



**New South Wales**

# **Legislative Council**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Sixth Parliament  
First Session**

**Thursday, 22 September 2016**

Authorised by the Parliament of New South Wales



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## LEGISLATIVE COUNCIL

**Thursday, 22 September 2016**

**The DEPUTY PRESIDENT AND CHAIR OF COMMITTEES (The Hon. Trevor Khan)**, in the absence of the President, took the chair at 10:00.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan)**, according to standing order, nominated Reverend the Hon. Fred Nile to read the prayers.

**Reverend the Hon. FRED NILE** read the prayers.

### *Motions*

#### **STRIKE FORCE DURKIN AWARDS**

**The Hon. DAVID CLARKE (10:02):** I move:

- (1) That this House notes that:
  - (a) on Friday 3 June 2016, the NSW Police Force's Strike Force Durkin Awards presentation ceremony was held at the Art Gallery of New South Wales, Domain Theatre, Sydney;
  - (b) Strike Force Durkin was a complex and challenging investigation which required officers to use innovative technology, whilst working in extreme weather and terrain conditions to apprehend the offender;
  - (c) specialist New South Wales police officers and personnel from the Australian Defence Force, Northern Territory Police Force, Ambulance Service of New South Wales and the New South Wales Department of Lands were utilised during this unique investigation;
  - (d) this statewide joint effort culminated in the successful arrest of the offender;
  - (e) those who attended the Strike Force Durkin Awards presentation ceremony as guests included:
    - (i) Police Commissioner Andrew Scipione, APM;
    - (ii) Acting Deputy Commissioner Michael Corboy, APM;
    - (iii) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice, representing the Hon. Troy Grant, MP, Deputy Premier, Minister for the Arts and Minister for Racing;
    - (iv) Corporate Assistance Commissioner Jeffery Loy, APM;
    - (v) Northern Region NSW Ambulance Senior Assistant Commissioner David Dutton, BM, ASM; and
    - (vi) Reverend Father Paul O'Donoghue, Senior State Chaplain.
  - (f) those who were awarded the Commissioner's Unit Citation, which is awarded to police officers who collectively come together for a common purpose and perform outstanding service which may involve bravery or other acts of merit, comprised: Major M.; Assistant Commissioner Carlene York, APM; Detective Superintendent Paul Fehon; Detective Superintendent Peter Thurtell; Detective Inspector Steven Clarke; Detective Inspector Peter McKenna; Detective Sergeant Shane Conant; Detective Sergeant Ricky Hennessy; Detective Sergeant Paul Mangan; Detective Sergeant John Williamson; Major N., Senior Constable First Class Luke Kingsbury; Paramedic Anthony Bishendon; Paramedic Anthony Bradley; Paramedic Wayne Bull; Paramedic Sean Cooke; Paramedic Noel Davis; Paramedic Matthew Gane; Paramedic Darren Hull; Paramedic Adrian Humphrey; Paramedic Andrew Mayer; Paramedic Stephen Talbot; Paramedic Andrew Thompson; Paramedic Robert Watson; Paramedic Keith Williams; Paramedic Peter Wilson; Paramedic David Wiseman; Mr Robert Colless; Mr Shane Conserdyne; Mr Russell Harris; Mr Can Peng Luo; Mr Ken McDonald; Sergeant Duncan Abernethy; Senior Constable Brendon Adams; Detective Inspector Rupert Agnew; Inspector Peter Balatincz; Mr Stephen Baldwin; Leading Senior Constable Mark Baxter; Detective Senior Constable Sean Beckett; Sergeant Paul Begbie; Senior Constable Kenneth Bell; Senior Constable Andrew Bennett; Mr Lorenzo Bergamin; Senior Constable Luke Bissaker; Ms Ainslie Blackstone; Detective Senior Constable Katherine Bourke; Inspector Mark Braddish; Senior Constable Sean Brennan; Sergeant John Broadley; Detective Senior Constable Richard Broomby; Ms Kym Brown; Sergeant Donna Bruce; Mr Michael Butzek; Senior Constable Graeme Canty; Sergeant Joseph Caruso; Senior Constable John Casey; Acting Superintendent Brenton Charlton; Senior Constable Simon Clark; Sergeant John Clark; Sergeant Lyndon Clarke; Senior Constable Timothy Clifford; Senior Constable Karen Coughlin-Hall; Senior Constable Robert Craig; Detective Senior Sergeant Mary Crumlin; Senior Constable Raymond Cusak; Leading Senior Constable Timothy Cusak; Senior Constable Mark Dance; Senior Constable Kevin Dawson; Sergeant Bradley Dennett; Ms Annette Dietrich; Senior Constable Michael Dietrich; Detective Senior Constable Benjamin Dixon; Senior Constable Brett Dobbie; Sergeant Paul Doherty; Senior Sergeant Milad El-Kazzi; Sergeant Damien Elwin; Senior Constable Steven Faber; Sergeant Tyron Farmer; Sergeant George Featherstone; Senior Constable Michael Foster; Detective Senior Constable Benjamin Freebody; Detective Sergeant Mark Garvey; Senior Constable Jamie Grime; Senior Sergeant Mark Hayes; Senior Constable David Koteck; Senior Sergeant Stephen Manna; Senior Constable Jeffrey Mousley; Senior Constable David

O'Hara; Senior Constable Matthew O'Leary; Leading Senior Constable Glen Rogers; Sergeant Colin Sheil; Senior Constable Michael Sim; Mr Damien Speer; Senior Sergeant George Stylianou and Leading Constable Grant Terry.

- (2) That this House congratulates all award recipients involved in the Strike Force Durkin investigation and thanks them for their outstanding service.

**Motion agreed to.**

**QUEEN ELIZABETH II FOUNTAIN AND PLAQUE**

**The Hon. DAVID CLARKE (10:03):** I move:

- (1) That this House notes that:
- (a) on Thursday 9 June 2016, the Mayor of Woollahra, Councillor Toni Zeltzer, hosted a naming ceremony of the Queen Elizabeth II Fountain and plaque unveiling at Davies Reserve, Woollahra, to commemorate Her Majesty Queen Elizabeth II becoming the longest reigning monarch in the history of Britain;
  - (b) the naming ceremony for the fountain in Davies Reserve Woollahra and the plaque unveiling was pursuant to a unanimous resolution of Woollahra Council moved by Councillor Peter Cavanagh; and
  - (c) the plaque featured on the Queen Elizabeth II Fountain records that: "This fountain; originally part of the historic Rosemont Estate, was generously gifted to the National Trust in 1983 by Sir Raymond Bt and Lady Burrell. Soon after the fountain was presented to the Queen Street West Woollahra Association, before Woollahra Municipal Council installed it in this location. On the 28 May 2016, the Mayor of Woollahra, Cr Toni Zeltzer with the assistance of Cr Peter Cavanagh named the fountain the Queen Elizabeth II Fountain to commemorate Her Majesty as the longest reigning monarch in the history of Britain and her realms and territories."
- (2) That this House commends Woollahra Council for marking the service of someone who has dedicated her whole working life to the people of the Commonwealth.

**Motion agreed to.**

**NSW POLICE FORCE SOUTH WEST METROPOLITAN MEDALS AND AWARDS**

**The Hon. DAVID CLARKE (10:03):** I move:

- (1) That this House notes that:
- (a) on Wednesday 8 June 2016, Superintendent David Johnson, Commander of the Ashfield Local Area Command of the New South Wales Police Force, hosted the South West Metropolitan Medals and Awards presentation ceremony at Canterbury Hurlstone Park RSL Club;
  - (b) those who attended as guests included:
    - (i) Assistant Commissioner Frank Mennilli, APM, Region Commander, South West Region;
    - (ii) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice; representing the Hon. Troy Grant, MP, Deputy Premier, Minister for Justice and Police, Minister for the Arts and Minister for Racing;
    - (iii) Ms Joanna Haylen, MP, member for Summer Hill;
    - (iv) Superintendent Mark Jones, APM, Local Area Commander, Burwood and Acting Local Area Commander, Bankstown;
    - (v) Superintendent Michael McLean, Local Area Commander, Campsie;
    - (vi) Superintendent Phillip Rogerson, APM, Local Area Commander, Flemington;
    - (vii) Superintendent Julie Donohue, Local Area Commander, Marrickville; and
    - (viii) Reverend Don Wright, Chaplain.
  - (c) those who received the National Police Service Medal were:
    - (i) Detective Inspector Paul Arnold;
    - (ii) Detective Inspector Christopher Laird;
    - (iii) Inspector Michael Penfold;
    - (iv) Detective Sergeant Jeffrey Hohnen;
    - (v) Detective Sergeant Christie Houldin;
    - (vi) Detective Sergeant Karl Leis;
    - (vii) Detective Sergeant John Pollock;
    - (viii) Detective Sergeant Adam Wharf;
    - (ix) Sergeant Eddy Alam;

- (x) Sergeant Melanie Cage;
  - (xi) Sergeant Michael Considine;
  - (xii) Sergeant Ruth Morgan;
  - (xiii) Sergeant Hayley Morrison;
  - (xiv) Sergeant Andrew Ting;
  - (xv) Sergeant Anthony Traino;
  - (xvi) Sergeant Mitchell Vinton;
  - (xvii) Sergeant Valerie Wagstaff;
  - (xviii) Sergeant Murray Wills;
  - (xix) Senior Constable Jodie Harvey; and
  - (xx) Senior Constable Philip Tambasco.
- (d) those who received the National Medal were:
- (i) Inspector Emmanuela Watson;
  - (ii) Detective Sergeant Tanya Byrne-Hickman;
  - (iii) Sergeant Michelle Osborne;
  - (iv) Sergeant Carol Ray;
  - (v) Sergeant Rajeev Sharma;
  - (vi) Sergeant Simon Telfer;
  - (vii) Leading Senior Constable David Ford;
  - (viii) Senior Constable Joanne Overland;
  - (ix) Senior Constable Philip Tambasco;
  - (x) Superintendent Philip Rogerson, APM [2nd Clasp to National Medal];
  - (xi) Sergeant Terence Cullen [1st Clasp to National Medal];
  - (xii) Sergeant Kylie Thorpe [1st Clasp to National Medal]; and
  - (xiii) Sergeant Mitchell Vinton [1st Clasp to National Medal].
- (e) those who received the NSW Police Medal were:
- (i) Detective Sergeant Sean McWhirter;
  - (ii) Sergeant Karen Baldwin;
  - (iii) Sergeant Francesca Boorer;
  - (iv) Sergeant Joshua Palmer;
  - (v) Sergeant Luke Sywenkyi;
  - (vi) Sergeant Martin Webb;
  - (vii) Detective Senior Constable Mark Delaney;
  - (viii) Detective Senior Constable Sanjay Pratap;
  - (ix) Leading Senior Constable Leah Collins;
  - (x) Leading Senior Constable Sylvia Ibrahim;
  - (xi) Leading Senior Constable Paul Wearne;
  - (xii) Senior Constable John Tikisci;
  - (xiii) Former Detective Senior Constable Justin Harris;
  - (xiv) Superintendent Philip Rogerson, APM [Police Medal 5th Clasp Set—35 years];
  - (xv) Inspector David Miller [Police Medal 4th Clasp Set—30 years];
  - (xvi) Detective Sergeant John Pollock [Police Medal 4th Clasp Set—30 years];
  - (xvii) Inspector Traci Watt [Police Medal 3rd Clasp—25 years];
  - (xviii) Sergeant Gary Nugent [Police Medal 3rd Clasp—25 years];
  - (xix) Sergeant Adam Scanlon [Police Medal 3rd Clasp—25 years];
  - (xx) Sergeant Mitchell Vinton [Police Medal 3rd Clasp—25 years];

- (xxi) Detective Senior Constable Peter Skiadopoulos [Police Medal 2nd Clasp—20 years];
  - (xxii) Detective Sergeant Karl Leis [Police Medal 1st Clasp—15 years];
  - (xxiii) Detective Sergeant Adam Wharf [Police Medal 1st Clasp—15 years];
  - (xxiv) Sergeant Melanie Cage [Police Medal 1st Clasp—15 years];
  - (xxv) Sergeant Andrew Ting [Police Medal 1st Clasp—15 years];
  - (xxvi) Sergeant Anthony Traino [Police Medal 1st Clasp—15 years];
  - (xxvii) Sergeant Valerie Wagstaff [Police Medal 1st Clasp—15 years];
  - (xxviii) Senior Constable Germaine Grant [Police Medal 1st Clasp—15 years];
  - (xxix) Senior Constable Joanne Overland [Police Medal 1st Clasp—15 years]; and
  - (xxx) Senior Constable Philip Tambasco [Police Medal 1st Clasp—15 years].
- (f) those who received Commissioner's Certificate of Commission Awards were:
- (i) Inspector Melanie Chidgey; and
  - (ii) Inspector Emmanuela Watson.
- (g) those who received Commissioner's Warrant of Appointment Awards were:
- (i) Detective Sergeant Tanya Byrne-Hickman;
  - (ii) Detective Sergeant Michele Cragg;
  - (iii) Detective Sergeant Dale Morrell;
  - (iv) Sergeant Sherrie Gavin;
  - (v) Sergeant Katie Gittoes;
  - (vi) Sergeant Michelle Osborne;
  - (vii) Sergeant Joshua Palmer;
  - (viii) Sergeant Anthony Smith;
  - (ix) Sergeant Matthew Taylor; and
  - (x) Sergeant Mitchell Vinton.
- (h) others who received awards were:
- (i) Senior Constable Anthony Knott [Region Commander's Commendation];
  - (ii) Sergeant Natalie Gilbody [Region Commander's Certification of Merit];
  - (iii) Senior Constable Thomas Melia [Region Commander's Certification of Merit];
  - (iv) Mr Virgil Baeta [Local Area Commander's Commendation];
  - (v) Sergeant Anthony Smith [Local Area Commander's Certificate of Merit];
  - (vi) Constable Jessie Kwast [Local Area Commander's Certificate of Merit];
  - (vii) Constable Marnie Lawson [Local Area Commander's Certificate of Merit]; and
  - (viii) Detective Senior Constable George Jackowski [Certificate of Appreciation].
- (2) That this House congratulates all award recipients and thanks them for their service.
- (3) That this House commends all members of the New South Wales Police Force for their ongoing service to the people of New South Wales.

**Motion agreed to.**

**WHITE KNIGHT FOUNDATION**

**The Hon. DAVID CLARKE (10:04):** I move:

- (1) That this House notes that:
- (a) the White Knight Foundation was established in 2013 by Liam Knight, with the purpose of raising awareness about the devastating impact of random and unprovoked acts of youth violence;
  - (b) as a result of an unprovoked attack on Liam Knight on 11 January 2013 when he was 17 years of age, a metal rod pierced the right side of his skull leaving him with permanent brain injury and lifelong medical needs;
  - (c) the primary function of the foundation is to raise funds to assist young victims of such violence, as well as their families, on the path to recovery whilst educating people, particularly the young, as to the horrific results of such acts of violence;



- (d) on 17 June 2016, an inaugural White Knight Foundation Gala Dinner, attended by several hundred guests was held at the Novatel Manly Pacific Hotel, to highlight the ongoing work of the foundation and to raise funds to assist in its work; and
- (e) those who attended the gala dinner as guests included:
  - (i) NSW Commissioner for Police, Mr Andrew Scipione;
  - (ii) Mr Karl Stefanovic who acted as Master of Ceremonies;
  - (iii) Jesinta Campbell, Special Ambassador for the foundation;
  - (iv) Shane Knight, Special Ambassador for the foundation;
  - (v) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice, representing the Hon. Troy Grant, MP, Deputy Premier, Minister for Justice and Police, Minister for the Arts and Minister for Racing;
  - (vi) Julian Ogrin, Amaysim, Chief Executive Officer;
  - (vii) Dr Clayton King;
  - (viii) Mr Steve Scott;
  - (ix) Dr Adam Fowler;
  - (x) Dr Jonathan Parkinson; and
  - (xi) Stephen Lowndes, Chief Executive Officer of Royal Rehab.
- (2) That this House pays tribute to the fine example of Liam Knight who, with great courage and determination, overcame great adversity and is using his life experience for good and positive deeds in support of others who suffer from the devastating effects of unprovoked violence.
- (3) That this House commends the good work of the White Knight Foundation and wishes it well in its future charitable endeavours.

**Motion agreed to.**

#### **EGYPTIAN OPEN DAY**

**The Hon. DAVID CLARKE (10:05):** I move:

- (1) That this House notes that:
  - (a) on Saturday 4 June 2016, the Coptic Orthodox community of St Mary's and St Mina's Coptic Orthodox Cathedral, Bexley, hosted an Egyptian Open Day, attended by many hundreds of members and friends of the Sydney Coptic Orthodox community as well as the wider Egyptian community;
  - (b) the Egyptian Open Day showcased the historic and cultural heritage of Egypt, including the significant part played by Egypt's Coptic community, and featured special presentations on the journey of the Holy Family from Palestine to the landing point in Al Moharak Monastery in the Province of Assiut, Egypt, over 2,000 years ago; and
  - (c) among those who attended were representatives of Federal and State parliaments and religious, civic and community leaders.
- (2) That this House commends the Coptic Orthodox community of New South Wales for its ongoing contribution to the cultural, civic and religious life of the State of New South Wales.

**Motion agreed to.**

#### *Committees*

#### **STAYSAFE (JOINT STANDING COMMITTEE ON ROAD SAFETY)**

##### **Report: Driverless Vehicles and Road Safety in New South Wales**

**The Hon. SCOTT FARLOW:** I table report No. 2/56 of the Joint Standing Committee on Road Safety entitled "Driverless Vehicles and Road Safety in New South Wales", dated September 2016. I move:

That the report be printed.

**Motion agreed to.**

**The Hon. SCOTT FARLOW:** I move:

That the House take note of the report.

**Debate adjourned.**

*Business of the House***POSTPONEMENT OF BUSINESS**

**The Hon. ADAM SEARLE:** I move:

That Business of the House Notice of Motion No. 1 be postponed until the next sitting day.

**Motion agreed to.**

**SUSPENSION OF STANDING AND SESSIONAL ORDERS: ORDER OF BUSINESS**

**The Hon. NATASHA MACLAREN-JONES:** I move:

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.

**Motion agreed to.**

**ORDER OF BUSINESS**

**The Hon. NATASHA MACLAREN-JONES:** I move:

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

- (1) Private Members' Business item No. 958 outside the Order of Precedence standing in the name of Mr Secord relating to Nepean Hospital.
- (2) Private Members' Business item No. 5 outside the Order of Precedence standing in the name of Reverend Mr Nile relating to the Alcoholic Beverages Advertising Prohibition Bill 2015.
- (3) Private Members' Business item No. 981 outside the Order of Precedence standing in the name of Mr Mallard relating to the 2016 Paralympians.
- (4) Private Members' Business item No. 859 outside the Order of Precedence standing in the name of Dr Faruqi relating to a Select committee on the CBD and South East Light Rail Project.
- (5) Private Members' Business item No. 937 outside the Order of Precedence standing in the name of Mrs Houssos relating to the intercity train fleet contract.
- (6) Private Members' Business item No. 955 outside the Order of Precedence standing in the name of Mr Shoebridge relating to juvenile detention.

**Motion agreed to.**

*Visitors***VISITORS**

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** I welcome to the gallery students from the Top Education Institute.

*Motions***NEPEAN HOSPITAL**

**The Hon. WALT SECORD (10:12):** I move:

That this House:

- (1) Notes that the independent Bureau of Health Information reports that as at 30 June 2016, Nepean Hospital was Sydney's most under-pressure hospital with more than 51.8 per cent of patients waiting longer than four hours in the emergency department and 3,037 patients waiting for elective surgery.
- (2) Expresses disappointment that the Baird Government has committed only \$1 million in the 2016-17 budget towards stage four of Nepean Hospital's much-needed \$370 million upgrade.
- (3) Supports the more than 200 residents who attended a community rally outside Nepean Hospital on 28 August 2016 demanding the Baird Government provide the upgrade to Nepean Hospital.
- (4) Commends NSW Labor leader Mr Luke Foley, MP, for committing to the upgrade.

As Deputy Leader of the Opposition and shadow Minister for Health, it is with great pleasure I have moved the motion, which calls on the Baird Government to properly fund Nepean Hospital. Put simply, the Nepean Hospital is the most under-pressure hospital in New South Wales. In a health and hospital system that is really fraying at the seams, that is really a dire status. Nepean Hospital is buckling under the strain. Nepean Hospital is at breaking point. It is Western Sydney families who are bearing the brunt of that.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** Members who wish to have conversations should do so outside the House. The Hon. Walt Secord is entitled to be heard in relative silence.

**The Hon. WALT SECORD:** As I said, Nepean Hospital is buckling under the strain. Nepean Hospital is at breaking point. It is Western Sydney families who are bearing the brunt of that.

**The Hon. Shayne Mallard:** Scare campaign.

**The Hon. WALT SECORD:** As a former Nepean boy, I hope the Hon. Shayne Mallard will support the motion. Last year more than 67,000 patients attended Nepean Hospital's emergency department. Figures from the most recent reporting quarter, which were released on 7 September by the independent Bureau of Health Information, reveal that 51.8 per cent of patients waited longer than four hours in the emergency department.

**The Hon. Greg Donnelly:** How long?

**The Hon. WALT SECORD:** I acknowledge the interjection—51.8 per cent of patients waited longer than four hours in the emergency department. That is the longest wait in the entire State. Four hours is the nationally agreed upon benchmark for our State's emergency departments. Nepean Hospital fails that benchmark more than half the time. Nepean Hospital is located within the Penrith local government area. It is the principal referral hospital for the local health district and a teaching hospital of the University of Sydney. It is within the Nepean Blue Mountains Local Health District. It provides high-level inpatient and outpatient care. Services include emergency, surgical, intensive care, coronary care, maternity, gynaecology, neonatal intensive care, diagnostics, and outpatient services.

Nepean Hospital was established on its present site in 1956. It has a proud legacy of helping the growing communities of Western Sydney. It has wonderful staff, who are working under enormous pressure. They are being let down by the Government. Under the Baird Government, Nepean Hospital is being crippled by the inaction of the Premier, the Minister for Health, the Prime Minister, and the Federal Minister for Health and Aged Care. Of course, the whole health and hospital system has deteriorated under the Baird Government, and its response is to privatise statewide. Waiting times for treatment for non-urgent but debilitating conditions have stretched to a record 232 days. Those days have increased by nine days on average since 20 March 2011, which is when the Liberal-Nationals won government. Meanwhile, the number of patients on the waiting lists has leapt by more than 7,000. It is at an all-time high.

Right now there are 73,165 patients waiting for elective surgical procedures in New South Wales. That is a staggering number. I admit it is hard to picture just what 73,000 people looks like, but fortunately the Premier has given us a useful tool with which to do that. Last month he was talking up the Government's completion of the massive 9,000-seat \$1.6 billion venue at Darling Harbour. It is also covered in today's *Daily Telegraph*. The Hon. Shayne Mallard should see it. The Sydney International Convention Centre [ICC] covers 20 hectares. If the 73,165 patients waiting for elective surgical procedures went to that theatre, they would fill it not for one night, not for two nights, and not even for a week, but for an astounding eight nights, leaving more 1,000 people aside. It is a comparison that says something about the poor priorities of the Premier and this Government. There are more theatres for international rock stars, but there are no properly staffed theatres for Western Sydney hospitals.

It is no wonder that the Western Sydney community is coming together to express its outrage at the inaction by the Baird Government. On 28 June 2016 at 1 p.m. more than 200 residents gathered near Nepean Hospital at the corner of Rodgers Road and Somerset Street in Kingswood to speak out about the situation. They gathered to voice their anger at the Baird Government's broken promise about Nepean Hospital. At that rally, the Labor leader, Luke Foley, made Labor's first major health commitment for the 2019 State election. He pledged that a Foley Labor Government would undertake the \$370 million upgrade of Nepean Hospital. He was joined by me, the member for Londonderry and my shadow ministerial colleague and Labor spokesperson for TAFE, Prue Car—a relentless fighter for Western Sydney—the member for Blue Mountains, Trish Doyle, the Federal member for Lindsay, Emma Husar, and Gerard Hayes from the Health Services Union [HSU]—another tireless fighter for a properly resourced health and hospital system.

But more importantly, to our pleasant surprise we were joined by University of Sydney clinical Associate Professor Dr Ronald Chin, an ear, nose and throat surgeon who gave a staff perspective. Dr Chin joined the rally and spoke about his commitment to patients and to the community. The child of migrants from Malaysia, he is a surgeon at Nepean Hospital because he loves his community and wants to put back. He is clearly a doctor who puts the interests of his patients above his own.

Dr Chin was also the doctor who stood up on ABC's *Q&A* program on 13 June and pleaded for an upgrade of Nepean Hospital. At the rally Doctor Chin talked of dedicated and hardworking staff stretched to breaking point—staff in a community that deserves to see this Government honour its 18 March 2015 promise, made by its two local Liberal members of Parliament on two separate occasions, to fund stage four of the upgrade of Nepean Hospital. Those members of Parliament are the member for Mulgoa, Tanya Davies, and Penrith member of Parliament Stuart Ayres, who is also a senior Liberal Cabinet Minister. However, the Liberals' Minister for Health,

Jillian Skinner, denied the Government made that \$370 million promise. She said the Government had only agreed to give up to \$4 million in planning money, and yet we have seen only \$1 million of that so far.

**The Hon. Greg Donnelly:** Cheapskate.

**The Hon. WALT SECORD:** Cheapskate. She told the ABC on 7 September that she doubted the figure of \$370 million. At the press conference she snapped and said, "You'll have to ask Stuart Ayres, but I am only providing \$4 million for Nepean Hospital." However, Labor supports stage four as it will provide more than 100 beds and expand the emergency department. The \$370 million redevelopment would include: an enhanced comprehensive cancer centre with chemotherapy, radiation and oncology services; enhanced renal, cardiology and neurology services; a new high-dependency unit; new and enhanced birthing suites; and an enhanced emergency department. The redevelopment would help address the lack of emergency department capacity, the inability of the hospital to meet additional maternity and postnatal care requirements and the insufficient capacity in cardiology, renal, respiratory, neuroscience, aged and palliative care.

But Nepean and Western Sydney are facing many more health challenges—a lack of funding, record Liberal-Nationals cuts at Federal and State levels, a lack of support for doctors, nurses and allied health workers, longer life expectancies, a higher birth rate and patients with multiple health problems such as diabetes, kidney and heart disease and high blood pressure—which are all combining to create a system in crisis. On top of these challenges, fewer specialists and lower general practitioner [GP] bulk billing rates in the region mean families are forced to use emergency departments, impacting on more urgent patients and putting pressure on the health and hospital system.

Nepean Hospital is therefore a symbol of the problems with our health and hospital system across Sydney and across this State. At this moment at Nepean Hospital, there are 3,037 patients waiting for elective surgery. The median wait at Nepean Hospital for non-urgent elective surgery is 344 days, almost a year. That figure does not take into consideration the waiting lists for the waiting lists. Doctors in Western Sydney are told not to put people on the register and start counting until they get a date for the elective surgery. In some parts of Western Sydney it can take up to four years to get from a referral onto a waiting list. The real figures are incredible—in some cases, such as for cataract surgery, patients wait almost four years to get on a waiting list.

**The Hon. Greg Donnelly:** How long?

**The Hon. WALT SECORD:** Almost four years. These figures are offensive. At Nepean Hospital, patients wait at every stage. They wait for an ambulance. They wait outside the emergency department. They wait inside the emergency department. They wait for a bed and then they are rushed out of hospital so the next patient can get the bed. Then there is the threat of infection necessitating a return to hospital.

At Nepean Hospital at this very moment, there are 294 people waiting for a knee replacement. At Nepean Hospital at this very moment, there are 104 waiting for a hip replacement. At Nepean Hospital at this very moment, there are 380 people waiting for a tonsillectomy. At Nepean Hospital at this very moment, there are 57 patients waiting for gall bladder procedures. At Nepean Hospital at this very moment, there are 60 patients waiting for prostate surgery. It is no wonder there is clear will in the community for an upgrade of Nepean Hospital.

There is a strong will on this side of the Chamber to support this motion. This is because failing to do so would mean this Parliament is turning a deaf ear to Western Sydney. In the recent Federal election and at the 10 September local council elections, health was nominated as the main issue affecting Western Sydney families. At the local council elections, voters told our candidates that they wanted to send a message to the Baird Government on health.

**The Hon. Shayne Mallard:** I thought it was greyhounds, Walt.

**The Hon. WALT SECORD:** I will take that interjection. The result in Western Sydney at the Federal and local government elections should send shockwaves through the Baird Government and force government members to acknowledge that they are letting down Western Sydney. I know it is hard for members from Manly or the North Shore to understand this, but Western Sydney families do not have the same access to private options or specialists as families in Sydney's north and east. This is why they see a Baird Government decision to provide a measly \$1 million in planning money to Nepean Hospital, instead of the \$370 million upgrade it promised, as an insult. The Government also knows that, if the situation is not addressed as soon as possible, it will get worse.

The Nepean Blue Mountains area is experiencing population growth and demographic change. The population is projected to increase by 28 per cent by 2036 across the Nepean Blue Mountains Local Health District. This means there will be 100,000 more people living in the district by 2036 than there were in 2011. Between 2011 and 2036, there will be 134 per cent growth in the population aged over 70, compared to 104 per cent in New South Wales.

I called on the Minister for Health to stop hiding from the community when errors occurred, to break the culture of cover-up and to lift the cloak of secrecy within the health and hospital system. This was a serious matter. There are many health concerns associated with feeding a child someone else's breastmilk, concerns about HIV and hepatitis. Unfortunately the Baird Government only admits it has errors when they are exposed by patients or when brave whistleblowers in the health and hospital system come forward.

Earlier this month we also discovered that some heart attack patients at Nepean Hospital are being turned away between 7.00 a.m. and 7.00 p.m. on Mondays to Thursdays because of crumbling infrastructure. A catheterisation medical lab treating patients with suspected heart attacks has been forced to close its doors because its ceiling needs urgent repairs. The cath lab is very important. It is where stents are inserted to ensure blocked arteries to the heart are kept open and in an emergency, when a patient is having a suspected heart attack, every minute counts. It is completely unacceptable that a person is diverted from his or her local hospital because the ceiling is literally falling in, but that is happening at Nepean Hospital.

Nepean Hospital is so overcrowded and passageways are so blocked that medical staff have to struggle to get into an operating theatre when holding the \$4 million da Vinci surgical robot for keyhole surgery for prostate cancer. The information technology [IT] department at Nepean Hospital is so overstretched that only four people are looking after IT and the hospital's wi-fi works only intermittently, so doctors are unable to read patient reports, X-rays and other records at the bedside. Nepean is a hospital that the Baird Government has completely forgotten about.

The Minister for Health claims that she puts patients first, yet people living in Western Sydney or near Nepean Hospital are not getting the same treatment as patients in other parts of the State. Western Sydney patients, especially patients at Nepean, deserve better than false promises and crumbling infrastructure. The local community knows this is true. An article by Krystyna Pollard on the front page of the 1 September edition of the *Penrith City Gazette* screamed "At Breaking Point", and its page 3 story was headed "Local cancer patients forced to travel as centre hits capacity". Penrith-based *Western Weekender* journalist Dale Drinkwater wrote:

Nepean Hospital has struggled to escape the headlines, with longstanding figures of underperforming, long waits in its emergency department as well as for elective surgery.

Furthermore, earlier this year the acting head of the Nepean Hospital intensive care unit, Dr Nhi Nguyen, said, "We are absolutely desperate." Dr Nguyen, who is also chair of the hospital's medical staff council, said that local patients face long waits because the hospital has only 15 chemo treatment spaces available for patients. Dr Patrick Cregan, the recently retired chair of the Nepean Blue Mountains Local Health District, said:

Would you get on an aeroplane with 102 other people if there were only 100 seats on the plane? Well of course not, but that is what they expect patients to put up with in Penrith. I say go to your piggy bank, you've got \$10.4 billion in it, and spend it out here at Nepean where it's desperately needed.

On 7 September Nepean Hospital's emergency director, Dr Rod Bishop, said that his department was under a lot of pressure and needed more beds. Dr Bishop said, "This department is around 12, 13 years old—

[Interruption]

**The Hon. WALT SECORD:** Deputy President, I seek an extension of time of five minutes.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** There is no provision under the standing orders for that.

**The Hon. JOHN AJAKA (Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism) (10:33):** The Government opposes this motion. We will deliver on our 2015 commitment to the redevelopment of Nepean Hospital. Prior to the 2015 State election, the New South Wales Government committed \$4 million to plan for the next stage of a major redevelopment at Nepean Hospital.

**The Hon. Walt Secord:** Point of order: There was a miscommunication at the conclusion of my contribution. I sought leave for an extension of time. I misunderstood and did not hear the advice but I was seeking another five minutes to complete my speech.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** There is no provision under the standing orders for what the member seeks, and that is not a point of order.

**The Hon. JOHN AJAKA:** I submit that the clock should start again. I have lost half a minute.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** No. Proceed.

**The Hon. JOHN AJAKA:** The district is developing a clinical services plan that will define the health needs of Nepean Hospital's population over the next 15 years. The 2016-17 budget includes \$1 million in planning for Nepean Hospital, in addition to \$1 million already allocated. Planning for the redevelopment of Nepean

Hospital will identify innovative and evidence-based best-practice models of care to further coordinate and integrate hospital and out-of-hospital care to determine the range of clinical services to be included in the redevelopment. Planning is key to delivering the best hospitals to meet the future health needs of the growing population. It is an important tool in determining the scope and size of the project and the funds required for the upgrade.

Unlike Labor, the Government understands that planning is key to delivering the best hospitals to meet the future health needs of the growing population. One example of Labor's failed planning is Bathurst Base Hospital. It was allocated \$98 million, and work was completed in 2008. When it opened, it was such a disaster they had to start rebuilding almost immediately. As the *Sydney Morning Herald* stated on 19 February 2008:

... Ms Meagher yesterday dodged questions on how the Department of Health or the builders or project managers of the new \$98 million Bathurst Base Hospital got the redevelopment so wrong that it failed to meet national patient safety guidelines.

In our first term of government we funded more than \$70 million of important infrastructure projects at Nepean Hospital: a new \$44 million mental health facility, a new \$20 million car park and \$8 million to improve oral health services. Since 2011, the budget for Nepean Blue Mountains Local Health District has increased by 50 per cent from \$500 million to \$743 million today. As I indicated, that is a 50 per cent increase since we came into government. There have been 234 more full-time equivalent nurses and midwives and 70 more full-time equivalent doctors employed in the health district since we came to government in 2011.

Western Sydney is one of the greatest beneficiaries of this Government's record spend on health infrastructure and services. It is our largest growing region and we are investing in redevelopments: Westmead, \$900 million; Campbelltown stage two, \$300 million; Blacktown and Mount Druitt stage two, \$400 million; and Concord, \$150 million. As I indicated, \$4 million has been provided for planning for Nepean Hospital. We have already delivered the first stage hospital redevelopments of Campbelltown, at \$134 million, and Blacktown and Mount Druitt, at \$312 million. As mentioned earlier by the Hon. Walt Secord, let us look at the funding when Labor was in government. In 2010-11 health funding was \$15.2 billion. In our budget for 2016-17, it is now \$20.4 billion—an increase of 32 per cent.

**The Hon. Walt Secord:** Point of order: My point of order relates to relevance. There are four items in my motion, and at no point is there a discussion of overall statewide funding. The member is diverging from the motion.

**The Hon. Dr Peter Phelps:** To the point of order: In the mover's own speech on the motion he took a very wide and discursive look at health services around the State, including a range of things that were not directly related to Nepean Hospital. By his own standards he should not have made this point of order because he has made what is clearly a discursive argument around a range of health issues.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** I think that is right. The mover's speech was quite broad in its interpretation. I think the Minister is entitled to go some way, keeping in mind the nature of the motion.

**The Hon. JOHN AJAKA:** The Hon. Walt Secord talks about elective surgery figures. I remind the Hon. Walt Secord that the percentage figures for elective surgery under this Government are close to 100 per cent. The figures are much improved since we came into government. The Hon. Walt Secord will remember that when he moved a similar motion on 29 October 2015, I was able to demonstrate the huge increase in work undertaken by this Government to improve elective surgery figures, which had been extremely disappointing. Of course, they are very much better today. Under this Government, 100 per cent of urgent surgery is completed on time, 98 per cent of semi-urgent surgery is completed on time, and 96 per cent of non-urgent surgery is completed on time. That is compared to the Labor Government's relative figures of 89 per cent, 69 per cent, and 75 per cent for similar surgery. In addition, under the Labor Government, 89 per cent of cataract surgeries were completed within the clinical benchmark, but under this Government that figure is 98 per cent.

Under the Labor Government in 2010, only 69 per cent of total knee replacements were completed within the time frame. Under this Government, that figure is 95 per cent. When members opposite were in government it was okay that that figure was around 60 per cent; they would brag about their great record. They are now complaining that the figure is 98 per cent. It is clear that this motion should be amended to congratulate this Government and the Minister for Health. The Minister should be congratulated on the great work she has done during the five years that she has been responsible for the Health portfolio. She has rectified all of the problems that members opposite created. The bottom line is that if the Labor Government had undertaken the necessary work, provided the appropriate resources, and done some planning during its 16 years in office, we would be in a much better position today. The Minister for Health—

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order! I encourage members on both sides of the Chamber not to interject and argue over the Minister.

**The Hon. JOHN AJAKA:** First and foremost, the Minister for Health had to rectify the problems created by the Labor Government during its 16 years in office. She is doing that and moving us ahead; she is continuing to ensure that New South Wales has the best health system in the country. That is what the statistics demonstrate, but members opposite will not accept it. I take this opportunity to note that the Government recognises the incredible and important work done by all staff at Nepean Hospital—the doctors, the nurses, the other clinical staff, the administrative staff, and all of the support staff who ensure that the hospital functions each and every day. I offer them a heartfelt thank you for the work they do. As I indicated, the Government opposes this motion. It is nothing more than Labor spin; it is nothing more than members opposite trying to hide from the fact that their Government failed the people and the health system of New South Wales. This is their way of camouflaging that fact.

**The Hon. GREG DONNELLY:** I move:

That this debate be now adjourned until the next sitting day.

**The Hon. John Ajaka:** I oppose that motion.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** The question is that the motion to adjourn the debate be agreed to.

**The House divided.**

Ayes ..... 12  
Noes ..... 18  
Majority.....6

#### AYES

Buckingham, Mr J  
Field, Mr J

Donnelly, Mr G (teller)  
Mookhey, Mr D

Faruqi, Dr M  
Moselmane, Mr S  
(teller)  
Shoebridge, Mr D  
Wong, Mr E

Secord, Mr W  
Veitch, Mr M

Sharpe, Ms P  
Voltz, Ms L

#### NOES

Ajaka, Mr J  
Brown, Mr R  
Cusack, Ms C  
Gallacher, Mr M  
Maclaren-Jones, Ms N  
(teller)  
Nile, Reverend F

Amato, Mr L  
Clarke, Mr D  
Farlow, Mr S  
Gay, Mr D  
Mallard, Mr S

Blair, Mr N  
Colless, Mr R  
Franklin, Mr B (teller)  
MacDonald, Mr S  
Mitchell, Ms S

Pearce, Mr G

Phelps, Dr P

#### PAIRS

Houssos, Ms C  
Primrose, Mr P  
Searle, Mr A

Harwin, Mr D  
Mason-Cox, Mr M  
Taylor, Ms B

**Motion negatived.**

**The Hon. GREG PEARCE (10:52):** What an embarrassment for the Labor Party, putting forward the Hon. Walt Secord as a spokesman on Health! What a fiasco! What an embarrassment! The Hon. Walt Secord could not even plan his own speech; he could not deliver it on time or on budget. And then what does he do? He leads the Labor Party in an embarrassing retreat, running away from its own motion and its own stunt.

**The Hon. Greg Donnelly:** Point of order: The member who is contributing to debate is reflecting on the mover of the motion. He knows that that is inappropriate and I ask you to call him to order.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** There is no substance to the point of order.

**The Hon. GREG PEARCE:** I think that this House and the people of New South Wales should thank the Hon. Walt Secord for reminding us of the disastrous 16 years of Labor in government. Let us face it: The Hon. Walt Secord had his fingers all over that disastrous period of government. What an embarrassment it was for Labor and what a disaster it was for the people of New South Wales to have Labor in government for 16 years.

**The Hon. Walt Secord:** Point of order: My point of order relates to relevance. Again this is a personal attack. I remind you of your eloquent comments last night when you spoke of how you held dear your responsibility as Deputy President of this Chamber. I ask you to bring the member back to the motion before the House.

**The Hon. Dr Peter Phelps:** To the point of order: There was a lot of noise in the Chamber but I believe the member was talking about the historical underfunding of hospitals in New South Wales. If a member cannot refer to the historical underfunding of New South Wales it is difficult to make an argument relating to the necessity for funding under this Government and possible problems within the existing hospital structure.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** If I am interrupted again I will call members to order. There is a motion before the House. I ask the Hon. Greg Pearce to address the motion that is before the House. I recognise that latitude is given but I think he is starting to stray from the point. I also remind all Government members that a member of the Government has the call. He is entitled to be heard in silence.

**The Hon. GREG PEARCE:** Thank you, Mr Deputy President. What we have seen this morning is a continuation of Labor's ineptitude. The reason that the Liberal-Nationals Coalition had to get into government in 2011 was to reverse Labor's infrastructure underspend, to fix the infrastructure backlog and to fix the economic mess and budget mess that Labor left us. It is entirely appropriate for me to record and to point out that the Hon. Walt Secord—who led the stunt this morning and who failed so badly—was part of the Labor Government that failed to deliver for the people of New South Wales. The Hon. Walt Secord chose Nepean Hospital where the record of this Government is outstanding. In our first term in office we delivered \$139 million of improvements to Nepean Hospital. Minister John Ajaka has already referred to those excellent works. That was delivered because of the hard work of the member for the region, Stuart Ayres, after Labor had held the seat for decades and did nothing but leave a big mess.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order! I call the Hon. Shayne Mallard to order for the first time. He will cease interjecting.

**The Hon. GREG PEARCE:** This Government will deliver on its 2015 commitment to the redevelopment of Nepean Hospital. As we have seen, Labor cannot be trusted to deliver. Labor cannot be trusted to plan. Labor cannot be trusted to fund anything. Prior to the 2015 State election the New South Wales Government committed \$4 million to plan for the next stage of a major redevelopment at Nepean Hospital. Unlike those on the other side, we recognise that planning is essential. It is not possible to deliver a complex piece of infrastructure without putting in the time and the money to plan.

Opposition members cannot plan for the delivery of a speech or the delivery of a stunt, so how can we expect them to deliver on a complex matter such as the redevelopment of a hospital? It has been very entertaining to be involved in the debate this morning—a wonderful reminder to the people of New South Wales what a disaster Labor can be. It has been a true delight to witness it again today and, in particular, to listen to the contribution of someone who aspires to be a Minister but who never will be.

**The Hon. Walt Secord:** Your file is stamped "Never to be released", Greg.

**The Hon. Greg Donnelly:** Point of order—

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order! I call the Hon. Walt Secord to order for the first time. He raised the question of attempting to be fair in the chair. I have called the Hon. Shayne Mallard to order for the first time for the same reason.

**The Hon. Greg Donnelly:** My point of order is about the way the member is conducting himself and his remarks. Saying that a member on this side of the Chamber will never be a Minister is casting a reflection on that member. Equally, we could say that the Hon. Greg Pearce is an ex-Minister and make fun of him, but we do not. I ask that the Hon. Greg Pearce be reminded to confine his contribution to the motion and not reflect on members on this side of the House.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** That is a point fairly made. The Hon. Greg Pearce may proceed.

**The Hon. GREG PEARCE:** I make one comment about a matter that was raised by the Deputy Leader of the Opposition in his truncated, unfinished speech. He mentioned the commitment of this Government to



infrastructure, to building the health facilities, educational facilities, roads and schools that the people of New South Wales need to prosper, and he attempted to trivialise it with a strange reference to the good work of this Government in building the new convention centre at Darling Harbour. I think that was an off comment. It shows that members opposite are not competent ever to be entrusted with government in this State, and we must keep reminding the people of New South Wales that that is the case. We only have to compare their record with the fantastic work being done by Jillian Skinner, Stuart Ayres and this Government. We are repairing the budget, building a strong economy, correcting the infrastructure backlog left by the mob opposite and growing New South Wales. The message is clear: Keep supporting this Government.

**The Hon. DANIEL MOOKHEY (11:01):** The statistics that the Hon. Walt Secord cites in his motion should be a cause for alarm for all members of this House. On 30 June 2016 Nepean Hospital was deemed to be the most under-pressure hospital in the State, with more than 51.8 per cent of patients waiting longer than four hours in the emergency department and 3,037 patients waiting for elective surgery. There are 3,037 patients waiting for the outcome of this debate to understand the extent to which members take this matter seriously. They want a clear signal from us all that we are not politicising their plight and that we are indeed using all the power available to us to draw attention to what is happening in the city's west so that those patients can have some confidence that this Parliament is acting on their concerns. That is why I commend the Hon. Walt Secord for moving this motion.

The numbers tell one story; the full story can be comprehended only if we hear all the stories. We should listen to the words of Dr Nhi Nguyen. She is in charge of the treatment of those patients and she has said publicly, "We are absolutely desperate." The full impact of those 3,037 patients who are waiting for elective surgery is given true weight only when we hear the comments of the former chair of the Nepean Blue Mountains Local Health District—the governing body of that hospital. He said, "Would you get on an airplane with 102 other people if there were 100 seats on the plane? Well of course not but that is what they expect the patients to put up with in Penrith. I say go to your piggy bank. You have \$10.4 billion in it; spend it out here in Nepean where it is desperately needed." The Nepean Hospital emergency director, Dr Rod Bishop, said on 7 September—nearly two weeks ago—that his department was under a lot of pressure and needed more beds. He said:

This department is now around 12, 13 years old and we've doubled the number of patients we've seen... so we're really struggling with capacity.

He further stated:

The real challenge for us is getting them into the hospital, admitted and into a ward bed so we can see another patient.

He concluded:

We have people waiting more than a day.

The reality is that those stories prompt a question to which this House should turn its attention to resolving, and that is whether this is an acceptable standard for patients in the New South Wales health system. If this was happening in the city's east, on the city's North Shore or in Liberal Party heartland—

**The Hon. Shayne Mallard:** It is our heartland.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order! I remind the Hon. Shayne Mallard that he is on one call to order. I can easily place him on two calls to order. Mr Scot MacDonald should take note of that as well.

**The Hon. DANIEL MOOKHEY:** The reality is that it does not take six years to act. If the Government had taken action those 3,037 people would not have been insulted when the State budget allocated only \$1 million to a planning exercise. The head of the emergency department and the head of the local health district have said that the situation is urgent and action should have been taken much earlier. The reality is that we are in danger of creating a segregated health system in this State in which only some people have access to world-class health care and others are made to labour while the Government dillydallies. It is an affront. More action should have been taken much earlier. It begs the question why did this Government not act earlier? Why has it taken the Government six years to act on this crisis? It did not wait six years to build a bridge in Nepean that no-one wanted—it was built at record pace. The Government was more than capable of building a bridge that no-one wanted, but it is not capable of rebuilding a hospital that everyone needs.

It did not take this Government six years to commit \$1.6 billion to a stadia strategy or to empire building in certain parts of this city, but it has taken it six years to take action for the patients of Nepean Hospital. It did not take the Government six years to build the Tibby Cotter bridge, which is a \$38 million monstrosity in the city's east that was built as part of a secret plan to rebuild a stadium. That \$38 million could have been used to alleviate the pressures at Nepean Hospital. The Government has had multiple opportunities during its tenure to choose to

put the people of Nepean first. It has had multiple opportunities to take action. It has made a choice; the problem is it did not choose the patients of Nepean Hospital.

The Government has said that building hospitals requires planning, money and investment, and that it is working through the various options that are available for Nepean Hospital. Yet the Government was able to do all that in secret for five regional hospitals to reach an outcome for the people of Bowral, Goulburn, Maitland, Wyong and Shellharbour. The only way the people of Nepean will receive the hospital they need is if they are prepared to see it privatised and allowed to be run for profit, and if they are prepared to accept it is legitimate for the profit motive to take precedence over patient needs and patient care in the New South Wales public health system.

If such a model were to be adopted in Nepean Hospital the hospital would become symbolic of what is going on in this State: Some patients have access to private beds while many others wait for access to public beds. The Government needs to step forward today and say that not one cent of the \$1 million that it put aside in this year's budget to plan for the rebuilding of Nepean Hospital will go towards the privatisation of that hospital. If the Government is spending \$1 million to bring in management consultants, accountants, bankers and lawyers to run the ruler over its plans in order to hock the hospital to the private sector then it is not an upgrade at all. The Government could take the opportunity presented by the debate on the Hon. Walt Secord's motion to rule out the extension of its privatisation plans to the people of the Nepean.

**The Hon. Shaoquett Moselmane:** Where was Greg Pearce?

**The Hon. DANIEL MOOKHEY:** I acknowledge that interjection. The Hon. Greg Pearce had that opportunity but he did not take it up. The urgency and the crisis is reason enough for Nepean Hospital to have precedence in the public debate, but there are plenty of other reasons. Our population is decentralising. More and more citizens of this State are living in the vicinity of Nepean Hospital. If the Government were serious about adapting public services to match public need it would have acted on this much faster, because it has known from the very beginning about the trends that it now says are the reasons for the delay. There is no reason the Government could not have acted before now.

Labor has a very clear policy: Labor has said that rebuilding Nepean Hospital will be our number one priority if we come to government. We will make it a priority for a very simple reason—the obligation to put people's health first. Health is more important than stadiums and bridges to nowhere. This project should have precedence for those reasons. The Labor Party has said that the upgrade to that hospital will happen.

**The Hon. Rick Colless:** Are Bridges for the Bush bridges to nowhere?

**The Hon. Walt Secord:** He is talking about the Nepean River Bridge.

**The Hon. DANIEL MOOKHEY:** I acknowledge the interjection of the Hon. Walt Secord. The bridge to nowhere that apparently has precedence over the Nepean Hospital is the Nepean River Bridge—the \$49 million bridge that the Government wants to build out there. That \$49 million could have gone towards alleviating the pressure on the emergency department at Nepean Hospital. I invite Government members to visit the Nepean area and ask the people: Would you prefer \$49 million to go to your emergency department or should the bridge have precedence? We will be asking the people that question in 2019—rest assured. In fact, we will be asking that question well before 2019. The reality is that health has priority over \$49 million bridges for a reason. Labor has a clear policy and a clear commitment. It did not take Labor members long to make that policy commitment because we understood how quickly the crisis was developing. We understood that in the absence of action this crisis would only get worse. We put a policy on the table; where is the Government's policy?

**The Hon. SHAYNE MALLARD (11:13):** I oppose the motion. It gives me great pleasure, as a member of the Government, to defend Nepean Hospital against this outrageous political attack because I am probably the only member of this Parliament who was born in Nepean Hospital. This motion is deceptive and irresponsible. I say the motion is deceptive because the mover—the Hon. Walt Secord, once a backroom operator in the failed Labor Government—has kicked down the door of this Chamber and brought with him the failed political tactics of the Obeid-Keneally Government. It is a page out of their mentor Graham "Richo" Richardson's book, *Whatever It Takes*. The stench still lingers on that side of the Chamber.

**The Hon. Greg Donnelly:** Point of order: It is well known that it is out of order to reflect on a member of this place. I am prepared to give the Hon. Shayne Mallard a bit of latitude but he is clearly out of order.

**The Hon. John Ajaka:** To the point of order: The honourable member was talking about members opposite; he did not reflect on a particular member.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order! I was not listening closely to the debate. There is a motion before the House. It does not provide an opportunity to slag off everyone in the Chamber. I ask the member to address his comments to the motion.

**The Hon. SHAYNE MALLARD:** This motion is part of the Opposition's determination to do whatever it takes to get back into government. It is designed to spread fear, insecurity and even panic in the population—in this instance, the population of Penrith. It is disgraceful. Motions such as this are designed to undermine the health workers—the good nurses, the good doctors and the other hardworking medical professionals—at Nepean Hospital. In fact, this motion undermines those working in the general health sector across the State of New South Wales. The member can smear the best health Minister this State has ever had—Jillian Skinner—because it is part of her job to deal with that sort of thing, but the member should not, in debate on this motion, smear the hardworking health workers at Nepean Hospital. It is a disgrace. This motion is but part of a political tactic to white-ant our world-class health system and, more seriously, to white-ant the confidence and security of our community, many of whom in Penrith are very vulnerable. It is a disgrace.

The Hon. Walt Secord is always willing to appear on television. He knows only one word: crisis. The only crisis today is the Hon. Walt Secord's credibility and his wobbly strategy. Nepean Hospital is a critical piece of government health infrastructure in the greater Western Sydney area. It is part of the Nepean Blue Mountains Health District. Hospitals are not just infrastructure—I do not fancy the word "infrastructure"—because they form part of the soul of the community. Hospitals are the fall-backs, the backstops, the safeguards; they offer peace of mind and improve the wellbeing of residents, who need to know that hospitals are there for them when they need them.

Listening to the Hon. Walt Secord one would think that Nepean Hospital is the only hospital in Western Sydney. In his speech he did not mention any other hospitals. Apart from Royal Prince Alfred Hospital, which I assume he might attend, and Nepean Hospital, he implied that there are no other hospitals. The member never mentioned the hospitals at Westmead, Blacktown, Mount Druitt, Campbelltown or Liverpool. They are all major, expanding hospitals in a major growth area but they are not in key seats that the Labor Party is targeting—they are not on the list of whatever-it-takes seats. The Hon. Walt Secord has Penrith in his sights and Nepean Hospital is a tool. Its community, patients and medical staff are the innocent political fodder in this political game. It is a disgrace.

Let us consider some facts about Nepean Hospital. Nepean Hospital services the growing Penrith region and has looked after the health needs of patients in outer Western Sydney and the Blue Mountains on its current site since 1956. As I said, I was born there only eight years later. With continuing population growth in the region, it is absolutely critical that investment in Nepean Hospital keeps pace with the changing needs of the community. I am glad the Hon. Walt Secord finds this funny. I am making careful points.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order! I remind the member that he must address his remarks through the Chair. He should not have a discussion across the table.

**The Hon. SHAYNE MALLARD:** I am clearly under scrutiny.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** You are.

**The Hon. SHAYNE MALLARD:** The Government continues to make record investments in the local health district budget. This Government has invested more than \$70 million in upgrades at Nepean Hospital since 2011. These include upgrades to mental health and oral health facilities and additional car parking facilities—there was no car park at the hospital under Labor—as well as the State's first da Vinci robot, to name just one example of some of the new equipment that is being rolled out across the hospital. Since the Liberal Party came to government the allocated recurrent budget for the Nepean Blue Mountains Local Health District has increased by almost 50 per cent, from \$500 million to \$740 million. The Government is currently investing \$4 million in planning the major redevelopment upgrades at Nepean Hospital. This work is currently underway. As we speak, Health Infrastructure NSW is finalising the clinical plan for Nepean Hospital—planning to make sure that it is done well. As we promised, that is happening in this term.

Since 2011 there has been an increase in the number of nurses. More than 234 new nurses have been employed across the district and 70 new doctors have been employed in the local health district. Nepean Hospital's emergency department and elective surgery performances have also improved dramatically since Labor was last in office. Those figures were not cited by the Hon. Walt Secord in his speech—or maybe they were in the part he did not deliver. Despite a 28 per cent increase in the number of emergency department presentations, that improvement has been dramatic: More people are being treated in the emergency department within four hours.

Furthermore, there have been improvements in the percentage of elective surgery cases completed within professionally determined time frames. Urgent surgery within 30 days has increased from 93 per cent under Labor

to 100 per cent under this Government. Similarly, semi-urgent surgery within 90 days has improved from 71 per cent under Labor to 83 per cent in all categories under this Government. The community in Penrith and across Western Sydney and in the Blue Mountains who use Nepean Hospital consistently receive better service under this Government than they ever had under the previous Labor Government. The hospital figures prove that.

I turn now to Labor's record on Nepean Hospital. It is not a pretty picture. Not a lot was done at Nepean Hospital under Labor. Let us face it, the Penrith electorate, in which the hospital is located, has been one of Labor's safest seats for most of the past 50 years. It was represented by long-serving Labor members, many of whom were Ministers, such as Peter Anderson, who was a Minister for Health, Ron Mullock and Faye Lo Po—to name just a few. The Greiner Government started to do some work on Nepean Hospital, but no real investment in the hospital occurred until 2011, following the Liberal-Nationals Government's election. Even Walt's Facebook page bears that out.

**The Hon. Greg Donnelly:** Point of order—

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order!

**The Hon. SHAYNE MALLARD:** I apologise, Mr Deputy President. I should have said the Hon. Walt Secord. On the Facebook page of the Hon. Walt Secord—it is not called that—he posted an attack on Nepean Hospital. At 4.53 that day Michael McHugh wrote about Nepean Hospital, "I'm not surprised. I worked there in the ED between 2007 and 2009"—and who was in government then?—"and it was horrendous then." Guess what? Walt gave that comment the thumbs up on Facebook, indicating his approval of it. I am quoting from Facebook: The Hon. Walt Secord approved it.

The outstanding local member for Penrith, the Minister for Trade, Tourism and Major Events, and Minister for Sport, the Hon. Stuart Ayres—Penrith has never had a more energetic and respected local member—is doing the work. The Hon. Stuart Ayres has done some research on Labor's promises for Nepean Hospital. In the mode of "whatever it takes" and hoping no-one looks at Labor's promises and pulls apart its announcements, the Labor Party committed during the most recent State election campaign to investing in Nepean Hospital and stated that a Labor Government would set aside \$351 million for its redevelopment—immediately. As I said, the Baird Government has made a commitment to spend \$4 million on planning the upgrade of the hospital before going ahead with any upgrade work, according to the Nepean Blue Mountains Local Health District Strategic Plan. That makes sense, does it not?

**Mr Scot MacDonald:** Yes.

**The Hon. SHAYNE MALLARD:** A policy document on the Labor Party's website states, "The final decision on the project design will be made following \$4 million for the planning process." In other words, Labor has adopted the very same approach. The funding proposal attached to the Labor Party's document entitled "A Better Way—Labor's fully funded infrastructure plan" allocates only \$116 million for infrastructure across the entire State in its first year. Do members understand that? Labor promised a \$351 million immediate spend on the upgrade, yet Labor's budget for the first year for infrastructure across the whole State was \$116 million.

**The Hon. John Ajaka:** That does not make sense.

**The Hon. SHAYNE MALLARD:** It does not make sense and it does not add up.

**The Hon. Walt Secord:** It does not make sense the way you spell it out.

**The Hon. Dr Peter Phelps:** It does not compute.

**The Hon. Walt Secord:** I do not understand.

**The Hon. Dr Peter Phelps:** Computer says no!

**The Hon. SHAYNE MALLARD:** Yes—computer says no. Labor promised \$351 million during its campaign in Penrith and hoped no-one would revisit that paperwork. Labor's entire infrastructure plan for its first year in office was only \$116 million. The Labor Party told the people of Penrith a big lie when it said that Labor would spend \$370 million on the hospital immediately—even before \$4 million was spent on responsible planning. The Labor Party's policy states that it does not have the money to deliver—Labor had only \$116 million, and where was that coming from? That means that Labor cannot be trusted to deliver in the future. The key point in this debate is that, based on Labor's track record, it cannot be trusted to deliver in the future. Labor has a track record of glossy brochures, big announcements and spending without planning. We all remember the \$500 million wasted on the abandoned central business district metro rail line to Balmain, which was cancelled by the Keneally Government. The Hon. Walt Secord was Premier Keneally's chief of staff. Although \$500 million was wasted, not a rail was laid. That is indicative of the leadership displayed by Labor in relation to planning.

Labor's style of holding out on fulfilling election promises is also evident in relation to health—no planning, glossy brochures and cancelled projects. This evidence and Labor's own policy demonstrate that the people of Penrith and people throughout New South Wales cannot trust the Labor Party to deliver on the redevelopment of Nepean Hospital or any other hospital. At the 2015 election the New South Wales Government announced that it would plan the long-term future upgrade of Nepean Hospital, which is a responsible approach to planning, funding and delivering community health infrastructure. That is the solid record on which the New South Wales Government stands—not doorstops, not irresponsible motions, not creating fear in a community, not undermining the important work of all the staff at Nepean Hospital, and not undermining the morale of our health workers.

To the doctors, nurses, administrative teams and plethora of other support staff who make Nepean Hospital function every day—my grandmother worked at the hospital—I say a heartfelt thankyou on behalf of the Government. I thank them for their hard work and commitment. The New South Wales Government does not underestimate their commitment to health and will not undermine staff morale. I urge members to reject this motion and recognise it for the fearmongering tactic it is.

**The Hon. COURTNEY HOUSSOS (11:25):** I commend the Hon. Walt Secord for moving the motion and for bringing this matter to the attention of the House. The motion states:

That this House:

- (1) notes that the independent Bureau of Health Information reports that as at 30 June 2016, Nepean Hospital was Sydney's most under pressure hospital with more than 51.8 per cent of patients waiting longer than four hours in the emergency department and 3,037 patients waiting for elective surgery;
- (2) expresses disappointment that the Baird Government has committed only \$1 million in the 2016-17 budget towards stage four of Nepean Hospital's much-needed \$370 million upgrade;
- (3) supports the more than 200 residents who attended a community rally outside Nepean Hospital on 28 August 2016 demanding the Baird Government provide the upgrade to Nepean Hospital; and
- (4) commends NSW Labor leader Mr Luke Foley MP for committing to the upgrade.

It is important to establish that Nepean Hospital is a teaching hospital in conjunction with the University of Sydney within the Nepean Blue Mountains Local Health District. It provides high-level inpatient and outpatient care. Its services include emergency, surgical, intensive care, coronary care, maternity, gynaecology, neonatal intensive care, diagnostics, and a range of outpatient services. I take this opportunity to pay tribute to the many hardworking nurses, doctors and allied health and support staff who work at Nepean Hospital every single day. The problem is that Nepean Hospital is the most under-pressure hospital in New South Wales. Nepean Hospital is at breaking point. It is Western Sydney families who are bearing the brunt of this Government's failure to provide the upgraded services that they deserve.

Last year more than 67,000 people attended Nepean Hospital's emergency department, but, as the motion states, the latest independent data shows that more than one in two people had to wait longer than four hours in the emergency department. That is the longest waiting period in the entire State. The hospital serves one of the fastest-growing regions of New South Wales. It is an area in which the Government is quite happy to approve new homes and to encourage people to move to, but it will not provide people with the health services they deserve. This Government would not put up with that if it was happening in Sydney's eastern suburbs or if it was happening at Royal North Shore Hospital and on the northern beaches, but it is quite happy for the poor residents of Western Sydney to bear the brunt of its failure to act.

After six years in government it is trite for Government members to blame Labor. It is time for Government members to pull up their socks and take responsibility for the priorities that their Government has set. The reality is that over the past six years one of the major regional hospitals in the Sydney Basin, if not the entire State, has had \$1 million—I repeat: \$1 million—allocated towards planning. This is something that I speak about often. When a family is considering where to move to, they usually look at the different government services that are provided in an area such as local schools and local hospitals. When they find out that their local regional base hospital is the hospital under the most pressure in the State, how can this Government expect the people of Western Sydney to find that to be acceptable?

I was in Lindsay on the day of the recent Federal election, the day of a great Labor victory in Western Sydney. I saw firsthand the anger of the community. The election was held about 10 days after the State Government decided it would put only \$1 million towards the Nepean Hospital upgrade. People walked into the polling stations saying it was a disgrace that the only people who would stand up for Nepean Hospital were those on this side of the House. We know that wherever people live in New South Wales, they should be entitled to the same level of health care. However, the people who present at Nepean Hospital, despite the best efforts of the hardworking staff at the hospital, are not being provided with that care.

Those opposite described this motion as a smear or say that we on this side of the House are spreading lies. But I can tell them that they should wait until the 2019 election—that the member for Mulgoa and the member for Penrith can happily march off to the 2019 election—standing on their record of a promise made four years ago that has not been delivered. The people who interact with this hospital, those on the ground who know, tell us that they want a representative who will stand up for them. For that I commend the shadow Minister for Health and the Western Sydney members of Parliament who were at the rally, including the member for Blue Mountains and the member for Londonderry. They showed that they stand up for their local communities by saying that it is not acceptable that more than one in two people who turn up to the emergency department of Nepean Hospital requiring immediate care have to wait for more than four hours for that care.

Media stories earlier this year told of women requiring elective caesarean surgery being told, "Sorry, we do not have space for you at Nepean Hospital, so instead we will send you up the road to Katoomba." It is absolutely outrageous that this Government is happy to stand behind its \$1 million promise of planning money, whilst women are being forced to travel up the road to get elective surgery. We should not expect this of Nepean Hospital, which is a major hospital. But those opposite need not take our word for it. The Australian Medical Association [AMA] New South Wales President, Professor Brad Frankum, said that the strain of State and Federal cuts was affecting Western Sydney hospitals. He said he had visited Nepean Hospital on 6 September and doctors who spoke about conditions at the hospital were "very worried". If those opposite are not prepared to listen to the people working in the system—the doctors, the nurses, the allied health professionals, the support staff—who are they listening to?

**The Hon. Shaoquett Moselmane:** This Government won't listen.

**The Hon. COURTNEY HOUSSOS:** It just will not listen, because being in government is about priorities. This is one of the fastest growing regions in New South Wales. There is a need for more than simply a drop in the bucket—

**The Hon. Shaoquett Moselmane:** Point of order: Mr Deputy President, I know that Government members do not want to listen to Opposition contributions to this debate, but I ask that you ask them to listen to the member's contribution in silence.

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** Order! There has been audible conversation in the Chamber on occasions during this debate, but I did not think that was the case now. The member may proceed.

**The Hon. COURTNEY HOUSSOS:** I turn to Labor's commitment, which was made more than two years out from an election. It is unusual for an Opposition to make such a \$370 million commitment at this time, but we did so because it is urgently required. We hope that the people of Western Sydney, the people who use Nepean Hospital, will not have to wait until a Labor government is elected in 2019. Instead, we hope that this Government will get the message that the people of the Nepean region deserve better. We hope the Government will commit to the \$370 million upgrade. That is what this debate is about. We are sending a message to this Government, who will not listen, that it is time to deliver.

The motion refers to the rally that was held and the fact that hundreds of local people turned out. They were led by the Leader of the Opposition, Luke Foley, the shadow Health Minister, Walt Secord, the shadow Minister for TAFE, Prue Car, the member for Blue Mountains, Trish Doyle, the Federal member for Lindsay, Emma Husar, Gerard Hayes of the Health Services Union [HSU] and Nepean Hospital's Dr Ronald Chin. This shows that a range of community members wanted to send a message to the Baird-Grant Government.

**The Hon. Shaoquett Moselmane:** Where was Jillian?

**The Hon. COURTNEY HOUSSOS:** That is a very good question. The message was that the pledge by the Minister for Health of \$4 million for planning is just a drop in the ocean compared to what is required for the Nepean Hospital upgrade. The Labor commitment will provide an enhanced comprehensive cancer centre with chemotherapy; radiation and oncology services; enhanced renal, cardiology and neurology services; a new high-dependency unit; new and enhanced birthing suites; and an enhanced emergency department. The redevelopment will address many of the problems raised in this debate, including the lack of emergency department capacity, the inability of the hospital to meet additional maternity and postnatal care requirements, and the insufficient capacity in cardiology, renal, respiratory, neuroscience, aged and palliative care.

Those opposite can rail against Labor's record and make promises about funding, but the reality is that in 2019, when the people vote in the next State election, they will be voting on the future of their hospitals. At that time I would much rather be on this side of the Chamber as Labor has made a commitment for an improvement to services at Nepean Hospital. Those opposite will be standing on their record, and the member for Mulgoa and

the member for Penrith should be very concerned about the Government's failure to deliver for the people of Western Sydney.

**Debate adjourned.**

### *Bills*

## **ALCOHOLIC BEVERAGES ADVERTISING PROHIBITION BILL 2015**

### **Second Reading**

**Debate resumed from 15 September 2016.**

**Mr DAVID SHOEBRIDGE (11:37):** I will make a brief contribution to the debate on the Alcoholic Beverages Advertising Prohibition Bill 2015. There are large parts of this bill that I would personally support and, indeed, are consistent with The Greens' policy platform. These parts relate largely to restrictions upon the advertising of alcoholic beverages, and particularly restrictions on the alcoholic industry supporting, sponsoring and promoting sporting events. There are other parts of this bill that we do not support. I think it goes too far, and we particularly do not support the parts providing for a declaration of local option areas within which the purchase, sale, delivery or consumption of alcoholic beverages would be an offence. We do not support that part. But the concept behind the bill is a good concept. The concept behind the bill is that the alcohol industry has far too pervasive access to advertising material and the way in which the alcohol industry, particularly the big players, promote their products is dangerous to the health of society.

We banned tobacco companies from advertising at and sponsoring sporting events decades ago, yet we still allow our national sporting team to be sponsored by a brand of beer. I want to make it clear that drinking Victoria Bitter [VB] does not help one's sporting performance, such as cricketing performance. In fact, the lovely chemical rasp that VB gives is something to be enjoyed every so often, but it has nothing whatsoever to do with supporting sports events. Indeed the consumption of alcohol, as a general rule, can be deleterious to one's sporting activities. Debunking the idea that alcohol makes someone some kind of proud sporting achiever is important. We should not be allowing the alcohol industry to sponsor sporting events, particularly for young people who associate sporting success with drinking beer or alcohol. That is a link we should be breaking by prohibiting the alcohol industry from sponsoring sporting events.

When it comes to advertising in the more traditional media, any member of the Chamber now could get a copy of the *Daily Telegraph* or the *Sydney Morning Herald*, and on page 2, 3 or 4 they would find full-page ads for discount alcohol, two-for-one options: "Buy 6—get a 10 per cent discount" or "Buy 12—get a 20 per cent discount, and we'll throw in an extra case of beer." Our two major newspapers in this State are saturated with alcohol advertising. Is it any wonder that, when it comes to dealing with the insidious problems that alcohol advertising can bring, their campaigns are entirely focused on venues? One will read nothing in the *Daily Telegraph* or the *Sydney Morning Herald* that deals with the saturation advertising to be found in both those papers, which is one of the key problems in respect of encouraging alcohol abuse. Over the last three years one probably could have read half a dozen editorials about the problems of alcohol in society. Each time those editorials ran in those papers, one could also have found two, three or four pages of full-page spreads promoting purchases of cheap, bulk alcohol.

**The Hon. Dr Peter Phelps:** Hear, hear!

**Mr DAVID SHOEBRIDGE:** I note the interjection from the Hon. Dr Peter Phelps, cheering that on. It just goes to show how insidious alcohol advertising is. The Greens do not support a prohibition on cellar door advertising—of course we need small producers, in particular, to be able to do cellar door advertising, advertise on the labels of their bottles and advertise at the point of sale. Those things are necessary. We do not have a view on prohibition of alcohol. Indeed, we do not support the lockouts that we see on alcohol and the idea that the only solution to the damage that alcohol causes is shutting bottle shops at 10.00 p.m.—

**The Hon. Dr Peter Phelps:** Shame.

**Mr DAVID SHOEBRIDGE:** I note that interjection, and I agree with it. Meanwhile, they allow this pervasive alcohol advertising all across the spectrum—social media, print media, electronic media—and both major parties pretend that shutting bottle shops at 10.00 p.m. is really going to fix it. I think we need to look much more deeply at that. I think this bill, whilst there are parts I disagree with, at least allows us to have that discussion and the opportunity to hopefully raise the bar, if you like, for the debate on alcohol. With that brief contribution, I will leave the balance of the debate to other members of my party.

**Debate adjourned.**

**LAND AND PROPERTY INFORMATION NSW (AUTHORISED TRANSACTION) BILL 2016****Messages**

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** I report receipt of a message from the Legislative Assembly agreeing to the Legislative Council's amendments.

*Motions***PARALYMPIANS**

**The Hon. SHAYNE MALLARD (11:44):** I move:

- (1) That this House notes that:
  - (a) on Monday 12 September 2016, Australian paratriathlete Katie Kelly claimed gold in the women's PT5 Triathlon alongside sighted guide Michellie Jones at the Rio De Janeiro Paralympics; and
  - (b) Katie was born with a degenerative disease that has over time reduced her sight but has overcome the challenges brought by the disease to become a champion of triathlon.
- (2) That this House congratulates:
  - (a) Katie Kelly on her gold medal winning performance in the 2016 Rio De Janeiro Paralympics;
  - (b) the entire Paralympic team for their commitment to being the very best representatives of Australia on the highly competitive world sports stage; and
  - (c) Michellie Jones for her commitment to Katie's continued success in triathlon as Katie's sighted guide.

Those who are parents, uncles, aunts or carers will know what it is like to spend the weekend in the car travelling from the football field to the netball court and then back to tennis or maybe hockey. Becoming a weekend taxi service is almost a de facto part of the Australian dream when people have kids who play sports. Weekdays for kids of this type at school are filled with getting onto the oval at lunchtime to play some muck-around games, play football or just run around the field and getting out of school as soon as they can.

Imagine growing up with five brothers and sisters, all of whom are heavily involved in sports in one way or another. At age 13 or 14 you start representing your local area in your chosen sport, just like your older siblings have done. For you, Saturday mornings cannot come around quick enough. Then, at age 20, when you have just got your driver's licence so you can drive yourself to the games, you are told that you have a rare degenerative disease which will degrade your sight to about 30 per cent by the time you are 35 and that you will be legally blind by the age of 40. That is not all: you will wear hearing aids for the rest of your life as your hearing also deteriorates.

That is Katie Kelly's story—but it is not her whole story. Imagine progressively losing your sight and hearing and still managing to complete a bachelor's degree at Griffith University; receive a master's degree from the University of Technology Sydney; work in high-profile sports industry roles with brands such as the National Rugby League [NRL], Melbourne Storm, ANZ Stadium, Newcastle Knights and Athletics NSW; and do pro bono work as media liaison officer for the Australian Blind Cricket team. While you are doing that, you continue to compete in able-bodied events like the TCS New York Marathon, place first at the ITU World Paratriathlon, become ranked thirteenth in the world for paratriathlon, win a World Championship title and then win Australia's first Olympic gold medal in paratriathlon. That is Katie Kelly's story.

That is also the story of the Paralympics. Every one of these athletes has a story like Katie's—overcoming hardship to win big not just at the Paralympics but also in day-to-day life. I like the way Katie put it in a recent interview after her win at the Chicago World Championships:

All my fellow athletes, some of them are amputees, some are in wheelchairs, the common thing we all have is yeah, ok, there's certain limitations we have but there's obviously a lot of capabilities we do have and it's just tapping into those things that you can do.

It is also telling that her stated career highlight before the Paralympics gold medal had nothing to do with her own individual success on the sports field. Instead she says it was the honour and the atmosphere she shared with members, players, coaching staff and the management team of Melbourne Storm after their NRL Grand Final success in 1999.

I now turn to Michellie Jones. A spirit of shared determination and success shone through in her post-Olympic interview—shared between Katie Kelly, sometimes called KK or "The Animal" and her sighted guide, Michellie Jones. Members who are interested in their story should look at their interview on YouTube. The affection these two athletes have for each other is a symbol of the kinds of bonds the Paralympics can forge and also of the kind of relationship we should all have with those in our community who live with disabilities. Michellie is herself a two-time world champion triathlete, an Olympic silver medallist and an ironwoman. She



plays a role we too should play as community representatives, that of enabler and supporter of those with varying abilities. Despite all the individual success one could hope for as an athlete, in a reference to winning gold at the Paralympics alongside Katie, Michellie says:

This is so much better because when I think of everything KK has been through and to be able of doing everything she's done in such a short amount of time ... To me this is the best thing that I've ever done.

Michellie's and Katie's attitude is indicative of the spirit that sports should always be played in—a spirit that is especially strong amongst Paralympic athletes. It is also a spirit encapsulated by the story of the parakayaker Curtis McGrath. In August 2012, Sapper McGrath, a combat engineer in the Australian Army, was leading a team searching for improvised explosive devices [IEDs] in Afghanistan's Oruzgan province. He had been tasked to clear an unoccupied police checkpoint and missed an IED. He reportedly walked past it a number of times before finally, sadly, stepping on it, detonating it and immediately losing his legs and injuring his left wrist and hand.

After losing his legs, he followed a rigorous rehabilitation regime, including six hours of physiotherapy a day, with the initial aim of simply getting back onto his prosthetic feet. He then decided to aim a little higher and just eight months after first picking up a paddle McGrath won gold in the V1 200 canoe at the 2014 World Championships in Moscow. He backed that up at the Rio Olympic Games by winning for Australia the gold medal in the para-canoe KL2 competition. These are just a couple of highlights of the games, which focus not only on winning medals but also overcoming serious hurdles. It is great that we are debating this motion today because the Paralympians arrived back in Sydney this morning. It is wonderful that we can acknowledge their success and their contribution to our nation on the day of their triumphant return.

Overall, Australia as a nation achieved its fair share of wins, as we did at the London Olympic Games in 2012. Our athletes brought home 22 gold medals in a medal tally of 81, which saw us placed fifth overall behind countries with significantly larger populations, including China, Great Britain, and the United States. We performed well across a broad range of events, including track cycling, swimming, para-athletics, and team sports such as wheelchair rugby. As I said, the team members arrived in Sydney this morning, and fans are invited to a special welcome home celebration in Martin Place from 12.30 p.m. on Tuesday 4 October to congratulate them on their achievements.

The Paralympic Games are not only about bringing home gold for one's country; they play a vital role for people around the world living with a disability. Not only do they play a social role—one in which those with a disability can see what is possible even with overwhelming constraints—but they also play a technological role. Paralympic sports evolved from the medical rehabilitation programs of the 1950s. The objective of a rehabilitation program is to regain a level of function for the client. For an athlete with a disability, the highest expression of that return to function is to compete at an elite level at the Paralympic Games. The relentless desire to return to function has been at the heart of ethos of the Paralympics since it first started.

The first Paralympians were no different from Katie Kelly or Curtis McGrath. In fact, war and injuries sustained on the battlefields of the Second World War have a great deal to do with the genesis of the Paralympics. The first internationally significant gathering of Paralympians was in 1948. The gathering was organised by Jewish, German-born Dr Ludwig Guttman, a refugee from Nazi Germany. It was hosted as a sports competition for British Second World War veterans with spinal cord injuries. Those games were known as the "1948 International Wheelchair Games", and were intended to coincide with the 1948 Olympic Games. Dr Guttman's aim was to create an elite sports competition for people with disabilities that would be comparable with the Olympic Games. In 1952, Dutch and Israeli veterans joined the British contingents. Then, eight years later in 1960, the first official Paralympic Games not restricted to war veterans was held in Rome.

Following the consistent growth of the event, the International Paralympic Committee [IPC] was established in 1988 to administer the Games. That was not very long ago. The IPC, quite rightly, does not shy away from what it sees as its vision for para-athletes. It has summarised those goals as follows: enable—creating conditions for athlete empowerment; para-athletes—the primary focus from initiation to elite level; achieve—sporting excellence is the goal of a sport-centred organisation; and inspire and excite—touch the heart of all people for a more equitable society. Through sport, the IPC's core idea is that para-athletes challenge stereotypes and transform attitudes, and in so doing help to increase inclusion by breaking down social barriers and discrimination towards people with an impairment. They are noble goals. The Australian experience of the Paralympic Games that I have outlined certainly suggests that we are well on our way to achieving that goal in this country.

There is another interesting aspect to what the Paralympic Games represent; that is, the question of our relationship with technology. Significant new technological developments in wheelchair design and prostheses have occurred to satisfy the demands of elite athletes. That is demonstrated by radical equipment designs such as seated throwing chairs, racing wheelchairs and running prostheses. As technological advances continue to provide opportunities for improved athletic performance, an ongoing challenge for international sporting bodies is to

determine if the use of a given technology represents "performance enhancement" or, rather, is "essential for performance". Paralympics is said to be where "technology fuses with the human form". In a world in which sport is constantly marred and muddled by the question of doping and performance enhancing drugs, the Paralympics represents an alternative model and raises a different question.

It is a question being asked by Professor Pielke Jr, who has written a soon-to-be released book *The Edge: The War Against Cheating and Corruption in the Cutthroat World of Elite Sports*, which points out that sporting bodies have not yet begun to grapple with what the future could bring. He points out that Paralympians have not only overcome their adversity to return to function or to lead "normal" athletic lives, but have in fact started to exceed the feats of able-bodied athletes. Some are doing superhuman things. Pielke thinks—and it is possible that he is correct—that in future people will tune into the Paralympics to see human beings doing things that we do not see done at the Olympic Games. As he says in a recent article:

They will run faster, they will jump farther, they will do incredible things because that is the place technology fuses with the human form.

That is in many ways a reflection of the rest of society, where we continue to make technological advancements at a blistering pace. I do not believe that it is too much of a stretch to suggest that the technological advances being made in assistive devices such as wheelchairs and prosthetics are also making their way into consumer markets.

We need to push the boundaries at the Paralympic Games not only for the sake of the sporting spectacle but also to ensure that those advances made in the elite field of athletics find their way into the hands of those who are less fortunate in their athletic ability and who need assistance to live their daily lives enjoying a healthy level of physical activity. The rise of the Paralympics goes to the heart of the kind of society or humanity we want to see. Do we want a society where people—not only elite athletes but also young kids growing up with disabilities—across New South Wales can use the latest technology to overcome their physical limitations and to compete with their able-bodied friends on a sports field on a Saturday morning? Yes, I think we do. I commend this motion to the House, and congratulate Katie and Michellie and the rest of the team on their success.

**The Hon. LYNDIA VOLTZ (11:56):** I support this motion and congratulate the Hon. Shayne Mallard on moving it. It is most appropriate that we are debating it on the day on which the Paralympians have returned to the lucky country. The world owes a tremendous debt to the female para-athletes of the past who fought for equality through the Olympic movement. They have achieved ground-breaking social changes in our perception of people who traditionally have not had access to sporting assets that are owned by all Australians.

Australia fielded 177 athletes at the Paralympic Games, 53 of whom were from New South Wales. The team achieved an outstanding fifth place in the medal tally, with 81 medals, including 22 gold, 30 silver and 29 bronze. There are insufficient superlatives to describe the performance of these elite athletes. Australia's top performing medallists were all young women. I refer in particular to the swimmers who led the charge, including Ellie Cole, Maddison Elliott, Lakeisha Patterson and Tiffany Thomas Kane, who between them won a tremendous 21 medals. I point out that more than half of the New South Wales delegation were female athletes.

I will highlight the achievements of a number of those New South Wales athletes. Andrew Edmondson from Randwick was a member of the wheelchair rugby team, which won a gold medal; Angie Ballard from Camperdown participated in the athletics competition and won silver in the women's 4x400 metre relay, bronze in the women's 100 metres, and bronze in the women's 400 metres; Christie Dawes from Merewether won silver in the women's 4x400 metre relay; Daniel Fitzgibbon from Mona Vale won gold in the two-person keelboat competition; and Erin Cleaver from Charlestown won bronze in the women's 4x100 metre relay. I will detail Ellie Cole's achievements later, suffice it to say at this time that she won an extraordinary number of medals.

Erin Cleaver from Charlestown won bronze in the women's 4x100 metre relay; Erik Horrie from Penrith won silver in the men's single sculls; Jodi Elkington-Jones from Kellyville Ridge won bronze in the women's long jump and bronze in the women's 4x100 metre relay; Jonathan Harris from Oatley won gold in the three-person keelboat; and Jonathan Milne from Mulgoa won bronze in the men's individual compound open in archery. I will speak more about Kurt Fearnley but we know he won a silver and a bronze medal. Liesl Tesch from Woy Woy won gold in the two-person keelboat.

Maddison Elliott is another athlete I will speak about later because she won so many medals. Madison de Rozario from Campsie won silver in the women's 800 metres and silver in the women's 4x400 metres relay; Matt Levy from Northbridge won bronze in the men's 200 metre individual medley in swimming; Ryley Batt from Port Macquarie won gold as part of the wheelchair rugby team; Taylor Doyle from Oakville won silver in the women's long jump; and Tiffany Thomas Kane from Killara won gold in the women's 100 metre breaststroke, bronze in the 50 metre freestyle, bronze in the 50 metre butterfly and bronze in the 200 metre individual medley—another person with many medals.

That list makes it clear that athletes from New South Wales were a dynamic part of the Paralympic team. As I will mention shortly there were tremendous performances from all 53 members of the New South Wales team. In particular, as I am an old Granville girl myself, I would like to talk about Granville Paralympian swimmer Ellie Cole who bagged a total of six medals, with two gold, three silver and a bronze medal to complete the set. This is her third Paralympics. She won three and six medals respectively at the Beijing and London Paralympics. At Rio Ellie won gold in the women's 100 metre backstroke and 4x100 metre freestyle relay; silver in the 400 metre freestyle, 50 metre freestyle and 4x100 medley relay; and bronze as part of the 4x100 metre relay team.

Maddison Elliott from Gillieston Heights, who I mentioned earlier, picked up five medals in various swimming events, with gold medals in the women's 50 metre freestyle, 100 metre freestyle and the 4x100 metre freestyle relay alongside her teammate Ellie. She also picked up a silver in backstroke and the women's 100 metre medley relay team. Maddison, at the tender age of 13, was the youngest Australian Paralympian ever to win a gold medal when she was part of Australia's winning 4x100 metre freestyle relay team at the London Paralympics.

Another Hunter local, Kurt Fearnley, a five-time Paralympian from Newcastle, co-captained the Australian Paralympic Team. He is probably one of our proudest Paralympians. He rounded out his Paralympic career with a silver in the men's marathon and a bronze in the men's 5,000 metre event. Many of us saw that tremendously close finish in which Kurt was just a second off winning another gold. He has won medals at each of the five Paralympics at which he has competed since the Sydney Paralympics in 2000 and has won four consecutive medals in the men's marathon event.

Despite being pipped for the gold by just one second in the marathon event at Rio, he was grateful for and proud of the progress he had made. The fact that he came thirty-second in his marathon race at the Sydney Paralympics did not hold him back. In fact it made him more determined to do better and gave him something to build on. It is fair to say that the perseverance and tenacity he showed paid off as he turned that start around to win back-to-back gold medals in the men's marathon in Athens and Beijing followed by a silver medal in London and now a bronze medal in Rio. He has been elected to the Athletes' Council of the International Paralympic Committee, which is well deserved.

The Australian men's rugby team, the Steelers, won gold in overtime by one point over the United States team—everybody who watched that game was thrilled by it—claiming its place in the history books as the first team ever to win consecutive Paralympics and world title championships in a four-year period. Andrew Edmondson from Randwick, Cameron Carr and Ryley Batt of Port Macquarie were all on the team. A clearly ecstatic Taylor Doyle from Girraween Athletics Club picked up a silver medal in the women's long jump and smashed her personal best in the process. The women's 4x400 metre athletics relay team picked up a silver medal, with Angie Ballard from Camperdown; Christie Dawes from Merewether; and Madison de Rozario from Campsie, who I have mentioned, on the team. The women's athletics team also picked up a bronze medal in the 4x100 metre relay, with Erin Cleaver of Charlestown and Jodi Elkington-Jones of Kellyville Ridge on the team.

The Paralympic squad receives approximately one-tenth of the funding given to the Australian Olympic squad, which makes these results all the more remarkable. These are elite athletes and they should be funded accordingly. The biggest crowd at the Rio Olympic Games was found at the Paralympics. On one Sunday 170,000 people turned up. That is a lesson to be learned by governments that are looking at events, event funding and where an event is marketed. That turnout was a remarkable achievement. The Federal Government must consider funding the Paralympic squad, in particular, the Winning Edge program. When I attended a Football Federation Australia event I was surprised to find out that the Pararoos had not been funded for the Paralympics. They had to go cap in hand to get money to go to the Paralympics. It is hard enough for elite athletes with a disability; they should not be expected to fundraise on top of that.

I understand what was driving the Winning Edge program but it is probably not the best use of money or the most appropriate approach. Much better outcomes can be achieved simply by backing athletes. I am sure that the review of the Olympics and the Paralympics will show that. In conclusion I say a great big thankyou to Channel 7 for its coverage of the Paralympics. It is important to cover the Paralympics. Channel 7 gave the Paralympics wall-to-wall coverage and all of Australia is grateful that it did. I hope it continues to do that because the Paralympics are fantastic.

**The Hon. JOHN AJAKA (Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism) (12:06):** I will speak briefly in debate on this motion. I thank the Hon. Shayne Mallard for moving it and I also thank him for clearly outlining the history, aims and mission of the Paralympics. Paralympians are an inspiration not only to people with disability but also to each and every one of us. This morning our Paralympic heroes touched down at Kingsford Smith Airport, fresh from their outstanding top five finish at Rio. This is a fantastic result not just for them but also for all Australians and for Australian sport. In the medal tally they beat nations such as France, Italy, Brazil, Germany and, probably most importantly, the Kiwis. They won almost four times as many medals and more than twice as many gold medals as the Kiwis. My friend and

parliamentary colleague in the other place the Minister for Sport, Stuart Ayres, informs me that our Paralympian team broke multiple world records. The Hon. Shayne Mallard's motion states:

- (a) on Monday 12 September 2016, Australian paratriathlete Katie Kelly claimed gold in the women's PT5 Triathlon alongside sighted guide Michellie Jones at the Rio De Janeiro Paralympics. Through the media I watched the end of that race on a number of occasions and I never tire of doing so. What an enormous and wonderful effort! The Hon. Lynda Voltz listed many wonderful champions and their great feats so I will not repeat each and every one of them, but I thank her for putting that on the record. However, I will mention some of our champions. James Turner from Wollongong broke the men's 800 metre T36 world record to claim his first Paralympic gold. Teenager Maddison Elliott from Newcastle broke the world record time in the women's 50 metre freestyle S8. Lakeisha Patterson from the Sunshine Coast set a new world record in the women's 400 metre freestyle S8. I am truly in awe of our team's achievements against global powerhouses. Their standout performance and result undoubtedly deserves a hero's welcome. I strongly encourage everyone to attend the welcome home celebration on 4 October, starting at 12.30 p.m. in Martin Place. Everyone should show their pride and congratulate our heroes who have dedicated so much energy to represent our country on the world stage.

Importantly, our Paralympians highlight how people with disability can achieve anything they want to achieve. Again, I note the comments that the Hon. Shayne Mallard made about the many achievements of Katie Kelly. Indeed, the Paralympics reinforces one of the key priorities of the New South Wales Government. We wish to enable and empower people with disability to live life their way, to have choice and control over their life, whether it is successfully implementing the life-changing National Disability Insurance Scheme, which will give them choice and control over the supports they receive; whether it is delivering innovative landmark reforms such as the National Disability Inclusion Act and the New South Wales Disability Inclusion Action Plan; or whether it is working hard to end stereotypes and promoting the capability of people with disability through the Don't DIS my ABILITY campaign. That campaign made it clear to one and all that everyone should be judged on their ability or, in many cases, their many abilities.

We continue to work in a number of ways to ensure that people with disability—like our Paralympians—realise their potential and live life in the way that they want. When we talk about an inclusive community there is no greater example of being part of the Australian community than through our love of and for sport. It is not just a matter of loving and watching sport; we love participating in it. The Paralympians have proved to one and to all that nothing will restrict them from participating in the much-loved Aussie way of life. Congratulations to our Paralympic heroes. Our community, our State and our country are proud of them. There is no doubt that they truly are our great Australian ambassadors.

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water)**  
**(12:11):** I thank the Hon. Shayne Mallard for moving this worthy notice of motion and for giving us all an opportunity not only to speak about the incredible performance of our triathletes but also to speak about the whole Paralympic team. The Hon. Shayne Mallard and other members concentrated on the success of those triathletes, but I take this opportunity to highlight another fantastic result from the Paralympics. Our Australian wheelchair rugby team, the Steelers, defended their Paralympic gold medal with an epic victory over their nemesis; they edged out the United States 59-58 in double overtime. The 12,500-seat Olympic arena in Rio had been sold out for days for the sport they call murderball. Members may remember that last year a murderball event was held next to the church opposite Hyde Park where Australia and New Zealand played an epic battle.

**The Hon. Dr Peter Phelps:** Has it not been euphemised to wheelchair rugby?

**The Hon. NIALL BLAIR:** It is called wheelchair rugby but we know it as murderball. From memory, a documentary was also entitled *Murderball*. The squad comprised Ryley Batt, Chris Bond, Cameron Carr, Andrew Edmondson, Nazim Erdem, Ben Fawcett, Andrew Harrison, Josh Hose, Jason Lees, Matt Lewis, Ryan Scott, and Jayden Warn. The squad, captained by Ryan Scott, contained eight members of the team that won gold in London, beating Canada 66-51 in the decider. The Steelers won the twenty-second and final Australian gold medal of the Rio 2016 Paralympic Games. Australia joined the United States when it too became Paralympic champions for the second time since the sport gained full Games status in 2000. I have had the privilege of meeting 27-year-old Ryley Batt from Port Macquarie who is one of the most outstanding players of this team. Ryley scored 27 goals in the final to take his tournament tally to 158 goals. He played competitively for the first time in 2002 before he represented his country for the first time the following year in Japan.

At the Athens 2004 Paralympic Games Ryley became the youngest wheelchair Paralympian at the age of 15. Athens was also a turning point for the then teenager. His provincial classification of 2.5, a mid-pointer, was overturned and he was classified at the Games as 3.5, a high-pointer. This required him to adapt to the new responsibilities on court, which has seen him lift his game to a new level as he is responsible for almost half of the team's total point allocation whenever he takes to the floor. Ryley is now widely regarded as the best wheelchair rugby player in the world. During the London 2012 Paralympics Ryley led the team to victory, scoring 160 goals during the tournament, including 37 in the gold medal match.

It is unfair to highlight the success of one individual in a team. As I said, I have had the privilege of spending time with Ryley and listening to him speak. He is an absolute inspiration to many wheelchair athletes, not only in this country but also around the world. He attributes a lot of his success to his upbringing. His parents did not allow him to take any shortcuts and one of the funniest stories he tells is of being a young child at the beach. His parents sat him down on the sand while his siblings went for a swim. He looked up at his dad and thought, "How am I going to get to the water?" His dad said, "Off you go", so he dragged himself across the sand to get to the water. He describes himself as looking like a crumbed schnitzel or a crumbed cutlet by the time he got to the water, but that is his sense of humour.

For a long time he refused to use a wheelchair. While at school on the mid North Coast, he would drag himself around on a skateboard. However, when he first used a wheelchair he felt another level of freedom, which eventually led him to wheelchair rugby. I attended a function with Ryley and when we were entering the venue we had to cross a deep gravel path. As Ryley reached the path, he rocked back in his wheelchair, taking the front wheels off the ground and slowly, one wheel after the other, made his way through the gravel path until we reached a hard surface. He is an inspirational player. The statistics for his performance on the court speak for themselves. He is also a ruthless player who is as tough as nails. The sport is not called murderball for fun; it is a clear description of an extremely tough sport. Congratulations to all our Paralympians, particularly the Australian wheelchair rugby team. Congratulations to Ryley on another outstanding contribution and on leading his team to gold.

**The Hon. SARAH MITCHELL (12:18):** As other members have done, I speak in support of the motion moved by the Hon. Shayne Mallard. It is particularly pertinent that we make a contribution to debate on this motion today because the Paralympic team arrived home this morning. I also acknowledge Katie Kelly and Michellie Jones who are mentioned in the motion. The Hon. Shayne Mallard gave a really good overview of their sporting careers and how they have worked together. I congratulate them on their success in the women's PT5 triathlon in Rio de Janeiro. Katie was born in Casino, and it is good to see another regional athlete doing great things on the world stage. Coming from the northern part of the State, she is a great advocate for regional New South Wales.

Like the Hon. Niall Blair, I would like to concentrate on one athlete who competed at the Paralympics. In that respect, I associate my remarks in the main to paragraph 2 (b) of the motion moved by the Hon. Shayne Mallard. However, before doing so, I make mention of the advertising campaign for the 2016 Rio Paralympics. The Hon. Lynda Voltz spoke about the coverage on Channel 7. I agree; it was excellent, and it was good to have it available for everybody to watch, to support and to be excited about. It was good to be able to cheer for our Paralympians from home.

The "We're the Superhumans" advertising campaign that was running in the lead-up to the Paralympics was brilliant. It was one of the best, if not the best, advertising campaigns I have ever seen. I was not aware of it—I had not seen it on television—but my brother, Luke, told me about it. We were having a dinner at my sister's house and we all watched it on YouTube. It is heartfelt but compelling and it uses amazing footage. I loved it and I thought it sent a great message because Paralympians certainly are superhumans. I give a shout out to the creative minds behind that brilliant campaign.

As I said, I want to speak about one athlete. The athlete I have chosen to speak about today is not from New South Wales—she is a Victorian girl called Madeleine Hogan. She was born with a left-arm limb deficiency. I wanted to talk about Maddy because she is a very good friend of my cousin, Alex, and her husband, Ed. I will get to the connection between Maddy and Ed shortly. Maddy has had a very distinguished athletic career. She is a world-leading javelin thrower in the F46 category. She is also a State-level cricketer and a skilled golfer.

Rio was Maddy's third Paralympics. In Beijing and London she won bronze medals. She came fifth in Rio. Her fifth placing is an amazing achievement because in November last year she had a complete knee reconstruction. She was not even sure whether she would recover enough to be able to make the team to go to Rio. I think most people would agree that to get to Rio and to come fifth is a massive achievement. Even though she did not win a medal, Maddy's dedication to overcoming the knee reconstruction, competing at her third Paralympics—she is only 28; she has plenty of time for future Paralympics—and to come fifth is amazing. I have met Maddy only once, at my cousin's wedding, but I found her to be really funny. She has a very dry sense of humour and those who meet her find her really inspiring. I thought it was appropriate to give her a bit of a shout-out today, even though she is a Victorian. We will not hold that against her. For me she embodies what the Paralympics are all about.

I said earlier that there was a connection between Maddy and my cousin, Alex, and her husband, Ed. Ed Howarth lost his leg in a motorbike accident in Gunnedah when he was about 15. Before Ed lost his leg he was a very good local athlete—a rugby player and a swimmer. Since losing his leg—and overcoming the injury that became part of his life as a teenager—he has continued to play rugby. I think he still plays for the Gunnedah

Red Devils—if I am wrong I apologise. Ed trained for the Paralympics in Melbourne, and it was there that he got to know Maddy. That is the connection to my family. Ed was involved in athletics as a discus thrower. He was a potential candidate for the Australian team that was competing in the London Paralympics but unfortunately he tore a ligament so he had to retire. That process showed my family how much commitment and dedication it takes to be able to compete at the Paralympic Games. It is a massive commitment and there are issues involving one's work-life balance.

There was a point at which Ed had to make a decision about whether he would work or train. He is only in his twenties and Ed and Alex were probably not in a position that would enable him to do both effectively. Unfortunately, his injury ruled him out and he was not able to compete as a Paralympian, but it provided me with an insight into how much it takes to compete at that level. Paralympians need support not just from their coaches but also from their families, their partners, their parents and their children. It takes a lot of effort by everyone—not only our athletes—to reach the elite level of Paralympian. When we talk about how proud we are of our Paralympians it is important also to acknowledge the families and the support crews that make this happen. With a serious commitment from everybody our amazing Paralympians are able to achieve great things. This is a great motion because we are proud of our Paralympians. It is apt that we are acknowledging them in the House today. I congratulate the Hon. Shayne Mallard on moving this motion and I wholeheartedly support it.

**The Hon. BEN FRANKLIN (12:25):** I thank everyone who has spoken in this debate. It has been an excellent debate and an example of what this House should do in acknowledging genuine community heroes. I particularly thank the Hon. Shayne Mallard for moving this motion. Acknowledging role models is important, and that is what we are doing today. The motion is not just about Katie and Michellie but about the entire Paralympic team. I echo the Hon. Lynda Voltz's comments about public understanding and the visibility of the Paralympics, including the coverage of that event. It is extremely important that all members of the community can see what extraordinary athletes these people are. I endorse what the Hon. Lynda Voltz said. The predominant focus of this motion today is on Katie Kelly and Michellie Jones. As we all know, Katie Kelly is a paratriathlete who won a gold medal in the women's PT5 triathlon alongside her sighted guide Michellie Jones at the Rio De Janeiro Paralympics. It was not just a gold medal for Ms Kelly and Ms Jones but the first Australian gold medal for a Paralympic triathlete in an extremely competitive field.

Ms Kelly—or "team KK", as she likes to call herself—was born with a degenerative disease called Usher syndrome, which has slowly downgraded her eyesight. Eighteen months ago Katie was declared legally blind and as such she has only tunnel vision. Kelly came into her own in the paratriathlon after years of experience in the sport. Before fully committing to the elite paratriathlete field, she had spent five years competing in many different triathlons and marathons, including the Alice Springs Marathon, the Port Macquarie Ironman in 2013, as well as the Darwin Triathlon Long Course and the Midnight Sun Marathon held in Norway in 2014.

Katie Kelly, a former Casino resident, is from the Northern Rivers region of New South Wales. She attended St Mary's Catholic College before eventually moving to a boarding school and attending university on the Gold Coast. Not letting her illness slow her down for one second, Ms Kelly thought that, with her eyesight failing, rather than give up she would use it as a motivating force. In fact the very day she was informed her eyesight had deteriorated to the point where she was legally blind she contacted Triathlon Australia to inquire about competing as a vision-impaired athlete. Ms Kelly is also losing her ability to hear but such things do not stand in her way.

She found her partner in success by joining forces with two-time International Triathlete World Champion and Australian Olympic medallist Michellie Jones to act as her companion and guide. Michellie has more than 30 years of experience in triathlons. Ms Kelly went on to win her first World Paratriathlon Event [WPE] race on the Sunshine Coast. This was followed by earning WPE gold medals in Yokohama and being crowned the PT5 Australian National Champion, all of which led her to the Paralympic Games in 2016 in Brazil. At Copacabana Beach the pair beat British combination Alison Patrick and Melissa Reid, who had to settle for silver, in a time of one hour, 12 minutes and 18 seconds over the three legs comprising a 750-metre swim, 22.28 kilometres of cycling and a five-kilometre run.

As they approached the finish line, Michellie Jones said, "KK, we're going to get on that blue carpet—you can enjoy it," and Ms Kelly thought, "No, I'm going to get to the finish line first." And she did. During their training the duo always had the motto "enjoy the moment", and I think we all can agree that they are certainly doing that with style and panache. Ms Kelly's guide, Michellie Jones, was a Sydney 2000 Olympian who celebrated her forty-seventh birthday this week. Michellie said of their gold medal, "This is the best birthday present, thanks KK! We don't have a cake, but the gold medal will do just fine." The tight-knit duo now plans to celebrate their victory Brazilian style: "Caipirinhas. And then maybe another one", Ms Kelly said.

Katie Kelly and Michellie Jones are two of the outstanding members of the incredible Australian Paralympic team, who all touched down at Sydney Airport today direct from Rio and who are celebrating their

top-five medal tally finish at the 2016 Paralympic Games. This incredible team of athletes broke four world records and achieved a stunning total of 81 medals, including 22 gold medals. It is certainly one of the team's most successful Games to date, competing at the highest level. The 2016 Australian Paralympic Team comprises 178 athletes, 57 of whom either were born in or live in New South Wales. Our team competed in 16 of the 22 sports in 2016. Australia is one of only 12 nations to compete at every Summer Games since Rome in 1960, so Australia has a long and competitive history in the Paralympics.

The concept for the Paralympic Games was devised in 1948 by Sir Ludwig Guttmann, an English neurosurgeon. Mr Guttmann organised the first International Wheelchair Games to coincide with the 1948 London Olympic Games. His vision was to provide athletic therapy for people in wheelchairs. Under Guttmann's guidance, radical changes in the methods of treating people with spinal cord injuries were introduced. Guttmann recognised the value of recreation and sport as catalysts for rehabilitation therapy. The first Games were held at Stoke Mandeville Hospital in Aylesbury, England, with just a few athletes. The events were more about enhancing the quality of life for people with spinal cord injuries than about competition. In 1952 the Games became the International Stoke Mandeville Games when a small team of Dutch war veterans travelled to England to compete against the British athletes.

An attempt to connect the Olympic Games and Paralympic Games was not made until 1960, when the first Paralympic Games were held in Rome with 400 athletes from 23 countries participating. Athletes competed in archery, basketball, fencing, javelin, shot-put and three swimming events. Since then the Olympic and Paralympic Games have had a parallel existence, being held in the same country or city whenever possible. For our Australian Paralympians, official homecoming functions will be held for the Paralympics squad around Australia in the coming weeks. This will include a special celebration hosted by the New South Wales Minister for Sport, Stuart Ayres, and the Lord Mayor of Sydney, Clover Moore, who will welcome 50 of the Paralympic heroes on Tuesday 4 October from 12.30 p.m. in Martin Place. I encourage all residents of Sydney and New South Wales who are able to attend to make their way to Martin Place and acknowledge such special people in the heart of our State.

I also offer my sincere congratulations to Ms Katie Kelly, Ms Michellie Jones and all the other amazing Australian Paralympic athletes who have represented this country in such a heroic, gracious and courageous manner. I ask the House to join me in celebrating a most deserving team of exceptional Australians.

**The Hon. SCOTT FARLOW (12:33):** I am honoured to support the motion moved by the Hon. Shayne Mallard. I commend him, as I am sure all members do, for moving such an important motion to recognise the contribution of our Paralympic athletes and to celebrate their success in Rio. As members who preceded me in this debate have mentioned, Australia finished fifth in the medal tally, with 22 gold medals at the Rio Paralympics. The Paralympics is the only sporting event that involves all nations of the world, and Australia finished at the top of the medals table, just as we did at the Sydney 2011 Paralympics when Australia won 63 gold medals. Many of us will remember the Sydney Paralympics for the stunning events that were part of the Sydney Olympics festivities. People volunteered for the Sydney Olympic Games and the Sydney Paralympic Games and there was a great buzz in Sydney. I have no doubt that that buzz was felt at the Rio Paralympics as well. As the Hon. Lynda Voltz mentioned earlier, the highest attendance rate throughout the combined Olympic and Paralympic events in Rio was for a Paralympic event, which shows the excitement of and interest in attending events that people do not see regularly.

As the Hon. Shayne Mallard said, the Paralympic Games will host a program of increasingly innovative sports and events that are exclusively Paralympic events as technology fuses with Paralympians. The strong participation by Paralympians in Games events underscores the point that their abilities must be recognised for their significance. In 2011 the Australian Paralympic Committee opened the Paralympic Hall of Fame to recognise individuals who have over time made a significant contribution to Australia's Paralympic success. Three competitors were inducted into the Australian Paralympic Hall of Fame as its inaugural inductees. The first was a male athlete, Frank Ponta, who was one of Australia's first Paralympic athletes and who competed at the 1960 Rome Paralympic Games. Frank Ponta is one of the best wheelchair basketball players ever. Frank was selected in 1962 not only to play wheelchair basketball but also to compete in athletics, fencing and swimming. He also won a silver medal in precision javelin. Later he competed in fencing, basketball and swimming throughout his Paralympic career.

A distinguishing feature between Paralympic Games and Olympic Games is that it is rare in this day and age to see Olympians compete across a number of sporting disciplines whereas Paralympians have set a trend by competing across a range of sporting events. It is most impressive that people with a disability who have an interest in sport are able to reach the pinnacle of so many sports, especially considering the challenges and barriers they face in reaching elite levels of their chosen sport or sports. At the 2016 Rio Paralympic Games Australia's oldest

and very special Paralympian representative was Libby Kosmala, who, at the age of 73, participated in her twelfth Paralympics and won nine gold medals. Libby did an amazing job as part of Australia's air rifle team.

**The Hon. Dr Peter Phelps:** Hear, hear!

**The Hon. SCOTT FARLOW:** I note the interest of the Hon. Dr Peter Phelps in shooting. Libby is not only a shooter; she first competed in swimming and field athletics in 1972 in Germany. Later she took up shooting when she became a member of the National Winter Sports Association and someone suggested that she should give it a go. Libby was met with a great deal of resistance when she announced her intention to become an air rifle shooter, but she persisted and found it amazing. She continues her interest in the sport to this day because it keeps her fit mentally and physically—indeed, more mentally than physically. She believes air rifle shooting is 95 per cent mental ability and is reticent about giving up the sport.

Previously she announced that the 2012 London Paralympic Games would be her last, but she was invited to participate in the 2016 Rio Paralympics because her skill improved as she got older. She has said that she will not participate in future Paralympic Games, but who knows? She may be back to compete at the Tokyo 2020 Games. One of Libby Kosmala's greatest feats was at Seoul in 1980 when she competed with her husband. She won three gold medals and he won one, which shows what an amazing family they are and how they are doing Australia proud.

I also wish to reflect on the feats of sailor Liesl Tesch, who lives in Woy Woy on the Central Coast. She and her partner, Dan Fitzgibbon, sailed into the history books by winning gold in Rio for the SKUD18 class with two races to spare. It was back-to-back gold for Liesl. Her amazing sporting story began when her mother died during her successful campaign for gold in London in 2012. She has made Australia, and especially New South Wales and the Central Coast, proud by winning gold again in Rio. Speaking after the closing ceremony, Liesl Tesch said that winning a gold medal was still to sink in but she confessed to crying loads of times. She said:

The closing ceremony was absolutely spectacular, especially the end, possibly a reflection on the end of my career as an elite athlete.

Liesl Tesch's seventh Paralympic Games, however, were bittersweet, with the decision to retire taken out of her hands as sailing is unfortunately not a part of the Tokyo Paralympic Games in 2020. But she may compete again in 2024.

Earlier I spoke about the Australian Paralympic Hall of Fame. The inaugural female inductee in the hall of fame was Louise Sauvage. I think we would agree Louise Sauvage is one of the most famous Paralympic athletes. Louise was just 16 when she participated at her first International Paralympic Committee Athletics World Championships, where she won gold in the 100 metres in world record time. Apart from being in the hall of fame, Louise's achievements are not insubstantial: She received the Order of Australia Medal in 1993; was the Australian Paralympic Committee Paralympian of the Year in 1994, 1996, 1997 and 1998; the first Laureus World Sportsperson of the Year with a Disability in 2000, the year of the Sydney Olympics; and the Sport Australia Hall of Fame inductee in 2007. Probably one of the greatest honours of her career was lighting the Paralympic cauldron at the Sydney Paralympic Games. She also carried the flag at the opening ceremony of the Athens Paralympic Games in 2004. She has a Sydney ferry, a street and a pathway named after her, as well as numerous school sports houses around Australia.

These achievements show the community's recognition of the wonderful role these athletes play, despite the challenges they must overcome to compete in their chosen sports. They achieve amazing heights on the sporting field. The last person to be inducted into the Australian Paralympic Hall of Fame was Sir George Bedbrook in 2011, although he was not a Paralympian. After graduating in medicine, Dr Bedbrook trained further in orthopaedics in England, where he spent some time at Stoke Mandeville under the tutelage of Dr Ludwig Guttmann, the founder of the Paralympic movement. In 1954 he established Australia's first spinal unit, at Shenton Park, as part of Royal Perth Hospital. There he revolutionised the treatment of spinal injuries by insisting on sterile environments to combat infection, mobility to reduce the effects of pressure sores and an extensive program of sport and exercise. His institution was effectively one of the training institutions for Australia's Paralympians. His legacy lives on today. We recognise great people like Sir George Bedbrook who have contributed to the success of Australia's Paralympians.

The Hon. Sarah Mitchell referred to the United Kingdom's Channel 4 campaign, *We're the Superhumans*. Its theme song, *Yes I Can*, was written by an Australian. This theme reflects the ethos of Paralympians. They are people who face daily challenges but who have overcome those challenges and found a special determination to reach the pinnacle of sporting achievement. I had a blind grandfather. When I was a child I thought it would be great if he would compete at the Paralympic Games. Unfortunately, my Pop did not participate in any sports at the Paralympic Games. But I understood, from having a close family member with a significant disability, the challenges these people have to face and the important support their families give them. What they do to overcome



adversity is awe inspiring. Our Paralympians are faced with challenges that many of us would find overwhelming. But their ethos is "Yes I can" and so they overcome those challenges. It is inspirational that they have reached the pinnacle of their sports by competing at the Paralympics. I commend all our Paralympians and thank the Hon. Shayne Mallard for bringing forward this motion.

**The Hon. NATASHA MACLAREN-JONES (12:44):** I begin by thanking the Hon. Shayne Mallard for moving this important motion. I acknowledge members' contributions to the debate and I join them in showing my support and respect for Australia's Paralympians. I congratulate them on competing at the Games, irrespective of whether they won medals. I particularly note their impressive performances. I place on record my sympathy for those athletes who did not win medals. Our best wishes are with them for their future endeavours.

The Rio de Janeiro Paralympics offered an incredible opportunity for some of our most talented athletes to compete on an international stage. The Paralympic Games ran from 7 to 18 September 2016 and more than 4,350 athletes from 160 nations participated in 22 sports. This year saw the debut of paracanoe and paratriathlon. Of the total number of athletes who took part, approximately 1,650 were women. That number represents almost a 10 per cent increase on London 2012 and more than double the number who competed at the Atlanta 1996 Games. We hope that this trend will continue in coming years. We should be proud of the performance of all our athletes over the past couple of weeks and take pride in the knowledge that these remarkable individuals have inspired, and will continue to inspire, other Australians to work hard to fulfil their dreams.

Close to 180 athletes represented Australia at the Games this year, which was one of our largest teams. We should also observe the Paralympics' role in changing the way that society perceives those with disabilities. Paralympic athletes put a focus on what they can achieve, rather than what they cannot do. These athletes have become role models for all Australians, and I congratulate them on their efforts. The Paralympic team arrived home earlier this morning. Together, they earned 81 medals including 22 gold medals. Their outstanding efforts placed Australia fifth on the leaderboard, and they deserve nothing short of a hero's welcome.

Each athlete has a unique story, which no doubt will inspire young Australians to take up a sport and try a little harder every day. All our athletes share a commonality in their determination and hard work over a lifetime to achieve a place on an Australian team. One such athlete, who has already been mentioned in this debate, is Katie Kelly. Katie claimed gold in the women's PT5 Triathlon alongside sighted guide Michellie Jones. Katie has Usher syndrome, which causes hearing and vision loss. However, she completed a 750-metre swim, 20-kilometre bike ride and five-kilometre run well ahead of her second-placed challenger. Katie's achievements are inspiring. On the day she found out she was legally blind she contacted Triathlon Australia to inquire about competing, resolving that no matter what challenges she faced she would push through. Such passion and drive have clearly paid off. The 2016 Games was the first time the triathlon was included in the Paralympics.

Another fantastic athlete is Daniel Michel. He is 20 years old and was selected as the first and only Australian since Sydney 2000 to compete in boccia at the Rio Paralympic Games. He was born with spinal muscular atrophy type II, and said that he found it difficult to participate in many sports until he discovered boccia. Boccia is a target sport designed for athletes with severe impairments that tests muscle control and accuracy, demanding extreme skill and concentration at the highest level. It is similar to bowls but played indoors with leather balls.

Another great athlete is four-time Paralympian Angie Ballard. She holds two current world records and is 34 years old. She competes in wheelchair racing and has a proud Paralympic record of winning silver and bronze medals at London, Beijing and Athens. Since becoming a paraplegic at the age of seven after a car accident, she has earned several athletics titles and is ranked in the top two for 100 metres and 400 metres wheelchair racing. Angie won bronze in these two events at Rio and attributes her success to her careful preparation and strict schedule. Attending one Paralympics is a great honour, which makes it even more remarkable that Rio is Angie's fifth Games. She is a proud ambassador for athletes in this State.

Another athlete I would like to acknowledge is Tim Hodge, who is only 15 years old, from Western Sydney. He had his lower right leg amputated due to a condition at birth. He has never allowed his condition to affect him and smashed the 50 metres backstroke Australian record in 2013. He was also named Young Citizen of the Year for Blacktown in 2011. Tim is a multitalented athlete, competing in backstroke, butterfly and freestyle over several distances. It takes incredible discipline to train for one Olympic event, let alone eight of them, and Tim has done an outstanding job and made a significant contribution to the team.

Tiffany Thomas Kane is another athlete I would like to mention. She is from Killara and, like Tim, is just 15 years old. She is one of Australia's youngest gold medallists. She was born with a condition causing short stature. In addition to winning gold, she holds the world and Paralympic records for the 100 metres breaststroke. Her other great achievements in Rio include bronze medals for freestyle, butterfly and the individual medley. Tiffany is one of Australia's most decorated Rio athletes. A fantastic role model herself, she trains with her own

role model, James Magnussen, and has said she is motivated to get fitter, swim faster and win more medals in the years to come.

Jonathon Milne was the first Australian Paralympic athlete to compete in archery in 12 years. Jonathon became a paraplegic in 2012 and took up archery, rising to the unique challenge of competing in a wheelchair. Jonathan is the highest-ranked Australian athlete in his class and in his short time in the sport has competed at championships across Australia and internationally. He regularly competes and wins against able-bodied athletes, aiming to make every shot an improvement on the last. Having won bronze in Rio, he has met his goal of making Australia proud—and I am sure he will continue to do so.

Taylor Doyle is from Baulkham Hills. She was born with a brain impairment and has dreamed of competing at the Paralympics since watching Sydney 2000. This year her dream became a reality when she completed in the long jump. While Taylor trains in a multitude of athletic events, it was her performance in the long jump that earned her a silver medal. In addition to her Paralympic pursuits, Taylor has competed at national and international levels, winning medals for long jump and the 100 metres relay. She hopes to inspire other people with disabilities to get involved in sport, and I am sure she is doing that.

I will touch on another extremely important matter: the Australian Paralympic Hall of Fame, which was established in 2011 by the Australian Paralympic Committee to recognise individuals who have made a significant contribution to Australia's Paralympic sport and its promotion within Australia. The hall of fame enhances the profile and understanding of Paralympic athletes and promotes the role of the Paralympic movement in the wider context of Australian sport. Two Australian athletes have been inducted into the Paralympic Hall of Fame. One is Louise Sauvage, who was just 16 when she participated in wheelchair racing at her first International Paralympic Committee Athletics World Championships, where she won gold in the 100 metres in world record time. She went on to change the sport of wheelchair racing by raising the profile and perception of Paralympic sport and Paralympic athletes in Australia and around the world.

In recognition of her significant contribution to sport, she was selected to light the Paralympic cauldron at the Sydney 2000 Paralympic Games and to carry the flag for the Australian team in the opening ceremony of the Athens 2004 Paralympic Games. Furthermore, she was awarded the Medal of the Order of Australia in 1993; was the Australian Paralympic Committee Paralympian of the Year, not just in 1994 but also in 1996, 1997 and 1998; and was an inductee into the Sport Australia Hall of Fame in 2007. She also has a Sydney ferry, a street and a pathway named after her, as well as a number of school sports houses around Australia.

The other inductee into the Paralympic Hall of Fame is Francis Ponta, better known as Frank Ponta. He was one of Australia's most talented and versatile Paralympic athletes. Recognised as one of Australia's greatest wheelchair basketball players, he competed successfully in a number of sports. A tumour on his spine caused paraplegia in 1954 and, having been a talented sportsperson at school, he continued to focus on sport as part of his rehabilitation program. Within three years Frank was chosen to compete in Australia's first disabled sports team at the 1957 Stoke Mandeville Games, where he competed in sabre, shot-put and javelin and was also captain/coach of the basketball team. He won gold in the team sabre and silver in the shot-put, javelin and individual sabre. Between 1957 and 1976 Frank was a member of 10 Australian teams and competed locally in 19 national wheelchair games and basketball competitions from 1960 to 1992. He was also heavily involved in fencing, athletics and swimming and, as I said, was a player in and coach and mentor of basketball teams. For almost 50 years Frank was also a volunteer coach and mentor of junior athletes in Western Australia and was involved in establishing the South Australian Wheelchair Sports Association.

A couple of years ago, I had the honour of opening the first Australian Powerchair Football Association National Championships, which was a fantastic opportunity to see the games and the talent shown by the players. Powerchair football is a competitive sport designed and developed specifically for electronic wheelchair users. Participants include persons with quadriplegia, multiple sclerosis, muscular dystrophy, cerebral palsy, head trauma, stroke, spinal cord injury and other disabilities. Powerchair football combines the skill of wheelchair users with the speed and power of the chair itself to participate in an extremely challenging game similar to that of able-bodied football. The game is played indoors on a basketball court in two halves of 20 minutes by two teams of four players. I was extremely impressed by the skill, ability and speed of the athletes, particularly in manoeuvring around the court. I congratulate all those who participate in this sport, because although it has been operating for decades internationally it is relatively new in Australia. I congratulate all those who participated in the 2016 Paralympics, and I also congratulate the Hon. Shayne Mallard for bringing this important motion to the Chamber.

**Debate adjourned.**

**The DEPUTY PRESIDENT (The Hon. Trevor Khan):** To suit the convenience of members I will leave the chair until 2.30 p.m.

**The PRESIDENT:** Order! According to sessional order business is now interrupted for questions.

*Questions Without Notice*

**HUNTER THOROUGHBRED INDUSTRY**

**The Hon. ADAM SEARLE (14:30):** My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water. Given that this Government has ignored three separate reports of the Planning Assessment Commission which found that the Drayton South mine expansion could not coexist with the equine industry, what is his response, as Minister for Primary Industries, to the globally-recognised Hunter thoroughbred industry's call for protection?

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (14:30):** My agencies have provided plenty of input into the assessments of these projects. Ultimately, the assessments are determinations that are made by portfolios that are not mine.

**The Hon. ADAM SEARLE (14:30):** I ask a supplementary question: Would the Minister elucidate that part of his answer that referred to input made by his agencies, and inform the House what the content of that input was.

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (14:31):** The input and the submissions from those agencies are widely known. In recent weeks I think they were even reported in the media.

**NEWELL HIGHWAY UPGRADE**

**The Hon. SARAH MITCHELL (14:31):** My question is addressed to the Minister for Roads, Maritime and Freight. Will the Minister update the House on his recent trip to Dubbo and on how the New South Wales Government is fast-tracking upgrades along the Newell Highway?

**The PRESIDENT:** Order! The Minister has the call.

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (14:31):** Last week I had the pleasure of being in Dubbo to announce a speed limit change and safety works on the Newell Highway at Blackbutt Road—a notoriously dangerous intersection—with the great member for Dubbo, Troy Grant. The speed limit changed from 110 kilometres an hour to 80 kilometres an hour—

**The Hon. Shaoquett Moselmane:** There is a by-election, is there?

**The Hon. DUNCAN GAY:** Does the member want to make jokes about this? This is where someone was killed. The member should wake up to himself. The speed limit changed from 110 kilometres an hour to 80 kilometres an hour, and will commence 850 metres south of Blackbutt Road, while the \$3 million safety works at the intersection will begin next month. The speed limit changes come after some tragic accidents at this intersection, and the now 80 kilometre an hour speed limit will benefit motorists turning into Kintyre and those driving into Dubbo. We will also be widening the road, which will mean more room for motorists, and we will be clearing vegetation to increase visibility for drivers turning off the Newell Highway. Just as importantly, we have heard loud and clear the community's calls to see the speed limit reduced along this stretch.

Safety upgrades will also include: a merging lane for cars turning left; extending the wide centre line; improving clear zones and road shoulders; and upgrading the nearby rest area to make it easier and safer for motorists to use the intersection. The community has been concerned about safety along the Newell Highway and at this intersection. More and more this Government is delivering for the people of western New South Wales. Upgrades along this corridor are paramount, and we are investing millions of dollars in safety works and in building overtaking lanes. In fact, we are investing \$500 million under Rebuilding NSW, which will fund projects such as bypasses at Parkes and Coonabarabran.

Since 2011 the Government has built 12 overtaking lanes and a further three are under construction on the Newell Highway. That is the real key to safety on these regional highways. It removes the frustration of being caught behind vehicles for kilometre after kilometre, when drivers take risks to pass because they do not have the confidence that passing lanes are in place. During our term in office we have put in place 12 passing lanes on this section of the Newell Highway, with another three under construction, which is pretty damn good. The Newell Highway is the backbone of regional New South Wales and we are doing our best to make it safer and easier for motorists and freight operators. That is why we are delivering upgrades such as these, the likes of which have not been seen before. Whether it is a regional trucking business—

**Mr Jeremy Buckingham:** What about the trains?

**The Hon. DUNCAN GAY:** The lunatic Greens say, "What about the trains?" The inland railway is not built yet. The Newell Highway is an important part of regional New South Wales. If members of The Greens went to the bush and understood regional New South Wales they would know that there is a need for an upgrade of the Newell Highway. [*Time expired.*]

#### GREYHOUND RACING INDUSTRY BAN

**The Hon. WALT SECORD (14:35):** My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water. Given that video reports are stating that Minister for Transport Andrew Constance has promised leading media identities that he will reverse the greyhound racing ban, how will he ensure that Wentworth Park is not turned into an indoor sports stadium or luxury apartments?

**The PRESIDENT:** Order! The Minister has the call.

**The Hon. NIAL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (14:36):** I refer the member to my answers to questions relating to Wentworth Park yesterday.

#### HOSPITAL PUBLIC-PRIVATE PARTNERSHIPS

**Mr JEREMY BUCKINGHAM (14:36):** My question without notice is directed to the Hon. Duncan Gay, representing the Premier. Given our experience with Port Macquarie Hospital, why does the Government think it is good policy to privatise the construction and operation of five public hospitals in regional New South Wales?

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (14:37):** I do not think Mr Jeremy Buckingham has visited Port Macquarie. A campaign was run against the hospital in Port Macquarie early on during its construction but the community loves that outstanding hospital. The fact that private enterprise has built something does not make it wrong; it just means that we are able to deliver something ahead of time. There will still be public wards and public entries. These hospitals will now be built sooner than they would have been. I am not sure where Mr Jeremy Buckingham lives these days; he is a bit like a Bedouin wandering across the land. He claims that he comes from Orange but he has moved to the North Coast. If that is where he really lives he should wander down to Port Macquarie and see what the hospital is like and what the community thinks of it. The community loves that hospital.

#### FOCUS ON ABILITY FILM FESTIVAL

**The Hon. SHAYNE MALLARD (14:38):** My question is addressed to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism. Will the Minister outline a recent example of a film being used to raise awareness of the abilities of people with disability.

**The Hon. JOHN AJAKA (Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism) (14:38):** This Government recognises that people with disability have the same right to achieve their personal goals and ambitions as the rest of the community. Sadly, this can be hindered by negative attitudes and mindsets. Attitudes, outcomes for people with disability and their inclusion in the community are interlinked by their very nature. Perceptions of people with disability and their abilities greatly affect their inclusion and participation overall. To bridge any gaps between community attitudes towards people with and without disability and the outcomes they experience, it is necessary to try to change attitudes.

Eight years ago Nova Employment, which has a fantastically supportive employment program, had an idea to use school students as agents for change by challenging students to create positive messages about people with disability through short films and documentaries. Nova particularly requested that students focus on a person's ability, not his or her disability. That was the beginning of the Focus on Ability Film Festival. Earlier this month I had the pleasure of attending this year's Focus on Ability short film festival. The member for Willoughby, who is also the New South Wales Treasurer and my colleague, the Hon. Gladys Berejiklian, attended in her role as the local member of Parliament. It is the third time I have attended the festival's awards night. Each year it gets bigger and better.

This year's festival attracted 194 entries, 166 of which came from Australia and 18 of which came from other countries. Nova Employment and its chief executive officer, Martin Wren, are the driving force behind the festival. Like so many great ideas, the idea of change through films took off. What began as a challenge for school students is now an international film festival. Focus on Ability has 11 awards across five categories and \$140,000 in prizes. It is truly a global event. This year my department not only supported promotion of the festival across New South Wales but also entered a short film to promote active support. The film champions a person-centred approach for support workers to assist people to be involved in their own lives in as many ways as possible, no matter what their level of disability.

I am proud to advise the House that the film achieved finalist status from an independent judging panel. The people with disability who starred in the film thoroughly enjoyed the red carpet and entertainment on the awards night. With support from Australian embassies and high commissions, Focus on Ability has been promoted in 94 countries, leading to entries from many countries including New Zealand, Uganda, Sri Lanka, the United States, the United Kingdom, Rwanda, Kenya and Thailand. Seventy-six films were submitted by schools across Australia and New Zealand, continuing the tradition of students acting as agents for change. The festival showed the abilities of people with disability in overcoming all types of barriers to achieve great things and the importance of inclusion for people with disability in being able to express themselves.

I congratulate all the entrants, including the winners. The Focus on Ability night was a celebration of the talents of people with disability as well as the talents of film and documentary makers from different backgrounds. Members can find all 194 entries on the Nova website. But I warn them that once they start watching, they will not be able to stop. They truly are extraordinary. I acknowledge the chief executive officer of Nova Employment, Martin Wren, and his entire team as well as everyone involved in this fantastic festival. Festivals such as Focus on Ability help to raise awareness of the skills and talents of people with disability. They break down barriers, change mindsets and amend attitudes for the better.

### BIODIVERSITY PROTECTION LEGISLATION

**Dr MEHREEN FARUQI (14:42):** My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water. Given that the summary of submissions report for the biodiversity and land-clearing reforms shows that there is overwhelming concern for and opposition to almost every aspect of the Government's plan, I ask: Will he withdraw the bill, or at least conduct more public consultation before the legislation comes to Parliament?

**The Hon. NIAL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (14:43):** I thank Dr Mehreen Faruqi for her question. In relation to the consultation undertaken on the proposed biodiversity changes, the Government received 7,166 submissions on the proposed land management and biodiversity reforms, including 6,000 form submissions. The submissions and summary document are now published on the Government's land management reform website, as promised. Stakeholders generally recognise the need for reform to improve outcomes for biodiversity in New South Wales and are supportive of the record Government investment. There are varied and often opposing views on different elements of the reforms. This is a complex and extensive legislative reform. A wide variety of views is expected.

In addition to the written submissions, representatives of my department have attended public forums and conducted information sessions across the State at which feedback has assisted in constructing improvements to the draft information that was distributed for consultation. I attended many of the sessions and I commend the enthusiasm and involvement of many rural landowners in communicating their frustration with the current laws. The Government now is considering the feedback received in the submissions in finalising the reform package. When a government openly distributes all information that will be scrutinised by everyone and by all sides of the debate, what more could the public ask for?

The Government undertook an eight-week consultation period and afforded people the opportunity for 7,000 submissions to be made. Of course the Government will receive differing views, but this is about righting a wrong that has occurred in the State that has led to the onus being placed on farmers and blame being laid at farmers' feet. That is not right. The Government has said that our farmers need to be part of the solution. The Government has stated that it will adopt a balanced approach. The Government also stated that it would adopt a triple bottom-line approach. But the one thing we can all agree upon is that the current system is not working. We can all agree that biodiversity is going backwards under the current system.

Parliament will have the opportunity to debate how the Government will address that decline. The Government is bringing forward a proposal to address the decline. The Government is proud that it is taking communities along with it. The Government is proud to have exposed to scrutiny by all what it believes is the best way to approach the problem. As I have said, the Government embarked on an eight-week consultation period that was conducted throughout New South Wales. At the public consultation sessions, anyone could come along and have their say. More than 7,000 submissions have been received.

**Dr Mehreen Faruqi:** Have you addressed those concerns?

**The Hon. NIAL BLAIR:** Any of those concerns will be able to be debated in this House. The Government will continue with the legislation. The Government will not be doing what was suggested in Dr Mehreen Faruqi's question—withdrawal. The Government will bring the legislation to this House, as we said we would, and we will have the debate. The Government will restore the balance. That is what the Government said it will do, and it will do that.

**GREYHOUND RACING INDUSTRY BAN**

**The Hon. GREG DONNELLY (14:47):** My question without notice is directed to the Minister for Roads, Maritime and Freight. As Leader of the Government in this House, and given the Deputy Premier's six-page letter to Nationals members about the greyhound racing ban, has he approached the Deputy Premier and raised with him the need to reverse the Government's decision?

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (14:47):** I am unaware of a six-page letter. I think the Hon. Greg Donnelly has been reading the tea leaves again. I have lots of conversations with the Deputy Premier. Most of them are for telling him what a great job he is doing. The Deputy Premier is an absolute star. He has been awarded for bravery by the NSW Police Force for being a hero—for something that the Hon. Greg Donnelly would not do. The Deputy Premier is a man of the people, a family man, a man of substance and a man of strength, who stands for something. What the Hon. Greg Donnelly is holding is a prop.

**The Hon. Catherine Cusack:** Point of order: I understand the confusion and struggle of Opposition members, but the Hon. Greg Donnelly is well aware that displaying newspaper clippings and holding them up constitutes a prop, which is unparliamentary. The prop ought to be put away.

**The PRESIDENT:** Order! My predecessors have made consistent rulings that support the view expressed in the Hon. Catherine Cusack's point of order. I ask the Hon. Greg Donnelly to desist. I ask members to bear this ruling in mind. The Minister has the call.

**The Hon. DUNCAN GAY:** I was just getting warmed up. It is easy to get warmed up about the Deputy Premier, Troy Grant. He is an absolutely outstanding man. The Hon. Walt Secord might laugh—Troy Grant was not part of a crooked government, whereas the Hon. Walt Secord was up to his armpits in it. He is a man who stands for nothing and he is a man of no substance. Troy Grant is a man with credibility, strength and integrity.

**The Hon. Walt Secord:** Point of order: If the Leader of the Government wishes to launch a substantive attack on the Deputy Premier, he should do so.

**The PRESIDENT:** Order! The Hon. Walt Secord knows that is a debating point and not a point of order. I call the Hon. Walt Secord to order for the second time.

**The Hon. Shaoquett Moselmane:** Point of order: I heard Minister Gay call the Hon. Walt Secord a grub. Mr President, I ask that you ask the Minister to withdraw his remark.

**The PRESIDENT:** Order! I did not hear that remark. If the Minister did make it, I ask him not to do so in the future.

**The Hon. DUNCAN GAY:** I did call him a grub and I will not do so again.

**The Hon. Lynda Voltz:** Point of order: Mr President, not only is it offensive but also it is unparliamentary. I ask you to ask the Minister to withdraw that comment. I also ask you to call him to order in regard to his abuse of the practice of this House.

**The PRESIDENT:** Order! The Minister was kind enough to volunteer the fact that he did say it. The word "grub" in relation to an individual member has been ruled to be offensive or unparliamentary. I would be grateful if the Minister would withdraw that remark.

**The Hon. Walt Secord:** Without reservation or sneer.

**The PRESIDENT:** Order! I will deal with the Hon. Walt Secord in a minute, if the Minister would proceed.

**The Hon. DUNCAN GAY:** I certainly withdraw my comment.

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

**The Hon. DUNCAN GAY:** I was warming up to the Deputy Premier, and he is easy to warm up to. He is a bloke of great integrity who stands for something, unlike some of the people opposite who have never stood for anything in their lives. They wilt in the wind. They were part of a government that was good for nothing.

**The Hon. Greg Donnelly:** You're so nasty, Duncan.

**The PRESIDENT:** Order! I call the Hon. Greg Donnelly to order for the first time.

**The Hon. DUNCAN GAY:** The question was about the leadership of the Deputy Premier and what he stands for. This man stands for regional New South Wales. He is a family man, a strong man and a man of great integrity who has worked single-handedly as part of this Government to deliver for regional New South Wales.

I was asked on radio this morning whether I thought we would win the seat of Orange in the upcoming by-election. I said, "Yes, we will win the seat of Orange, first, because we have a great candidate and, secondly, because of what the Government has done in that region." This Government has done work on the roads, in the hospitals and in the schools and that has led to jobs growth in this State.

This State is outstanding compared to other States in the Commonwealth. We get past the distractions and the political ploys of the Labor Party, which puts out polls that it takes in its own head office asking three favourite questions of three of its favourite people and it then tries to decide what has some credibility. No-one believes that ploy. The by-election will be tough. We cannot take people for granted; we never take the people of regional New South Wales for granted because they are people with opinions and they stand for something, like the Hon. Troy Grant.

**The Hon. GREG DONNELLY (14:53):** I ask a supplementary question. Will the Leader of the Government elucidate his answer with respect to why he failed to meet with the Deputy Premier in regard to the savage impact of the banning of greyhound racing in his electorate and around the State?

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

### RECREATIONAL FISHING

**The Hon. RICK COLLESS (14:54):** My question is addressed to the Minister for Primary Industries, and Minister for Lands and Water. Will the Minister update the House on initiatives that are underway to benefit the New South Wales recreational fishing sector?

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (14:54):** I thank the member for his question and also for the time that we have spent fishing together over the years. Our State boasts some of the best recreational fishing spots in the country, and the sport is extremely popular with people of all ages and from all walks of life. Around 850,000 anglers wet a line in New South Wales waters each year, contributing to an industry that generates an estimated \$3.4 billion of economic activity and creates the equivalent of around 14,000 full-time jobs. Each of these fishers is required to pay the NSW Recreational Fishing Fee, which is placed into the NSW Recreational Fishing Trusts to support a range of saltwater and freshwater projects that directly benefit the sector.

Right now three very important initiatives are underway that will further support and sustain this important and rewarding industry throughout the State. The New South Wales Habitat Action Grants program is open for applications from now until 30 September, with more than \$500,000 available through the NSW Recreational Fishing Trusts. The grants program provides large grants of up to \$40,000 and small grants of up to \$2,000 for community groups to improve local fish habitats. These grants are a great opportunity for fishing clubs, community clubs, local councils and individuals to access the resources they need to build better fish habitats. They are designed to support initiatives that encourage more fish into our local creeks, rivers and estuaries, with previous projects funded through this program already providing fantastic results right across the State. I encourage anyone interested in making a difference in their local area to apply for a grant through the New South Wales Department of Primary Industries [DPI] before 30 September.

The second initiative that is underway involves preparations for the first ever National Gone Fishing Day on Sunday 16 October. Gone Fishing Day encourages participation in recreational fishing. A total of 38 fishing clubs were successful in their applications for NSW Recreational Fishing Trusts grants and will run community fishing activities in their local towns on the day. DPI will also run another six major events at Port Macquarie, Newcastle, Sydney, Lake Illawarra, Dubbo and Wagga Wagga featuring Try Fishing workshops, casting competitions, touch tanks and activities for the kids. It is great to see such a high level of community interest in the day, and it bodes well for the future of the sector in New South Wales as does DPI's Get Hooked ... It's Fun to Fish program. This hands-on program, also funded through the NSW Recreational Fishing Trusts, aims to give primary school-aged students the skills for recreational fishing to develop a lifelong hobby.

The Get Hooked program encourages schools to add fishing to their curriculum, teaching students how to fish via free workshops to be held over the coming months. The workshops involve lessons about the rules and regulations of recreational fishing, fish identification, catch and release techniques, practical skills with rods and reels and knot tying and rigging. Approximately 100 schools across the State have already registered for the program, which will reach more than 4,000 students this year with the help of Fishcare volunteers who are assisting with the activities. The connection between volunteers and the next generations of fishers is a crucial part of this program and encourages children to take an active role in the management of waterways and fish stocks through safe and responsible fishing practices.

Through all these initiatives—the Habitat Action Grants program, Gone Fishing Day and the Get Hooked program—the New South Wales Government through DPI is helping to develop and sustain the recreational fishing sector across New South Wales for many years to come.

### SEAFOOD LABELLING SCHEME

**Mr JUSTIN FIELD (14:58):** My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water. What is the status of the country of origin labelling commitment made by the Government in May this year including the \$400,000 commitment to promote local New South Wales seafood to consumers and communities?

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (14:59):** I really like how this is going! That is a very good question from the member. The program we have announced as part of our overall commercial fishing reforms is on track. One of the things we said in announcing country of origin, or location of origin, labelling for the cooked component of seafood is that we wanted to make sure we took the industry along with us—that is, all sectors of the supply chain—through this process. Consultation is underway with commercial fishers, wholesalers and the food service industry to develop an approach that benefits everyone. Already at least one meeting has been held with all the key participants in that supply chain.

The Department of Primary Industries has advised the Senate Economics Legislation Committee, which is currently inquiring into national country of origin legislation, that work is underway in New South Wales. We are not shying away from the fact that we think the Commonwealth had a good opportunity to do this previously and stopped short. It went down the avenue of labelling the fresh product, but it is the cooked product that we want to see added to labelling in New South Wales. What we have probably done differently in New South Wales is we have not mandated this. We want to engage with all components of the industry and take them along with us. We said we wanted to achieve a reduction in the percentage of imported seafood being consumed in New South Wales, but when we announced the country of origin labelling component some were immediately concerned about what it would mean for their businesses. In some parts of the sector—small fish and chip shop operators, for example—people were rightly concerned about the ramifications for their businesses. Another concern raised was about what we mean by "labelling", particularly for those businesses that have continually changing menus.

We decided that we wanted to proceed by taking all the supply chain along with us. We have started that process. I am happy to come back to the member to update him if more than one meeting has occurred with all participants involved. To be honest, the beauty of that first meeting is I think it was the first time we had the fishers in the same room as some restaurateurs and representatives of the restaurant sector. That is what we are trying to achieve with our reforms of the commercial fishing sector. We are looking at reforms through the prism of what they mean not just for one part of the sector but also for the whole supply chain when it comes to fish stocks in New South Wales. We are proud of our commercial fishers. We are proud of our restaurateurs. We want people to choose New South Wales wild-caught fish as the preferred option over fish from other States, because we know that we have the best quality here. We are taking the industry along with us, and will continue to do so.

**Mr JUSTIN FIELD (15:03):** I ask a supplementary question: With regard to the concerns raised by retailers and given the Minister's media release that says, "Seafood lovers will be able to read on the menu where the seafood they order is sourced from", when will consumers be able to read that on the menu?

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (15:03):** I thank the member for his question. The group that have got together and has come back to us on the best way to do that without having adverse impacts on any part of the supply chain. Is it not amazing that people will be able to read that because of an initiative taken by this Government? We are proud to stand up for that sector. This change could have happened at any stage, but it is something that New South Wales decided it wanted addressed now. I know it happens in other jurisdictions; the Northern Territory, for example, has a similar program in place. New South Wales consumers will be able to read that information when we have concluded the consultations.

We have worked with the industry and come up with a way to proceed that achieves the outcome we want but does not have an adverse impact on the businesses involved. Our intention is to make sure that more seafood sourced from New South Wales is consumed, but we do not want to cause an adverse impact by implementing a system that some restaurants think is too hard to follow—particularly those that spend a lot of money printing menus and so forth. We are looking at how we can be flexible and accommodate the issues that have been raised by restaurateurs. Make no mistake: We have led the way on this. We have said that we want to address the percentage of imported product—a percentage that is too high when we have the best product on our doorstep. We should be parochial; we should be standing up for our businesses, and this scheme is a good start.



**WENTWORTH PARK SPORTING COMPLEX TRUST**

**The Hon. MICK VEITCH (15:05):** My question without notice is directed to the Minister for Primary Industries, and Minister for Lands and Water. When will the Minister disclose the remuneration package and other costs that the Government approved for both the former and current administrators of the Wentworth Park Sporting Complex Trust? Was the current administrator's appointment subject to any expression of interest process?

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (15:06):** I thank the member for his question. I am just making sure I have the relevant information for him. Let us start with the remuneration of the administrator. The role of the administrator is complex and challenging, as it attempts to balance the need to maintain continuity of racing while also preparing for the transition to future community use. The administrator performs the role and accepts all the responsibilities of a fully appointed board. The remuneration is in line with existing and past reserve trust administrator appointments at this level, and the level of remuneration is commercial in confidence. The appointment of the current administrator did go through an external process. I am happy to come back to the member. The existing administrator did go through a competitive process. I believe it was advertised but, again, I can confirm that it was a competitive process and went through the normal Cabinet process.

**NEW ENGLAND HIGHWAY MAITLAND OVERPASS**

**The Hon. TREVOR KHAN (15:08):** My question is addressed to the Minister for Roads, Maritime and Freight. Will the Minister update the House on the opening of the \$51 million New England Highway Maitland overpass?

**The Hon. Greg Donnelly:** Thank you, Labor.

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (15:08):** What? I am certainly excited to announce that last night the new eastbound overpass opened to motorists travelling on the New England Highway. The New South Wales Government committed \$51 million to deliver this overpass, which will carry two lanes of traffic above the roundabout on Church Street and bypass the flood plain in this area. The overpass will deliver significant safety and travel time benefits to motorists and will improve traffic flow for thousands of motorists who use this highway each day when travelling between places like Maitland and Rutherford. Everyone from freight haulers coming from northern New South Wales to Sydney, to motorists travelling to destinations such as the Hunter Valley—in fact, anyone travelling from A to B—will benefit from the construction of this overpass.

The Government has been building this eastbound overpass since 2013. It has also upgraded two roundabouts on the New England Highway, on Church Street and High Street. The two-lane, 430 metre long overpass—which is about four ovals long—and the approach will connect two sections of the New England Highway about 550 metres east and 400 metres west of the roundabout. The Government is determined to transform the Hunter, which is why it is getting on with the job of delivering infrastructure across the region. The Government has been working hard to get the over pass completed because it will benefit everyone from freight haulers to local residents and businesses. The overpass will increase the traffic capacity of this busy intersection, and will take pressure off the two roundabouts. Since 2011 the Government has committed more than \$1 billion to upgrading sections of the New England Highway. I know that the member who asked the question travels on that highway regularly.

**The Hon. Trevor Khan:** All the time.

**The Hon. DUNCAN GAY:** Yes, all the time. The Government plans to continue delivering long-awaited works along this key corridor. For nearly two decades under Labor governments, New South Wales went backwards and regions such as the Upper Hunter suffered because of that. Under this Liberal-Nationals Government, our great State is back at number one and continues to go forward. The Government is committed to supporting and fostering the growth of our communities, regions and businesses. It is great to see the delivery of vital infrastructure such as this overpass. Projects like this generate massive benefits to communities and are part of the State's plan to build infrastructure for the future. Earlier in question time the Hon. Penny Sharpe negated the efforts of farmers and said that all they want to do is cut down all the trees.

**The Hon. Penny Sharpe:** Point of order: Not only is the Minister verballing me, he also is not being relevant to the question asked.

**The Hon. Duncan Gay:** But you said it.

**The Hon. Penny Sharpe:** I did not. You did not hear what I said. You just verballled me.

**The PRESIDENT:** Order! I think the Minister had completed his answer. I ask all members to be careful about misrepresenting colleagues in the Chamber. That is no reflection on a particular instance. I ask that as a general courtesy to their colleagues members make every effort to ensure their behaviour in this place is civil.

#### **SAFE SCHOOLS PROGRAM**

**Reverend the Hon. FRED NILE (15:12):** I direct my question to the Leader of the Government, representing the Premier. Is the newly appointed Secretary of the Department of Education, Mr Mark Scott, conducting a review of the controversial sex education course Crossroads, which is a compulsory 25-hour course for all public school students in years 11 and 12? Who authorised that the course be compulsory? Will there be a detailed review of the "unsafe schools course", and will the Safe Schools course be immediately suspended and not simply deemed an opt-in course?

**Mr David Shoebridge:** Point of order: The question contains argument in that it referred to the Safe Schools course as the "unsafe schools course". Given that, it is out of order.

**The PRESIDENT:** Order! The member is correct. However, I have on many occasions ruled that if there is only one small element of argument the Minister may answer the other aspects of the question as he or she is able to do so.

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (15:14):** I am unaware of the substantive issues raised so I will refer the question to my colleague for a detailed answer.

#### **WENTWORTH PARK SPORTING COMPLEX TRUST**

**The Hon. DANIEL MOOKHEY (15:14):** I direct my question to the Minister for Primary Industries, and Minister for Lands and Water. Will the Minister confirm whether the remuneration and costs of the administrator of the Wentworth Park Sporting Complex Trust are paid from trust funds into which the Greyhound Breeders, Owners and Trainers Association makes contributions? If so, is it appropriate that the greyhound industry is paying to facilitate its removal from Wentworth Park?

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (15:15:0):** I thank the member for his question, and I am happy to take it on notice.

#### **INTERNATIONAL CONVENTION CENTRE**

**The Hon. DAVID CLARKE (15:15):** I address my question to the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism, representing the Minister for Trade, Tourism and Major Events. How is the Government progressing with the delivery of the International Convention Centre at Darling Harbour?

**The Hon. JOHN AJAKA (Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism) (15:16):** Members will have read in the newspaper this morning about the great work the Government is doing in the trade, tourism and major events space, led by the Minister for Trade, Tourism and Major Events, the Hon. Stuart Ayres. The International Convention Centre [ICC] in Sydney is Australia's premier convention, exhibition and entertainment precinct. All eyes are on this facility as the final touches are applied ahead of the official opening in December. This is a world-class venue that truly befits a global city and the number one city in Australia, and one of which the entire community will be proud. The ICC is already fast cementing Sydney's place as the world's most exciting tourism and event destination. It is set to create a new capital for major events in Australia here in New South Wales.

It is the epicentre of a 20 hectare transformation of Darling Harbour facilitated by this Government. It will generate at least \$5 billion in economic benefit for New South Wales over the next 25 years, and will directly employ at least 1,800 people. Let us pause and reflect on that for a moment. As a result of this Government's efforts, not only will we have an internationally acclaimed convention centre but also its construction and operation will generate at least \$5 billion in economic benefit. Visitors will be blown away by this new convention centre, and building work is almost complete for test events to start next month. Already, more than 340 events are booked to 2026, and by the third year of operation we expect to hold more than 1,000 events there annually.

The revitalisation of Darling Harbour, which also includes a five-star hotel that is on track to be opened next year, represents the biggest boost to tourism in Sydney in decades, and it is Darling Harbour's most exciting renewal in 25 years. Along with Barangaroo, we are witnessing a transformation of the western edge of the central business district as part of a construction boom that is delivering thousands of jobs. It is one of this Government's stated Premier's Priorities. More than 95,000 cubic metres, or 40 Olympic-size swimming pools, of concrete have

been poured to create the largest exhibition space in Australia. The project has been a massive employment boost, with 1,200 workers on site at the peak and 10,000 workers over the life of the project.

Some of the highlights for the public include: new architectural public spaces; a new 680 metre long boulevard running from the harbour side to Quay Street; premium exhibition space, with 40-plus meeting rooms covering more than 8,000 square metres; an 8,000 seat red-carpet entertainment venue; Sydney's largest ballroom that will cater for more than 2,000 people; and convention space for more than 12,000 people. The Government had the privilege today of making another announcement on how the ICC is supporting our regions. Today the ICC launches its inaugural wine collection featuring 93 varieties, 80 per cent of which have been sourced from New South Wales producers. Up to 200,000 bottles of wine are likely served annually at an ongoing calendar of exhibitions, conventions and entertainment events across the integrated precinct. I congratulate the producers from the Canberra region, the Hunter Valley, Hilltops and Orange on their success in being part of this collection. It is the investment in tourism investment infrastructure like the \$1 billion ICC that will help local wineries grow their businesses and create more jobs.

### **TERRORISM**

**Mr DAVID SHOEBRIDGE (15:20):** My question without notice is directed to the Hon. John Ajaka, representing the Minister for Innovation and Better Regulation. Noting concern about potential terrorism in New South Wales and given the maximum penalty for the unauthorised possession of a firearm is set at the very appropriate level of five years imprisonment, why is the maximum penalty for the unauthorised possession of explosives under the Explosives Act set at the much lower level of just 12 months imprisonment?

**The Hon. JOHN AJAKA (Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism) (15:20):** I thank the member for his question. I will take it on notice and come back with an answer from the Hon. Victor Dominello.

### **STATE INFRASTRUCTURE**

**The Hon. COURTNEY HOUSSOS (15:20):** My question without notice is directed to the Minister for Roads, Maritime and Freight. What is the Minister's response to community concerns about the expenditure of more than \$5.6 million to promote his infrastructure projects?

**The Hon. Greg Donnelly:** It has nothing to do with glossy brochures.

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (15:21):** I know that interjections are disorderly and one should not acknowledge them but as the member has asked about what the community thinks I will talk in a minute about some Labor policy changes that happened on the run. The member is talking about Tomorrow's Sydney. This is the means through which we are telling people that we are building infrastructure and that, as we build that infrastructure, there will be pressures on and changes to routes. For example, with the light rail we had to have a mode shift. People cannot just drive into the city. They cannot cross the city because of the work that is happening on George Street. Do members know the great thing about the advertising? It has worked a treat. The people of Sydney have been fantastic; they have moved. We needed to lose about 7 per cent of traffic for it to work as we did the construction, and that has happened. That is the best sort of communication you can have.

Just last week I talked in the media about building roads and infrastructure and about WestConnex and some of the traffic changes that will happen in the construction area. As I said at the time, some days Opposition members should stay at home and leave it to the grown-ups to put the message out. But, no, the shadow Minister could not do that and instead made policy on the run. Not only did she say, "We are going to build it all at night and take three extra years for \$3 billion extra"; but she could not help herself and made more policy on the run. She said, "We are going to remove the tolls." That would add up, if they do those two sections, to \$16 billion. So the Labor Party just lost \$16 billion on the M4 and the M5. Do not worry about any promises about hospitals in Penrith, Orange, in regional New South Wales or anywhere else across the State because the Labor Party does not have a pot left. They have nothing because the shadow Minister blew it all on a media moment.

**The Hon. Courtney Houssos:** Point of order—

**The PRESIDENT:** Order! The Minister will resume his seat.

**The Hon. Courtney Houssos:** My point of order is in relation to relevance. I asked specifically about community concerns about expenditure on an advertising campaign. The Minister has strayed well away from the question. He is not within a bull's roar of it.

**The Hon. DUNCAN GAY:** To the point of order: I was addressing community concerns. I spoke for some time about what we had spent the money on and I was then talking about community concerns about expenditure.

**The PRESIDENT:** Order! In any case the nub of the question was about the prioritisation of particular expenditure in the Minister's portfolio. The Minister is being directly relevant in his response when he talks about other possible expenditure of the money, and he is quite entitled to do so. The Minister has the call.

**The Hon. DUNCAN GAY:** As for community concerns, the shadow Minister wants the roadworks to happen only at night—from dusk to dawn. Residents of any of the suburbs near WestConnex should be aware that that is when the work will happen—with the lights going and everything else. I am told that I made a mistake earlier and may have said \$16 million instead of \$16 billion. That is what the shadow Minister's thought bubble would cost. At the end of the day, that is where the community concerns lie. No matter who you are or where you live in New South Wales, you cannot trust Labor. It is the alternative government. The grown-up Government is out there doing things sensibly, building the infrastructure and fixing the transport network, but the Opposition is out for a quick media grab. Those opposite talk about leadership. The Opposition Roads spokesperson would like to be leader of the Labor Party. Luke Foley should be very careful. [*Time expired.*]

### FOOD SAFETY

**The Hon. LOU AMATO (15:26):** My question is addressed to the Minister for Primary Industries, and Minister for Lands and Water. Will the Minister update the House on how the New South Wales Government is improving food safety?

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water) (15:26):** The NSW Food Authority plays a critical role in ensuring that food produced, manufactured and sold in New South Wales is monitored and safe from the paddock through to the plate. Safe food is big business in New South Wales. The value of our food industry is worth \$113 billion each year, or 20 per cent of our gross State product. I have said before in this place that the competitive advantage of our food and agriculture industries is our superior biosecurity and food safety systems. We must protect and maintain these world-class systems to ensure that we can continue to support these critical industries to compete in domestic and global markets.

That is why the New South Wales Liberal-Nationals Government has developed the Food Safety Strategy 2015-2021, which is something we took to the people of New South Wales at last year's State election. This strategy is focused on ensuring that New South Wales produces and manufactures safe, premium food products. It dovetails perfectly with our NSW Agriculture Industry Action Plan, which is focused on increasing the value of our agriculture industries by 30 per cent by 2020. The NSW Food Safety Strategy's primary aim is to ensure that the food sector contributes to the economic growth and prosperity of New South Wales by reducing foodborne illness and delivering safe, superior-quality food to local and international consumers.

We have set a number of targets in the strategy, which include reducing foodborne illnesses, including salmonella, by 30 per cent by 2021; reducing red tape for business, with \$6 million already achieved in streamlined regulatory processing and a further target of \$4.5 million by 2021; and achieving 95 per cent food safety compliance across all food industry sectors. One of the great strengths of the Food Authority lies in the valuable partnerships it has established and continues to build with key stakeholders, including local government and NSW Health. For example, the New South Wales Food Regulation Partnership is a collaboration with local government that streamlines a number of inspections of retail premises. I am pleased to inform the House that this has recently been recognised as best regulatory practice by the Independent Pricing and Regulatory Tribunal. The strength and effectiveness of those partnerships is reflected in the overall compliance rate of 93 per cent across the food sectors in the State for the 2015-16 financial year.

Another key focus for the NSW Food Authority is customer service delivery. In order to better service the more than 14,000 licensed food businesses in New South Wales, a new mobile audit system was introduced, which means food safety officers can now complete the inspection process on the spot. Businesses also know they are assessed using a standardised checklist, which increases their confidence in the audit system. Various training and education initiatives are also supported or delivered by the NSW Food Authority, including the Food Safety Supervisor program and the Scores on Doors rating system. We cannot put a price on people's health but we can count the cost of foodborne illness to the community. The Australian Department of Health has reported that foodborne illnesses affect 4.1 million Australians each year, with an estimated cost of \$1.25 billion to our health system. The NSW Food Authority is doing a great job in helping to counteract this— [*Time expired.*]

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

**WENTWORTH PARK SPORTING COMPLEX TRUST**

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water)**  
**(15:31):** Earlier the Hon. Mick Veitch asked a question about the appointment of administrator to the Wentworth Park Sporting Complex Trust relating to the process that was followed for the current administrator. Given that the term of the temporary administrator was coming to a close it was necessary to obtain a timely resolution on the management arrangements for the trust. Given the complexity of managing this site in its state of transition, it was important that an appropriate qualified manager was identified expediently. For this reason, the department engaged the services of an executive search company. Six candidates were identified by the executive search company and Mr Gilmore was the successful applicant. Those six candidates went through a full recruitment process, including probity checks. They were interviewed by a panel made up of departmental and independent members and referee checks were conducted. The remuneration package is commercial-in-confidence.

**NATIVE TITLE**

**The Hon. NIALL BLAIR (Minister for Primary Industries, and Minister for Lands and Water)**  
**(15:32):** Yesterday in my response to a question without notice from the Hon. Mick Veitch about native title issues, I told the House that I would seek more information relating to the time frames that were referred to. The Federal Court of Australia has made a number of native title consent determinations in favour of native title holders in New South Wales, recognising that non-exclusive native title rights continue to exist over certain Crown land. I confirm to the House that those determinations agreed to recognise the Bandjalang people's native title claim in December 2013, and the Yaegl people's and Barkandji people's native title claims in June 2015. The expired licences are spread as approximately 40 in the Bandjalang claim, 200 in the Yaegl people's determination and 280 in the Barkandji people's determination.

For the benefit of members, native title is recognised by common law through the Commonwealth Native Title Act 1993 that Indigenous Australians have rights and interests to land that come from their traditional laws and customs. Those rights are not the transfer of lands but the recognition of traditional rights such as camping, hunting, fishing and holding traditional ceremonies on land. This is different to Aboriginal land claims under the New South Wales Aboriginal Land Rights Act. The department needed to see how many licences were affected. Not all licences contain the relevant clause. As I said yesterday, those native title determinations cover very large areas of the State. We had to review the many thousands of licences to establish who was affected and we also had to seek legal advice on the status of those licences so that the Government could give the people involved some confidence and advice.

The Native Title Act is a complex Commonwealth Act and the department wanted to ensure that it had confidence in the legal advice it received. The department is working through the licences to determine which licences can be re-issued. In doing so, the department is working to ensure that all parties are engaged in this process in a fair and respectful manner, including the holders of the terminated licences and the native title holders—

**The Hon. Walt Secord:** This is a second reading speech.

**The Hon. NIALL BLAIR:** This is an important question.

**The PRESIDENT:** Order! The Minister need not enter into this discussion. The Hon. Walt Secord has been warned once. He will be removed from the Chamber for the rest of the day if he continues to interject. All members should appreciate the courtesy of a Minister returning with supplementary information as soon as possible. Interjections are disorderly at all times. The Minister has the call.

**The Hon. NIALL BLAIR:** I make it clear to the House that the Government can continue to issue licences after a determination that native title exists and that the department continues to administer licences. Any licence needs to comply with the New South Wales Crown Lands Act and the Commonwealth Native Title Act. The settlement of native title claims by this State provided for the protection of a wide range of interests in the area, including interests held under lease and those held by the State and Commonwealth, local governments, Aboriginal land councils and others. This is to ensure that current interests are not affected when there is a recognition of native title. Only those licences that had the relevant clause were affected. The inclusion of this clause in licences has been accepted for many years. The department has created a new native title operations unit to resolve those issues with the native titleholder and lands tenants in a cooperative and constructive manner.

*Committees***GENERAL PURPOSE STANDING COMMITTEE NO. 1****Membership**

**The PRESIDENT:** I inform the House that this day the Clerk has received advice that Mr Jeremy Buckingham has resigned as a member of General Purpose Standing Committee No. 1. I further inform the House that the Clerk will call for nominations from crossbench members to replace Mr Buckingham on the committee.

*Personal Explanation***BIODIVERSITY**

**The Hon. PENNY SHARPE (15:36):** By leave: During question time the Leader of the Government sought to misquote an interjection that I made during question time—

**The Hon. CATHERINE CUSACK:** Leave is withdrawn.

**The PRESIDENT:** The Hon. Catherine Cusack has withdrawn leave. For the benefit of all members, I remind them of the ruling of President Johnson in 1986. Personal explanations should allow the member concerned to explain a matter reflecting on their honour, character or integrity, or to explain any matter which reflects on the member in a personal way. They should not be used to explain matters on behalf of any other person. The matter which is the subject of the personal explanation should not be amplified or debated. Provocative or disputative language should not be used. The use of a personal explanation to reply to or to explain a matter upon which a member has been misquoted or misunderstood is outside the scope of the relevant standing order. That type of explanation is covered by other provisions.

**The Hon. CATHERINE CUSACK:** I wish to withdraw my objection.

**The PRESIDENT:** The withdrawal of leave is noted. The Hon. Penny Sharpe has the call.

**The Hon. PENNY SHARPE:** By leave: During question time, the Leader of the Government made comments in the Chamber in relation to my interjection during a question. The way that he quoted me was incorrect. I did not, for one minute, say that farmers are trying to destroy trees in this State, or any other thing. My interjection was that it was hard to biodiversity when the Government is taking trees out across the landscape.

*Committees***SELECT COMMITTEE ON THE CBD AND SOUTH EAST LIGHT RAIL PROJECT****Establishment****Debate resumed from 15 September 2016.**

**Dr MEHREEN FARUQI (15:40):** I continue my speech on my motion to establish an inquiry into the CBD and South East Light Rail Project. The Government says that some tree losses were unavoidable but The Greens believe that the public and the Parliament should have the opportunity to scrutinise these decisions and make up their own minds. Urban green space and canopies are fundamental to the quality of life in our major cities, and are ever more important as climate change causes more and more heat islands in our cities.

Nowhere is this truer than in a city like Sydney, with its growing population, where people are living in increasingly dense areas. Our city's green spaces are one of its greatest assets. For generations, planners, conservationists and elected representatives have worked together to preserve the city's environmental qualities. It is devastating to watch the Baird Government move to callously cut down some of the most precious trees in the pursuit of a transport solution that will benefit private interests. Unfortunately, this is symptomatic of its approach to the environment and transport planning.

We have seen thousands of Aboriginal artefacts uncovered on the site that will become stabling yards for the light rail, yet the then Federal environment Minister Mr Hunt decided against ordering a halt to the bulldozers because he was not satisfied that it is a significant Aboriginal area and that it was under serious and immediate threat of destruction. In June it was reported that workers tasked with constructing the light rail on George Street will rip up and re-lay asphalt and repaint road markings at the end of the weekend, every weekend for 24 weeks. The Government has not explained why they could not have used an alternative or better construction method, such as perhaps digging a trench and covering it with a steel bridge, which could be lifted and put back every weekend. Poor planning and haphazard decision-making has characterised this project every step of the way.

I want to stress that it is imperative that we have an inquiry into this project to improve this project and to have a sustainable and publicly supported transport system in the future. The CBD and South East Light Rail

project should have set the scene for future light rail expansion in the city, in a positive way. This could actually have been an iconic project. Instead, the rollout and operation of this enormously costly project, which has decimated hundreds of trees, will have a negative impact on how people view this mode of transport and hence the ongoing viability of light rail in Sydney and across New South Wales.

As an engineer I know that we can keep the trees, preserve our heritage and have a light rail system. Other cities in the world seem to do this. I visited Portland in Oregon, United States of America, earlier this year. This city has an exemplary integrated public and active transport system which includes light rail, trams, buses, cycleways and even a cable car. There is an integration between the different modes of transport and it is designed and delivered in sympathy with the natural environment—and it is all publicly owned and operated. Now, that is a novel concept for the Baird Government!

Maybe the difference is that the Oregon governments actually value the environment and the views of the community, and that transport projects are designed and built for people, not for private interests. What we face in New South Wales at the moment, however, is a combination of illogical planning, bad decisions, an anti-environment agenda, a relentless pursuit of privatisation, and the influence of big money and big developers, which is resulting in attack after attack on our environment. If the Government continues down this current path of secrecy and arrogance, and continues to insist on rolling out a project that has fostered high levels of public concern, we can kiss goodbye to community support for a real integrated light rail network in the future. People will not want to hear about it—and to be honest, I would not blame them.

I want to thank the large number of activists, including Saving Sydney Trees, who have had the courage, commitment, resilience and passion to stand up to protect the environment day after day, and to bring the issues of Government accountability into the open. Just yesterday there was a rally outside Parliament House—also attended by the Hon. Penny Sharpe—which urged the Government to stop this senseless destruction. I think there is no doubt that the people of New South Wales and The Greens, of course, want an efficient, accessible and reliable public transport system that includes a light rail network. Light rail is a fantastic transport solution, and often the cheaper option. It has the capacity to connect communities of people and make our cities more sustainable and liveable, but only when planned appropriately, transparently and with community consultation. That has sadly not been the case for the CBD and South East Light Rail.

There are so many questions that need to be answered—questions about cost, transparency, community consultation, the planning process and why the routes were changed willy-nilly. There are questions about public transport benefits and about the needless and completely avoidable destruction of trees. This is why we must have an inquiry into the CBD and South East Light Rail project. These are questions that are also relevant to the planning and implementation processes of other transport projects being rolled out at the moment, such as the North West Rail Link and the WestConnex, and, of course the closure of the intercity rail line into the heart of Newcastle to be replaced by a mere two kilometres of light rail. The list goes on. It is time to ensure that transport planning is done well and with the community's interests in mind—not the interests of the big end of town. I commend the motion to the House.

**The Hon. PENNY SHARPE (15:46):** I do not intend to speak at length on this motion to establish a Select Committee on the CBD and South East Light Rail Project. I say at the outset that Labor will be supporting this motion. There are a number of key concerns in relation to the rollout of this CBD and South East Light Rail. People are familiar with many of them. Labor's particular concerns continue to be about the lack of transparency and the lack of rigorous and open provision of information around this project. Labor remains deeply concerned about the loss of heritage trees along Anzac Parade. Labor remains deeply concerned about capacity issues, particularly capacity constraints of people living in the eastern suburbs—in Coogee and in Randwick. With the changes that are mooted, there is a danger that those people will end up with a worse system—less capacity, standing up for longer and changing more often. We need to look at that.

I have had many discussions with locals in the eastern suburbs in relation to this issue. They have a range of concerns. Labor is happy to support the establishment of this select committee on the basis of this Government's continual refusal to be open and transparent around its own infrastructure projects. This project requires more attention. It is already half a billion dollars over budget. We support the motion.

**Mr DAVID SHOEBRIDGE (15:48):** I strongly support the motion moved by my colleague Dr Mehreen Faruqi to establish a select committee to look into what has gone horribly wrong in the approval and construction process of the CBD and South East Light Rail project. Members will not be surprised to know that, being The Greens planning spokesperson, I think it all went wrong with the changes to the planning Acts. One needs to look there if one wants to find out why the community has been put so offside by what should have been a positive project.

Building light rail down to Randwick should have been a project that unified the community. Fresh transport infrastructure is something for which The Greens and the community have been calling for decades. Instead, because of the slipshod, aggressive and unthinking way in which this project was rammed through the planning approval process and then the construction process, what should have been a good story for the Baird Government and the community has become a shemozzle.

Where did it all go wrong? It all went wrong when Labor started mucking around with the Environmental Planning and Assessment Act at the end of the 1990s and in the early 2000s. That was further aggravated by the Coalition when it said it would get rid of things like part 3A but inserted parts in the Act and retained parts in the Act that removed all the key environmental and planning considerations that should apply to major projects. There is this strange ideology that has now captured both the Labor Party and the Coalition that says that the larger the project and the greater the impact, the less will be the environmental assessment and community consultation. It is simply nonsense. The more impact that a project will have, such as a ruddy big coalmine or a light rail project in a densely populated part of a city, the less will be the scrutiny given to the project under the planning process. That is exactly what the problem with part 5 of the Environmental Planning and Assessment Act.

The light rail project was approved under part 5 of the Environmental Planning and Assessment Act. Part 5 deals with both State significant infrastructure and critical State significant infrastructure. It was just because of the opinion of the planning Minister that this project was classified as critical State significant infrastructure. One might ask, "Well, what is the problem with that? What is the problem with calling it critical State infrastructure?" The problem is that by that simple determination, key environmental and statutory protections are just turned off. The project ends up being one that is submitted for approval under section 115ZA or 115ZB of the Act, and what does that turn off? The first thing it turns off are all of the local planning instruments. As a result, none of the local planning controls apply to the critical project. What is one of the key local planning instruments that was turned off? The tree protection order was turned off.

The City of Sydney's tree protection order, its heritage listings and its heritage controls that have protected those magnificent stands of fig trees—our natural heritage—along Anzac Parade and Alison Road are controls that had enormous community support were turned off as fast as a click of the fingers. At the whim of the Minister or the Planning and Assessment Commission, without regard to any type of statutory controls that would protect them, approval could be granted to simply clear-fell them and send in the chainsaws. That is exactly what happened. No tree protection order? No trees. It is a straightforward outcome. That is what happened under the CBD and South East Light Rail project's approval process. It was crunched through under the offensive part 5 of the Environmental Planning and Assessment Act. If it was not bad enough to simply clear-fell all of those significant trees, other crucial protections were turned off because the project was approved under part 5, one of which is the already threadbare protections for Aboriginal heritage under the National Parks and Wildlife Act.

I could spend the next 10 minutes speaking about how deeply offensive it is to our First Peoples that their heritage and culture should be protected under the National Parks and Wildlife Act, thereby effectively equating their heritage and culture with flora and fauna, but I will not. There are statutory protections for Aboriginal heritage that apply under the National Parks and Wildlife Act. They are not the world's best protections—in fact, they are very second-rate protections—but at least they are there. They say in relation to most other projects that if a proponent wants to destroy Aboriginal heritage, that proponent will at least have to obtain a permit to destroy it. While it is true that the Office of Environment and Heritage basically has 100 per cent approval rates for applications to destroy Aboriginal heritage, at least there is a process that allows the traditional owners to be consulted, to be engaged and to seek to protect their heritage. But not for the light rail project, for which a stabling yard currently is being constructed on one of the most significant Aboriginal heritage sites in the Sydney Basin that has been discovered in the past 50 years.

Thousands and thousands of items of Aboriginal heritage have been identified. Some artefacts appear to be some of the first evidence ever of deep trade routes and trade connections between Aboriginal peoples in the Hunter Valley and Aboriginal peoples in the Cumberland Basin, but none of that matters. Under part 5, Aboriginal heritage protections are simply turned off, neutered and destroyed. As a result, despite the fact that thousands and thousands of heritage items either will be dug up or covered in concrete or otherwise damaged, this CBD and South East Light Rail project just rolls on regardless. That is the core problem that has been exposed in relation to this light rail project. There are appalling planning laws that are so wrongheaded that they literally say that the more damage a project will do and the larger its impact, the less will be the scrutiny and protection for our heritage, our environment and our communities. This light rail project began on the wrong foot because of bad planning laws. If we want to get it right in the future, we must fix our planning laws.

**The Hon. SCOTT FARLOW (15:55):** I am sure it will not surprise members of this House that the Government does not support the motion. The CBD and South East Light Rail [CSELR] project is a \$2.1 billion project that will transform Sydney's city centre. By 2031 approximately 780,000 trips will be made to the city's



centre each weekday, which is 150,000 more than was the case in 2013. Sadly, existing infrastructure cannot keep pace. Sydneysiders need better transport options and a fully integrated system. That is what the Government is providing. There will be 19 light rail stops along a 12-kilometre route. The light rail will remove buses from congested central business district [CBD] streets in the morning peak and it will have the capacity to transport more than 13,500 passengers per hour, or 6,750 in each direction, during peak periods.

Light rail is an environmentally focused mode of transport that will reduce greenhouse gases and noise pollution to provide clean and efficient travel. It will provide a sustainable public transport option to customers who live, work and travel within the CBD and the south-east and it will ease the pressure on Sydney's roads by reducing the city's reliance on cars and buses. Environmental benefits of the project include that over 30 years the project will reduce greenhouse gas emissions by 663,000 tonnes through a reduction in bus and car usage. Light rail uses 10 times less energy than does a car per passenger kilometre. The Alstom light rail vehicles will be 99 per cent recyclable at the end of their lifespan. Crossbench members referred to tree removal. The CSELR project team is committed to ensuring that tree removal is kept to an absolute minimum. Retaining as many trees as possible has, and always will be, a high priority. Some 112 Moreton Bay figs were identified along the route—81 remain standing. Despite what we have heard from non-Government members, Anzac Parade has not been the site of clear-felling. More than 120 trees have been saved to date either by relocation for future transplanting or by being retained in situ through redesign.

Support for what I have said in relation to trees comes not just from Government members but from a somewhat unlikely ally—the Lord Mayor of Sydney, Clover Moore, whom members may be somewhat aware of. Clover Moore's website states under the heading, "The truth about trees and light rail in Surry Hills":

While some trees will need to be removed as part of the light rail construction process, under the Agreement negotiated, the NSW Government has committed to planting more trees than the number removed as part of the project.

This means there will be more trees in Surry Hills after light rail is complete. There will also be new parks and open space.

That does not come from the Government. That was stated by the Lord Mayor of Sydney, Clover Moore—a lord mayor of whom some members of this House may not be supporters, necessarily, but someone who received a significant vote on council. The City of Sydney council now has no Greens members, funnily enough.

**The Hon. Catherine Cusack:** What happened to them?

**The Hon. SCOTT FARLOW:** Yes, what happened to them? The council now comprises two Liberals—there was an increase in the Liberal vote—no Greens and a decline in the Labor vote. That is what happened at the recent local government elections to the Council of the City of Sydney. The Government has been responsible in delivering infrastructure that the people of New South Wales expect, the infrastructure that the Government promised, and the infrastructure that we need, such as light rail in Sydney. The Government has committed \$2.1 billion to this project. I read what I thought was one of the Hon. Walt Secord's promotional documents, but it turned out to be a glossy brochure from The Greens.

**The Hon. Greg Donnelly:** Ah, props! Be careful.

**The Hon. SCOTT FARLOW:** I will not overly refer to the props, but The Greens' brochure is entitled "The Greens Transport Vision and 2020 Infrastructure Plan for NSW".

**The Hon. Dr Peter Phelps:** We will all be riding unicorns!

**The Hon. SCOTT FARLOW:** I note the interjection of the Hon. Dr Peter Phelps. I like to think of The Greens' plan as more like *Monkey Magic*, when they summon the clouds. Of course, The Greens do not support light rail, and it seems that whenever we want to build light rail The Greens want to pull out every stop to prevent the project from going ahead. The Greens Transport Vision & 2020 Infrastructure Plan claims to offer "an exciting alternative". It is very exciting because the plan is to scrap everything so we will have to travel around on clouds. The Greens say in their transport plan:

In Sydney we know that when people have good public transport as an option they will use it...

We say that there is no better public transport than the light rail system that we are promoting. The Greens also say:

Inadequate frequency and capacity of services are common reasons commuters avoid using public transport.

That is why we are going ahead with the CBD and South East Sydney Light Rail link with plans for peak hour services to run every four minutes. The plan is to attract more commuters and increase use. It seems as though the Government is delivering on The Greens' policy. But when looking at The Greens' policy it is always necessary to look at the fine print. The Greens will provide \$2.1 billion to fund light rail in New South Wales. To be fair to The Greens, they are going to scrap every road project in New South Wales to fund it, and they say that upfront.

But the other projects that will be provided are a Western Sydney light rail network, an inner-west rail link and a Sydney to Zetland rail link—all for \$2.1 billion, the same amount we are spending on the CBD and South East Sydney Light Rail line. I do not know how The Greens have reached this figure, but obviously they have great actuaries who can help them with funding proposals so they are confident they can deliver this project on time and under budget.

It is obvious that the CBD and South East Sydney Light Rail link will be to the benefit of the community and to the commuters who will use the line. This project should be supported. We do not need a select committee headed by The Greens to investigate this project and get in the way of delivering this vital infrastructure for the people of Sydney. That is why the Government does not support this motion.

**Dr MEHREEN FARUQI (16:01):** I thank members who contributed to debate on my motion to form a select committee on the CBD and South East Sydney Light Rail project—the Hon. Penny Sharpe, Mr David Shoebridge and the Hon. Scott Farlow. I am pleased to hear that Government members are reading The Greens' transport plan because they might learn a thing or two about how to plan transport infrastructure. The Hon. Scott Farlow referred to Sydney Lord Mayor Clover Moore's support for the light rail project.

**Mr David Shoebridge:** What did she say in May?

**Dr MEHREEN FARUQI:** According to a report in the *Sydney Morning Herald* in May this year she is reported as saying:

Sydney Lord Mayor Clover Moore spoke along with Aboriginal heritage experts and environmentalists, calling for the eastern suburbs light rail route to be redirected to save 31 Moreton Bay figs along Anzac Parade.

Obviously, people change their position when they see devastation and destruction as part of a project. With so many unanswered questions, a very unconvincing response from the Government—so unconvincing that the Minister for Roads, Maritime and Freight, who represents the Minister for Transport and Infrastructure, was not willing to speak to the motion—the lack of transparency and the appalling treatment of the community, the environment and Aboriginal heritage, the New South Wales Parliament urgently needs an inquiry into the CBD and South East Sydney Light Rail project. I commend the motion to the House.

**The DEPUTY PRESIDENT (The Hon. Shayne Mallard):** The question is that the motion be agreed to.

**The House divided.**

Ayes ..... 13  
Noes ..... 19  
Majority.....6

#### AYES

Buckingham, Mr J  
Field, Mr J  
Moselmane, Mr S  
(teller)  
Secord, Mr W  
Wong, Mr E

Donnelly, Mr G (teller)  
Houssos, Ms C  
Primrose, Mr P  
  
Sharpe, Ms P

Faruqi, Dr M  
Mookhey, Mr D  
Searle, Mr A  
  
Shoebridge, Mr D

#### NOES

Ajaka, Mr J  
Borsak, Mr R  
Colless, Mr R  
Franklin, Mr B (teller)  
Khan, Mr T  
  
Mitchell, Ms S  
Phelps, Dr P

Amato, Mr L  
Brown, Mr R  
Cusack, Ms C  
Gallacher, Mr M  
MacDonald, Mr S  
  
Nile, Reverend F

Blair, Mr N  
Clarke, Mr D  
Farlow, Mr S  
Gay, Mr D  
Maclaren-Jones, Ms N  
(teller)  
Pearce, Mr G

#### PAIRS

Veitch, Mr M

Taylor, Ms B

## PAIRS

Voltz, Ms L

Mason-Cox, Mr M

**Motion negatived.***Documents***TABLING OF PAPERS****The Hon. DUNCAN GAY:** I table the following reports:

State Owned Corporations Act 1989—Statements of Corporate Intent for year ending 30 June 2017:

Ausgrid  
Delta Electricity  
Endeavour Energy  
Essential Energy  
Forestry Corporation of NSW  
Hunter Water Corporation  
Pillar Administration  
Port Authority of NSW  
Sydney Water Corporation  
UrbanGrowth NSW  
WaterNSW

I move:

That the reports be printed.

**Motion agreed to.***Ministerial Statement***ROAD CLOSURES**

**The Hon. DUNCAN GAY (Minister for Roads, Maritime and Freight, and Vice-President of the Executive Council) (16:11):** I wish to update the House on the impact of rising floodwaters on the State's central and south-west road network. From the start of September, heavy rain has affected a widespread area of New South Wales, with the primary areas of concern being the Murray, Murrumbidgee and Lachlan river systems. As a result, a number of roads have already been closed. However, as of this afternoon, extensive road closures are now in place on a number of key highways across the State.

The Newell Highway has been closed to all traffic between West Wyalong and Forbes. There is a detour around the closed section of the corridor which would add about 250 kilometres to the journey. This rain is expected to continue for some time and, for the safety of all motorists and the crews trying to repair the damage, the road closure is considered the most appropriate way forward. We know the road closures throughout this area will impact school holiday traffic and freight movements, not to mention the local communities who will be travel restricted, but with flood levels continuing to rise, safety is our priority. The wet weather has also impacted other roads including: Newell Highway, closed two kilometres south of Gillenbah; Burley Griffin Way, Ardlethan, closed west of the Newell Highway to light vehicles and vehicles towing trailers or caravans; Lachlan Valley Way, closed at Cowra, closed between Cowra and Gooloogong and closed between Gooloogong and Forbes; Cobb Highway, closed between Wilcannia and Ivanhoe; and The Escort Way, closed between Forbes and Eugowra. Diversions are in place for all closures, with many of these involving considerable additional travel time and including sections that also have a lot of water on the road.

Other sections of major State roads that are affected by flooding include: Newell Highway at Beckom and between Narrandera and Grong Grong; Lachlan Valley Way at Boorowa; Sturt Highway at Collingullie, 12 kilometres west of Gillenbah and near the Newell Highway at Narrandera; Olympic Highway at Bendick Murrell and Crowther; Henry Parkes Way between Parkes and Manildra; Barton Highway at Jeir; Goldfields Way at Temora and between West Wyalong and Barmedman; Mid-Western Highway between Goolgowi and West Wyalong; Burley Griffin Way between Aria Park and Mirrool and between Temora and Springdale; and Kamilaroi Highway at Wee Waa.

We will be ensuring heavy vehicle operators are aware of the detour and can take appropriate steps to manage fatigue. Maintenance crews are being deployed from across the State to help with the repairs. There are extensive potholes, and repair work is difficult with the continued rain. It is anticipated the road could be closed for several weeks at least. Once floodwater recedes and damage is assessed, repairs will be carried out to reopen the road as soon as possible. Local councils have been provided with information about the closure and offered

assistance as required to manage local conditions. Other stakeholders, including bus operators, interstate traffic control agencies and emergency services, have already been told about the closure. Motorists are advised to check appropriate detour routes and avoid the Newell Highway between West Wyalong and Forbes. The closure is effective north of West Wyalong to Forbes on the highway.

I encourage all road users to ensure that they drive to the conditions and speed limits on detour routes, given the additional traffic that will be diverted from the Newell Highway. Electronic message signs will provide motorists with information about the detour, and current impact is available via LiveTraffic on 132 701 or [livetraffic.com.au](http://livetraffic.com.au).

**The Hon. GREG DONNELLY (16:17):** On behalf of the Opposition, I thank the Minister for the information he has provided to the House. We fully endorse his comments about the need for drivers to take great care when in affected areas. Drivers should follow all directions from the relevant authorities providing those directions and should not under any circumstances drive through rising water.

*Adjournment Debate*

## ADJOURNMENT

**The Hon. DUNCAN GAY:** I move:

That this House do now adjourn.

## DISABILITY DISCRIMINATION

**Dr MEHREEN FARUQI (16:17):** Inclusion of people with a disability is a fundamental challenge in our society. Young people with a disability in particular face pervasive disadvantage, inequality and exclusion in many areas of life, including health and wellbeing as well as social and economic participation. The University of Sydney, together with the University of Melbourne, has been undertaking a research study investigating discrimination in public places towards young adults with disability. I wish to particularly thank Dr Jamee Newland for her work in this area. My speech today will present the voices of some young people from the Sydney study, specifically on their day-to-day experience of discrimination on public transport. In fact, public transport was the most commonly reported public space where such discrimination is experienced.

Carla, aged 27, of East Sydney, has a chronic health condition. Whilst her disability is not visible to others, she experiences fatigue and the lack of muscle strength to stand for long periods of time or to hold herself up if a bus or train stops suddenly. Catching buses and trains is frustrating and scary because of people reacting negatively to her in the past when she asked them to give up a priority seat for her. This is made even worse when she has to make multiple transport connections to get to her destination. Carla explains:

I could hop on the train and not find a seat, and then I have to hop off and then I hop on the train and there's no seat and I hop off again, you know, how long does this have to go on before I abandon my trip?

Carla explains that people refuse to give up their seat because her disability is invisible. She says that people "lack understanding that someone my age could have the same needs as perhaps someone their age or older". Gina, a 27-year-old from the inner west, has had her entitlement to a transport pensioner ticket questioned, and had tickets refused prior to the introduction of Opal cards, even when she offered her pension card. The bus driver's response was "well that is only for old people", an attitude of ageism that was reported by many. Gina was forced to disclose her disability and the bus driver responded, "No, you're not. You don't have a cane, and if you really were blind you shouldn't be out here; you should be staying at home." In some cases people do not vacate priority seats even when a young person's disability is obvious.

Olivia is 24 years old and has been deaf since birth and now her vision is gradually reducing, so she uses a cane for assistance. People on public transport are still unwilling to give up the priority seating on the bus for her, which makes her stressed and frustrated, and uncomfortable catching public transport. These negative experiences have become part of Olivia's daily life. She states:

So you just get used to it, and I just accept it. I can't do anything about it, I can't change it. I have to just learn to accept it and move on.

Olivia explained that she frequently gets on the wrong bus, and that "bus drivers, male bus drivers, are often not very good and they won't let me on or drop me off and that there is anti-discrimination written into the law and they shouldn't discriminate against people with disabilities, be understanding, they should intervene, they should be able to see that I am a deaf-blind person".

Other examples include, John, a 28-year-old man with Tourette's syndrome, who experiences negative attitudes while on the train from his home in north-west Sydney to work in the CBD. These events make him feel depressed that he has a syndrome that is judged unnecessarily by people who avoided him, which contributes to

his feelings of isolation. Chris, a 25-year-old male with intellectual disability who lives in the eastern suburbs, has experienced abusive interactions when he uses trains, particularly from teenagers, who tease and swear at him. One particular incident occurred at peak hour, when one assumes there would have been many other people around, who did not step in to stop this abuse. Gina sums up what we need to do in this place to change things. She states:

Politicians have finally got onto the wavelength, that discrimination needs structural change. Finally they are getting that message, but they need to actually do something about it instead of just talking about it.

OK, it's great that you finally understand that it is not us that needs to change, or our attitudes, or some buses, or some shitty people, it's permeated by the culture that's in their world. Thanks for finally getting on the bandwagon, thank you, it took you a while, but what are you going to do about it?

This is a serious question that must be answered.

### **VOLUNTARY ASSISTED DYING**

**The Hon. TREVOR KHAN (16:22):** Another year has passed since my father died. Still the issue of voluntary assisted dying has not progressed far enough in New South Wales. We know that over the past year voluntary assisted dying legislation has been enacted in Canada, and the same has occurred in California. We know that a report on voluntary assisted dying has been drafted by the Victorian Parliament recommending that enabling legislation be introduced. A cross-party working group comprising Mr Lee Evans, MP, the Hon. Lynda Voltz, Dr Mehreen Faruqi, and Mr Alex Greenwich, MP, and me has been established. We have proceeded as best we can with the preparation of a voluntary assisted dying bill that will give terminally ill individuals the right to die should that be their desire. Voluntary assisted dying is based entirely on compassion for the terminally ill. It is important to note that in many cases the law already permits terminally ill individuals to choose death instead of life.

As I said in this House earlier this year, the *Age* published a story about Melbourne resident Anthony Virgona. Mr Virgona fought multiple sclerosis for 20 years—more than a third of his life. By February this year, he could no longer walk and his organs were failing. His short-term memory was gone and he had become totally dependent on a team of carers. In the end, Mr Virgona had "had enough" and chose to refuse a kidney dialysis, which would have further prolonged his life. He died on 14 February. Through abstaining from further medical treatment, Mr Virgona made a decision to choose death over a life of suffering, incapacitation and dependence. He made a reasoned and rational decision.

Unfortunately, termination of treatment, such as occurred in Mr Virgona's case, is not always a practical end-of-life option. For many terminally ill patients, end-of-life options are limited to palliative care. Of course, like many others, I applaud the work done by palliative care teams in our hospitals. I acknowledge their hard work and dedication, and that they have one of the toughest jobs one could imagine. However, for a small percentage of people—perhaps 4 per cent or 5 per cent—even the best palliative care is ineffective in easing pain. Voluntary assisted dying should be available to that small percentage of people who do not experience sufficient relief from palliative care, and who are required to endure pain and suffering for what seems to them to be eternity.

I ask the Parliament: What is the difference between allowing a terminally ill person to die naturally by abstaining from treatment; and allowing them to die through means of voluntary assisted dying? Both are aimed at reducing suffering; both are aimed at providing dignity in the final days of one's life; both have the same reasoning, intention and outcome. Both should be legally permitted. As I have indicated, the cross-party working group is preparing a bill. We have consulted a wide variety of organisations, including the Law Society of NSW, Dying with Dignity NSW, Christians for Voluntary Euthanasia, the NSW Council of Civil Liberties, and the NSW Bar Association, among others. I am grateful for the assistance that they have provided, and as a result of their input our bill is being redrafted to take into account many of their observations. I assure the House that this matter will not go away; we will introduce a bill for debate in this place.

### **PREGNANCY SUPPORT AWARDS DINNER**

**The Hon. GREG DONNELLY (16:27):** One of the great privileges of being a member of this House is being able to travel the State and to speak to individuals, organisation and communities about their thoughts on what can be done to make life better for the citizens of New South Wales. In doing this, I often find that their responses do not invariably involve the Government writing more and bigger cheques. However, as we have all seen first-hand, a modest amount of money given to a well-run, highly motivated and focused non-government organisation can go a long way.

Three or so years ago, I started discussions with individuals and organisations across the State about the work they were undertaking to meet what I regarded then, and still do, as a major need for a significant number of individuals and families. I am talking about the need for support and care when facing an unplanned pregnancy.

My approach was simple and uncomplicated. I did a Google search for both by whom and where this work was being undertaken, and rang or emailed the respective organisations. Having conducted an initial round of telephone conversations, I decided to invite a number of individuals and organisations to a morning tea at Parliament House. About 30 or so people turned up, which I thought was not too bad for a first-time gathering. Some travelled from as far away as the mid North Coast.

It was a great meeting. It was informal, but information and a number of phone numbers were exchanged. I clearly recall two aspects of the meeting. First, although the people in the room had been doing this almost exclusively voluntary work for a number of years—some for decades—many had not heard of each other, let alone met. They were getting on with this important work—some in their own homes, in suburbs and towns—without necessarily knowing that others were doing similar work just a suburb away or down the highway.

The other point of note was that in the main these organisations were undertaking a range of activities and initiatives, year in and year out, without getting a cent from the Government. Some received the odd grant here or there but most were tiny organisations that had managed to establish themselves and survive from small donations and money raised through raffles, sausage sizzles and other fundraising activities. It was no surprise to find that the key people behind these organisations—mainly women—were highly motivated and extremely dedicated individuals.

Following the morning tea, the attendees asked that I put together a comprehensive schedule of the organisations represented on the day and those we knew that did similar work, listing contact names, phone numbers, email addresses and a summary of what each did and offered in terms of support, care and services. That was done and the schedule has been updated regularly and re-issued. It has been pleasing to see the number of individuals and organisations gradually grow over time. Since the first gathering, we have had two further morning or afternoon teas. They have been well attended, and the level of cooperation and coordination between the people and organisations involved in this work continues to grow and expand.

Having had the great fortune to meet a number of wonderful people doing this important work and seeing the huge difference that they are making in the lives of so many individuals and families, I thought it would be appropriate to establish an awards dinner. Following discussion with a few people undertaking this work, we have decided to establish the Pregnancy Support Awards that will be presented annually at a dinner at Parliament House. The inaugural Pregnancy Support Awards dinner will be held on Tuesday 8 November. As mentioned, the main reason for the dinner is to acknowledge and thank those individuals and organisations who are providing support and care for women and families facing an unplanned pregnancy.

There will be five awards presented on the night under the following categories: Leadership in Pregnancy Support; Outstanding Pregnancy Support Counsellor; Best Pregnancy Support in Regional, Rural and Remote New South Wales; Innovation in Pregnancy Support Services; and Outstanding Young Volunteer. Nominations for the awards can be made both electronically or through the post. Nominations have opened and will close on Friday 21 October. It is my view that we should try to do what we can to help people help themselves and offer constructive assistance to those who are doing what they can to support others in need. I have had the great privilege to meet a number of outstanding people who are doing a mountain of work, mainly on a voluntary basis, for some in great need in this State. I am looking forward to the inaugural Pregnancy Support Awards dinner being a great success.

### **SAME SEX MARRIAGE**

**Reverend the Hon. FRED NILE (16:31):** The theme of my presentation is "Say no to same-sex marriage [SSM]". I congratulate the Prime Minister, Malcolm Turnbull, on keeping his election promise to draft legislation for a plebiscite on SSM. That bill has been introduced into the Federal Parliament and will go to the Senate in due course. Unfortunately, at this stage the Labor Party, led by Mr Shorten, and other minor parties in the Senate have indicated through media statements that they will oppose the plebiscite bill. This creates a dilemma for people who wanted to see a decision made either for or against SSM. It leaves the issue in limbo.

I note from my research that prior to the election Mr Shorten issued a statement in support of the plebiscite and the notion that the people should have a say about the future of marriage in Australia. I hope that the parties in the Senate will allow the people of Australia to make a decision on SSM and that the plebiscite will be held. I am also pleased that the Prime Minister has been able to allocate \$15 million for the plebiscite—\$7.5 million for the yes case and \$7.5 million for the no case. As with referendums, it is very important that the people of Australia fully understand all the issues involved before they vote in the plebiscite on the proposed date of 11 February.

Some people claim that there are models in other parts of the world that have been put in place and been very successful. They mention Ireland, for example, and the referendum that was held there. Although 62 per cent of those who voted were in favour of SSM, it is rarely mentioned that only 60 per cent of eligible voters turned

out for the poll. Whatever the low poll numbers indicate, barely more than a third—only 36 per cent—of eligible voters in Ireland actually voted to legalise SSM in that country. There is no simple answer to the question of why so few people voted. It is disappointing, but their non-vote allowed SSM to go through.

Others mention the United States. They say, "The United States have done it. Why can't we?" The background to that decision is that it was made by the Supreme Court of the United States. It overruled many referendums held by the various States opposing SSM—often overwhelmingly opposing it by more than 60 per cent of voters. But the matter was taken to the Supreme Court of the United States, which has nine judges. And what happened? The vote in the Supreme Court of the United States was five to four in favour of SSM. Chief Justice Roberts, who is highly regarded for his expert legal knowledge, issued this statement as a dissenting opinion:

... this Court is not a legislature. Whether same-sex marriage is a good idea should be of no concern to us. Under the Constitution, judges have power to say what the law is, not what it should be.

...

Today, however, the Court takes the extraordinary step of ordering every State to license and recognize same-sex marriage.

...

The majority's decision is an act of will, not legal judgment. The right it announces has no basis in the Constitution or this Court's precedent. ... As a result, the Court invalidates the marriage laws of more than half the States and orders a transformation of a social institution that has formed the basis of human society for millennia ...

As I said, the Chief Justice is very highly respected. It was a decision made by only five out of the nine judges—five to four. In a democracy I would have thought that was sufficient to say it should be a no decision. Often those in the media try to find some place that favours same-sex marriage. The other day they mentioned Pitcairn Island as having voted for SSM. Pitcairn Island has a population of 48. I do not think it is a model for Australia. Say no to SSM.

## STATE ECONOMY

**The Hon. NATASHA MACLAREN-JONES (16:36):** Today I speak about this Government delivering for the people of New South Wales. When the Coalition came to office in 2011 New South Wales had the worst-performing economy in the nation, with the slowest employment growth. However, those of us in the Coalition had a clear plan to drive the New South Wales economy. We have delivered more jobs, greater opportunity and lower taxes. We have made the tough decisions that Labor was unwilling to make in order to make our State's finances sustainable and turn the economy around.

A strong economy is the key to a prosperous State. The recent State of the States report revealed that the economy of New South Wales is growing faster than any other economy in Australia. New South Wales continues to outperform the nation, with the country's lowest unemployment rates. More jobs have been created in New South Wales in the past year than in all the other States combined. In the past 12 months we have created close to 142,000 jobs in New South Wales. As I said, we lead the nation in job creation. Since April 2011, we have created more than 338,600 jobs in New South Wales.

Last month the New South Wales Government released the Jobs for the Future report, which outlines its 20-year action plan to create one million new jobs by 2036 and to ensure that people are prepared for these jobs. This plan has been developed by Jobs for NSW, a private sector led and New South Wales Government backed initiative, to deliver on the Government's number one priority to create more jobs. Furthermore, the Government has allocated \$190 million to the Jobs for NSW fund to establish a number of financial support programs. This Government is committed to responsible fiscal management while delivering smart economic investment.

The Government recognises that innovation and competition are the backbone of a strong economy. It is determined to make New South Wales the preferred place to do business and it supports industry growth and diversity. The NSW Economic Development Framework is built around five key principles that put the emphasis on making it easier to do business in New South Wales and positioning New South Wales for long-term global competitiveness by encouraging innovation and productivity. Furthermore, the Government is committed to creating opportunities and addressing the challenges facing regional New South Wales. It has therefore developed the Economic Development Strategy for Regional NSW to drive economic growth.

To help our regions prosper and to deliver vital infrastructure to support future growth, we have allocated 30 per cent of Restart NSW investment to regional areas and a further \$6 billion has been committed to the Rebuilding NSW fund. We are also prioritising infrastructure development across New South Wales and have committed a record \$73.3 billion over four years to support population growth and our booming economy. We are delivering projects across the State to improve transport, provide better health care, create more jobs and improve essential services, including more nurses, teachers and police. The Government is investing \$13.7 billion

in schools, \$20.6 billion in health, \$20.2 billion on transport and roads, and \$218 million in police. This will result in a better State in which to live, work, raise a family and be part of the community.

We have reformed health by creating local health districts governed by local health district boards and by returning decision-making to those on the ground. We have built and expanded hospitals across the State—and continue to do so—including significant investment in rural and regional New South Wales. The Government has committed more than \$5 billion to upgrade hospitals in this term alone. That includes more than \$400 million being spent on a major new Maitland Hospital, \$250 million on the redevelopment of Shellharbour Hospital, \$200 million on a major expansion of Wyong Hospital, \$120 million on the redevelopment of Goulburn Base Hospital, and \$50 million on increasing services at Bowral and District Hospital.

To meet the increased demand for health services, particularly with a growing and ageing population, we have increased our spending in this year's budget to \$20.6 billion, which is up by \$972 million on the previous year. Our record health funding will ensure that an extra 79,000 people will be treated in emergency departments and hospitals can cater for 43,200 extra admissions. In fact, according to the latest report from the Bureau of Health Information [BHI], hospitals in New South Wales are admitting more patients and performing more elective surgeries than ever before. The BHI Hospital Quarterly Report for April to June 2016 found that there were nearly 480,000 hospital admissions overall—the highest level ever reported—which is an increase of 4.7 per cent compared with the same time last year. The Government is continuing to invest in transport and infrastructure across the State, with \$73 billion in the forward estimates. Of that amount, \$41.5 billion is going to roads and transport. Since coming to office, we have delivered some 15,800 new services and over the next 12 months we will continue to see this figure grow.

### TAFE NSW

**The Hon. DANIEL MOOKHEY (16:41):** I take exception to the wilful destruction of TAFE under the stewardship of the Baird Government. TAFE is unique amongst educational institutes in this State. Its origin is in a social movement: the workers' education movement. This movement was needed because, historically, trades education—workers' education—was considered second-rate education not worthy of public investment. Workers fought for and went on strike for technical education. They built their own institutes until they won their campaign for public funding of technical education. Those institutes became TAFE. The TAFE that they built has had a transformative impact on this State and on this nation.

TAFE is the reason that trades productivity in Australia is amongst the highest in the Organisation for Economic Co-operation and Development. TAFE is the reason that Australian designers are amongst the most sought after in the world. Migrants, adult learners, career changers can all gain a high-quality vocational education, which means they can lead a good life, and the reason is TAFE. When the Baird Government trifles with TAFE, it is trifling with the history of this institution that has done more to uplift millions into the middle class than any other institution. And the Baird Government is trifling with TAFE. Since the Baird Liberal Government was elected in 2011 there have been 126,000 fewer enrolments in TAFE, 5,200 teachers and support staff have been sacked, and 14,500 fewer students with disabilities study at TAFE. More campuses have closed under this Government than under any other in the history of this State. Many campuses today are slated for sale. It is another public jewel to be flogged off to the highest bidders by the bankers who run the Baird Government.

Ordinarily, collapses like this would give the Government pause. Good governments would ask why this is happening. But we do not have a good Government in New South Wales; we have an arrogant Government, and it has an arrogant reply to those who question its stewardship of TAFE. Government members say they are proud, which is what the Treasurer said in the other place. The Government is proud of fewer enrolments, staff cuts and that students with a disability have fewer opportunities now than they did six years ago. When the Government is not engaging in a circular squad of self-congratulation, it is spending thousands of taxpayers' dollars hiring spin doctors to turn the public's gaze away from the disaster that is its management of TAFE.

A request for quote issued by TAFE NSW has recently come to light that shows how far the Baird Government is prepared to go to cover up its record on TAFE. In an official tender document, the New South Wales Government says that a senior media officer in the office of Minister Barilaro has a stated ambition to make the Minister number four in New South Wales in respect of his visibility and profile. The tender document says that the Minister for Skills is also under pressure from media managers in the office of the Premier to get the Minister into the metropolitan news at least once a week. This has led to a request for up to four detailed story pitches from TAFE NSW every week. The tender document stated that private vocational education and training providers have not acted 100 per cent ethically in the past and they are to blame for the negative media narrative against TAFE. The tender document further stated:

This has led to police and government action against some private colleges and generated a media and public "narrative" that a neo-Liberal or neo-con government forced TAFE to compete with "dodgy" private providers because—so the argument goes—the Government favours business over public providers.



The tender document concludes with:

This narrative is fed by The Greens, ALP and unions, and a steady flow of letters to the editor from the likes of retired TAFE teachers who remember "the good old days".

If this Government has more than 126,000 fewer enrolments in TAFE, if it has presided over the sacking of 5,200 teachers and support staff, and if its policies have led to 14,500 fewer students with a disability having a shot at a first-rate vocational education, no public relations strategy will help it. The only strategy that will help this Government is if it reverses the cuts.

**The DEPUTY PRESIDENT (The Hon. Shayne Mallard):** The question is that this House do now adjourn.

**Motion agreed to.**

**The House adjourned at 16:47 until 11 October 2016 at 14:30.**