the Minister for Local Government—involved four years of work.

Then on 18 December last year, after both Houses of Parliament had risen, what happened? Premier Baird said, "We are scrubbing all of that. We are taking no notice of all of that earlier work. Here is my proposal. This is what we are going to do. These are the maps—areas that have never even been considered before are going to be forcibly merged and we are going to have delegates." Residents will be given, in some cases, only three minutes to comment to the delegates. Those delegates are then going to present their confidential report to the Boundaries Commission and the Boundaries Commission, contrary to what the Minister was saying, is not allowed to take public submissions. It is simply going to give its comments and recommendations directly to the Minister.

All of that earlier work done by the independent local government review panel, the experts in relation to local government; has been scrubbed. How do we know that? Do not take my word for it; take the comments and the exasperation of the person whom the Government appointed to chair that review, Professor Sansom. Professor Sansom said that this was not real reform. He has condemned what the Premier has proposed. He was the person who chaired the independent local government review panel and produced all of that earlier work.

If the Premier is prepared to scrub four years of work, one would expect him to then front up and say to local councils and to their communities, "This is my evidence. This is the evidence that I am using for the proposals." What we heard from the Minister was that the information is out there. What is out there is the Minister's proposals and the Premier's proposals, but the evidence backing that, saying this is the reason we should be doing it, has not been provided. That information is not out there. The Premier has a number of confidential reports that were done, including his \$400,000 secret KPMG report. We do not know what is in that. The councils do not know what is in that.

The communities affected do not know what is in that. Why is that important? The Government has said to local communities and local councils that they have to respond. They have to go through the delegates process—they get three minutes, sometimes 30 seconds, to give their comments. Those delegates usually say to people, "You are not allowed to comment on whether this forced merger is good or bad, you are only allowed to comment on how it will work and what we need to do to make it work properly." One would surely expect that people would be allowed to comment on the reasons that the Premier is proposing those forced mergers. That is the part that is missing in this puzzle.

What the Government has released are its proposals, but it has released none of the evidence backing up those proposals. How on earth can councils and their communities possibly comment in relation to something

when the Premier will not release his evidence? It is just nonsense. At the end of this process involving the community, which is in a few days' time, the delegates' recommendations and report will go to the Boundaries Commission but the Boundaries Commission is not allowed to take public submissions. You would expect it would be allowed, it normally is, but not now. The commission is simply allowed to hand a report based upon the evidence that the delegates give it, not the communities, to the Minister.

Mr Jeremy Buckingham: Handpicked delegates.

The Hon. PETER PRIMROSE: Handpicked delegates. I am not going to criticise or attack the delegates. This resolution says it is reasonable for people to gain the information. It was reasonable, according to Professor Sansom, who headed the independent local government review panel, for that evidence and information to be released. It is reasonable, according to the councils and the communities who have requested it. Many members here in both Houses, on behalf of their communities have put in GIPAs and all we get back is heavily redacted information with lines all the way through it, making it impossible to know what on earth that evidence was.

It will not be released. People in the community have requested it. The Minister said: Who is concerned about this? I will tell you—some of the councils who have contacted me. I suggest that the Minister talks to the mayor of Oberon, the mayor of Cabonne, the mayor of Young, the mayor of Harden, the mayor of Boorowa, the mayor of Cootamundra, the mayor of Tumut, the mayor of Tumbarumba, the mayor of Pelerang, the mayor of Wellington, the mayor of Kiama, the mayor of Shellharbour, the mayor of Shoalhaven, the mayor of Hawkesbury and the list goes on and on. Local communities are desperately concerned about the proposals because they do not know the Government's arguments. How can they argue against something about which no information has been given? To be fair, the Government did release a document, but that was under pressure. It released an assumptions document; a glossy 10-page document that KPMG had prepared in relation to the assumptions that it used in preparing this secret document.

I urge members to go to the Gundagai Shire Council's webpage where they will find an academic article that absolutely tears the assumptions document to shreds. At the very minimum we know that the cost savings that were used were all based on the wrong awards. We do not know what else is in the full document from KPMG because the Government will not release it. We are asking councils and members of the community to put up their arguments, but the Government will not release any of the evidence. With the KPMG assumptions, the very least we know is that they are absolutely wrong. Rather than my saying this, I will read out what the mayor of Dubbo has said about the forced merger documents that appear on the council's boundary review website, and this is only a small sample. The mayor said:

I must admit to being incredibly disappointed with the quality of the document in my readings so far. The more I read the more inaccuracies I pick up. If one of my children was handing this in for a high school assignment I would be disappointed with the lack of attention to detail and just the plain inaccuracies in the document. ...I was hoping for a document of accurate and unbiased information to allow the people in our community to have a fair say on the proposal.

We are sending off information to the State Government highlighting some of the mistakes in the document in the hope they will be corrected and a new copy placed on the Web site.

That is just the very small amount of information, a few paragraphs that were put on the website in relation to this one merger. But all of the background information simply has not been provided. Let us look at the small amount of information that was provided to Orange, Blayney and Cabonne councils in relation to their forced amalgamation. There are so many errors. For example, a change has been made as a consequence of the concerns expressed by the council and updated proposals had to be put up on the boundary review website. The change relating to that small amount of information amounted in total to \$44.6 million.

I do not want to argue the pros and cons of forced mergers or amalgamations, the communities are doing that and we will have that debate at another time. I strongly oppose, as does my party, forced mergers. We strongly oppose forced mergers that take place without business cases. In relation to this, many people have little pieces of information. I am sure some members of this House have some information, but the people who need that information, who need all of the information, who deserve all of the information from the Government, are members of the affected councils and their communities. It is not an unreasonable argument.

It is the Premier who has taken this course of action upon himself, rather than leaving it to his Minister of Local Government. It is the Premier who made and launched these proposals on 18 December, after Parliament had finished sitting. It was the Premier who led the charge last week in the Legislative Assembly and refused to allow that House to even have a debate on this topic. I am pleased in this House that at least we are

having a discussion about making evidence available to local communities. That is not an argument for or against amalgamations. It is not an unreasonable request that local communities get all the information that the Government has for making its case. If that information is not made available it will be to the great detriment of those communities but I suspect it will be even more to the detriment of the Government itself. The Government has put up a proposal that people are saying is wrong. People are arguing that these forced mergers do not make any sense. That is not an unreasonable position when the Government has not argued its case.

The Minister will not go out and meet with communities. He, along with other members of The Nationals and the Liberal Party, is arguing, "Oh, there is a process. We are not allowed to talk about it." What absolute guff. They are representing local communities and at the same time defending a Government and Premier who refuse to release the arguments for the very policy proposals they are making. That is a lot of guff. It is not unreasonable for communities to request that this information be available to them. That is why reluctantly we have brought this standing order request before this House. It should never have been necessary. The Premier should have released the information on 18 December 2015—all the information, not snippets, not incorrect bits and pieces but all the information, instead of little bits being dribbled out. We now know just how much of that was totally inadequate.

The Hon. SCOTT FARLOW [11.11 a.m.]: We have heard already from the honourable member that we need to look at the history. If we look at the history we may as well start with what Labor did in government. It was great to hear the Deputy Leader of the Government—

The Hon. Niall Blair: Madam Deputy-President, the last speaker was heard in silence. The Hon. Scott Farlow has been on his feet for less than 20 seconds and interjections have already started. I ask you to call members opposite to order so that the member can be heard in silence.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I uphold the point of order. I remind all members to be courteous to other speakers. The Hon. Scott Farlow has the call.

The Hon. SCOTT FARLOW: It was interesting to hear the interjections from the Deputy Leader of the Government because it was under a Labor Government that amalgamations last reared their head. I have heard many people talking about the city of Sydney, when South Sydney Council and the City of Sydney Council were amalgamated by the Carr Labor Government in 2004 for gerrymandering reasons. I agree that at that time the Coalition opposed that amalgamation. Every time a government comes into office it looks at this problem and then makes a suggestion. What is the suggestion?

The Hon. Walt Secord: Point of order: My point of order is relevance. The Hon. Scott Farlow is referring to a time pre-2011. The motion is very clear. It refers to documents relating to the mergers in 2015.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! There is no point of order. The member is being generally relevant. The Hon. Walt Secord will resume his seat. The Hon. Scott Farlow has the call.

The Hon. SCOTT FARLOW: That was Labor's middle-of-the-night move to merge only one metropolitan council. Let us consider the country and regional councils—Bathurst, Clarence Valley, Palerang, Upper Lachlan—

The Hon. Dr Peter Phelps: Palerang, which they knew was financially unviable yet they still did it.

The Hon. SCOTT FARLOW: And I note the interjection from the honourable member. Labor went forward with Greater Hume, Tamworth, Upper Hunter, Cooma-Monaro, Goulburn-Mulwaree, Queanbeyan, Tumut, Yass Valley, Gwydir, Liverpool Plains, Albury, Lithgow, Corowa, Mid Western, Oberon, Warrumbungle and Glen Innes councils. Why did Labor do it at that time? Except for Sydney and South Sydney, which was to its political advantage, Labor took action only in the bush; it did not touch one Labor seat across New South Wales.

We have been through an arduous and exhaustive process over four years, a most rigorous one that was proposed to us by mayors and councillors themselves because they said they saw what this Government and the Labor Government saw—that local government in New South Wales just is not working. That is why we have embarked upon this exhaustive process, which is not finished yet; it needs further consultation. Submissions are due on 28 February and delegates will make recommendations to the Boundaries Commission. This fair and

transparent process is continuing. There is nothing hidden in the darkness of the night. The process is open and the people of New South Wales have access to it. They have known what the Government has been doing for four years. The Government will continue to follow this process.

The Hon. Walt Secord: Are you speaking for the motion?

The Hon. SCOTT FARLOW: You asked for documents. I notice that the Hon. Peter Primrose said that there was not any evidence. I am happy to table all the evidence outlined in the council boundary review process.

The Hon. Walt Secord: From the web.

The Hon. SCOTT FARLOW: From the web. Anyone who can use the web can find out all the evidence from New South Wales. There are hundreds and hundreds of pages of evidence going through the Government's rationale and through each and every council in intricate detail outlining the benefits to the people of New South Wales of council reform. The KPMG reports are quite clear. We have the outline of the methodology used and the benefits and savings to the people of New South Wales—\$2 billion in local government reform in New South Wales. The community has access to that through the website. I am quite happy to make that available to members. They can look at everything in here, which is available on the web; it is all transparent and open. It is available to the people of New South Wales and available to the shadow Minister, who can go through and look at every single council in New South Wales, every single proposal and the benefits to the community. We are an open and transparent government; a government that has listened to the community for over four years.

The Hon. Niall Blair: Point of order: Madam Deputy-President, it must be very difficult for Hansard to be able to accurately record the contribution of the member with the constant interjection that is coming from members opposite. Once again I ask you to call members to order so that the Hon. Scott Farlow can make his contribution in silence.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I uphold the point of order. I remind members that they should not interject. They will have an opportunity to participate in the debate. The Hon. Scott Farlow has the call.

The Hon. SCOTT FARLOW: We have reams of information that is available publicly as to our process for local government reform. It is available to honourable members and the wider community. It outlines the benefits to the community and the evidence. The Hon. Peter Primrose asked where the evidence was. The evidence is all in here. It has been outlined in nauseating detail to the people of New South Wales for so long and the process is not yet complete. It is going on, with submissions due. The Hon. Peter Primrose did a very good job going through the Government's process, outlining everything we have done to involve the community and seek the community's input on local government reform.

It is a continuing process. A recommendation will go to the Boundaries Commission, which will be made up of four members—two members appointed by Local Government NSW. It is a transparent process involving great rigour and detail, something not seen from members opposite when they have embarked on council amalgamations in the past. All governments look at council amalgamations and I acknowledge in the past that in opposition Coalition members have been opposed to amalgamations.

When one comes into government and looks at the evidence, as members opposite have done before, one sees that local government reform is needed in New South Wales. Members opposite know it in their heart of hearts. They know that two-thirds of councils in New South Wales spend more than they earn. They know that that cannot continue. They know that, when it comes to local government reform in New South Wales, this side of the House has undertaken an open, transparent process that has involved the community. The process is not complete. We are still listening to the community through delegates who will report to the Local Government Boundaries Commission.

We welcome more input. We are still asking the community to tell us more. We are still trying to work with councils to obtain more information on how these proposals will benefit their communities. Let us look at the delegates. It has been said that the delegates have been hand-picked by the Government. If the Government were hand-picking delegates and organising a gerrymander, I do not think it would choose 10 senior former and current public servants, five former council general managers and three others. That is a broad cross-section of people who are eminent in the community.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! There is too much noise in the Chamber. Members of The Greens will cease interjecting.

The Hon. SCOTT FARLOW: The process is transparent. It involves eminent members of the community whose reputations should not be impugned by members opposite. These are people who are engaged in the process, working with councils and communities and holding public forums around New South Wales. They are seeking further community input and will report to the Boundaries Commission. It is an open and transparent process. This process is very different from the one that was embarked upon by the Opposition when they were in government in 2003-04. Faxes were sent off to councils in the middle of the night telling them that they no longer existed. The subject of council amalgamations has been brought to the Government by councils.

In 2011 councils came to us and said, "This sector is not working." The Minister for Local Government at the time, Don Page—the great former member for Ballina whom this Chamber has complimented in the past—decided that reform was necessary. That reform is being continued by Minister Toole. That fair and transparent process will continue. When we look at what is to come, there is still much opportunity for communities to have an input. Members of Parliament are also having an input. Members' voices are being heard. Nothing has been decided yet. We cannot presuppose what might happen with council amalgamations. We cannot presuppose what the boundaries will be. We have heard the scare campaigns about the Sansom report and what council boundaries will look like.

What did the Government do? It listened to the community. More information was provided; there were different proposals. The Government consulted with communities and took on board their input. This Government has been listening for four years. It will continue to listen. It will make sure that much-needed reform occurs in the local government sector. Two-thirds of councils continue to spend more than they earn every single day. That is unsustainable. Councils ask for special rate variations and ratepayers are left to pick up the bill because those councils are not sustainable. There are huge infrastructure backlogs in council areas across New South Wales. That is why the Government is embarking on the process of local government reform.

The process is not easy. The process is not politically popular, but it is right. That is why the Government has embarked on this process. It is why the Government will continue to be strong and fair. As the Hon. Peter Primrose has remarked, there have been four years of continual consultation by this Government. The Government has detailed evidence on the proposal. If the Hon. Peter Primrose does not want to look at that information online then I am happy to table the documents so that he can review them and see some of the benefits to the community. I will table the documents for the benefit of the House so that every member can see the hundreds of pages of detail about the local government reform process and see the evidence about each and every council that the Government is putting forward.

The Hon. Adam Searle: For the record, the Opposition would give leave, if the member is seeking leave to table the documents.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! Because the documents are public, I will seek clarification as to whether they need to be tabled.

The Hon. SCOTT FARLOW: Everything is available on the website.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! All the documents are available in the public domain. However, the member may seek leave to table them if he wishes.

The Hon. SCOTT FARLOW: I am very happy to seek leave to table these documents.

Leave granted.

A folder of documents concerning local government reform tabled.

The Hon. SCOTT FARLOW: The process is fair and transparent. It is a process that members opposite have not bothered to participate in. They know in their heart of hearts that it is right. When they have looked at the books in the past they have come to a similar conclusion: that local government reform is needed in New South Wales. In 2003-04 I am sure that the Deputy Leader of the Opposition was there with his trolley of truth, handing out the press releases about council amalgamations.

The Hon. Walt Secord: Openness and transparency is my motto.

The Hon. SCOTT FARLOW: I am glad that he has joined us in our open and transparent process. After four years of consultation the Government continues to consult with the community to show the great benefits that are available to the people of New South Wales.

Mr JEREMY BUCKINGHAM [11.26 a.m.]: I make a short and hopefully not nauseating contribution to debate on the motion moved by the Hon. Adam Searle on behalf of the Labor Opposition. I add my support to the call for papers under Standing Order 52. This is clearly about the Government providing evidence to the people of New South Wales to underpin its undemocratic and unnecessary attacks on local government. The Fit for the Future farce was ignored in most of the State. Most councils are clearly fit for the future. The process ignored the fact that for decades successive State and Federal governments—there is no recognition of local government in the Constitution—have continued to underfund and cost shift to local government and then blame local government. As a councillor on Orange City Council for eight years I saw how crucial councils were to delivering State and Federal government programs and meeting the needs of the community. I join with my colleague Mr David Shoebridge and the Labor Opposition in support of this motion. I will talk about hypocrisy. The Hon. Duncan Gay has taken the opportunity to run away because he knows that I am going to do this. The definition of hypocrisy is:

A situation in which someone pretends to believe something that they do not really believe, or that is the opposite of what they do or say at another time.

The Hon. Scott Farlow mentioned the 2003 amalgamations. He was probably quite young then, perhaps three or four years old, and might not have picked up the then Opposition's position on forced amalgamations at that time. He may not have heard what was said by the then Deputy Leader of the Opposition in this place and shadow Minister for Local Government, a fellow by the name of the Hon. Duncan Gay. At that time the Hon. Duncan Gay brought into this House the Local Government Amendment (No Forced Amalgamations) Bill 2003. What a rank hypocrite. If you do not think that that is a slap in the face for all those country people who are fighting these amalgamations then you are a fool. To stand up in here and call the Hon. Peter Primrose a hypocrite when you led a two-year campaign, bringing a bill into this House to fight off amalgamations—

The Hon. Dr Peter Phelps: Point of order: Mr Jeremy Buckingham should address his remarks through the Chair not to members on the other side of the Chamber.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I remind all members to direct their comments through the Chair. Also I remind members that interjections are disorderly at all times.

Mr JEREMY BUCKINGHAM: So, what did the Hon. Duncan Gay do at that time? He led a campaign around the State—

Mr David Shoebridge: Not a very good one.

Mr JEREMY BUCKINGHAM: It was not a very good one—clearly it was a failed campaign to stop forced amalgamations. He put the Hon Tony Kelly, the Minister at the time, under a lot of pressure through questions on notice and demanded the Government ensure that before any recommendation was made to the Boundaries Commission for amalgamation there was a plebiscite of the local community to make sure they were in agreement. That is The Greens policy. It is the exact argument that Mr David Shoebridge has been making around the State. That was the position of the Hon. Duncan Gay 10 years ago. For him to stand up in here today and bellow, bluster, go red in the face and make assertions about honourable members, which I believe he did, is the epitome of hypocrisy. On 17 September 2003, when he introduced the Local Government Amendment (No Forced Amalgamations) Bill, he said:

The object of the bill is to require the Local Government Boundaries Commission to poll residents and ratepayers affected by a proposed amalgamation of two or more local government areas or by a substantial change to the boundaries of a local government area. The purpose of doing so is to ascertain the attitude of ratepayers to the proposed change. The bill will prevent local government councils from being wiped out by the stroke of a Minister's pen, on the advice of a boundaries commission that may or may not—that is the important point—have performed its duties properly. At this stage some brief history of the issue may be helpful to honourable members.

It is clear that the Leader of the Government in this place is a hypocrite. The Hon. Duncan Gay is the epitome of a hypocrite. Just 10 years ago he stood in this place arguing the very position of The Greens today. He knew then it was right, and it is still right now. If those opposite were true democrats then they would have a

plebiscite, allowing local communities to make their own decision, and they would release the business case, as the Opposition and The Greens are calling for. This is an attack on local councils. In particular it is an attack on regional councils such as those in Oberon and Orange.

The Hon. Peter Primrose: They are great councils.

Mr JEREMY BUCKINGHAM: They are great councils doing hard work and delivering services. Yet they are getting a kick in the shins from The Nationals. We know that out there behind the scenes members such as Mr Scot MacDonald are going to public meetings, toeing the dirt and narrow casting, "Oh, yeah, well it's not my idea. I will go back to Macquarie Street and talk about it." Out there they are tigers; in here they are pussycats, all of them. Andrew Gee has been out in Wellington, Orange and beyond. Gareth Ward has been out and about. They are absolute cowards and hypocrites, and they are failing to represent their communities.

The Hon. Niall Blair: Point of order: Mr Jeremy Buckingham is now casting aspersions on members of the other place. He knows that if he wants to do so then he should move a substantive motion. To do that in the debate is against the standing orders.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I uphold the point of order and remind Mr Buckingham to speak to the motion.

Mr JEREMY BUCKINGHAM: In conclusion, the Hon. Duncan Gay is the epitome of hypocrisy. Have a look at the *Hansard*. The Hon. Scott Farlow really did not do his research in the 10 minutes that he knocked up his speech before he came into this Chamber. He should have had a look at what his side was saying. He did not check the *Hansard*. How foolish! What hypocrites! The Greens will fight these amalgamations, with the Opposition, tooth and nail.

Mr SCOT MacDONALD (Parliamentary Secretary) [11.34 a.m.]: I will continue the theme of hypocrisy. Who runs the Labor Party? Who speaks for the Labor Party? Who is the public face of the Labor Party? In Port Stephens the Labor member, Ms Kate Washington, is feigning outrage. This is the same member who has been calling for the dismissal of the council, impugning members of the council, impugning the mayor, denigrating the council, and holding rallies outside and inside the council. Who speaks for the Labor Party? I will tell the House—

The Hon. Dr Peter Phelps: Point of order: The continual chirping from members opposite makes it impossible to hear. If they want to act like a bunch of bucolic budgies on benzedrine, they should go somewhere else.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I remind all members that interjections are disorderly at all times. I think members are getting a little excited about the speech. I remind members that Mr Scot MacDonald has the right to be heard in silence.

Mr SCOT MacDONALD: Getting back to the theme of hypocrisy, I can confirm for members who it is that speaks for the Labor Party—it is, of course, the minions in Sussex Street. Since we are in the mood for tabling documents, I would like to table the New South Wales Labor submission regarding the Federal redistribution at the end of 2015. I will read from the first couple of paragraphs—

The Hon. Walt Secord: Point of order: My point of order goes to relevance.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I cannot hear the Hon. Walt Secord due to the level of conversation in the Chamber.

Mr Scot MacDonald: Are we worried, Walt?

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! Mr Scot MacDonald will resume his seat when a member takes a point of order.

The Hon. Walt Secord: My point of order goes to relevance. The motion before the House relates to local government documents 2015 to 2016. He is referring to something in the Federal arena, which is completely irrelevant to the debate before this House. I urge you to bring him back to the motion before the House.

The Hon. Catherine Cusack: To the point of order: Mr Scot MacDonald is halfway through seeking leave to table a document. The Hon. Walt Secord knows the appropriate thing to do is to allow him to complete his sentence. It is then up to him to deny him leave to do so. If he is defensive, that is the appropriate course of action to take. His point of order is not a valid point of order.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I do not uphold the point of order. The member was being generally relevant. I also take this opportunity to advise Mr Scot MacDonald that as the documents are in the public domain he does not need to table them unless he would like to seek leave to do so.

Mr SCOT MacDONALD: I will read this document from the beginning. This is from the Labor Party. This is Sussex Street at its best.

But there are also compelling grounds to place Port Stephens with Newcastle. The inclusion of the Port Stephens peninsula into the Division of Newcastle would consolidate the already well established links between Newcastle City Council and Port Stephens Council

This is a cut and paste of the previous redistribution, which was about six or seven years ago. So we have the Labor Party hitting the dial on hypocrisy. The Labor Party in Sydney has one agenda and the Labor Party in Port Stephens pretends to have a different point of view. We know which point of view will prevail; it will be that of Sussex Street—the puppet string-pullers. The Labor Party has been at the front and centre of trying to join these two councils for well over a decade. The Labor Party comes into this place and pretends to have a position of protecting the Port Stephens Council and keeping it separate from the Newcastle City Council. But we know, and the documents are very clear on this, that the Labor Party has been prosecuting the case to join Newcastle City Council and Port Stephens Council. I will continue to read:

Newcastle City Council and Port Stephens Council are co-owners of Newcastle Regional Airport. Their cooperation on this major regional venture provides a relevant example of the ties that already exist between these two LGAs.

The Hon. Catherine Cusack: Point of order: I do understand the embarrassment and agitation of Labor members, but it is disorderly of them to act on that by interjecting and speaking loudly while Mr Scot MacDonald is making his contribution to the debate.

The Hon. Lynda Voltz: To the point of order: The Hon. Catherine Cusack knows she is making a debating point. If she wants to take a point of order she should refer to the standing order so that the House can rule on it.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I uphold the point of order. I remind all members that interjections are disorderly at all times.

Mr SCOT MacDONALD: My point is the hypocrisy of Opposition members who are running some sort of a public campaign, pretending to care for the people of Port Stephens or Newcastle, when in Sydney they are doing their very best to have those two local government areas amalgamated. I call on the member for Port Stephens, Kate Washington, to apologise to the people of Port Stephens. She has not revealed her running audit or her orders from Sussex Street to have those two councils merged. It is an embarrassment to Kate Washington and to Labor members in the Hunter generally who are feigning their care and outrage over the proposal, when very clearly there was a long-running campaign from Labor headquarters to merge those two local government areas. Earlier the Hon. Peter Primrose expressed his outrage at the Minister for Local Government who met with mayors and councillors.

The Hon. Dr Peter Phelps: Outrageous!

Mr SCOT MacDONALD: Outrageous! What should the Minister for Local Government do? He is meant to consult. We have conducted four years of consultations.

The Hon. Peter Primrose: Point of order: Mr Scot MacDonald is misleading the House. I made no such statement. My argument is that I believe it is very appropriate for the Minister to meet with mayors; it is just that he is now refusing to do so.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! There is no point of order. I remind members that it is difficult to hear above the interjections and conversations.

Mr SCOT MacDONALD: I attended the original meeting in Dubbo towards the end of 2011 or the beginning of 2012 at which 600 or 700 people attended. The Hon. Don Page set out a road map for reform, a review and a rigorous look at the finances. He talked about the sustainability of councils, about the Local Government Act and about what makes local government an important jurisdiction. At that meeting I detected some goodwill amongst all the councillors and mayors who realised that sustainability and financial viability was an issue for them. I agree it was always going to be a difficult process, but it is political opportunism for Opposition members to express their outrage about a lack of consultation.

The Hon. Ben Franklin: Confected outrage.

Mr SCOT MacDONALD: Confected outrage. I remind the House that in November 2015 in the *Land* Mike Foley referred to council mergers as a risk for members of Parliament and highlighted the rank political opportunism of The Greens. This is not about efficiency and not about making local government fit for the future; it is about political positioning for The Greens. Members of The Greens in various parts of regional New South Wales make a flying stop, usually have a cup of coffee and meet with council for about half an hour or one hour, and scare the living bejesus out of local councillors and, most important of all, rev up the politics. It is about the politics for them. The article refers to Mr David Shoebridge and stated:

Greens MLC David Shoebridge, who sits above the fray of electoral campaigns in the Upper House, said Nationals MPs would find themselves in the sights of discarded mayors should mergers make them redundant at a local level.

He continued:

Mergers will release a raft of enormously popular local identities who will be very viable contenders at the next State elections.

Mr David Shoebridge did not discuss rates, efficiencies, the workforce, or the size or the capacity to attract investment to regional New South Wales, but he did talk about the politics, about dividing and scaring communities. Today the contribution of Mr David Shoebridge referred very little to the need for reform; it was all about political positioning, scaring regional communities and trying to inject falsehoods into this debate. Just as they do with environmental issues, The Greens fly in, take a selfie, put two paragraphs in the local newspaper, speak on the local radio station and leave the same afternoon. I am sure we will continue to see more of that.

This Government can be proud of the process that started approximately four years ago. When Mr Amalgamation, the Hon. Peter Primrose, went through this process 13 years ago there was nothing on the table; he was putting a gun to the heads of councils. But this Government is providing incentives and putting a significant amount of money on the table to assist with mergers and backlogs. That has not been done before. When Victoria and Queensland went through this process they did not offer help and assistance. This process has been careful and considered—it still has a way to go. I have attended the public meetings. The submission process still has to be gone through. The report was released in the middle of December. We will continue to have rigorous debate, but it should not be about the politics. Do not lie to the Port Stephens community.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! I remind members that they have had a good level of debate and that interjections are disorderly at all times.

The Hon. LYNDA VOLTZ [11.47 a.m.]: Mr Scot MacDonald has made a remarkable contribution to this debate. It is remarkable because when this Government was elected it said it would be transparent; it would reform councils and release information and documentation. Time and again the Opposition has to argue with this Government to release information despite its election commitment that it would be open and transparent. The Opposition is asking the Government to uphold its commitment to the electorate to be open and transparent. Every day in this Chamber the Government hides and covers up.

The simple solution is to release the evidence and let the people decide, but the Government continues to run and hide as much documentation and evidence as it can. The Government will release many glossy brochures, but the people of this State will have absolutely no information to make any decisions on these changes that greatly affect their communities. It is an outrage for Government members to argue against the release of documentation, to break their election promises and to not keep their commitment that they would be open and transparent, and the electorate will condemn them for it.

The Hon. WALT SECORD (Deputy Leader of the Opposition) [11.48 a.m.]: I was not going to speak to the motion, but after hearing the contributions of the Hon. Scott Farlow and Mr Scot MacDonald I will make a brief contribution to support the motion moved by the Hon. Adam Searle. I urge honourable

members who support openness and transparency in government to allow the release of these important documents. I also congratulate the Hon. Peter Primrose on his tireless efforts in this area and thank him for listening to mayors and elected officials throughout the State. On a final note, I think the Hon. Scott Farlow accurately summarised the Government's approach to local government when he said that the release of information was nauseating.

The Hon. Dr Peter Phelps: That's untrue.

The Hon. WALT SECORD: He said it was released in nauseating detail. I will end my remarks on that.

Reverend the Hon. FRED NILE [11.49 a.m.]: I speak to this motion that calls for the laying upon the table of the House within 14 days documents relating to the council boundary review and merger proposal and process. I told the Government that we wanted to see these papers and they should be tabled, and so yesterday we had a meeting with KPMG. I said that there was supposed to be some secret report. There is no secret report to be tabled. We met with Mr Graham Brooke from KPMG, who outlined to us what KPMG had been asked to do. KPMG was engaged by the New South Wales Government to develop a model that supports consideration of local government merger options, assesses key demographic and financial data for each council based on publicly available data sources and enables abrogation and dissemination of this analysis to compare and inform preferred merger options. That was the basis on which KPMG conducted its review and recommended the possibility of mergers resulting in 15 metropolitan mergers and 20 regional mergers with existing councils, making a total of 75 councils.

The Independent Pricing and Regulatory Tribunal did something similar. It came up with seven metropolitan mergers resulting in only 30 councils. Ernst and Young investigated the issue and came up with eight metropolitan mergers resulting in a total of 32 councils. In the end KPMG recommended the continuation of 75 councils. As members know, there are 152 councils in New South Wales, made up of 43 metropolitan councils and 109 regional councils. The KPMG representative explained how it did an analysis for every council area and it provided us with these documents that I will table. I am not sure whether the Government wants me to table them. I have not asked for any approval, but I am going to do it anyhow. We were not told they were to be kept confidential. The first document I will table is entitled "Outline of Financial Modelling Assumptions for Local Government Merger Proposals: Technical Paper".

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! The member must seek leave to table documents.

Reverend the Hon. FRED NILE: I seek leave to table the documents.

The Hon. Walt Secord: To assist the House, I inform Reverend the Hon. Fred Nile that these documents are already in the public arena.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! As I said this morning, there is no need to table documents that are publicly available; however, members are entitled to table documents if they wish. The member is seeking leave to do so.

Reverend the Hon. FRED NILE: I am seeking leave to table them because the Opposition is asking for documents. These are documents from KPMG.

The Hon. Catherine Cusack: Point of order: First, it is disorderly for the member to interrupt Reverend the Hon. Fred Nile on the basis of allegedly wishing to assist the House. That is not a point of order. Secondly, I ask you to stop members opposite from interjecting on the member, who is seeking to table copies of documents that were provided to him by way of explanation in relation to this motion. He is more than within his rights to do that and to not be harassed by members opposite.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! There is no point of order. The member is seeking leave to table the documents. I understand the Opposition has no objection to that leave being granted.

Reverend the Hon. FRED NILE: The second document from KPMG is headed, "Local Government Merger Proposals—Overview of assumptions underpinning financial modelling: Briefing to Delegates".

The Hon. Catherine Cusack: Point of order: I ask you again to call members opposite to order so that Reverend the Hon. Fred Nile may complete his statement.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! There is no point of order. The question is whether leave is granted to table the documents. There being no objection, leave is granted.

Leave granted.

Two documents prepared by KPMG regarding local government merger proposals tabled.

Reverend the Hon. FRED NILE: The point of tabling the documents is they are the only documents that KPMG has. That is the situation. I do not feel it is necessary to support the motion moved by the Hon. Adam Searle because it will do nothing other than create a lot of work in the Office of Local Government.

The Hon. ADAM SEARLE (Leader of the Opposition) [11.55 a.m.], in reply: As the Hon. Peter Primrose outlined, the debate on this motion is not about the merits of the local government reform plan; it is about whether the information in the motion will be made available to this House. The fact is that the basis of the Government's proposal has not been made public. The documents that Reverend the Hon. Fred Nile referred to and tabled, presumably in support of his view that this motion is not necessary, are unfortunately misleading him, if not the House, unintentionally because those documents are already in the public domain. I do not know how he could form the view that those are the only documents that KPMG or anybody else has.

The Hon. Peter Primrose: They spent \$400,000.

The Hon. ADAM SEARLE: I acknowledge that interjection. If those are truly the only documents that KPMG holds after the Government paid it \$400,000 that would be staggering. The point is that this motion is directed to the Premier, the Department of Premier and Cabinet, the Treasurer, the Treasury, the Minister for Local Government and the Office of Local Government, and is about the documents they have. None of us in this Chamber knows what documents those bodies hold or the content of those documents. We will not know unless this motion passes and Executive Government produces to the Parliament the information sought.

How could any member in this place who thinks that this House of review should scrutinise government actions seriously oppose this motion? It does not seek acres of obscurely described documents. It is very narrowly focused on the documents related to the boundary review, and the merger proposal and process that the Premier announced. It is impossible to have a reasoned public discourse on this matter without the basis of the Government's actions being made clear. Of course, many things about this process are frankly unclear. For instance, the way in which next week's public inquiries into the controversial council merger process will be conducted is still unclear.

Reports in the *Cooma-Monaro Express* have raised concerns about the timing of the forums. For example, they will occur during business hours on Thursday and Friday and their locations are a long way from where some ratepayers live. We have to ask ourselves how serious this Government is about consulting the wider community. It is important that this House scrutinises the basis of the Government's proposal by agreeing to this clearly outlined and highly focused request for papers. To do otherwise means that this is just a blatant partisan grab for power.

If that is not so, if that is untrue, then the Government will agree to this call for papers and we will see what documents are produced. We need to see the documents that go beyond those tabled by the Hon. Scott Farlow and Reverend the Hon. Fred Nile because they are already in the public domain and do not answer the many reasonable questions about the basis on which the Government set its policy. I urge all members to vote for openness and transparency and agree to this request under Standing Order 52.

Mr DAVID SHOEBRIDGE [11.59 a.m.], by leave: I seek leave to table the three GIPA documents that I referred to in my contribution to the debate.

Leave granted.

Correspondence regarding an application for documents made under the Government

Information (Public Access) Act 2009 tabled.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 16

Ms Barham	Mr Pearson	Mr Veitch
Mr Buckingham	Mr Primrose	Ms Voltz
Ms Cotsis	Mr Searle	
Dr Faruqi	Mr Secord	<i>Tellers,</i>
Mrs Houssos	Ms Sharpe	Mr Donnelly
Mr Mookhey	Mr Shoebridge	Mr Moselmane

Noes, 19

Mr Ajaka	Mr Gallacher	Reverend Nile
Mr Amato	Mr Gay	Mr Pearce
Mr Blair	Mr Green	Mrs Taylor
Mr Clarke	Mr MacDonald	
Mr Colless	Mr Mallard	<i>Tellers,</i>
Ms Cusack	Mr Mason-Cox	Mr Franklin
Mr Farlow	Mrs Mitchell	Dr Phelps

Pair

Mr Wong

Mr Harwin

Question resolved in the negative.

Motion negatived.

DEPUTY-PRESIDENT (The Hon. Natasha Maclaren-Jones): Order! There is too much noise coming from Government members. If members wish to have private conversations they should do so outside the Chamber.

HEMP FOOD PRODUCTS

Mr JEREMY BUCKINGHAM [12.09 p.m.]: I move:

- (1) That this House notes that:
 - (a) the current ban on the sale of hemp food products is costing Australian farmers a slice of a billion dollar global industry;
 - (b) Australia and New Zealand are the only countries in the world where the sale of hemp food is illegal;
 - (c) approval for the sale of hemp food products is supported by Food Standards Australia and New Zealand (FSANZ); and
 - (d) the 2012 FSANZ report for approval states that:
 - (i) hemp has no psychoactive properties and, therefore, could not be detectable in drug tests;
 - (ii) there is no evidence of adverse health effects in humans at low levels of tetrahydrocannabinol exposure;
 - (iii) hemp grows in a distinctly different way to marijuana and would be easily detectable by drug enforcement agencies;
 - (iv) no countries have reported any problem with mixed messaging regarding drug law enforcement; and
 - (v) the current ban on hemp food products is impeding the development of a sustainable hemp fibre industry.

- (2) That this House calls on the Government to:
- (a) work proactively with the Federal and other State and Territory governments to lift the ban on hemp food products in Australia; and
 - (b) assist farmers in the development of a sustainable hemp food and fibre industry.

This motion tries to facilitate and recognise the fantastic opportunity in New South Wales and Australia for the development, growth—literally—and commercialisation of hemp food products, which are distinct from hemp products. This is about hemp foods and hemp oil.

The Hon. Dr Peter Phelps: Hash cookies.

Mr JEREMY BUCKINGHAM: I acknowledge the interjection of the Hon. Dr Peter Phelps, hash cookies. He is clearly an expert on them; hopefully is not consuming one now. This is not about medicinal cannabis. In New South Wales it is already legal, under licence from the Department of Primary Industries, to grow industrial hemp. However, that hemp can only be harvested for its fibre component. That is just not good enough. My first entrée into political activism was with the Hemp for Paper Consortium in Tasmania in 1989. The Democrats in Tasmania, under Norm Sanders and Patsy Harmsen, were leading a campaign for the industrialisation of hemp, Hemp for Paper, in order to create a viable alternative to the paper fibre derived from Tasmania's native forest. It was about addressing conflict in the community around the use of fibre products derived from native forests. I was very passionate about it and so many people—

The Hon. Dr Peter Phelps: Hemp toilet paper.

Mr JEREMY BUCKINGHAM: Hemp toilet paper, all those types of products. We have all seen, I hope, the documentary about the billion dollar crop and the thousands of years that human societies have used hemp products.

The Hon. Dr Peter Phelps: For a whole range of different things.

Mr JEREMY BUCKINGHAM: For a range of purposes. The Dutch word "canvas" was derived from "cannabis". Some of the reasons for colonising Australia were that it would be a good place to refit and re-mast ships and to grow hemp. Some of the founding fathers of the American democracy were hemp farmers, amongst other things.

The Hon. Dr Peter Phelps: More freedom.

Mr JEREMY BUCKINGHAM: More freedom, absolutely, and that is what we want. I again acknowledge the interjection of the Hon. Dr Peter Phelps. The farmers of New South Wales want the freedom to benefit from a crop that will deliver billions of dollars' worth of new commodity and resource and provide a massive opportunity for value adding. Imagine if the law allowed wheat farmers to sell only the stalks for straw and not the wheat itself for grain. The crop would be financially unviable and no-one would grow it. That is how the law currently stands in relation to hemp foods. According to Standard 1.4.1 of the Australian New Zealand Food Standards, hemp cannot be sold for human consumption. Hemp fibre can be sold but not the seed. Australia and New Zealand are the only two countries in the world where it is illegal to sell hempseed as a food product for human consumption.

The Hon. Dr Peter Phelps: All those heads going to waste.

Mr JEREMY BUCKINGHAM: Exactly. The cultivation of hemp for fibres, textiles and building materials is allowed in Australia and New Zealand. An inquiry conducted by the Parliament of Tasmania found that "the ban on the use of hemp in foods is impeding the development of the industrial hemp industry." The production of hemp fibres alone does not have the economic returns necessary to support the growing hemp market in Australia. Based on economy of scale, if we allow hempseed and hemp foods to be cultivated and consumed in Australia we would see the development of other industries around textiles.

World hempseed production in 2010 is estimated to have been around 67,000 tonnes. In 2010 China was the world's largest producer of hempseed, accounting for 70 per cent of world production, followed by Canada and France. The Canadian Government estimated that hempseed prices received by producers in 2010 ranged from CAD\$1,433 per tonne to CAD\$2,205 per tonne. I will repeat that for the benefit of The Nationals and any other members who want to see a boost in regional development: CAD\$1,433 to CAD\$2,205 for a tonne of hempseed. That is a bonanza.

The Hon. Dr Peter Phelps: What is the price in Colorado?

Mr JEREMY BUCKINGHAM: You get about a pound in Colorado. The producers generally receive a 30 per cent or 40 per cent premium for organic produce. The Hemp Industries Association estimates that the total United States retail value of hemp products in 2013 was \$581 million. That includes food, body products, clothing, auto parts, building materials and other products. I repeat, the retail value is \$500 million and growing exponentially. The Hemp Industries Association reported that the value of hemp-based food supplements and body care sales in the United States totalled \$184 million. In Europe last year whole hempseeds and derived hemp foods and feed products are estimated to have had a total market size of €45 million a year. Of this, €15 million was generated from European Union seeds and an additional €30 million was generated from imported seeds and oils. Right now the hemp market in Australia is worth only \$13 million. If hemp food products are legalised, the market is expected to quadruple in a year as more farmers rush to grow this crop.

Food Standards Australia New Zealand has twice recommended food derived from hemp be made legal. In 2012 it concluded that "there is no evidence of adverse health effects in humans at low levels of THC exposure". However, Federal and State Ministers rejected this expert advice and asked for a further review. Food Standards Australia reviewed and reaffirmed its advice that hemp derived from foods was safe in 2015, but once again the politicians balked. The stumbling block is the police and the political stigma of hemp being associated with marijuana. Hemp is biologically different to marijuana. It has very low or insignificant amounts of the psychoactive constituent tetrahydrocannabinol [THC]. A person could smoke or eat many kilograms of hemp and never get high.

The Hon. Dr Peter Phelps: Have you tried that, Jeremy?

Mr JEREMY BUCKINGHAM: I am sure the Hon. Dr Peter Phelps has probably tried it. Hemp contains only zero to 0.5 per cent THC, the chemical that produces the psychoactive properties found in related plant species. The low amounts of THC also prevent hemp food from producing false positives in saliva drug testing. That is a key point. I am guided in this by Food Standards Australia. In a study conducted in 2012 and again in 2015 oral fluid samples were analysed and it was found that it was unlikely, according to Food Standards F760, to produce positive results to a drug test. Published results from human volunteers indicate that it is unlikely that consumption of hemp foods containing THC at the prescribed millilitres would result in a positive test. Food Standards Australia New Zealand has stated that the consumption of hemp foods will not trigger a positive oral or urine test.

Tens of thousands if not hundreds of thousands of Australians consume hemp products, mostly hemp oil and hempseed, and they do so for its incredible health benefits. It assists with arthritis and has high amounts of omega-3, fish oil and protein. Indeed, bodybuilders and the health conscious consume hemp products. If positive results were being triggered in mobile drug testing there would be evidence of it. A large number of people would present to court saying, "I haven't smoked cannabis but I may have eaten hempseed." That has not been the case.

People are consuming these products. They are for sale but people are told they are not allowed to use it orally. Hemp is sold in body scrubs. The Hon. Rick Colless, who is very keen in managing his skin, would use a lot of body products. He probably uses hempseed body products because his skin is glowing. People at his age generally do not have such well-preserved skin. Hemp is in body products such as soap and body scrubs, so clearly people are using it. Recently it was reported in the *Daily Telegraph* that I am a regular consumer of hempseed on my breakfast cereal. It does wonders for my health and eases my aching joints and sciatica.

The Hon. Dr Peter Phelps: It certainly explains a lot, Jeremy.

Mr JEREMY BUCKINGHAM: It certainly explains my vigour and good health. I ascribe that to a healthy diet, part of which is hemp foods. The stumbling block is that New South Wales must ensure that government agencies—other than the Department of Primary Industries, which is very supportive—support the national approach. That is not happening at the moment. My motion calls on all agencies at both State and Federal levels to get behind hemp foods. A recent submission by the NSW Food Authority concludes:

The NSW Food Authority does not support the proposal to allow the use of low-THC hemp foods based on broader compliance and enforcement policies. New South Wales remains concerned that the proposed options suggested in Food Standards Australia New Zealand application A1039 are inconsistent with existing drug policies and would place a substantial burden on law enforcement agencies.

The NSW Food Authority has put forward an argument based on policing which I believe is spurious and stands in the way of a \$1 billion industry. It is incumbent on the Minister and the Parliament to permit hemp food products because New South Wales has the most productive, broad and diverse grain-growing regions. The agronomy of this plant is applicable to the north-east and south-west of the State. Many areas of the State could grow the various strains of hemp foods. It is a different species to wheat, barley, oats, canola, which are part of the brassica species, and grows well in rotations. It breaks up the disease cycle of cotton. It is deep rooted and drought tolerant and can handle wet soils. It has been grown around the world for eons. However, the NSW Food Authority, under the Minister, opposes its application here. That must stop. My motion seeks a commitment from the Parliament to support the industry. I ask members to support my motion, but I am disappointed to learn that the Government will oppose it.

The Hon. Rick Colless: We will explain why.

Mr JEREMY BUCKINGHAM: You can explain why. I understand that the Government opposes the motion because, it says, it is working proactively with the Federal, State and Territory governments to lift the ban and assist farmers with development. If the Government is already doing that, why will it oppose the motion? Why will the Government send a signal today to the hemp industry that it is half in and half out? The Government is equivocating. This industry is booming in Canada, the United Kingdom—

The Hon. Dr Peter Phelps: Colorado.

Mr JEREMY BUCKINGHAM: Colorado? The Hon. Dr Peter Phelps has got his marijuana mixed up with his hemp. They are different industries, but the community understands. There is widespread support for its use, including from the NSW Farmers Association and the National Farmers Federation. All these groups recognise its value and many people recognise the capacity of this crop to add to the range of grains that our farmers can grow and value add. One of the key benefits of hemp foods is the enormous capacity of farmers and regional communities to value add. This would deliver an incredible income stream to our farmers. All the parliaments around the country should give farmers at every opportunity another tool in their arsenal, another crop to grow. That is the purpose of my motion. It is reasonable reform and is supported by Food Standards Australia New Zealand, the scientists. As I said, it will not affect drug testing; if it did it would have shown up already.

The Hon. Mick Veitch: Around the world.

Mr JEREMY BUCKINGHAM: Around the world; that is a very good point. Mobile drug testing is done in Denmark, Germany, the United Kingdom, France, Canada and the United States and those countries have not recorded the statistical anomaly of people presenting with a positive drug test and saying, "I haven't smoked cannabis but I have eaten hemp or used hemp oil". The cannabinoids in these products are enormously beneficial. Humans have been consuming hempseed for eons. Gruel, which has been the base diet of people of the Ukraine for millennia, was and remains mashed hempseed. People have been consuming it for thousands of years. In fact, some scientists contend that it may have been one of the principal food sources and one of the first crops when humans went from a hunter-gatherer lifestyle to a sedentary agrarian lifestyle. It has been shown to have been present, together with wheat, barley, oats and grain, in the Middle East 10,000 years ago.

I hope the Government supports the motion. The Minister asked me not to call a division on the motion but I will. It is very important that just as we support the medical cannabis industry and recognise its enormous benefits that so too we move on from these redundant, ridiculous debates. It is time to move on. I will be very interested to hear the Government's argument. If it is purely on the basis that they are already addressing it, then that is a spurious argument. The Hemp Industries Association and the farmers in the Hunter and across the State who are already growing the crop are waiting for the signal. The Government should send that signal. Only last year farmers across Australia thought they were going to be given the green light.

The investment and regional development opportunities are enormous. Australia is importing millions of dollars of Canadian and Chinese hempseed and hemp oil for no good reason. These products can be grown here; we have smart farmers. New South Wales, especially the cane region, is the perfect place for this industry. The Hon. Ben Franklin should be aware that cane farmers are very keen to get going on this industry. Voting against this motion today is a big mistake. The Greens are going to run a big campaign saying that hemp is healthy and should be legalised. We will be doing that until the Government gets out of the way and all government agencies support the push to legalise hemp food.

The Hon. RICK COLLESS (Parliamentary Secretary) [12.29 p.m.]: I thank Mr Jeremy Buckingham for his interest in this matter and for providing me with the opportunity to update the House on the important work that the New South Wales Government is engaged in with the Commonwealth and other State and Territory governments. The Government opposes the motion as it is already working proactively on this matter. A motion is unnecessary to achieve progress or address any issues associated with this matter. Low tetrahydrocannabinol [THC] hemp has been around for many years and has a wide range of non-food uses, including in fibreglass and plastics, specialty papers and high-quality fabrics and textiles. Low THC hemp has the added advantage of being considered a "green", environmentally friendly crop, as it requires less irrigation water and use of agricultural chemicals than other fibre crops.

The Government is keenly aware that approval of low THC hemp food for human consumption could provide significant economic, trade and employment benefits to New South Wales, particularly in rural and regional areas. That is why New South Wales is not only participating but taking a leading role in multijurisdictional efforts to address information gaps relating to hemp foods, with the ultimate goal of assuring Ministers that concerns can be addressed and that hemp foods can be approved for sale. In January 2015 the Australia and New Zealand Ministerial Forum on Food Regulation rejected a Food Standards Australia New Zealand [FSANZ] application to permit the sale of low THC hemp as food. The application was rejected due to a lack of available information to allay concerns held by jurisdictions on a range of issues, including the impact of hemp foods on roadside drug testing regimes—notwithstanding what Mr Jeremy Buckingham said about that; the levels and potential effects on humans of cannabinoids present in low THC hemp; marketing and labelling issues; and potential legal and treaty issues.

Given those concerns, it was appropriate that the ministerial forum asked for further work to be done to investigate the identified information gaps. Four coordinated projects have been commenced by jurisdictions to do this. These projects are expected to be completed within the next 12 months. Ministers will then be in a position to consider whether a standard should be raised to allow the sale of low THC hemp foods. While not wanting to prejudge the outcomes of the ongoing work, I note that New South Wales is keen to ensure that all concerns are addressed, to provide the best possible opportunity for jurisdictions to approve the sale of low THC hemp foods. I make it clear that low THC hemp is a safe and nutritious food, but it also comes from the same plant family as marijuana. We therefore need to be careful that we fully understand all the relevant issues before its use as food is approved. An enormous amount of work has been done to address the four key information gaps so that the Minister responsible for food regulation can consider approving THC hemp products for use as food.

The Ministerial Forum on Food Regulation asked the Food Regulation Standing Committee to address the information gaps in relation to the consideration of low THC hemp as food and report back to Ministers. The standing committee subsequently established a multijurisdictional working group to oversee the work undertaken by respective jurisdictions. A consumption study to assess the impact of low THC hemp foods on roadside and other drug testing is being led by Victoria and guided by an expert panel, on which New South Wales is represented. An assessment of concerns regarding the marketing and advertising of hemp food is being led by New Zealand. A review of legal and treaty issues is being led by the Australian and New Zealand Governments. An evaluation of cannabidiol [CBD] and other cannabinoids is being led by New South Wales. The work to address marketing concerns, legal and treaty issues and cannabinoid levels has been progressed and will be considered by the standing committee and the forum next month.

Importantly, I am advised that none of these projects has identified any issue that would prevent low THC hemp being approved for use as food. Work on the consumption study has been delayed and is expected to be completed for consideration by the standing committee in July, and by the forum after that. To help mitigate the impact of this delay on further consideration of low THC hemp as food, the ministerial forum indicated at its November 2015 meeting that members will consider asking FSANZ to commence work in March 2016 on a proposal to allow low THC hemp as food. Should this occur, it would allow Food Standards Australia New Zealand to develop a draft standard, as it would normally do in response to proposals from the forum or requests from industry to vary the code.

The draft standards that result from this process are always subject to consideration by the forum and come into effect only if agreed by a majority of forum members. It is important to point out that a request by the ministerial forum to develop a standard does not constitute approval of low THC hemp food for sale. Ministers will be asked to approve such a change only when the work needed to address the information gaps has been completed. Each jurisdiction would then need to be comfortable that these issues have been adequately addressed and a majority of jurisdictions would need to agree to adopt the draft standard. The proposal to

develop the standard concurrently with the remaining work to address the information gaps will allow the forum to consider a draft hemp food standard at the same time, or soon after, it considers the final standing committee report that will address all the information gaps. This is expected to occur later this year.

It is also important to appreciate that, while we are working very hard and have made solid progress towards the consideration of low THC hemp as food, the vital work being undertaken in Victoria to investigate whether these products interfere with drug testing has yet to be completed. This work is one more example of our passion to engage and innovate to achieve progress on important national policy. The NSW Food Authority supports innovation in the food industry and assists industry to harness new and emerging technologies. A recent example of this includes high-pressure processing. High-pressure processing uses high pressure instead of heat to destroy bugs and is an alternative to heat pasteurisation. High-pressure processing has the advantage of not destroying nutrients that may be denatured during heat pasteurisation.

To assist industry, the NSW Food Authority has produced a guideline document and works one on one with businesses during the development stage to ensure that their products are safe for consumers. The NSW Food Authority also encourages innovation in the food service sector. Shows such as MasterChef have increased the trend for cooking at lower temperatures for longer times, which results in a more superior end product than normal cooking. If not done properly, such cooking has the potential to allow bugs to grow. The NSW Food Authority has produced a guideline to assist industry and local council officers to understand this process.

Low THC hemp can be legally grown in New South Wales under strict licence conditions imposed through the Hemp Industry Act 2008. The Act does not provide for the growing of medicinal cannabis or hemp as food. As is the case for most statutory instruments, there is a requirement for review. That review has been delayed as a result of factors beyond the scope of the Act. There has been significant community interest in medicinal cannabis and the potential approval of hemp as food. Both these issues currently sit outside the scope of the Hemp Industry Act. Nevertheless, I am advised that the Department of Primary Industries is working on a review of the Act, consistent with the statutory review requirements under the Hemp Industry Act 2008. The delay in conducting the review has had no impact on the existing regulatory framework for industrial hemp or licensed growers and their operations. Growers can continue to grow industrial hemp consistent with the terms of their licence and the Act.

Likewise, those who are interested in growing industrial hemp can continue to apply to the Department of Primary Industries for a licence. The review has been delayed due to a range of factors. The initial review of the Hemp Industry Act was deferred in anticipation that the application would be approved, which could have had ramifications for the way in which the growing of hemp in New South Wales is regulated. In January 2015 the Ministerial Forum on Food Regulation rejected the application to allow the sale of low-THC hemp food products for human consumption. The application was rejected for reasons that are not related to food safety and nutrition. For those reasons the Government will not be supporting this motion. Most of that work is already underway and involves other jurisdictions as well. The Government opposes this motion.

The Hon. MICK VEITCH [12.39 p.m.]: I lead for the Opposition on the motion moved by Mr Jeremy Buckingham. I became more informed about the use of industrial hemp during the first inquiry I undertook with this Parliament, which was with the State Development Committee. We were at Griffith, and the Hon. Rick Colless may well have been on that committee, as part of an inquiry into aspects of agriculture. One of the witnesses there was quite keen for an expansion of the arrangements relating to industrial hemp as a crop in New South Wales. Reverend the Hon. Fred Nile was asking him some questions about this and the witness said—and I am paraphrasing now rather than giving an exact quote—that "You could smoke a truckload of this stuff and all you will get is a sore throat." That is the reality, and the Opposition will be supporting the motion.

Much has been said about the Food Standards Australia New Zealand [FSANZ] application and documents. I think it is important to work our way through that process. The application made sought approval for the use of the seed and seed products of cannabis sativa with low levels of delta 9 tetrahydrocannabinol [THC]. Varieties of cannabis sativa that contain no or very low levels of THC are commonly referred to as hemp or industrial hemp. These are different from marijuana. That is probably the only confusion that people seem to have in this debate—their concerns around marijuana are transferred to the use of industrial hemp. The THC levels are quite different. Hemp has typically been used for industrial purposes, as has been stated previously in this debate, for things such as textiles, fibres, paper and building materials, which come from the fibrous parts of the plant, and also as a food source. Long-term members of this House will remember the Hon. Ian Cohen. He often wore a hemp fibre suit in the Chamber, which I think he bought from the hemp store in Nimbin.

The Hon. Dr Peter Phelps: Did you say hemp fibre was used to make paper?

The Hon. MICK VEITCH: Yes, there is a range of products. Hemp is cultivated in Australia and New Zealand under strict licensing arrangements which control the varieties of hemp that can be grown and the levels of THC that can be present. Certain hemp products are legitimately marketed in Australia and New Zealand, as Mr Jeremy Buckingham stated. As the Hon. Rick Colless said, the ministerial council has had concerns on more than one occasion about the use of hemp in food and not only the confusing message that may send to the broader community but also the acceptable safety levels of cannabis. The FSANZ assessment of application A1039 updated the full safety assessment of hemp foods conducted as part of its application A360. It said:

FSANZ is satisfied that the conclusions of the safety assessment for A360 remain valid and that low THC hemp foods are safe for consumption.

Part of the broader context, and I am certain it is one of the issues that the ministerial council will look at, relates to the labelling, if this was to progress, of hemp foods to make sure that consumers can make an informed decision and are aware of what they are consuming. There is often robust debate in this Chamber on the adequacy of our food labelling laws. I believe it is a valid concern. People need to be sure that labelling is adequate when it comes to the use of these products. Drug testing is another issue has been raised in this debate and by the ministerial council. I will quote from the FSANZ document again. It states:

The FSANZ assessment considers that the consumption of hemp foods is unlikely to interfere with blood and urine tests aimed at detecting the use of illicit drugs. The levels of THC present in hemp foods is unlikely to result in a positive result for THC drug screens that are based on the collection of urine or blood.

So I am interested in the results from the Victorian tests. I have no doubt that they will confirm that statement. From all the documentation I have read, those appear to be the two issues that people have in Australia and New Zealand around expanding the use of industrial hemp in our countries—that is, drug testing, in particular roadside drug testing, and the labelling of the product. I accept the work that has been done by the ministerial council, but I think we have to acknowledge that this is an inevitability—that this will happen. We may be moving at a glacial pace but at some stage this will happen.

Hemp foods have been assessed as safe for human consumption at the recommended maximum levels of THC content. There are adequate controls in place to mitigate the risk of high THC cannabis products entering the food supply. There is no evidence of a risk that consumers will be misled by representations relating to connecting hemp foods with the psychoactive effects of drug varieties of cannabis because of the labelling laws that exist in this country. The reality is, if we look at this through the eyes of other jurisdictions, there are only two jurisdictions that I can find that do not go as far as we would like with having a sustainable hemp food and fibre industry in their jurisdictions—that is, Australia and New Zealand.

Other jurisdictions, such as Canada and the United States, have quite robust and rigorous regimes around this industry. It is a billion-dollar industry that our farmers in New South Wales should be allowed to access. If we look at Canada, we see that they have very explicit and specific regulations around the use of industrial hemp. My understanding is that in Ireland the controls may not be so rigorous. Where the explicit controls do exist there is generally a licensing system that covers the obtaining of seeds for planting and that runs right through to the end processing of the hemp products. So there is a regime in place to provide consumers and the regulatory authorities with the assurances they need. Last year *The Land* newspaper ran a couple of articles about the use of industrial hemp. Bob Doyle was quoted in an article in *The Land* on 17 September. He said:

"Legalising (hemp food) could be a game-changer.

The article also said:

Mr Doyle said while hemp had been wrongly tainted by links to marijuana, its versatility and suitability as a rotation would eventually prove doubters wrong.

Mr Doyle was quoted as saying:

"It's not a bad money spinner."

Again, I cannot really understand why we would not allow our farmers to access another income stream. In the same edition of *The Land*, from 17 September 2015, an article by Alex Druce under the headline "Seedy claims hamper hemp growth" said:

Hemp fibre crops were legalised in NSW in 2008—

So there are already hemp fibre crops being grown in this State right now. The article continues:

Currently, eating and selling hemp seeds as food is illegal only in Australia and New Zealand—

The article also says:

In 2014 Hemp Foods Australia said the industry was responsible for \$13 million of trade in Australia with more than 350 per cent growth from 2012 to 2013—while the international market for hemp food has been estimated at \$1 billion.

"There is an international market for hemp food products worth more than \$1 billion and Australian farmers are missing out on this opportunity ...

What is needed here is political will. We need to work together to make this happen. This is an opportunity for our farming fraternity in New South Wales not just for crop rotation, as Mr Jeremy Buckingham stated, but also to access income streams in other areas. I had a lengthy discussion about industrial hemp with my Federal counterpart, the Hon. Joel Fitzgibbon. He is the shadow Minister for Primary Industries at the Federal level. I was not aware that last year Joel Fitzgibbon visited a production factory on the New South Wales north coast and was so impressed that he has become a strong supporter of industrial hemp seed-based food and fibre products. He told me that industrial hemp is one of the most versatile and eco-friendly crops available. He said that numerous biodegradable products can be made from industrial hemp. Regardless of which sphere of government and which political persuasion we are, I think it is absolutely imperative that with all the goodwill that we can muster we continue to expand this industry.

I understand the glacial pace of the ministerial council is about ticking all the boxes but the reality is that every other jurisdiction in the world has already done this. We are the last. I know we have to get it right because that is a risk-averse society in action. In the United States of America the value of industrial hemp products exceeded \$500 million in 2012 and in Canada approximately \$34 million in 2011, so members should try to explain to our farming fraternity that we will deny them access to markets like that. For those reasons the Opposition will be supporting the motion moved by Mr Jeremy Buckingham. I accept the Government's contribution in relation to the ministerial council ticking all the boxes, but that has already been done in other jurisdictions and I can see no reason why we should not all get behind this motion. As I said, it may be moving at a glacial pace but the rest of the world did it and so can we.

Mr JEREMY BUCKINGHAM [12.52 p.m.], in reply: I thank the Hon. Rick Colless and the Hon. Mick Veitch for their contributions to the motion moved by The Greens. I note the absence of a contribution from the newly announced shooters, fishers, pharmacists and farmers party—the Shooters and Fishers Party. This is day two of the rebranding and their new entrée, as it were, into agriculture and they have not made a contribution to the first agriculture motion to come before the House. Where are they? They are upstairs with Glen Druery passing around the tissues and crying about Senate reform. It is a disgrace. They do not care about farmers.

The renaming is a cynical marketing exercise otherwise they would have made a contribution to this debate like the Hon. Rick Colless and the Hon. Mick Veitch, who are true members representing country electorates. I wholeheartedly welcome the support of Labor, which has a long history of supporting the hemp industry. In 2008 the Hon. Ian Macdonald together with the Hon. Ian Cohen and others got behind this industry with the first Act, the first support, the first licensing and the rest, but the industry has stalled. The Government's support is tepid and mild when it should be excited about supporting an absolutely booming industry.

The Hon. Dr Peter Phelps: It's smoking.

Mr JEREMY BUCKINGHAM: It is smoking, it is red hot, it is on fire, except in New South Wales. Last week I met with representatives from the Danish hemp industry who are particularly focused on producing cannabidiol [CBD], a derivative of hemp foods with incredible health properties, so hemp medicines, as opposed to medicinal cannabis, contain a totally different cannabinoid. It has fantastic health properties that help people with arthritis, Parkinson's disease and epilepsy. It produces incredible results that the people of New South Wales understand. They are already using it. We can buy hemp foods in health food shops all around

New South Wales, including at Royal North Shore Hospital or online without restriction and with no concern about the labelling or marketing. They do not say, "Have some hemp seed, get off your chops." They say, "Have some hemp seed—

The Hon. Mick Veitch: On your chops.

Mr JEREMY BUCKINGHAM: Have it on your chops.

The Hon. Rick Colless: It makes a canary sing.

Mr JEREMY BUCKINGHAM: It certainly does. There is no evidence of concern about labelling or marketing. Food Standards has recognised that and the community is smart enough to understand the distinction. I am disappointed that the Minister is not in the Chamber to engage in this debate. The Hon. Rick Colless's comments were tepid; he gave lukewarm support to this industry and matters are moving at a glacial pace. We have heard a proposal for a proposal for a protocol for something else that may or may not happen and, in the end, off in the never-never, something might be spat out. It is just like what we saw with photovoltaics, Australia will be left behind for no real reason other than the wheels and cogs of our parliaments and bureaucracy grind away at such a slow rate. This matter was first raised in 2002. The Government should get behind this industry and it is disappointing that it has not. Over many decades people have been calling for this industry to be advanced. Today we see that medicinal cannabis will be legalised, and that industry is being facilitated, yet hemp, which is far more innocuous, is not getting the support. The Greens will continue to push this issue.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 17

Ms Barham
Ms Cotsis
Mr Donnelly
Dr Faruqi
Mrs Houssos
Mr Mookhey

Reverend Nile
Mr Pearson
Mr Primrose
Mr Searle
Mr Secord
Ms Sharpe

Mr Shoebridge
Mr Veitch
Ms Voltz
Tellers,
Mr Buckingham
Mr Moselmane

Noes, 16

Mr Ajaka
Mr Amato
Mr Blair
Mr Clarke
Mr Colless
Ms Cusack

Mr Farlow
Mr Gay
Mr MacDonald
Mr Mallard
Mr Mason-Cox
Mrs Mitchell

Mr Pearce
Mrs Taylor
Tellers,
Mr Franklin
Dr Phelps

Pair

Mr Wong

Mr Harwin

Question resolved in the affirmative.

Motion agreed to.

[The Deputy-President (The Hon. Natasha Maclaren-Jones) left the chair at 1.04 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

BURTON CONTRACTORS AND GOVERNMENT CONTRACTS

The Hon. ADAM SEARLE: My question without notice is directed to the Minister for Roads, Maritime and Freight. Has the Minister or his staff met with or spoken to either Paul or Chris Burton, directors of Burton Contractors and recipients of \$150 million worth of New South Wales road contracts, who have left dozens of subcontractors unpaid? If so, will the Minister provide the House with the details of any such meetings?

The Hon. DUNCAN GAY: Roads and Maritime Services [RMS] and the New South Wales Government take contractor insolvency and the impact on subcontractors very seriously. The awarding of government contracts is entirely transparent—from tender advertising through to successful tenderer details being published online. RMS undertakes careful financial assessments of tendering contractors in accordance with New South Wales Government guidelines prior to the awarding of major contracts. Currently, Burton Contractors Pty Ltd has been engaged by Roads and Maritime Services to complete three major growth road projects. They had a contract awarded in April 2014 for the \$96 million Richmond Road upgrade stage 2; a contract awarded in August 2014 for the \$85 million 2.4-kilometre Great Western Highway upgrade at Kelso; and a contract awarded in January 2015 for the \$70 million upgrade of Werrington Arterial Road. I am advised that there are no known issues with payments to contractors on these projects.

In December 2014, prior to awarding the most recent contract, Roads and Maritime Services commissioned an independent financial assessment of Burton Contractors. I am advised that this assessment raised no issues with Burton Contractors, its owners or directors. According to RMS, Burton Contractors Pty Ltd has been a prequalified contractor since 2001. I am advised that the Burton directors who were originally also involved in Keystone Projects Group left that company in late 2014, several months before Keystone went into liquidation. I am advised the latest independent financial assessment of Burton Contractors Pty Ltd was commissioned by Roads and Maritime Services in January 2016 as part of its ongoing assessment of contractors. This assessment also raised no issues with Burton, its owners or directors. I am further advised that Roads and Maritime Services has not engaged Keystone Projects Group for any RMS projects—

The Hon. Walt Secord: Point of order: My point of order goes to relevance. The question was clear. It specifically asked if the Minister or his staff have met with Paul or Chris Burton. The Minister had deviated from the question.

The PRESIDENT: Order! I have the gist of the member's point of order. The question was a good deal lengthier than the member is characterising it. The Minister is being entirely relevant in his answer.

The Hon. DUNCAN GAY: I am further advised that RMS has not engaged Keystone Projects Group for any RMS projects, including before that company went into liquidation in July 2015. This Government has put in place stronger regulation aimed at protecting subcontractors and tightening up the building industry, which my colleague the Hon. Greg Pearce championed. We have achieved genuine reform to assist subcontractors—something Labor never managed to do. Any attempt to slur our stringent tender processes is a slur on the good name of our diligent public servants in RMS. That is not something I will tolerate. It is frankly disgraceful and disgusting from the Australian Labor Party [ALP]. At the beginning of the construction of Werrington Arterial Road I met the members of the Burton family who were there as we turned the first sod, as I do on most projects. Members opposite would not have met with many because they have never started to build any roads. [*Time expired.*]

The Hon. ADAM SEARLE: I ask a supplementary question. In light of the Minister's answer, and particularly the last part of his answer, will the Minister elucidate whether that was the only meeting he had with members of the Burton family and which members they were?

The Hon. DUNCAN GAY: Had I had more time I would have been able to say no, it is not the only meeting I have had with members of the Burton family. I met with some other members of the Burton family at roadworks on the Great Western Highway at Kelso. They are doing a great job there at the moment. There is terrific work happening. I have no idea which members of the family I met. I know it is a family—

The Hon. Walt Secord: I can't recall.

The PRESIDENT: Order! The member is well aware that interjections are disorderly at all times. If the member continues to interject at that volume I will have no choice other than to call him to order.

The Hon. DUNCAN GAY: There is a proper process in place in this State for the awarding of tenders. This company has won tenders in at least two and perhaps three divisions of RMS. They were properly administered and properly awarded. For this sleazy lot to try to degrade the work being done by public servants on a daily basis is just disgraceful.

The Hon. Walt Secord: Point of order—

The Hon. DUNCAN GAY: And from him it is to be expected.

The Hon. Walt Secord: There have been many rulings in this Chamber about the use of the word "sleazy". It is unparliamentary. What is sleazy to members opposite is scrutiny on our side.

The PRESIDENT: Order! If the member had read the relevant rulings and the standing orders he would be well aware that there is no point of order. The Minister has the call.

The Hon. DUNCAN GAY: It is unbelievable that the person who is prosecuting the case on sleaze for the ALP is Walt Secord.

The Hon. Walt Secord: Point of order: My point of order is that the Minister is making imputations and reflections on me. I ask that you ask him to withdraw that comment.

The PRESIDENT: Order! I will not rule on that matter at the moment. I will rule at the end of question time on whether or not that was an imputation. The Minister has the call to conclude his answer.

The Hon. DUNCAN GAY: I have completed my answer, thank you, Mr President.

The Hon. Greg Donnelly: Sleazy Minister.

The Hon. DUNCAN GAY: Point of order: The member referred to me as a sleazy member.

The Hon. Greg Donnelly: I wasn't referring to you.

The Hon. DUNCAN GAY: He said a sleazy Minister.

The Hon. Walt Secord: That is not true.

The Hon. DUNCAN GAY: It is true. If you want to say it, fess up. You are gutless.

The PRESIDENT: Order! The Minister will resume his seat. I advise members to take a deep breath and we will go on with question time. I will rule on those relevant points of order at the end of question time.

FIXING COUNTRY ROADS PROGRAM

The Hon. BRONNIE TAYLOR: My question is directed to the Leader of the Government and Minister for Roads, Maritime and Freight. Will the Minister update the House on his recent trip to Bathurst where he inspected works on the Great Western Highway and Fixing Country Roads projects?

The Hon. DUNCAN GAY: Two weeks ago I had the pleasure of visiting my good friend and member for Bathurst Paul Toole to inspect major upgrade works on the Great Western Highway at Kelso. Since March 2011 more than \$650 million has been invested into upgrading and repairing the Great Western Highway, with works progressing full steam ahead on the \$85 million upgrade at Kelso. One has only to drive from Emu Plains to Bathurst to see firsthand the magnitude of work that has occurred on the highway since 2011. This work includes an upgraded road surface at Lapstone—a section of the highway long neglected by Labor—as well as major safety improvements between Hartley and Forty Bends.

I am delighted to inform the House that the first stage of widening the highway at Kelso from two to four lanes or two lanes in each direction by Burton Contractors has now been opened to traffic. The second

stage of the upgrade is also in full swing, including construction of a new bridge over Boyd Creek. I also had the great pleasure of officially opening the new Carrs Creek Bridge on Lachlan Road, 30 kilometres south-west of Bathurst—a structure that now allows access for 25-metre B-double freight trucks. The old bridge could only accommodate shorter, less efficient 19-metre trucks, which meant more vehicle movements on country roads. The project was part of the New South Wales Government's flagship funding program called Fixing Country Roads, which provides funding to regional councils to fix freight pinch points. By removing this pinch point, livestock carriers travelling to the Central Tablelands Livestock Exchange at Carcoar will no longer need to take a costly 30-kilometre detour on Abercrombie and O'Connell roads via Bathurst and Oberon.

The Hon. Trevor Khan: Say "Thanks", Duncan.

The Hon. DUNCAN GAY: Thank you. I also inspected works on another Fixing Country Roads project, the Southern Cadia Access Route in Blayney. The upgraded route will provide essential access for road freight, servicing the expanding local industries including coal, livestock and forestry. It will also give road freight access from the Mid-Western Highway south of Blayney to the Mitchell Highway at Orange, providing a shortcut of up to 51 kilometres. That will mean a huge saving in time and fuel for regional transport operators. Upgrades such as these benefit everyone, from local residents to motorists, local businesses and farmers. By reducing congestion, improving safety and freight connectivity we will see reduced travel times and lower freight costs, which indirectly benefit local communities and businesses.

DISCRIMINATION AGAINST VISION IMPAIRED PERSONS

The Hon. WALT SECORD: My question without notice is directed to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. Given concerns about visually impaired people being refused service in South Coast restaurants, what steps has the Minister taken to educate the community and publicise access rights provisions for people who rely on assistance dogs, and what is the Minister's response to these incidents?

The Hon. JOHN AJAKA: I thank the member for his very good question. I have been actively involved, not only in my time in Parliament and in my time as Minister for Disability Services but also in my time practising as a solicitor, in relation to any prejudice or discrimination shown to people with disability, in particular to vision-impaired people using guide dogs. Whether there was a breach of the laws and regulations where taxidriviers have displayed dreadful discriminatory—

The Hon. Sophie Cotsis: This is about South Coast restaurants.

The Hon. JOHN AJAKA: I am coming to that.

The PRESIDENT: Order! I call the Hon. Sophie Cotsis to order for the first time.

The Hon. JOHN AJAKA: Whether we are talking about restaurants, cafes or other venues, such discriminatory behaviour is unacceptable. It is interesting; I do not remember seeing any of the members opposite at the Sydney cafe where we launched, with a number of organisations—

The Hon. Lynda Voltz: Did you invite us?

The Hon. JOHN AJAKA: The Hon. Lynda Voltz should have asked the organisations. It is a good question. They usually do not invite those opposite because they know it is a waste of time; they never show up. That is the problem: Those opposite never show up to anything. There we were reminding restaurateurs to ensure that they are well aware of their requirements and the penalties that are imposed—

The PRESIDENT: Order! I call the Hon. Sophie Cotsis to order for the second time. I call the Hon. Penny Sharpe to order for the first time. The Minister has the call.

The Hon. JOHN AJAKA: We were reminding restaurateurs of the severe penalties for breaches of the regulations in relation to guide dogs. We are ensuring that service providers—

The PRESIDENT: Order! Government backbenchers will come to order.

The Hon. JOHN AJAKA: —are well aware of the requirements that they cannot refuse access to any vision-impaired person with a guide dog.

The PRESIDENT: Order! I call Mr David Shoebridge to order for the first time.

The Hon. JOHN AJAKA: It is for that reason I brought in the Disability Inclusion Act, it is for that reason we have—

The Hon. Penny Sharpe: There's no point if no-one knows about it.

The PRESIDENT: Order! I call the Hon. Penny Sharpe to order for the second time.

The Hon. JOHN AJAKA: Maybe the Hon. Penny Sharpe should do a bit more reading, if she does not know about it. Everyone else seems to know about it.

The PRESIDENT: Order! I remind the Hon. Penny Sharpe she is on two calls to order.

The Hon. JOHN AJAKA: We debated the bill in the House, yet the Hon. Penny Sharpe has no idea about it, which is extraordinary. The shadow Minister has no idea about it.

The PRESIDENT: Order! I remind the Hon. Sophie Cotsis she is on two calls to order.

The Hon. Shaoquett Moselmane: Point of order: My point of order is relevance. The question was specific: It relates to services in South Coast restaurants. The Minister has not come anywhere close to answering the question.

The PRESIDENT: Order! There has been a tendency for members when they take points of order on relevance to quote selectively from the text of the question to try to add to their case. It does not assist them. The Minister is in order.

The Hon. JOHN AJAKA: Let me make it clear to those opposite: This issue does not relate to one cafe or restaurant; it relates to every cafe, restaurant and venue, and all public or private transport in New South Wales. It is for that reason I brought in the Disability Inclusion Act and it is for that reason we are bringing in the Disability Inclusion Action Plan, not just for the Government, not just for each government department, but for local councils to ensure that all people with disabilities, including people with vision impairment, have full access— [*Time expired.*]

PEDESTRIAN CROSSINGS

The Hon. MARK PEARSON: My question without notice is directed to the Minister for Roads, Maritime and Freight, and it relates to pedestrian crossings. What is the departmental review process for determining the appropriate time and sufficient time for pedestrians to safely cross at crossings controlled by traffic lights? Has the Minister's department considered a trial on technology currently used in countries such as the United States of America and Taiwan, which involves a countdown display that accurately depicts the time in which pedestrians have to cross?

The Hon. DUNCAN GAY: I think it is an inaugural question to me. I cannot remember the honour of a question from the gentleman before and a question as good as that one. I urge the member to get out and about a bit because within about a five-minute walk of Parliament House we have been trialling just such a system. It has been met on this occasion with some success, to the extent that we will roll out a number across the city. It did not work in every location. There were some locations where it did not work as well as others and we will only roll it out near the lights. Within his question he indicated what happens in—

The PRESIDENT: Order! There is far too much audible conversation in the Chamber, which makes it very difficult to hear the member with the call.

The Hon. DUNCAN GAY: The member also indicated what happens in other jurisdictions. Many in this Chamber have been lucky enough to travel and see firsthand how other jurisdictions handle the lights. Quite often they have a man or a woman who stops them. I like the new one where it is not just a man, it will be a woman who will put up her hand and say "Stop". We have to be balanced in these things.

Ms Jan Barham: Is that your idea?

The Hon. DUNCAN GAY: No it is not my idea, but it does not mean it is not a good idea. There are some good ideas that are not mine. Some of the different ways include numbers in the countdown with various ways of doing it. We are certainly looking at what is happening overseas. This was part of a trial. We are rolling it out. We will also trial different innovations. I thank the member for the question. I suggest he take himself for a little walk and find those lights.

HOME CARE SERVICE OF NSW

The Hon. CATHERINE CUSACK: My question is addressed to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. Will the Minister update the House on the transfer of the Home Care Service of NSW?

The Hon. JOHN AJAKA: This House is well aware of the work the Government undertook to successfully transfer the Home Care Service of NSW to the non-government sector. As I have explained previously, home care provides services both under the State disability service system and the Federal aged care system, both of which are currently in the process of significant reforms that threaten the sustainability of the Home Care Service. The Government acted quickly to transfer the Home Care Service first among all the services that will eventually transfer, as we implement the National Disability Insurance Scheme.

On 28 August 2015 I announced that Australian Unity would be the new operator of the Home Care Service of NSW. The Government transferred the Home Care Service to the non-government sector because it was the right thing to do for its clients and staff, and based on the feedback from clients, staff and the union representative, United Voice, and others, it was transferred as a whole as a result of my direction to the department. I am pleased to inform the House that the Government finalised the transfer of home care to Australian Unity on Friday 19 February 2016. Through this transfer the Baird Government has demonstrated that it can and will transfer disability services to the non-government sector with continuity of care for clients completely preserved as its priority. This is a true success story.

Home care has been transferred as a whole, including Aboriginal Home Care, to a respected mutual provider that has a strong track record of delivering quality support to people with disabilities in New South Wales and across Australia. Australian Unity is a strong, diverse and established organisation with origins dating back 175 years. This Government is confident that home care's longstanding tradition of excellent service will continue with Australian Unity. Under Australian Unity the future of home care in New South Wales is bright.

To commemorate the transferring of ownership of home care to Australian Unity on 19 February 2015 a history book titled *The Carer's Principle* was written to record its 72-year history. In 2015 Frank Hiemens, an award winning oral historian, was engaged to undertake a detailed history of home care, which included oral history interviews with past and present staff, photography and written material for the book. Home care's history success and the quality of its service are due to its ability to develop and maintain relationships between its clients, staff and the community in which it supports people. It is also due to the dedicated and caring staff that have been the constant feature of home care since it began.

In early February I had the opportunity in Moree to participate in shadowing home care worker Ms Kim Walton as part of the United Voice "Walk a day in our shoes" campaign. Participating and shadowing a homecare worker was an opportunity to see firsthand the wonderful work they do for their clients and gave me a chance to hear what clients think about the homecare service and its staff. It was clear from this experience that there is a special caring relationship between homecare workers and their clients, and of course, this will continue under Australian Unity. As homecare enters its next chapter in the non-government sector of Australian Unity—

The PRESIDENT: Order! I warn the Hon. Sophie Cotsis for the last time to cease interjecting.

The Hon. JOHN AJAKA: I have no doubt that it will continue to honour its long and proud history of quality service outcomes to others. Hopefully, those opposite will finally admit how wrong they were and this was the right approach by the Government with the right service provider now acquiring home care.

ROADSIDE DRUG TESTING

Mr DAVID SHOEBRIDGE: My question without notice is directed to the Leader of the Government, including in his capacity representing the Minister for Police. Yesterday in further answer to a question on why police refuse to test for cocaine in the Government's roadside drug testing regime he told the House:

I am told that cocaine stays in a person's system for about six minutes to one hour, making it difficult to detect within the current New South Wales' oral fluid test.

Given that study after study has shown that cocaine is first detectable in saliva some five to 10 minutes after consumption and can ordinarily still be detected in saliva for up to 24 hours after use, and for even longer in habitual users, will the Minister explain where he obtained this information from, whether he was told it by the Minister for Police, the commissioner, his department or some other bizarre source?

The Hon. DUNCAN GAY: I have not been in The Green's office—talk of bizarre sources—I know there are some people who would like to put sniffer dogs in there, but I am resisting it at this stage. I could take offence, but I will not take offence at the fact that Mr Shoebridge paraphrased the answer to my question and indicated that the police refuse to test for cocaine. That is a disgraceful slur—an absolutely disgraceful slur.

Mr David Shoebridge: Point of order: The Minister is debating the question rather than answering it. The question is quite plain and the Minister should be brought to order. It is outside the rules to debate the question.

The Hon. Dr Peter Phelps: To the point of order. Where the fundamental premise of the question is so grievously wrong that it basically voids the whole question, it is certainly within the responsibility, not merely the right, of the responder to point that out.

The PRESIDENT: Order! The Minister was not debating the question, but the Minister had gone to the subject matter of the question and was canvassing issues in relation to the subject matter. There is no point of order.

The Hon. DUNCAN GAY: If the member had not dishonestly paraphrased my answer, he would have remembered that within my answer—

Mr David Shoebridge: Point of order: I take offence at the Minister reflecting on my honesty. I ask him to withdraw it. Not only that, he clearly did not understand the question and is failing to answer the question.

The PRESIDENT: Order! I remind the Minister that he should not reflect on members during the answers that he gives. There was a reflection.

The Hon. DUNCAN GAY: Within the answer that I gave, at no stage did I say that the police in their mobile drug testing refused to test for cocaine.

Mr David Shoebridge: Point of order: At no point in my question did I say that the Minister said the police refused to test for cocaine. The question was specific. I can give him a written copy.

The PRESIDENT: Order! There is no point of order. If the member keeps taking frivolous points of order I will have no choice other than to put him on another call to order. The Minister has the call.

The Hon. DUNCAN GAY: To that point, I said—and I have my exact words here—that the fact is if New South Wales police suspect a driver is impaired by any drugs, including cocaine and benzos, they can require the driver to undergo blood and urine testing to determine whether he or she is under the influence, and they do. I then went on to say, "Let me be very clear that these drivers on cocaine or other drugs will not go undetected or unpunished regardless of where they are from."

Mr DAVID SHOEBRIDGE: I ask a supplementary question. Will the Minister further particularise his answer by stating who gave him the false information that cocaine stays in a person's system for about six minutes to one hour, making it difficult to detect within the current New South Wales oral fluid test?

The PRESIDENT: Order! The supplementary question is out of order.

Mr DAVID SHOEBRIDGE: Where do you get the bizarre, wrong and crazy information—

The PRESIDENT: Order! I call Mr David Shoebridge to order for the second time.

Mr DAVID SHOEBRIDGE: —on which you are basing your flawed policy? Answer the question.

The PRESIDENT: Order! I call Mr David Shoebridge to order for the third time. I direct the Usher of the Black Rod to remove Mr David Shoebridge. The member is suspended from the service of the House until the end of question time.

[Pursuant to standing order Mr David Shoebridge left the Chamber, accompanied by the Usher of the Black Rod.]

GARDEN OF LIFE ORGANIC SHAKES

The Hon. LYNDA VOLTZ: My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water. Given that the NSW Food Authority has recalled the Garden of Life raw meal vanilla and chocolate organic shakes due to the presence of salmonella, how long was the Minister's department aware of this before it issued its statement on 18 February and how many people have been affected?

The Hon. NIALL BLAIR: I thank the member for her question, which is one of detail. Obviously it will require investigation to match up the time lines. In order to do so, I will take the question on notice and come back to the House with a detailed answer.

THE HON. IAN ARMSTRONG, AM, OBE

The Hon. TREVOR KHAN: My question is addressed to the Minister for Primary Industries, and Minister for Lands and Water. Will the Minister inform the House about the Hon. Ian Armstrong, AM, OBE, former Deputy Premier of New South Wales, and his resignation as Chairman of the Central Tablelands Local Land Services?

The Hon. NIALL BLAIR: The Hon. Ian Armstrong, AM, OBE, former Deputy Premier of New South Wales and Minister for Agriculture, recently tendered his resignation from the position of Chairman of the Central Tablelands Local Land Services. Ian, who was appointed to the position in 2013, was the inaugural chairman of that board. I have no doubt that he was an easy choice for that position, following a lifetime of selfless public service and contribution to primary industries in New South Wales.

Ian led the Central Tablelands Local Land Services through the most critical time for the organisation. He guided the development of a strong, customer-focused region that was committed to delivering high-quality advice and services to land managers. He led the development of the inaugural Central Tablelands Local Land Services Strategic Plan and his experience, insight and perceptiveness have greatly assisted in mentoring other board members and staff. During the establishment of the Central Tablelands Community Advisory Groups, Ian's guidance and leadership was fundamental in ensuring the groups closely represented the diverse needs of the wider community. Ian's legacy in establishing this organisation through a difficult but necessary transition to the Local Land Services will be a lasting one.

Ian's appointment to lead Central Tablelands Local Land Services followed an enormous contribution to public life in New South Wales, particularly in primary industries. He was Deputy Premier of this State from May 1993 until April 1995, after entering the New South Wales Parliament in 1981 as the member for Lachlan. In March 1988 he became Minister for Agriculture and Rural Affairs, a position he held until May 1993 when he became Deputy Premier and took over the portfolio of Public Works and Minister for Ports, where he stayed until April 1995.

Ian was Leader of the National Party from 1993 until 1999. In December 1978 he was made an Officer of the Order of the British Empire for services to primary industries. In 2009 he was appointed a Member of the Order of Australia and in 2001 he received a Centenary Medal for services to the New South Wales Parliament and international trade. He was made a life member of The Nationals in 2006 and remains a strong contributor to The Nationals, after serving as a trustee of the party and a central councillor for many years. On 22 January 1992 Ian was the instigator of arguably the most successful example of government decentralisation in

New South Wales, if not Australia. I refer of course to the relocation of the then Department of Agriculture to Orange. More than two decades on, the success of this decision, which at the time was the single largest decentralisation project undertaken by a government department, remains clear to see.

I continue to see the results of this decision every time I visit the Department of Primary Industries headquarters in Orange, with the department delivering research and development, policy, biosecurity, resource management and industry development services on behalf of government. All members of the House, no matter what party they represent, would agree that a person who has contributed much of his life to serving the people of this State deserves recognition at the end of that public service. Ian Armstrong has been a mentor not only to many people in my political party but also to many leaders throughout regional New South Wales. I am happy to pay tribute to him today. Many people have stood on his shoulders. The people of the Central West of New South Wales through Local Land Services are particularly indebted to him for the service he has provided.

TERRANORA BROADWATER ENVIRONMENTAL PROTECTION

Ms JAN BARHAM: My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water. I refer the Minister to a report on 6 February 2016 in the *Tweed Daily News* that Dr Daryl McPhee of Bond University, after studying the relevant area of the Terranora Broadwater in the Tweed, is concerned about the impact of tourist activities affecting the yabby environment in the sandbanks. Will the Minister update the House on what action the Government is taking in response to the ongoing concerns raised by fishers, conservationists and scientific experts about the impact this tourism activity is having on the precious environment, including seagrass and yabby populations, of the Terranora Broadwater?

The Hon. NIALL BLAIR: I thank the member for her topical question on estuaries and fish habitat. The Department of Primary Industries is doing a lot of work in this area. Recently, the Hon. Ben Franklin and I held a meeting with commercial fishers at Ballina on the North Coast where the fishers raised concerns about estuaries, fish habitat and seagrass. In many of our estuaries, seagrass provides for spawning activity and habitat protection of certain species.

Some people believe that fishers are unconcerned about the wider environment in which they operate. That is untrue. The interaction of flood management, stormwater run-off, land management and industry with our ecosystems probably has been best articulated by a commercial fisherman at one of these meetings. He said that he was not a well-educated person but he had been put on a boat from a young age and had fished with his father. He was a fourth-generation fisher. As I commented during the meeting, he articulated the interaction of the ecosystems far better than any of my lecturers at university were able to.

The PRESIDENT: Order! I call the Hon. Dr Peter Phelps to order for the first time.

The Hon. NIALL BLAIR: Two boat operators have been carrying out land-based charter fishing activities, or nipper pumping, in the Terranora area on the Tweed River for the past 15 years. These platform vessels undertake a variety of nature tours, including one that provides clients with the experience of pulling up a recreational crab trap, fishing with a rod and reel, and disembarking the boat to catch nippers and to experience the sandbank environment. Two recreational fishing individuals previously raised concern about the impact of these land-based activities on the Terranora sandbank. The Terranora area is popular for recreational nipper harvest, including charter nipper catching, but there is little data available on the nipper populations in the area and the impact of this activity is unknown.

Site inspections by the New South Wales Department of Primary Industries [DPI] have indicated that the land-based charter operations are operating with limited impact. One sensitive habitat location with extensive seagrass beds, Togos Gutter, was identified and operators have agreed to avoid that area. A code of practice for land-based charter fishing activities in the Tweed River was developed by the department, in consultation with stakeholders. The code implements additional controls. [*Time expired.*]

Ms JAN BARHAM: I ask a supplementary question. Will the Minister elucidate on what the Government is doing about the concerns that have been raised by a range of people, including Dr Daryl McPhee of Bond University?

The Hon. Dr Peter Phelps: That is a new question.

Ms JAN BARHAM: No, it is the same one.

The PRESIDENT: Order! It is a matter for the Minister if he wishes to answer.

The Hon. NIALL BLAIR: I had not finished answering the previous question, so I might as well continue. The member asked for elucidation. The department, in consultation with stakeholders, has developed a code of practice that implements additional controls and restrictions on land-based charter activities to ensure that they are undertaken in an environmentally responsible manner. Some examples of these additional controls include that all clients must remain within 50 metres of the boat or a specified point of origin. Previously there was no restriction. The total number of yabby pumps has been restricted to a maximum of 40 per cent of the total number of passengers on board the vessel. Current recreational fishing rules permit one pump per person. That is a reduction as well.

Yabby catching activities are restricted to a maximum of 20 minutes, with a maximum duration of 30 minutes that clients can be off the vessel. Previously there was no restriction. A total of 10 yabbies are allowed to be taken from the capture site. Recreational fishing rules permit 100 yabbies per person per day to be retained. For example, a charter trip with 40 clients could previously retain up to 4,000 yabbies per trip. A New South Wales charter fishing business conducting land-based activities must be accredited for nature and/or ecotourism by a recognised body, for example, Ecotourism Australia. Outside this code there is no requirement for charter fishing businesses to hold this accreditation.

The Department of Primary Industries [DPI] has commenced research on nippers in the Terranora area. Stakeholders will be updated on the outcomes as they become available. Nipper sampling is planned to be done seasonally. The department considers the code of practice to be effective in providing additional sandbank protection while the dedicated research is undertaken. It is important that the code provides adequate protection for our aquatic resources while still providing an opportunity to drive tourist activity in regional areas such as the Tweed coast. Once the results are available, the DPI will be in a position to review the code and to work further with charter operators and relevant stakeholders to maintain the sustainability of the sandbank environment in Terranora, if needed.

HUNTER RIVER WATER AND FISHERIES

The Hon. PENNY SHARPE: My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water. Given that Hunter Water has temporarily suspended Australian Waste Oil Refineries' licence to discharge trade waste, can the Minister guarantee that community safety and the health of fisheries have not been compromised at Fishery Creek or in the Hunter River following the recent discharge of contaminated trade waste containing perfluorinated compounds in this system?

The Hon. NIALL BLAIR: Hunter Water has temporarily suspended the licence of Australian Waste Oil Refineries to discharge trade waste into the sewerage system due to the detection of contaminants in its wastewater discharge. This detection of perfluorooctyl sulfonate [PFOS] or perfluorooctanoic acid [PFOA] relates to Hunter Water's wastewater system and does not affect the drinking water supplied by Hunter Water. An inspection by Hunter Water early this month detected PFOS and PFOA in the sewerage system downstream of the refinery. Hunter Water advised the Environment Protection Authority [EPA] of the test results soon after. Hunter Water has advised the refinery that its sewerage service would be suspended until the contaminant can be kept from entering the sewerage system. Hunter Water is working with the refinery and the EPA to resolve the issue.

The Hon. PENNY SHARPE: I ask a supplementary question. I am aware of that issue. Would the Minister elucidate on the danger to the fisheries in the Hunter River, through Fishery Creek, as a result of the discharge?

The Hon. NIALL BLAIR: It is my understanding that Hunter Water is liaising with the Environment Protection Authority [EPA]. The EPA is the lead agency on such matters and is working with other experts in the field on the types of warnings and other action that may be required. I will take the question on notice to find out what advice has been issued. It would not be appropriate for me to speculate. Even if there is a detection it may be below the level required for certain activities to commence, to be suspended or to be allowed to continue. I will take the specifics of the question on notice and provide a detailed answer rather than speculate today.

COMMUNITY ROAD SAFETY FUND

ROAD INFRASTRUCTURE CONTRACTS

The Hon. MATTHEW MASON-COX: My question is addressed to the Leader of the Government and Minister for Roads, Maritime and Freight. Will the Minister advise the House whether he is aware of questions raised by the Opposition about the financial probity of the Community Road Safety Fund and the awarding of construction tenders?

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

The Hon. DUNCAN GAY: I thank the Hon. Matthew Mason-Cox for his question. I anticipated further questions from the Opposition on this matter. I am aware of what can only be described as a baseless smear campaign that members opposite are running on two fronts this week. Labor today illustrated its dodgy tactics in the media by falsely claiming in an article that the Government is not putting all revenue raised from speed camera fines back into road safety. All I can say is that is wrong, wrong, wrong. The Government said that it would put every cent from speed camera fines into the Community Road Safety Fund and it has—plus more.

The Hon. Walt Secord: Kerching.

The PRESIDENT: Order! I remind the Hon. Walt Secord he is already on one call to order.

The Hon. DUNCAN GAY: In comparison, those opposite put their speed camera revenue straight into the State's coffers. The shadow Minister is, quite frankly, economically challenged and cannot add up—and this hit just does not add up at all. I bet Mr Ryan Park and Mr Michael Daley are smiling from ear to ear about her inability to count today. This year alone the New South Wales Government is delivering the biggest road safety investment in the State's history with a \$307 million contribution, which is about double what those opposite could ever manage. In 2014-15, 62 per cent of the \$240 million for the Road Safety Fund came from speed cameras and the rest came from the Government. That money is for key road safety initiatives such as education campaigns, driver training, road engineering work on black spots, and flashing lights which have been installed at every school across the State.

I am sure no one in the Chamber would be surprised that Labor is politicising road safety. That is how it operates; it is in its DNA. I was disappointed to see in the other place yesterday and here today that Labor is attempting to launch another political smear campaign on what is a polished and extremely successful infrastructure program in New South Wales. It claimed the Government may be hiring un reputable contractors. As I said earlier, I am advised that Burtons was assessed by my agency no less than three times. The assessments raised no issues with the company or its owners or directors. Frankly, these cheap Labor stunts end up as a smear campaign on the hardworking, diligent and honest officers of Roads and Maritime Services, who award these tenders in a truly professional way. These departmental staff members were hung out to dry on a daily basis when the Hon. Walt Secord was in government. If the Labor Minister was in trouble he hung the department out to dry, and he has not lost—*[Time expired.]*

GWYDIR SHIRE COUNCIL JOBS

The Hon. ROBERT BORSAK: My question without notice is directed to the Minister for Roads, Maritime and Freight, representing the Minister for Local Government. Is the Minister aware that the mayor of Gwydir Shire Council, a council that was merged in 2004, has publicly stated in his local media this week that if the council does not get a special rate variation of 30 per cent it intends to slash its workforce and local services, even though this council is covered by section 218CA of the Local Government Act which requires that jobs must be maintained in communities with a population of less than 5,000? What impact will these job losses have on the local economy and on businesses in the towns of Bingara and Warialda?

The Hon. DUNCAN GAY: The short answer to the Hon. Robert Borsak's question is no, I am not aware of the comments of the mayor of Gwydir Shire Council. But given that the Hon. Robert Borsak is asking the question, I am sure he is accurate in his quotes, unlike some other members.

Mr Jeremy Buckingham: Crawl, crawl.

The Hon. DUNCAN GAY: I am sorry if Mr Jeremy Buckingham took offence at that comment. I did not name any member in particular.

The Hon. Walt Secord: Sometimes the fish jump onto the hook.

The Hon. DUNCAN GAY: They do. It is a serious question and I will take it on notice and get a detailed answer.

BALLINA KOALA PROTECTION

The Hon. SHAOQUETT MOSELMANE: My question without notice is directed to the Minister for Roads, Maritime and Freight. In response to the release on 17 February of the Ballina Koala Plan and Population Viability Analysis by Roads and Maritime Services, will the Minister now publicly announce the exact number of koalas that are projected to perish due to the construction of the Pacific Highway along his preferred route?

The Hon. DUNCAN GAY: I have a long and detailed answer which will challenge the veracity of the question asked by Hon. Shaoquett Moselmane. In fact, it will challenge some of the details in his question, which were, frankly, inaccurate. The upgrade of the Pacific Highway to a four-lane divided road from Hexham to the Queensland border is one of the biggest projects in the Southern Hemisphere. The New South Wales and Federal governments have invested almost \$8 billion so far into duplicating the highway—a project that, most importantly, will save lives.

This Government is investing millions of dollars to protect flora and fauna along this route and implementing specific measures to protect koalas. The measures include: fully fencing nearly 16 kilometres of both sides of the new highway, which will have fauna crossing structures; increasing the number of fauna crossings suitable for koalas by more than 400 per cent—the number of crossings will go from six to approximately 25 structures; constructing a land bridge at least 30 metres wide north of the Richmond River crossing south of Bagotville; and planting some 130 hectares of koala food trees near the new highway corridor. At least 50 per cent of the trees will be planted prior to construction and the remainder after construction.

The Government also has established the Koala Expert Advisory Committee chaired by New South Wales Chief Scientist and Engineer, Professor Mary O'Kane—who was recently recognised in the New Year honours—to review the koala work already completed. The Australian and New South Wales governments' approval for the 155-kilometre Woolgoolga to Ballina upgrade requires a number of strict conditions relating to the Ballina koala population.

The Hon. Dr Peter Phelps: Tell us about them.

The Hon. DUNCAN GAY: I will. After 15 months of extensive investigations and research, the Ballina Koala Plan and Population Viability Analysis [PVA] have been submitted to the Federal Minister for the Environment and the Federal Department of the Environment for consideration and approval. It is hard to answer the question with the level of conversation in the Chamber.

The PRESIDENT: Order! It most certainly is. I remind the Hon. Penny Sharpe for the last time that she is on two calls to order.

The Hon. DUNCAN GAY: The plan and PVA were required as part of the conditions of approval for major work between Broadwater and Coolgardie. The Ballina Koala Plan and PVA have also been reviewed and endorsed by an independent peer reviewer and the Koala Expert Advisory Committee, chaired by Chief Scientist and Engineer Mary O'Kane. The committee was established by me as the Minister for Roads, Maritime and Freight to provide oversight on the preparation of the koala management plans. The plan is now publicly available. Key measures being considered as part of the project include completely closed fencing of the new highway, including koala grids at Coolgardie interchange.

In relation to the question asked by the Hon. Shaoquett Moselmane—he might need to ask a supplementary question—the key findings of the plan are that the Ballina koala population will decline over time with or without the road. The Woolgoolga to Ballina upgrade has the potential to cause a small adverse impact on the population, which can be offset by implementing additional mitigation measures to address koala deaths. [*Time expired.*]

The Hon. SHAOQUETT MOSELMANE: I ask a supplementary question. In view of the Minister's response, what is the exact number of koalas that are projected to perish?

The Hon. DUNCAN GAY: I thank the Hon. Shaoquett Moselmane for his question. I was indicating that the Woolgoolga to Ballina upgrade has the potential to cause a small adverse impact on the population, which can be offset by implementing additional mitigation measures to address koala deaths on existing roads neighbouring the project. The effective additional mitigation could improve the situation for koalas above the current projections

without the upgrade. Roads and Maritime Services, other authorities and the community can significantly improve the viability of the Ballina koala population through implementing a range of other measures, including addressing koala mortalities on road networks outside the scope of this project and predator control.

The PRESIDENT: Order! I call the Hon. Dr Peter Phelps to order for the second time.

The Hon. DUNCAN GAY: If members have any further questions, I suggest they place them on notice.

Questions without notice concluded.

RULINGS BY THE PRESIDENT

The PRESIDENT: Order! During question time a series of points of order were raised, which I will now rule on. I made one ruling on a remark of a Minister and then a point of order was taken by the Hon. Walt Secord about a second remark of the Minister. I have reviewed the transcript and having done so there is no clear-cut case of an imputation so there is no point of order. The Minister then took a point of order when an interjection was said to have been made by the Hon. Greg Donnelly in terms of "sleazy Minister", taking the view that it was directed to him. The Hon. Greg Donnelly actually denied that, although I invite honourable members to make their own conclusion when they review *Hansard* tomorrow.

In terms of the phrase "sleazy Minister", "sleazy" has not been ruled unparliamentary at any time. I do note that in 2002 a member took objection when the Hon. Jan Burnswoods called him sleazy. Clearly the word itself can be used in a way that is not necessarily unparliamentary so I will not rule that it is offensive in all circumstances, but I am also not going to open the floodgates. However, it was an interjection, and interjections are disorderly at all times, so I call the Hon. Greg Donnelly to order for the first time. I would, however, remind honourable members of an extract from a ruling made by the Hon. John Johnson almost 29 years ago. It is an injunction that is useful for all members to remember:

Members must exercise their privilege of free speech with good sense and good taste so as to maintain courtesy of language towards other members in debate. Personal references not only reduce the standard of debate, provoke retaliation and lead to disorder in the House, but degrade the Parliament in the estimation of the people.

TABLING OF PAPERS

The Hon. Niall Blair tabled, pursuant to the Workplace Injury Management and Workers Compensation Act 1998, the report of the Workers Compensation Independent Review Officer for the year ended 30 June 2015.

Ordered to be printed on motion by the Hon. Niall Blair.

HEALTH FUNDING

Debate resumed from 29 October 2015.

The Hon. COURTNEY HOUSSOS [3.34 p.m.]: I speak to the motion moved by the Hon. Walt Secord regarding the failing health system in New South Wales and I do so because we are constantly told by those opposite that the health system in New South Wales is in fine form and that the Baird-Grant Government is the best thing to happen to hospitals and health care in our State. This rhetoric does not ring true with anyone outside the Liberal and Nationals party rooms. The people of New South Wales know that our hospitals are struggling because of this Government. They know that doctors and nurses are not being resourced properly. They know because they are the ones languishing in emergency rooms around our State. It is an affront to the 27 per cent of patients who are forced to wait longer than four hours in emergency departments, for this Government to pretend day after day there is no problem—to paint a rosy picture of rainbows and unicorns while ambulances queue outside hospitals and sick people wait up to 12 hours for emergency treatment.

The Hon. Shaoquett Moselmane: Point of order: There is too much conversation in the Chamber and I cannot hear the member speaking.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! Members who wish to have private conversations should leave the Chamber.

The Hon. COURTNEY HOUSSOS: This Government's \$3 billion worth of cuts to health and hospitals have created chaos in the healthcare sector and those opposite should be ashamed of their pretending. The shadow Minister for Health, the Hon. Walt Secord, hit the nail on the head when he said the people of New South Wales are simply sick of waiting. He accurately noted, and I quote: "They wait for an ambulance. They wait outside hospital to get into the emergency department. They wait for a hospital bed, and then they are rushed out of the hospital before they are fully recovered." This is the real picture of health care in New South Wales. This is the context that people would relate to. And this is not just anecdotal. There is plenty of evidence to show that our State's health system is under extreme pressure because of this Government.

New South Wales now has some of the longest wait times in the western world when it comes to elective surgery. In fact, patients in New South Wales wait twice as long as the Australian average, and significantly longer than patients in European health systems and the Canadian health system. What we will not hear from those opposite, while they convince themselves that the people of New South Wales have never had it so good, is that New South Wales residents in excruciating pain will wait 74 days longer than the Australian average wait time for a hip replacement. And for some perspective, that is more than 90 days longer than the New Zealand average wait time, and more than 100 days longer than the average wait time in both Canada and England.

Residents in New South Wales waiting for a knee replacement will wait more than 110 days longer than the Australian average wait time. At 296 days, this is 185 days longer than New Zealanders have to wait, 190 days longer than Canadians have to wait and nearly 210 days longer than English men and women have to wait. Residents in New South Wales wanting cataract removal have to wait nearly 150 days longer than the Australian average wait time. This is 150 days longer than New Zealanders, 192 days longer than Canadians and nearly 180 days longer than the average wait times in England. And it is a shocking fact that in Western Sydney, patients are waiting up to four years for cataract removal.

These are the stories we are hearing from people interacting with our healthcare system. These are not stories you would hear from those opposite, but they are an honest reflection of this Government's lacklustre performance in health and hospitals. They are an honest reflection of what the residents of New South Wales are being subjected to following the slashing of \$3 billion from health care by this Government. And as we can gather from the considerably longer wait times in New South Wales that I have just mentioned, many of the most affected are elderly residents of this State. Cataract removal, knee replacements, hip replacements—these procedures are only growing in number because of our ageing population, and this Government has proven itself to be incapable of keeping up. They have proven themselves incapable of looking after the health and welfare of our ageing and vulnerable residents.

It is appropriate for this House to express its concern about the failure of the Liberal-Nationals State and Federal governments to properly resource and fund the health and hospital system in New South Wales in light of the State's ageing and growing population. It is appropriate to note the impact of this funding failure on patients, families, doctors, nurses, paramedics and allied health workers in New South Wales, and to express its alarm that NSW Health and the hospital system is under enormous pressure, with 27 per cent of the State's patients waiting longer than four hours in emergency departments. For the benefit of members opposite—and in the hope that they might begin to realise how much they are damaging this State's health system—I will spend a minute or two outlining the emergency departments around our State that are so underfunded and under-resourced they are unable to see patients within the standard four-hour waiting time.

The emergency department in Maitland is so under-resourced that 32 per cent of its patients cannot be treated within the four-hour window. In Lismore, it is 34 per cent. At St George Hospital, 35 per cent of patients are not seen in four hours because the doctors and nurses are not given proper support by this Government. At Tamworth Hospital, 38 per cent of patients are forced to wait longer than four hours. In Liverpool, 43 per cent of patients presenting to the emergency department have to wait longer than four hours. It is 44 per cent at Westmead Hospital and at Blacktown 45 per cent of patients—almost half of all patients—are forced to wait longer than four hours because of the cuts of this Government. The worst is at Nepean Hospital, where 47 per cent of patients presenting to the emergency department are not seen in four hours.

The reason I put those figures on record is that this Government refuses to believe that our hospitals are struggling. They shirk their responsibilities, they throw empty accusations around about the Labor Party, they pretend Minister for Health Jillian Skinner has not cut \$3 billion from health care, and they pointlessly try to convince the people of New South Wales—the very people who interact with the struggling hospitals around our State—that everything is fine. Well, everything is not fine and we all know it. The latest quarterly report by

the Bureau of Health Information for the period April to June 2015 has given us even more evidence that this Government is failing. It found that 15 per cent of ambulances were stuck in "bed block", queueing outside hospitals that were already full. On top of that, it found that 31,426 patients waited up to 12 hours in overstretched emergency departments in New South Wales. Consider that number. More than 31,000 people waited up to 12 hours for emergency care. In addition, we know that the median wait for non-emergency surgery in New South Wales has increased by seven days to 233 days.

Like the Hon. Walt Secord, I am saddened that we have been forced to bring up the issue of our failing health system yet again, but we are without a choice. Members on this side of the House will be unrelenting in our campaign to improve outcomes for the sick and suffering people in New South Wales, so I suggest those opposite get rid of the shallow talking points, start paying attention to the voices of patients around the State and accept that the health system is failing because of their cruel cuts. They should reverse the billions of dollars of cuts they have made, start helping the sick and injured people around the State who continue to suffer and stop misleading and obfuscating.

The Hon. BEN FRANKLIN [3.43 p.m.]: This is a pitiful motion by the Hon. Walt Secord. We had 16 years of a Labor government, the latter part of which was a period of utter inaction, incompetence, and indifference. This Government has been flat out over the past four years cleaning up the mess, and there the Hon. Walt Secord sits throwing stones from the sidelines. This motion is about health funding. The first part of the motion expresses concern at the Government's failure to properly fund and resource the health and hospital system in New South Wales. I can only assume that the member conceived of this motion before the 2015-16 budget was released, which showed a record \$21 billion spend. "Record spend" means more money than was ever delivered by members opposite.

In fact, Labor's last budget contained health spending of \$15.5 billion in 2010-11, which is more than \$5 billion less than we will spend. Our recurrent spending is \$19.6 billion, which is a \$976 million or 5.2 per cent increase on the last budget. There will also be a \$1.4 billion spend on the capital program in 2015-16, taking the total health budget to \$21 billion. As I said, that is a record spend. In this budget \$325 million will be spent solely on increased hospital activity, meaning an extra 90,000 people will be able to be treated in an emergency department. There is now room for 40,000 extra hospital admissions and 3,100 additional elective surgeries.

The second part of the motion talks about 27 per cent of the State's patients waiting longer than four hours in emergency departments. That is breathtaking, considering that just last year it was found that the median wait time in emergency departments was two hours and 46 minutes compared with six hours and 35 minutes four years ago under Labor. Labor has form on this. At the Labor campaign launch last year Luke Foley bellowed that the Baird Government had somehow cut \$3 billion from health and hospitals. A quick ABC Fact Check revealed that he was using an announcement by Minister Jillian Skinner way back in 2012 that said that over four years local health districts would be required to find efficiency measures.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! I remind the Hon. Walt Secord that he is already on one call to order.

The Hon. BEN FRANKLIN: Members opposite either forgot to do their homework or were deliberately misleading the people of New South Wales. Not only was the efficiency saving to be retained by the health department but the measure itself was implemented by the former Government. The Government is effectively taking money out of inefficient back-of-house services and putting it on the front line, which is in line with Labor's policy. Yet Luke Foley comes out and says the Baird Government is cutting from the health system. ABC Fact Check's verdict was, "Experts told Fact Check that efficiency savings that are reinvested in health cannot be regarded as a cut."

This disgraceful tactic is becoming a trademark of Labor and members opposite are doing themselves no favours today. Again, Labor's last budget contained health spending of \$15.5 billion. This year it is \$21 billion, with recurrent spending of \$19.6 billion and a \$1.4 billion capital works budget. However, the crux of the member's motion is the so-called underfunding of the under pressure NSW Health system. We have just rolled out a whopping \$1.4 billion capital works program for this year. To put that into perspective, in the first four years of this Government there was a \$4.8 billion investment to upgrade hospitals and health facilities, and it will be more than \$5 billion in the second term.

That will mean real funding solutions for NSW Health in regional areas. Millions of dollars are flowing to new projects at Armidale, Bowral, Broken Hill, Grafton, Macksville, Manning and Muswellbrook. Millions

are flowing to the planning of future projects at The Tweed Hospital, the Children's Hospital at Westmead, Forensic Pathology and the New South Wales Coroner's Court. There is \$14.4 million for ambulance stations in rural New South Wales, including at Berry, Harden, Molong and Wagga Wagga. There is \$29 million to continue delivering brand new multipurpose service facilities in the regions, including at Bonalbo, Molong, Walgett and—the town where I grew up—Barham on the Murray River.

The Hon. Walt Secord: Point of order: There are strict rules about the reading of lists into *Hansard*. The member is reading a list.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! There is no point of order.

The Hon. BEN FRANKLIN: While we are talking about home towns let us look at my home town of Byron Bay. This Government has committed \$57.4 million to continue the redevelopment of the Byron Central Hospital at Ewingsdale.

The Hon. Walt Secord: Point of order: My point of order relates to the member misleading the House. The electoral roll shows that he lives in Ballina, not Byron Bay. He is misleading the House.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! I call the Hon. Walt Secord to order for the second time. That clearly was not a point of order.

The Hon. BEN FRANKLIN: Nor is it the case.

The Hon. Walt Secord: You're not couch surfing anymore?

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! The Hon. Walt Secord should be very careful.

The Hon. BEN FRANKLIN: One of your honourable colleagues has stayed with me, so they would know that.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): Order! The member will direct his comments through the Chair.

The Hon. BEN FRANKLIN: I am delighted to do so. Let me return to Byron Central Hospital at Ewingsdale. By mid-2016, hospital services in the Byron Shire will be consolidated into the new facility. This will offer 24-hour emergency services with 14 beds, 43 overnight inpatient beds, low-risk maternity services, a new 20-bed non-acute mental health unit, enhanced x-ray and medical imaging, dental services, satellite chemotherapy and an ambulatory care unit. Hospital redevelopments are being repeated across the regions. Fifty-seven million dollars has been allocated to the Lismore Base Hospital redevelopment. In the Clarence there is an outlay of \$2.3 million for the \$4 million Coraki HealthOne unit, an integrated and comprehensive primary health care unit. Further south, in Coffs Harbour, there is \$2 million in funding to begin construction on the \$7.6 million car park for the Coffs Harbour Health Campus. In Kempsey, the \$81.9 million redevelopment of Kempsey hospital is underway.

Today we are seeing the old politics: cheap point-scoring, negativity and spin. Those opposite are throwing stones incessantly at this Government as we clean up the mess that they created. We have taken this State from being the worst-performing State in the nation to the best. More jobs have been created than anywhere else in the country. We are leading the nation in business confidence, and surpluses are forecast. We have solved the State's capital problem with a partial lease of the electricity distribution networks, and that means we can deliver record spending, better outcomes and more innovation in health and our hospitals. This is a bad day for New South Wales Labor. I hope something changes for them soon.

The Hon. WALT SECORD (Deputy Leader of the Opposition) [3.51 p.m.]: I thank the Hon. John Ajaka, the Hon. Shaoquett Moselmane, the Hon. Sarah Mitchell, the Hon. Ernest Wong, the Hon. Bronnie Taylor, the Hon. Peter Primrose, the Hon. Courtney Houssos and the Hon. Ben Franklin for their contributions. Labor will oppose the amendment moved by the Minister representing the Minister for Health because his amendment is a total rewriting of history and is a disgraceful disservice to the communities the Liberals and Nationals represent.

Labor has a proud history of building a strong public health and hospital system in New South Wales and Australia. We established the Pharmaceutical Benefits Scheme under Ben Chifley, Medibank under Gough Whitlam and Medicare under Bob Hawke. The fact is that the Liberals and Nationals do not support a public health and hospital system—they never have. Sadly, that system is under attack again by the conservatives. New South Wales Premier Mike Baird and Prime Minister Malcolm Turnbull may smile and say they support a public health system, but judge them on their deeds. They slash and slash the health and hospital system.

I note that Prime Minister Malcolm Turnbull has not reversed a single health cut made by his predecessor Tony Abbott. In fact, in December 2015 the Turnbull Government added to those cuts. The Turnbull Government is introducing charges for vital tests such as x-rays, blood and urine tests, ultrasounds, magnetic resonance imaging [MRI] and Pap smear tests. This will discourage the very patients who should be getting these tests—people from an Indigenous background, people from culturally and linguistically diverse backgrounds and Western Sydney women. Unfortunately, the new cuts will drive patients into the State's already overburdened and overstretched emergency departments, putting a further burden on the New South Wales health and hospital system.

The attacks continue. Earlier this month the Turnbull Government admitted that it was planning to privatise and sell off the Medicare payments system. Under the Liberals and Nationals we see the Americanisation of the health and hospital system, where there is a two-tier system: one for those who can pay and one for those who cannot. Rather than tackling growing elective surgery waiting lists and long waits in emergency departments, the Baird Government is spending millions promoting itself. While the Premier preens and poses, New South Wales patients wait.

Since this debate began last year we have seen more shocking matters emerge in the health and hospital system. We have seen the Government try to cover up the under-dosing of 70 cancer patients at St Vincent's Hospital; we have heard the Government admit that seven babies in the New South Wales hospital system were given to the wrong mums to breastfeed; and we have heard about human body parts being carelessly discarded at a tip in the Hunter. This morning there was a protest about the privatisation of linen services in hospitals. Privatisation is a recipe for disaster as the linen service in a hospital is not like providing linen in a hotel; hospital linen can be a biohazard and treating it to the highest standards is absolutely necessary. A massive protest was held today by the Health Services Union and its membership and this week we saw the absolute stupidity of the Government in legalising eyeball tattooing.

At every stage of the New South Wales health and hospital system patients wait due to cuts: they wait for ambulances, they wait outside hospitals in queues to get into the emergency department, they wait in emergency departments for hospital beds, and once they get a bed they are rushed out of hospital before they have fully recovered, which results in infections and readmissions. These are the human costs of the massive cuts by the Liberals and Nationals and they are happening in every part of the State. Ambulance response times in the most life-threatening category have risen to their highest point in five years. In emergency departments 30 per cent of patients wait longer than four hours for treatment.

In major Western Sydney hospitals, particularly in Nepean and Westmead, 52 per cent of emergency department patients wait longer than four hours for treatment. At Westmead Hospital between July and September 2015, more than 900 patients waited in the emergency department for more than 16 hours. At Nepean Hospital, 835 patients waited longer than 20 hours in its emergency department. Western Sydney hospitals are the most under-pressure hospitals in Australia. Statewide, elective surgery waiting lists are going through the roof. Currently, 73,000 patients are waiting for elective surgery procedures in New South Wales, such as cataract removals and knee and hip replacements. In Western Sydney the wait for cataract removal from the time a patient sees their general practitioner until they have the operation is up to four years. I have met elderly patients in Western Sydney who have told me that they will pass away before they get their procedures done.

The DEPUTY-PRESIDENT (The Hon. Trevor Khan): It appears that no amendment has been formally moved. In those circumstances, I will put the question.

Question—That the motion be agreed to—put.

The House divided.

Ayes, 16

Ms Barham
Mr Buckingham
Ms Cotsis
Dr Faruqi
Mrs Houssos
Mr Mookhey

Mr Pearson
Mr Primrose
Mr Searle
Mr Secord
Ms Sharpe
Mr Shoebridge

Mr Veitch
Ms Voltz

Tellers,
Mr Donnelly
Mr Moselmane

Noes, 19

Mr Ajaka
Mr Amato
Mr Blair
Mr Borsak
Mr Clarke
Mr Colless
Ms Cusack

Mr Farlow
Mr Gallacher
Mr Gay
Mr MacDonald
Mrs Maclaren-Jones
Mr Mallard
Mr Mason-Cox

Mrs Mitchell
Reverend Nile
Mr Pearce

Tellers,
Mr Franklin
Dr Phelps

Pair

Mr Wong

Mrs Taylor

Question resolved in the negative.

Motion negatived.

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

The House continued to sit.

THE HON. BEN FRANKLIN

Personal Explanation

The Hon. BEN FRANKLIN [4.01 p.m.]: I seek leave to make a personal explanation.

Leave granted.

The Hon. BEN FRANKLIN [4.02 p.m.]: During the previous debate the Hon. Walt Secord suggested that there was some question as to whether I was on the electoral roll in Byron Bay.

Leave withdrawn.

ADJOURNMENT

The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) [4.04 p.m.]: I move:

That this House do now adjourn.

NSW POLICE FIREARMS REGISTRY

The Hon. ROBERT BORSAK [4.04 p.m.]: Today I wish to talk about the erosion of basic legal rights in New South Wales that has persisted, and indeed flourished, under the current Liberal Government. On 4 February the New South Wales Chief Justice, the Hon. Tom Bathurst, gave an address to the Law Society of New South Wales marking the opening of the law term. In his address the Chief Justice spoke at length about the extent of legislative encroachments on the three fundamental common law rights in New South Wales: the presumption of innocence, the right to legal professional privilege and the right against

self-incrimination. Today I will focus on one of these—the presumption of innocence. Nowhere is the presumption of innocence extinguished more emphatically and decisively in New South Wales than by the Firearms Act 1996.

The CHAIR (The Hon. Trevor Khan): Order! Members will come to order so that the member with the call can be heard.

The Hon. ROBERT BORSAK: Section 22 (1A) of the Act deals with suspension of licences. It allows the commissioner, or more correctly, the commissioner's delegate, who, under this Act, is often an unsworn civilian, to revoke a firearms licence by serving notice on the licensee. The notice suspending the licence is not required to state the reasons for the suspension. Section 24 (2) (b) (ii) of the Act deals with the revocation of licences. It says a licence may be revoked if the licensee contravenes any provision of the Act or regulations, whether or not the licensee has been convicted of any offence for the contravention.

Putting this into context, my office recently received details from one firearm owner who, in August 2014, was charged by New South Wales police with a Commonwealth offence. The firearm owner pleaded not guilty, and in November 2014 the charge was dismissed and withdrawn in the local court. In April 2015 the firearm owner was then charged by New South Wales police with State charges using the identical fact sheet as used for the Commonwealth charges. The New South Wales firearms registry revoked his licence and he duly surrendered his firearms. Incredibly, in the notice of revocation from the Firearms Registry, the manager of the licensing, permits and authorities section wrote, and I quote:

"Whilst I note that the allegations are still before the Court I am satisfied that on the balance of probabilities that the offences have occurred".

What an arrogant and outrageous statement from the Firearms Registry. This is precisely the sort of erosion of basic legal rights referred to by the Chief Justice. Then in June 2015 the same firearm owner requested an internal review of the decision by the Firearms Registry to revoke his firearms licence, but, not surprisingly, the internal reviewer re-affirmed the Firearms Registry's decision to revoke his licence. No surprises there. In September 2015 the firearms owner then lodged an appeal with the NSW Civil and Administrative Tribunal [NCAT]. In early December 2015 the firearms owner received a phone call from the local police advising that they had received a job order from the Firearms Registry for disposal of his firearms. This was despite the fact that this matter was still before the NSW Civil and Administrative Tribunal. In late December 2015 the State charges against the firearms owner were dismissed and withdrawn.

Any fair-minded individual would think that this would be the end of the matter and his licence should be reinstated and his firearms returned. But no, remember that I am talking about the NSW Police Firearms Registry. The next day the firearms owner called the case manager at the Firearms Registry to advise that the State charges against him had been dismissed, withdrawn, and that his appeal was still before NCAT. The case manager told him that the registry was going ahead with the disposal of his firearms and that the court's dismissal of the charges against him would make no difference to its decision to revoke his licence. Can you believe it?

This is one example of the litany of cases I have received from firearms owners about the abuse of powers, and malicious and vexatious actions by the NSW Police Firearms Registry. Is it any wonder that firearms owners and farmers in this State are absolutely fed up with the Firearms Registry's unfettered and systematic abuse of power? As Chief Justice Tom Bathurst said in his address to the Law Society of New South Wales, "What may seem like subtle shifts in insignificant Acts can have dramatic consequences for individuals and their families."

ASYLUM SEEKERS

The Hon. DAVID CLARKE (Parliamentary Secretary) [4.09 p.m.]: Late last year I spoke in this House about the tidal wave of asylum seekers entering Europe, ostensibly to escape the upheaval in Syria. I sought to highlight the fact that most were illegal economic migrants from nations having no connection whatsoever with Syria and the events in the Middle East. I argued that what is unfolding in Europe has confirmed the correctness and effectiveness of the Coalition Government's policy of stopping the boats and border protection. Since the beginning of this year, Europe's asylum seeker crisis has worsened. Not only are illegal refugee numbers greatly escalating, but issues relating to the capacity of many to integrate or observe

accepted standards of behaviour have surfaced, causing a strong backlash throughout Europe. Social cohesion in many parts of Europe is breaking down. The Prime Minister of Slovakia, Robert Fico, voiced the concerns of many European leaders when he said:

I feel that we in the EU are now committing ritual suicide and we're just looking on ...

If it takes until late 2016 or 2017 for Europe to set up its planned border and coastguard force, the EU will have killed itself.

Whilst last year 1.5 million asylum claimants arrived in Europe, the European Union is predicting three million will arrive in 2016, although in the past its predictions have usually underestimated the actual numbers. The evidence for the first two months of 2016 shows that economic migrants rather than genuine refugees from Syria continue to comprise the far greater proportion of entrants, with the European Commission admitting that 60 per cent are motivated by economic factors. According to the International Organisation for Migration, 10 times as many migrants crossed by sea into Europe in the first six weeks of 2016 in comparison to the same period last year, with large numbers coming from Morocco, Algeria, Tunisia, Eritrea and West African nations, and overwhelmingly driven by economic factors.

Of 13,000 asylum seekers who entered Denmark in September 2015, only 1,500 actually applied for asylum due to Denmark's tough new clampdown on welfare payments. The rest moved on to greener pastures in neighbouring countries with more accessible welfare. A new dimension to the refugee issue was highlighted by events in the German city of Cologne last New Year's Eve when hundreds of women were surrounded by mobs of young male refugees, and sexually assaulted and robbed. Despite the Cologne police, for reasons of political correctness, reporting that New Year's Eve had been uneventful, the truth eventually seeped out and to date more than one thousand complaints of harassment and other crimes have been made by women in that city. The respected news agency Reuters described what occurred as "victims running a veritable gauntlet of heavily drunk men in a scene that was indescribable".

What happened in Cologne is typical of what is happening in other cities and towns in Europe. According to the German Judicial Police, similar occurrences have been reported in 12 of Germany's 16 States. Other nations, including Belgium, Holland, Finland, Sweden and Switzerland, have reported a similar pattern involving the abuse of women by groups of male asylum seekers, including at public swimming pool centres and railway stations. No less a figure than German Chancellor Angela Merkel has categorised such a pattern of behaviour not just as a series of unconnected isolated instances, but symptomatic of something wider. These events must also be seen against a panorama of radicalisation and self-imposed separateness of a minority of Europe's Muslim community.

According to a detailed five-year study in six European nations by WZB Berlin Social Science Center funded by the German Government, 20 per cent of Europeans as a whole were deemed Islamophobic whereas 54 per cent of Europe's Muslims were deemed Occidentophobic, in other words, Europeanophobic. While only 8 per cent of Europeans mistrusted Jews, 54 per cent of Europe's Muslims did so and whilst 10 per cent of Europeans would reject homosexuals as friends the figure for Europe's Muslims was 60 per cent. The survey found that 65 per cent of Muslims held Sharia law to be more important than the laws of the country in which they live and that 44 per cent had a fundamentalist way of life.

The people of Europe are unhappy. They are unhappy that their asylum seekers open door policy has been hijacked by economic migrants. They are unhappy about the capacity and desire of many newcomers to respect the values upon which European civilisation is based and they are unhappy that their existing immigrant-based population contains a significant Islamist minority that seeks to wreak havoc on the society that welcomes them. Fortunately we have in Australia a Coalition Government that has seen the danger signals and is responding in order to protect our nation.

WELLINGTON AND DUBBO COUNCILS AMALGAMATION

The Hon. PETER PRIMROSE [4.14 p.m.]: Recently I met with Wellington Council and representatives of the local community, all of whom strongly oppose Premier Baird's announcement that the council will be forcibly merged. As part of the discussion we heard a presentation from Simone McManus, a local resident and a small business owner. I promised to convey Simone's concerns to the House. Simone writes:

My name is Simone McManus, I am 42 years old and have lived in Wellington my entire life. I married a local man and we have proudly raised our two children here and have been actively involved in many local clubs over the years including Wellington rugby, netball, WATS, soccer and cricket to name a few. Paul and I love Wellington but through no fault or choice of our own we are facing along with dozens of other families the prospect of having to move from a town we were born in or choose to reside in.

If Wellington Council is to amalgamate with Dubbo the harsh reality is jobs will be lost, it is not a maybe or we will see, it is a given. There are double ups of many jobs that Dubbo council will have to cull in order to keep Dubbo's budget and expenditures in check. Wellington council employs nearly 140 people including casuals and contracted consultants. If a company anywhere in the central west was in danger of putting off that many people the public would be outraged.

Unfortunately there are no other large industries in town to pick up the employees that will be stood down so therefore moving on to find other employment won't even be a choice for those concerned. This will then have an impact on the entire community. Numbers in local schools will drop (so will the number of teachers needed) as will registrations in sporting clubs and social groups and if anyone here has served on a committee in town you will know numbers are always an issue and many clubs are fighting already to keep Wellington competitions going.

A town needs its identity and no greater joy is when we can either represent or cheer on our town on other platforms. If families are forced to leave then these clubs will be significantly impaired. But that won't be the end of it. Local businesses will then suffer, the butchers, child carers, the salons, the newsagents, the gift shops, the cafes, the supermarkets, the pubs. Can any business in town say they can afford to lose any patrons?

Then because of the lack of future employment options young people as they finish school won't have the benefit of having a large employer like our local council to gain employment at.

I also run a business in town and shudder to think of the effect amalgamation will have on my salon. Many of my clients are council employees and their families and not having their patronage will be catastrophic.

At a quick count and being conservative if 30 jobs are lost and they all have a partner and two children and are forced to leave town that is 120 people gone from town. That equates to 60 kids lost from schools. If each family earns conservatively \$75000 between them then that is 2.2 million dollars removed per year from Wellington's economy. House and land values will decrease and services will be forced from town. Living with the threat of having our lives turned upside down for the last few months have been hell to put it mildly. We with many other council families have been struggling with uncertainty and even abuse at times from people telling me to accept the inevitable or that it's better for the future that we amalgamate. Is it really? Can people who are for amalgamation stand in front of those who are in jeopardy of losing their jobs and say:

"it's ok for you to be out of work because it's better for the future of Wellington."

If employment declines doesn't that mean we are going backwards not forwards?

How many families lost to town is acceptable? How many businesses closing would be OK? How many friends do we wish to say goodbye to? For me personally not one loss is acceptable and neither should it be for anyone in town.

The only way Wellington has a prosperous future is to STAND ALONE.

Our town, our way, our future.

Simone McManus

SOCIAL AND AFFORDABLE HOUSING

Ms JAN BARHAM [4.19 p.m.]: We are continually told by the media that New South Wales, especially Sydney and key coastal locations such as Byron Bay, are experiencing a housing boom. Whenever a celebrity purchases a piece of land or there is a boost in overseas investment we are told that this is a bonus for us all, a sign that New South Wales is number one. Measuring progress in such a way ignores the tragic social consequences of unaffordable housing and gentrification, not the least of which is the loss of diverse communities.

These newly prescribed "hotspot" locations are old, well-established communities. Many, like Millers Point, are home to social housing tenants, ageing residents and young families from diverse backgrounds. Despite their diversity, many residents have something in common: They are on low incomes, some below the poverty line or heading there as the cost of living in Sydney surges. If we measured their wellbeing, we would find that there is great value in their lives. The social impact assessment of the sale of Millers Point public housing made clear that the connectedness of the community was key to the health and wellbeing of residents. People's right to shelter is enshrined in the International Covenant on Economic, Social and Cultural Rights, but what of the right to a diverse community?

Gentrification outprices essential workers like nurses, teachers, firefighters and public servants from locations that are close to employment and creates homogenisation of place. When government's focus is on the economic rating of the State, it ignores or at least limits its assessment of and respect for the real values of civil society. People value their connections and relationships in communities. Self-confidence comes from having a sense of community and the security of affordable housing. In Millers Point residents drew strength from their community. The New South Wales Government must acknowledge that it is destroying assets and values in its

pursuit of the economic dream. It is creating a nightmare for many vulnerable people as it rips away their security and sense of belonging. This is not just about people's homes. The social fabric that defines and supports them is being taken away.

The tragic situation in Millers Point is made worse by this Government not having the decency to ensure that the "extraordinary heritage significance" is protected as it sells off heritage-listed homes. At least when the Australian Labor Party sold public housing or imposed 99-year leases it protected the heritage. Housing NSW guidelines issued in 2007 warned against gentrification in the area, stating that "public ownership and management of the area is the best mechanism for retaining the appropriate social and physical heritage of the area and of individual properties". It also stated that "the remaining long-term Millers Point community is a significant element in the unity of Millers Point as a "place" of State Heritage significance".

This Government refused to heed the social impact assessment recommendations to ensure that tenants with a strong connection to the area could stay. This was a shocking indication of the lack of responsibility shown by the Government to the communities of Millers Point and Dawes Point. Other communities that are undergoing redevelopment, such as Ivanhoe and Waterloo, face the same situation. Our cities, suburbs and towns need more housing and our communities need to accommodate more people. We need to do this right, not by undermining the wellbeing and character of the existing community and not by driving people out through unaffordability and gentrification.

On behalf of many people in New South Wales I say to the Baird Government: Stop. The Government is going the wrong way on this issue. Housing is about more than infrastructure and jobs; it is about community and people. The Government risks wiping out communities of great value. When it is impossible for the elderly, essential workers, single parents, young people, people with a disability and Aboriginal people to live in our groovy places we lose our communities. To allow gentrification to take over and define our cities is a grave mistake that cannot be undone.

Redeveloping social housing estates to establish a 70:30 private versus affordable housing mix is not a good deal. The former Labor Government did the same in Minto, Chester Hill and Ingleburn. In this time of housing crisis and mass sell-off of public land to private developers—who enjoy the highest return of any industry—we should be aiming for at least a 50:50 private versus affordable housing deal for the people of New South Wales. This Government has a once-in-a-lifetime opportunity to greatly increase social and affordable housing and give the people of New South Wales a good deal from the redevelopment of public land. But does it have the courage?

NSW CARERS STRATEGY

The Hon. SARAH MITCHELL (Parliamentary Secretary) [4.24 p.m.]: I speak about the important role of carers in New South Wales. There are 2.86 million unpaid carers in Australia. They save Australian taxpayers an estimated \$40 billion in formal care costs annually. Without them, the cost to society of looking after so many patients full time would be astronomical. At any one time approximately 11 per cent of the workforce will be faced with the challenges of working and caring for a family member or friend at home.

Caring for a loved one with a mental or physical disability can have a massive impact on one's life. It is often hard, draining work. More than one-third of carers experience anxiety and/or depression at some stage, and carers generally have poorer health and a poorer sense of wellbeing than the average Australian. We must endeavour to make sure that our carers do not suffer from depression or anxiety as a result of their caring responsibilities; otherwise they may end up in the mental health system themselves. This is an issue that is particularly prevalent in rural Australia. For many carers their task is coupled with remoteness, especially distance from healthcare services. We must ensure that these people do not fall through the cracks.

Fortunately, there is a range of very effective services in place for carers, particularly when it comes to mental health. We must ensure those existing services remain in place and are extended where there is a need. Carers NSW plays an essential role in rural and regional New South Wales. Programs such as mental health respite retreats for carers offer carers coping tools as well as a break from their full-time, unpaid roles. Carers are the unpaid, unsung heroes of our society, and any respite we can give them will be more than repaid by the continued service they provide.

The NSW Carers Strategy builds on the New South Wales Government's support for carers by aiming to raise awareness and recognition of carers in our community. The NSW Carers Strategy is a five-year plan to

improve the position of carers in New South Wales. The strategy is being implemented by the Government, non-government organisations and private businesses in new partnerships that are designed to deliver better services and support for carers. It complements reforms in other areas, such as disability, mental health and ageing. The strategy focuses on employment and education, the carer's health and wellbeing, information and community awareness. The strategy engages carers in decisions that affect them and the people they care for. It also aims to improve the evidence base to enact policy and practice.

Throughout October 2015 the Department of Family and Community Services [FACS], Carers NSW and young carers worked with competition winning developers to design an accessible and age appropriate self-assessment tool for young people with caring responsibilities. The app, called "Who cares?", encourages young people to identify as carers and get the support they need. FACS established a working group of Aboriginal carers and key stakeholders from Government and non-government organisations to develop, encourage and distribute culturally appropriate resources for Aboriginal carers.

The annual NSW Carers Awards highlight the crucial role carers play in our community. In October 2015 the Minister for Ageing and Minister for Disability Services, the Hon. John Ajaka, announced the recipients of the NSW Carers Awards and the Carer of the Year at a special ceremony in Parliament House. The awards are organised by the New South Wales Government in conjunction with Carers NSW. They were established to acknowledge and celebrate the significant unpaid contribution carers make to the people they care for. All were worthy winners.

The New South Wales Carer of the Year for 2015 was Sheila Openshaw, who was recognised for caring for her two sons, aged 47 and 43, who suffer from mental illness. She also received recognition for her community work as a founding member of the Endeavour Clubhouse and for her efforts on behalf of Rotary Health. I also pay tribute to Kevin Dunne of Cooma, who was recognised with highly commended honours at the awards. Kevin cares for his wife, who sadly was diagnosed with Alzheimer's in 2007. Kevin has focused on keeping her involved in the community as much as possible. He is also involved in developing an online resource for carers of people with dementia.

Carers Australia states that its purpose is to improve the health, wellbeing, resilience and financial security of carers and to ensure that caring is a shared responsibility of family, community and government. I pass on my gratitude to everyone involved in supporting our carers across the State. I thank them for all the good work they do. In particular, it is important that we in this House and the Parliament acknowledge and pass on our sincere thanks to all the carers. They sacrifice so much of their time for those they love. They are a credit to themselves, their family and the wider community.

ROCKDALE AND BOTANY BAY COUNCILS AMALGAMATION

The Hon. SHAOQUETT MOSELMANE [4.29 p.m.]: I register my disappointment at this Government's ludicrous proposal to force the amalgamation of Rockdale City Council and Botany Bay City Council. It is a proposal that will be the talk of the town for years. These two communities are separated by Botany Bay, Sydney (Kingsford Smith) airport, Port Botany and, finally, an industrial zone. Then I come to the people who will be left to squabble over access to services, rates and resources. All logic and common sense has gone out the window as the Premier and his Minister for Local Government attempt to shape, mould and gerrymander the political future of local government into the most partisan landscape possible. Putting the Liberals first and the residents of New South Wales last is now the mantra of this Government.

The Liberal Party never cared about local government. All their squabbles were over State and Federal seats and not so much seats on local council. I know when I served on my local council in the 1990s that in some areas there were no Liberal candidates interested in representing the local community. Now the Liberal Party wants to dominate councils and turn councils into its plaything. One of the best examples of how ridiculous this amalgamation process has become is the Rockdale and Botany Bay councils amalgamation proposal.

Let us look at the Government's merger proposal document. The executive summary states that the creation of this new council will bring together communities with similar expectations in terms of demand for services, infrastructure and facilities. It goes on to say that these committees have many shared interests, including the diverse cultural characteristics of the area. That is a joke, a load of garbage. It is typical Government spin with no substance. The summary is full of buzzwords that have no meaning and it tells us nothing of substance. It is verbose nonsense devoid of genuine analysis. In fact, it is deceptive in its intent.

If the Government were true to its words, then logic would dictate that Botany Bay City Council would be a much better fit with Randwick City Council and Waverley Council, and the St George community would be better served by an amalgamation of Rockdale City Council, Kogarah City Council and Hurstville City Council. Let us look at the St George area, for example. First of all, there is the obvious common identity. Residents and the community in this area identify themselves as being part of the St George area. Then there is the common infrastructure shared by the three councils, such as the St George Leagues Club, the St George Hospital, the St George police local area command and so forth. These three St George councils could easily fit and be identified as "St George Council". They are pretty much together in everything except an official name. It makes sense for an area to amalgamate if people so wish, irrespective of natural or man-made boundaries.

A proposed Rockdale-Botany Bay amalgamation is not only short-sighted but also a senseless fix. It is a gerrymandering, political act of bastardry designed to create future Liberal councils, both in Waverley-Randwick and Kogarah-Hurstville. The underlying objective in the St George area is to help fortify the Liberal seat of Oatley, which is held by the hapless Mr Mark Coure. The Minister's proposal also claims that the Rockdale-Botany Bay merger is expected to lead to more than \$52 million in net financial savings over 20 years. How will the Baird Government guarantee these savings and how will it deliver them?

The document describes both Botany Bay City Council and Rockdale City Council as "unfit for the future". Yet the same document claims that a merger will result in a projected 22 per cent increase in annual operating results within 10 years. One has to wonder how combining two "unfit" councils will result in a projected increase in operating results—unless, of course, there is a plan to sack a significant number of staff from both councils. In fact, the report spells this out and calls for the removal of duplicate back office and administrative functions and a reduction of senior management to the tune of \$50 million.

The gerrymandering undertaken by the Premier and his Minister in this area is an insult to the good people of New South Wales. Adding insult to injury, the Premier is spending freely to try to convince the public that his bad idea is actually a good one. Well, it is not. A freedom of information request shows that the Baird Government has spent just under \$6 million of taxpayers' money on its local government forced amalgamations. It is a shame that this Government did not have the good sense to be open and transparent with the people of New South Wales.

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

Motion agreed to.

The House adjourned at 4.34 p.m. until Tuesday 8 March at 2.30 p.m.
