



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Sixth Parliament
First Session**

Thursday, 15 February 2018

Authorised by the Parliament of New South Wales

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LEGISLATIVE COUNCIL

Thursday, 15 February 2018

The PRESIDENT (The Hon. John George Ajaka) took the chair at 10:00.

The PRESIDENT read the prayers.

Announcements

TONGA CYCLONE GITA

The PRESIDENT (10:02:19): On Tuesday this week, the Pacific country of Tonga experienced a category 4 cyclone which caused extensive damage to the islands and left thousands of people without power. It was with great sadness that we received pictures of the Parliament building completely destroyed and flattened during that cyclone. The building was more than 100 years old. The extent of the devastation throughout the island is still becoming apparent. As members would know, the Commonwealth parliaments have a strong bond. On behalf of members of the Legislative Council, I have sent a message to the High Commissioner of the Kingdom of Tonga expressing the sympathies and condolences of myself and members of the Legislative Council of New South Wales to the people of the Kingdom of Tonga who have been affected by Tropical Cyclone Gita and the significant damage it has caused.

Motions

ROCK OCEAN CHALLENGE

The Hon. BEN FRANKLIN (10:03): I move:

- (1) That this House notes that:
 - (a) the Rock Ocean Challenge was held from 22 to 26 January this year at Norfolk Island; and
 - (b) the Ballina-Byron Northern Rivers Outrigger Canoe Club members participated in the challenge, winning numerous medals.
- (2) That this House congratulates:
 - (a) the women's team for winning:
 - (i) gold in the 26 kilometre marathon;
 - (ii) gold in the 12 kilometre middle distance; and
 - (iii) silver for the sprint race.
 - (b) the men's team for winning triple silver medals.
- (3) That this House wishes the club the best of luck competing in the Sydney Harbour Challenge on 24 February 2018.

Motion agreed to.

SOCIETY 389 CHARITY CLUB

The Hon. LOU AMATO (10:03): I move:

- (1) That this House notes:
 - (a) the great work of the Macarthur based Society 389 Charity Club, a community based organisation which was formed by local trades and business people to assist children in need;
 - (b) the society supports children who suffer illness, disability or financial disadvantage and purchases wheelchairs, computers, motor vehicles, playground equipment and other necessities for local children in need; and
 - (c) the society also provides airfares and accommodation for children requiring interstate travel for life saving surgery.
- (2) That this House acknowledges that:
 - (a) due to the generosity of Society 389 Charity Club members, 100 per cent of all donations received go direct to children in need and are not eroded by costly administration fees; and
 - (b) all members of Society 389 Charity Club freely offer their services to the community including administration, personnel, committee members and case managers.
- (3) That this House acknowledges:

- (a) the great community work and spirit of Society 389 Charity Club members who volunteer time and resources for their local community; and
- (b) all those who support the society by providing donations and other financial assistance.

Motion agreed to.

LISMORE FLOATING SOLAR FARM

The Hon. BEN FRANKLIN (10:04): I move:

- (1) That this House notes that:
 - (a) Australia's largest floating solar farm was officially launched at the East Lismore Sewage Treatment Plant on Tuesday 30 January this year;
 - (b) the 100 kilowatt floating solar farm consists of 280 solar panels and flotation devices;
 - (c) the solar farm forms part of the Lismore Community Solar Initiative—a collaboration between Lismore City Council and community solar group Farming the Sun;
 - (d) the project is a flagship investment for Lismore City Council's 2023 Renewable Energy Master Plan, which highlights the council's vision of being a role model for strengthening community leadership in sustainable energy; and
 - (e) the project is a key step in realising the council's vision to source all its electricity from renewable sources by the year 2023.
- (2) That this House congratulates Lismore City Council and Farming the Sun for their work in developing this wonderful project.
- (3) That this House thanks Sharyn Hunnisett for her work in organising the outstanding launch.

Motion agreed to.

HELLENIC STUDIES AWARDS

The Hon. COURTNEY HOUSSOS (10:05): I move:

- (1) That this House notes that:
 - (a) on Thursday 8 February 2018, on the eve of the first International Day of the Hellenic Language, the Australian Hellenic Educators' Association of New South Wales, the Australian Capital Territory and Queensland hosted the 2018 Hellenic Studies Awards at Parliament House, Sydney;
 - (b) the 2018 Hellenic Studies Awards recognised the achievements of 153 students of Greek language and culture from around New South Wales; and
 - (c) the attendees included:
 - (i) the NSW Consul General of the Hellenic Republic, His Excellency Mr Christos Karras;
 - (ii) Father Peter Mavrommatis, representing His Eminence, Archbishop Stylianos; Primate of the Greek Orthodox Church of Australia;
 - (iii) founder and President of the Lysicrates Foundation, John Azarias;
 - (iv) The Hon. David Elliott, MP, Minister for Counter-Terrorism, Minister for Corrections and Minister for Veterans Affairs;
 - (v) Ms Sophie Cotsis, MP, shadow Minister for Women, shadow Minister for Ageing, shadow Minister for Multiculturalism, and shadow Minister for Disability Services;
 - (vi) Mr Steve Kamper, MP, member for Rockdale; and
 - (vii) The Hon. Courtney Houssos, MLC, who hosted the event.
- (2) That this House congratulates each award recipient at the 2018 Hellenic Studies Awards and acknowledges their hard work and diligence in learning Greek language and history.
- (3) That this House:
 - (a) notes the important work of the Australian Hellenic Educators' Association of New South Wales, the Australian Capital Territory and Queensland; and
 - (b) offers its thanks to the association for their tireless efforts educating young people around New South Wales about Greece and its culture, and in particular thanks Dr Panayiotis Diamandis for his tireless work.

Motion agreed to.

ALESCO SENIOR COLLEGE GRADUATION CEREMONY

Mr SCOT MacDONALD (10:05): I move:

- (1) That this House notes that:

- (a) the Alesco Senior College held its graduation ceremony on Tuesday 5 December 2017 at the University of Newcastle;
- (b) Alesco Senior College is an independent school that supports vulnerable young people who due to a variety of reasons are unable to complete their education in a mainstream environment;
- (c) the college has five campuses with an intention to increase this number in the next two years so as to provide opportunities for more young people to access the model;
- (d) the selfless and devoted principal of the school is Theresa Pantalone, who has been a part of the college team for 10 years and is committed to the growth of the college and is a passionate advocate for the philosophy of the school and its students;
- (e) the strategic development of the organisation is assisted through the expertise of the former principal and founder of the college, Rowan Cox, the Executive Director of WEA Hunter;
- (f) the graduation ceremony had over 200 students graduating and 500 guests attending;
- (g) special guests included:
 - (i) Mr Scot MacDonald, MLC, Parliamentary Secretary for Planning, the Central Coast and the Hunter;
 - (ii) Mr Tim Crakanthorp, MP, member for Newcastle;
 - (iii) Ms Jodie Harrison, MP, member for Charlestown;
 - (iv) Ms Kate Washington, MP, member for Port Stephens;
 - (v) Martin Coates, Chairman of the Board of Directors, WEA Hunter; and
 - (vi) Anzac Leidig, Head Coach from the Evonne Goolagong Foundation.
- (h) recipients of awards at the graduation ceremony were:
 - (i) Social Justice Award—Shienne Rebrik;
 - (ii) School and Community Award—Lucianna Mitlov;
 - (iii) School and Community Award—Tygh Ansell;
 - (iv) Community Spirit and Leadership Award—Caitlin Cooper;
 - (v) Social and Community Award—Martin Connolly;
 - (vi) ADF Long Tan Leadership and Teamwork Award—Rhiannon Jennings and Dayne Cubbon;
 - (vii) Alesco Newcastle Resilience Awards—Daizee Watling and Rebecca Gleeson; and
 - (viii) the Paul Mather Outstanding Student of the Year Award 2017—Caitlin Cooper.
- (2) That this House:
 - (a) acknowledges and commends the selfless and outstanding work of Theresa Pantalone and her staff for supporting vulnerable young people who due to a variety of reasons are unable to complete their education in a mainstream environment; and
 - (b) congratulates all award recipients and graduates and extends best wishes to them for the future.

Motion agreed to.

BYRON ALL SHORTS FESTIVAL

The Hon. BEN FRANKLIN (10:06): I move:

- (1) That this House notes that:
 - (a) the Byron All Shorts festival was held on Saturday 27 January this year; and
 - (b) Byron All Shorts is a Northern Rivers short film festival supporting local stories and local film makers.
- (2) That this House congratulates the following winners:
 - (a) Susie Forster—Best Short Film;
 - (b) Karenza Ebejer—Highly Commended;
 - (c) Sheldon Lieberman, Sem Han, James Henry and Stephanie Walsh—Highly Commended;
 - (d) Luca Fox and Natalie Grube—Emerging Talent; and
 - (e) Sophie Hexter and Poppy Walker—Audience Award for Best Short Film.
- (3) That this House thanks and congratulates Shane Rennie, Chair of Island Quarry, for all his work in organising the festival.

Motion agreed to.

*Documents***TABLING OF PAPERS**

The Hon. SCOTT FARLOW: I table the following reports:

- (1) Law and Justice Foundation Act 2000—Report of Law and Justice Foundation for year ended 30 June 2017.
- (2) Law Enforcement (Powers and Responsibilities) Act 2002—Report of New South Wales Police Force under section 242A for year ended 30 June 2017.
- (3) Public Defenders Bill 1995—Report of Public Defenders for year ended 30 June 2017.
- (4) Terrorism (Police Powers) Act 2002—Reports for year ended 30 June 2017:
New South Wales Police Force under section 25P;
New South Wales Police Force under section 26ZN; and
New South Wales Police Force under section 27ZB.
- (5) Terrorism (Police Powers) Act 2002—Reports for year ended 30 June 2016:
New South Wales Police Force under section 26ZN; and
New South Wales Police Force under section 27ZB.
- (6) Terrorism (Police Powers) Act 2002—Reports for year ended 30 June 2015:
New South Wales Police Force under section 26ZN; and
New South Wales Police Force under section 27ZB.

I move:

That the reports be printed.

Motion agreed to.

*Business of the House***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 the business of the House.

Motion agreed to.

ORDER OF BUSINESS

The Hon. NATASHA MACLAREN-JONES: I move:

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

- (1) Private Members' Business item No. 1870 outside the Order of Precedence standing in the name of the Hon. Adam Searle relating to the Medicinal Cannabis (Compassionate Access) Bill.
- (2) Private Members' Business item No. 20 outside the Order of Precedence standing in the name of Reverend the Hon. Fred Nile relating to the Family Impact Commission Bill.
- (3) Private Members' Business item No. 1876 outside the Order of Precedence standing in the name of the Hon. Natalie Ward relating to a condolence motion for Sir Nicholas Michael Shehadie, AC, OBE.
- (4) Private Members' Business item No. 182 outside the Order of Precedence standing in the name of the Hon. Mark Pearson relating to the Prevention of Cruelty to Animals Amendment (Stock Animals) Bill 2015.
- (5) Private Members' Business item No. 1883 outside the Order of Precedence standing in the name of the Hon. Mick Veitch relating to an order for papers regarding the 2012 Barwon Darling Water Sharing Plan.

Motion agreed to.

*Bills***MEDICINAL CANNABIS (COMPASSIONATE ACCESS) BILL 2018****First Reading**

Bill introduced, and read a first time and ordered to be printed on motion by the Hon. Adam Searle.

Second Reading Speech

The Hon. ADAM SEARLE (10:16): I move:

That this bill be now read a second time.

This bill seeks to decriminalise the use and possession of cannabis for medical purposes. It is about restoring dignity to people with a terminal illness or another serious medical condition who are seeking temporary relief from their pain and suffering. By passing this legislation, this House can remove unnecessary hurdles for sufferers of terminal and chronic illnesses. Seeking respite from relentless and unwavering illness should not be a criminal offence. It should be met with our sympathy and our support. If we have the ability to relieve someone's pain and suffering, we should do it. We know that for some people with terminal illnesses and other serious illnesses, medicinal cannabis is the only effective form of pain relief. They should not be treated as criminals under our legal system, as they are at present. If members of this House sincerely believe in alleviating suffering, they will vote for this bill because it is well past time to act.

Two years ago, the then Federal health Minister Sussan Ley claimed the passage of amendments to the Narcotic Drugs Act on 24 February 2016 had opened the door for Australian patients and doctors to access a safe and legal as well as reliable supply of medicinal cannabis products. However, that has proven to be a mirage because there has been no safe and legal local production, and health authorities around Australia—and even here in New South Wales—in effect have been blocking prescribers' applications for imported product, even when they have been accepted by the Therapeutic Goods Administration [TGA]. As a result, it is reported that only about 350 Australian patients have so far secured legal prescriptions and it is estimated that only 50 of those are in New South Wales—many of them children in trials to control seizures—while an estimated 100,000 people Australia-wide have had to turn to the black market. Extrapolating that figure on the basis of population, that means that somewhere between 30,000 and 40,000 people in New South Wales have to resort to black market supply. Even where approval has been given, the staggering cost of importing products has placed much-needed relief simply beyond the means of many families and individuals.

There is a growing body of observational evidence for the effectiveness of medical cannabis to treat conditions such as epilepsy, pain, chemotherapy-induced nausea, motor neurone disease, and other serious conditions or illnesses. Because of its illegal status for more than a century, evidence to support its therapeutic effects in the traditional Western medical model is only now being documented. Despite that, there is extensive research in other jurisdictions—for example, in Israel—documenting the efficacy of cannabis. In January of last year a report from the National Academies of Sciences, Engineering, and Medicine in the United States of America provided a rigorous review of scientific research published since 1999 about what is known about the health impacts of cannabis and cannabis-derived products, such as marijuana and active chemical compounds known as cannabinoids, ranging from their therapeutic effects to their risks for causing certain cancers, diseases, mental health disorders, and injuries.

The committee that carried out the study and wrote the report considered more than 10,000 scientific abstracts to reach its nearly 100 conclusions. The committee proposed ways to expand and improve the quality of cannabis research efforts, enhance data-collection efforts to support the advancement of research, and address the current barriers to cannabis research. One of the therapeutic uses of cannabis and cannabinoids is to treat chronic pain in adults. The committee found evidence that patients who were treated with cannabis or cannabinoids were more likely to experience a significant reduction in pain symptoms. For adults with multiple sclerosis related muscle spasms, there was substantial evidence that short-term use of certain oral cannabinoids improved their reported symptoms. Furthermore, in adults with chemotherapy-induced nausea and vomiting, there was conclusive evidence that certain oral cannabinoids were effective in preventing and treating those ailments. This is entirely consistent with the lived experience in Australia and evidence given to the Upper House inquiry, on which I served.

Last year, many of those involved in the administration of medicinal cannabis regimes in other countries, including the Netherlands, Germany, Israel, and other places, met in Sydney at a conference. I was able to meet with them and learn of the clinical data, research, and lived experiences of patients that have informed their approaches to the relief of suffering. There is more than ample evidence of the effectiveness of medicinal cannabis, at least for some patients. That was the evidence given to the Upper House inquiry, which was reflected in my own experience. My father passed away from cancer, and although traditional pharmaceutical medicine did alleviate pain and some of the symptoms of the chemotherapy and cancer, it impaired his quality of life. But medicinal cannabis treated the symptoms and gave him back his quality of life. I have significant personal investment in this—I make no bones about that—but I am not the only one. This is the lived experience of people who have walked along this path.

Despite this, there remains significant problems with access to medicinal cannabis for people in New South Wales. Specifically, there are widespread concerns about NSW Health refusing access to medicinal cannabis, even in circumstances where access had already been granted by the Therapeutic Goods Administration under Category B of the Special Access Scheme. In one example, on 7 February, Prime7 News Wagga told the story of Lex and Kathy. Kathy is suffering from Lewy body dementia and Parkinson's disease. Every day, she suffers from severe pain and is so sick her husband has become her full-time carer. She is among the tens of thousands who could benefit from access to medicinal cannabis. Despite receiving approval from the Therapeutic Goods Administration in September 2016, her access to medicinal cannabis has been twice rejected by NSW Health because the couple lives in Tumut, which is deemed to be too far from the relevant medical expert based in Sydney.

We all know the struggles people in regional and rural New South Wales face when accessing medical support that they need, but this is a good example—or a bad example—of a double punishment. A patient needs access to the product, but because they are living in a place that is challenged for medical services they are punished again. It seems extraordinary in this day and age that this is how things pan out. There are also reports that some of the products being made available are not in fact cannabis—in some cases, they are pharmaceutical products derived from cannabis while in other cases it is reported that they are not but are being portrayed as medicinal cannabis. This matter is addressed in the definition section of the bill. This month, the Victorian Government has unveiled its Medical Cannabis Industry Development Strategy aimed at supplying half of Australia's medical cannabis needs by 2028. In that State, imported products have been supplied to 29 children with intractable epilepsy, soon to be expanded to 60. It is hoped that the Victorian scheme will assist in supplying an additional 30 children with locally produced product. The New South Wales Government does not appear to have any plans for locally produced cannabis, but if there is we will hear about it in this debate.

Recently, the Federal Government announced a system of export permits to be created by regulation that will enable the export of local product to meet medical cannabis needs in other countries. That is a welcome development. The two developments underscore the dire position being experienced in New South Wales, where, despite the promises of former Premier Mike Baird and the hopes and expectations of the community, access to medicinal cannabis has not been made a practical reality. There are two key issues and both are addressed by this bill. Firstly, people are suffering today—not next week, month or year—and due to the lack of an effective supply, an estimated 100,000 sufferers and their carers across Australia, approximately 30,000 to 40,000 of which are in New South Wales, are being forced to access product through the black market. Those people are being exposed to the risks of the criminal justice system. The law needs to be changed to remove this risk.

In 2013, there was a five-party consensus, which covered the whole political spectrum, that this should be done. NSW Labor offered to support the coalition Government to achieve these aims. Why has this simple but effective measure not been taken? Secondly, relying on those who need medical cannabis to use backstreet dealers is totally inadequate. There needs to be a safe, legal and local supply of product. Victoria is showing it can be done. We know illicit cannabis grows well in New South Wales. Why should our State miss out on the development of a useful and potentially lucrative new primary industry? It should not. We must provide for a safe and local supply chain.

The bill adopts key recommendations of the New South Wales Legislative Council committee inquiry into the use of cannabis for medical purposes. The recommendations received unanimous support from five political parties from across the political spectrum. I served on that committee, along with three others who also remain in the Chamber. There was our able and effective chair, the Hon. Sarah Mitchell; Deputy President and Chair of Committees the Hon. Trevor Khan, and the Hon. Robert Borsak. I pay tribute to the work of our departed colleague Dr John Kaye, who was a campaigner for medicinal cannabis and an effective and invaluable member of the committee. I would much rather the Government take up the challenge posed by this issue and take the necessary steps itself, but it has not done so in nearly five years. Despite the rejection of Labor's bill in the other place last year, I again propose these measures in the hope that this place can put party politics to one side and put patients first. One of the purposes of the bill is to protect medicinal cannabis users and their carers from liability under the criminal laws of this State. Recommendation 2 of the Legislative Council report urged:

That the NSW Government introduce an amendment to the Drug Misuse and Trafficking Act 1985 to add a complete defence to the use and possession of cannabis, so as to cover the authorised medical use of cannabis by patients with terminal illness and those who have moved from HIV infection to AIDS. The features of this system would include:

- provision of a complete defence from arrest and prosecution for the use of cannabis and possession of up to 15 grams of dry cannabis or equivalent amounts of other cannabis products, and equipment for the administration of cannabis, by the patient
- provision of a complete defence from arrest and prosecution for the possession and supply of up to 15 grams of dry cannabis or equivalent amounts of other cannabis products, and equipment for the administration of cannabis, by the patient's carer

- that the defence be restricted to persons listed on a register of 'authorised cannabis patients and carers', with eligibility contingent upon certification by the patient's treating specialist medical practitioner that the patient is diagnosed with a specified condition
- the defence would only apply where the use and supply of cannabis does not occur in a public place, and
- a review of the amendment commence within three years of the date of commencement.

This recommendation responded to the compelling evidence given to the committee. Although the recommendation was limited to benefiting those with a terminal illness, this bill extends to those with a serious medical condition. Since the committee's report was delivered in 2013, evidence from those suffering chronic pain that is unable to be treated by conventional medicine, or where the side effects of conventional medicine seriously compromise quality of life, has convinced the NSW Labor Opposition that we need to go further to provide more options for pain management. The change also responds to the evidence of a friend of mine and former member of this House, the Hon. Paul O'Grady, who, although now deceased, for many years before he became terminally ill gave evidence on using medicinal cannabis to treat the symptoms of his illness and stimulate appetite and the like. He credited medicinal cannabis with keeping him alive for much longer than he otherwise would have.

Part 1 of the bill provides the key building blocks for the scheme we seek to create. Clause 3 sets out the definitions used in the legislation, which are aligned with those in the Drug Misuse and Trafficking Act 1985. The central definition is what is meant by the term "cannabis". It is defined as "cannabis leaf, cannabis oil, cannabis resin; a preparation, admixture, extract or other substance containing any proportion of cannabis leaf, oil or resin; or a substance derived from a plant of the genus *Cannabis* that is declared by the regulations to be cannabis". This last definition is a safety valve, should it be needed, to guard against the use of artificial substances or compounds not presently contemplated as being cannabis, which do not have the beneficial effects and which may constitute a danger to those who consume or use the material.

Clause 4 defines "terminal" or "serious medical condition". This is central to the scheme since, to be eligible to be registered as a medicinal user of cannabis, a person must suffer from a terminal or other serious illness. Reflecting the deliberation of the Legislative Council committee, the bill defines a terminal illness as an illness or condition that is likely to result in death in a reasonably foreseeable period. Serious illness is defined to be a serious illness or condition that is likely to result, and to continue to result, in a significant reduction in the affected person's quality of life, whether that is from the symptoms of the illness or condition or from its treatment. These are, I believe, commonsense definitions, able to be readily understood and accepted by laypersons and experts alike. The definitions are, if you like, a narrative gateway into the system of medicinal cannabis use.

If persons suffer an illness or condition as defined then they can seek registration under part 2 of this bill. That part sets out a detailed regime for registration that, at its heart, requires a person to have a medical certificate certifying that they suffer from the terminal or serious illness as claimed. Outside terminal conditions, there will need to be a judgement formed by the regulator, in this case the Secretary of the Department of Health in New South Wales, that the illness or condition does warrant the description of "serious". To assist in this process and to provide a safeguard against an overly bureaucratic approach, clause 4 (2) sets out a range of conditions that are, for the purposes of this legislation, serious. They are:

- severe intractable epilepsy,
- human immunodeficiency virus [HIV],
- motor neurone disease, multiple sclerosis,
- the neurological disorder known as stiff person syndrome,
- severe and treatment-resistant nausea and vomiting due to chemotherapy, or
- pain associated with cancer, or neuropathic pain.

These conditions have been chosen in part based upon the evidence to the Legislative Council inquiry but also from dialogue with sufferers of chronic or permanent conditions for which traditional, Western pharmaceutical medical care is not able to adequately provide relief, at least not without other negative consequences. This provision also enables further conditions to be declared to be a terminal or serious illness by regulation. This bill will achieve its aims by establishing, by law, a registration scheme for medicinal users of cannabis and their carers. This is drawn from recommendation 3 of the Legislative Council committee report which provided, relevantly:

That ... the NSW Ministry of Health establish and administer a register of 'authorised cannabis patients and carers' certified by the patient's treating specialist medical practitioner and issue patients and carers on this register with a photo identity card verifying that they qualify for exemption from arrest and prosecution.

Because the registration is intended to protect persons from the application of the criminal law, it must be regulated openly and by law. Very importantly, we do not think it satisfactory to have any scheme in this area dependent

upon police officers being asked simply to not enforce the existing law by the Executive Government. At its heart, such an approach is anti-democratic and fundamentally dangerous. Laws must be properly enforced. If the law is no good, outdated, or does not meet community expectations and needs, let us have the courage and honesty to say so—and to change the law.

Under part 2 of the bill, the health secretary is empowered to register a person as a medicinal user of cannabis, or a carer of a registered medicinal user of cannabis. The body of the arrangement is found in clause 5. Any application for registration as a medicinal cannabis user must also be accompanied by a medical certificate certifying the terminal or other serious medical condition suffered by the person. Any application for registration as a medicinal user of cannabis or carer of a registered medicinal user of cannabis must be in the approved form and be accompanied by the required proof of identity. To be able to be registered as a medicinal user, the applicant must have a terminal or serious medical condition as defined, have their principal place of residence in New South Wales, and meet any other requirements in the regulations, and not otherwise be disqualified from registration.

A person may be registered as a carer only if they have the care of, or are assisting in the care of, a person who is a registered medicinal user of cannabis, and the registered medicinal user of cannabis consents to registration of the person as their carer. A carer's principal place of residence must also be in New South Wales, and they must meet any other requirement set out in the regulations, and not otherwise be disqualified from registration. An application may be made on behalf of a child by the parents or guardians of the child. Registration as a medicinal user of cannabis, or carer of a medicinal user of cannabis, remains in force for a period set out in the regulations, and may be renewed.

There is also a regime, found in clause 6, for the cancellation of any registration. The health secretary may cancel a person's registration as a medicinal user or carer if satisfied that the registration was obtained improperly, or the person is not eligible to be registered as a medicinal user or carer, or the person has committed more than one offence against this Act or the regulations. Other grounds for cancellation may also be provided for in the regulations. Before the Secretary of the Ministry of Health takes any action, he or she must provide notice to the person or, in the case of a child, the guardian, providing the reasons and allowing at least 14 days to make submissions in relation to the proposed cancellation. The health secretary must cancel any registration if application is made by a registered medicinal cannabis user for that cancellation.

Clause 7 provides a regime for the inspection of any registration and the return of any certificate. Importantly, the bill before this House will also permit the creation of a lawful supply chain of medicinal cannabis, something the Legislative Council committee was not able to definitively deal with, given the legal complexity involved and the time constraints under which their inquiry took place. However, it is worth noting that the committee did not ignore this crucial aspect. Recommendation 4 provided:

That the NSW Ministry of Health and Department of Attorney General and Justice give further and detailed consideration to the issues surrounding lawful supply of crude cannabis products for medical purposes.

It is unsatisfactory, to say the least, that this appears not to have occurred since that inquiry reported to the Parliament in May 2013, nearly five years ago. While I note the extensive measures enacted under similar legislation in Victoria and Queensland, the sheer volume of the bills considered by those Parliaments discloses the legal complexity involved in making this idea a practical reality. To achieve the same in this State would involve extensive discussions with multiple agencies, both here and at Commonwealth level, and amendments to literally dozens of different pieces of legislation.

The approach we take in this bill is a simple, facilitative measure found in part 3, clause 8, which will enable the State to establish a scheme for authorising the activities needed to create a lawful supply chain. This will include the cultivation and harvesting of cannabis plants, the manufacture or production of cannabis, as well as the storing and supplying of cannabis. The regulations will also permit the creation of a scheme for the granting of any necessary licences, permits or other authorities for the activities, including requirements for criminal record checks or other eligibility requirements that are determined as necessary and prudent, and the imposition, variation or revocation of conditions of licences, permits or other authorities. This will extend to provision for the suspension or cancellation of any licence, permit or other authority. The activities that a registered user of medicinal cannabis is lawfully able to engage in, and the activities lawfully permitted to a carer, are set out in part 4, clause 9. The provision will permit the administration of cannabis by a registered user to himself or herself, and the administration, or assistance in the administration, of cannabis by a carer to the registered medicinal user. It will also allow registered users and carers to possess cannabis and equipment for use in the administration of cannabis.

Clause 9 will permit registered users and carers to also manufacture or produce cannabis by making a preparation or admixture, either at the user's principal place of residence or at the carer's principal place of residence. It will also permit registered carers to supply cannabis and equipment for use in the administration of

cannabis to the registered medicinal user. Each of these activities is made lawful only to relieve a registered user's terminal or serious medical condition, and only to the extent it is authorised by a licence, permit or other authority under the legislation or regulations. Clause 9 (4), together with schedules 1 and 2 to the bill, ensures that the effectiveness of the regime provided for in this legislation is not adversely impacted by existing criminal law. Schedule 1 makes the necessary amendment to the Drug Misuse and Trafficking Act 1985, and schedule 2 amends the Poisons and Therapeutic Goods Act 1966. Importantly, nothing in the bill excuses a registered medicinal user from any driving or other offence committed while under the influence of cannabis. Part 5 contains the offences and penalties.

Clause 10 provides that medicinal cannabis may not be administered by a registered user to himself or herself or by a carer to a registered user in a public place, which is defined in clause 3 to mean a place where members of the public are lawfully entitled, invited or permitted to be present in their capacity as members of the public, whether conditionally or unconditionally. This non-technical and commonsense definition encapsulates the intention of the Legislative Council committee report. Clause 11 sets out the limits of cannabis that may be lawfully possessed. A registered medicinal user, or registered carer, must not possess more than 15 grams of cannabis leaf. The Legislative Council committee recommended that registration would make a person who is relevantly ill eligible to possess up to 15 grams of dry cannabis or equivalent amounts of other cannabis products. This amount was chosen because, as it noted in chapter 2 of the report, individuals in possession of up to 15 grams of dry cannabis—at least as at 2013—were able to be subject to the Cannabis Cautioning Scheme.

The bill adopts that limit and also provides, in terms of the other equivalent amounts of cannabis in other forms, that a registered user or carer may possess up to one gram of cannabis oil and 2.5 grams of cannabis resin. The penalty for breach of these provisions is up to 15 penalty units, or \$1,650. I am very conscious that the amounts set, both in the Legislative Council committee report and the bill, are relatively small. I am also aware, from conversations with users of medicinal cannabis and their carers—and particularly with the remarkable Lucy Haslam, whose compelling personal narrative, both in the past and continuing, is instructive to all of us engaged in this debate—that in many cases the amounts set out are inadequate to the need being faced by those with terminal and other serious conditions. So that we may continue the conversation about what will meet those needs, and to provide the necessary flexibility, clause 11 explicitly provides that the regulations made under the legislation may authorise the possession of "other amounts" of cannabis leaf, oil and resin.

The bill provides a facilitative and flexible range of measures that enables us to meet the differing needs of people in the community according to what they are suffering. Part 6 provides for the enforcement of the legislation. Clause 12 incorporates into the bill part 8 of the Public Health Act 2010 and provides that public health authorised officers can exercise their powers under that Act to administer and enforce the legislation. Clause 15 provides for a review of the legislation to determine whether the policy objectives remain valid, and whether the terms of the law remain appropriate for securing those objectives. While most reviews of this kind take place after five years of a law being in operation, consistent with recommendation 3 of the Legislative Council report, and reflective of its novel approach, the bill provides for a review to be undertaken as soon as possible after three years.

I urge all members to vote in favour of this legislation in order to alleviate the pain and suffering of so many of our fellow citizens. I cannot justify treating like criminals people who are facing terminal or extremely serious illnesses who are looking for pain relief. People who are suffering so much already should not have to live in fear of being charged. We should not treat their parents or carers, who are simply seeking to help their loved ones, like criminals. I have spoken to parents who are concerned that when they access relatively small amounts of cannabis to relieve their child's suffering they face the possibility of criminal charges being laid. A parent buying a small amount of cannabis for a child with severe epilepsy should never be treated as a criminal. I have reflected on the tragic circumstances of Lucy Haslam. The story of her family and her son Dan is illustrative of the needs that the bill seeks to address. Unfortunately, the difficulties being experienced by that family continue, with another close family member being in a similar situation.

Despite the goodwill and the cross-party support for the measures embodied in the Legislative Council report, the law has not kept up with the community's needs. Since I foreshadowed introducing this bill, I have received much correspondence from people who need what this bill would offer. I will not mention her name but I received correspondence from a woman who said, "I am writing to you to personally beg for your help. I am a grandmother who up until a year ago had no reason to live. This changed with cannabis oil." I will not outline her medical treatment, but she continues: "I can't afford to eat or to catch a train. I've had to make the choice between food and life." She cannot afford to go through the Federal scheme; she cannot afford the time, the delay and the expense that would be involved in importing the product from overseas. She said: "Please help me and the hundreds of thousands like me. I deserve to live with quality of life."

That is the challenge for us all. I do not pretend to come to this issue value-free or neutrally. I am influenced by my personal experiences, as many people in this Chamber are. We have tried to craft in this bill sensible and moderate measures that provide for a flexible approach to meet the needs of people in our society who are suffering. We would like it if everyone in this Chamber supported these provisions and these measures. But the challenge is this: if members are not prepared to do so, they should not walk away. If members are not prepared to support these measures, they should put up their own proposals. The governing parties and their members on the committee supported this approach. The Government has commissioned medical research, and activities are taking place through the office of the NSW Chief Scientist and Engineer and the health department. But it is not enough, and we are getting reports that the health department is actually getting in the way.

Whether that is correct or whether that is a misunderstanding, the truth is that the law has not changed in this State. The criminal law needs to be adjusted and we need to have a safe and lawful chain of supply of product. We cannot be dependent on foreign pharmaceutical companies to provide the product, particularly not in circumstances where Victoria is producing, and the law is about to change to allow us to export. If members are not prepared to support these measures they should put up their own proposals, but without delay. It is well past time we acted: In May it will have been five years since the unanimous report of the upper House was delivered. No wonder citizens look sometimes despairingly at politics. Yes, there will always be room for party political disputes, and minds may legitimately differ on a range of issues, but where there is so much agreement, how can there be no action? The time to act is now. I earnestly implore all members of this Chamber to support these measures.

Debate adjourned.

FAMILY IMPACT COMMISSION BILL 2018

First Reading

Bill introduced, and read a first time and ordered to be printed on motion by Reverend the Hon. Fred Nile.

Second Reading Speech

Reverend the Hon. FRED NILE (10:48): I move:

That this bill be now read a second time. I am pleased to introduce the Family Impact Commission Bill 2018. This bill is one of the most important bills I have ever introduced into Parliament on behalf of the Christian Democratic Party. As members know, over the years I have introduced a number of bills and I have been successful in having major legislation passed through this House. That is very difficult to achieve if one is not a member of the Government. Minor parties may wait many years before their bill is dealt with and may be passed. I was pleased, over the years, to have had my bills dealing with the harmfulness of cigarette smoking supported by the House. As members know, three of those bills were passed by the House: one prohibiting tobacco advertising, one prohibiting smoking in public places and one prohibiting smoking in a car with children. It is possible to have a bill passed by the House, and I hope that will happen on this occasion. When this bill was previously introduced and debated it was resolved that it be referred to the Standing Committee on Law and Justice. That committee examined the bill and made a number of comments. I seek leave to table report No. 6 of the Standing Committee on Law and Justice.

The PRESIDENT: Order! The report is already a public document. Tabling it again would complicate the situation and there is no need to do so. It would be sufficient for the member to refer to the document for the benefit of members rather than to table it.

Reverend the Hon. FRED NILE: My intention was to make it available to members. I know it can be found on the system, but it may be difficult to locate or to identify. Nevertheless, I have copies that I can provide to members.

The PRESIDENT: Order! I am sure that members' staff are more than capable of finding it.

The Hon. Greg Donnelly: Why not incorporate it in *Hansard*?

Reverend the Hon. FRED NILE: I might do that.

The PRESIDENT: Order! I would be grateful if members would allow me to chair the proceedings.

Reverend the Hon. FRED NILE: As I said, this is an important bill. Its object is to provide for the establishment of the Family Impact Commission, which will study and report on the moral, social and economic impact on New South Wales families of existing laws and proposed laws and government expenditure for the purpose of ensuring that the family—consisting of individuals related by blood, adoption or marriage—remains the fundamental social unit of the nation. It also proposes that families, as the natural and fundamental units of society, be given the widest possible protection and assistance, particularly when they are responsible for the care and education of children.

In previous debates, concern has been raised about the definition of the family. There can be different points of view, even in this Chamber, as to what constitutes a family. The bill addresses that concern by providing

a definition. However, there must also be guidelines for the commission about its responsibilities. The bill ensures that the Government does not neglect the family, but nothing in it will stop the Government from providing financial support or relevant legislation relating to single mothers, divorced women, single-parent families, a male with children, a widow or widower, a war widow, or homeless children. In other words, in seeking to support the traditional family, there is no barrier to or restriction on the Government, in its wisdom, passing legislation to support people in other relationships.

In introducing this bill I have no desire to discriminate against people in other relationships. It simply focuses on the traditional family. The bill gives priority to the family without excluding other models. Everyone agrees that the family is the basic unit of society. If honourable members took the time to think about that principle, they would agree with it. Whether they will support it by passing this legislation is another matter. It is often said on both sides of politics that the family is the basic unit and building block of society. Strong families mean a strong society. If we believe that, we should give priority to doing whatever we can to strengthen families so that they can care for themselves and their children and provide support for disadvantaged and dysfunctional families and individuals.

The bill further provides that the family has the prime responsibility for the welfare, education and property of the members, that the sanctity and the unique sphere of authority of the family be recognised and preserved, and that optimum conditions for maintaining the integrity of the family unit are to be preserved and promoted. Obviously that is the challenge facing the Government. No government would deliberately do anything to hurt the family. However, decisions sometimes unintentionally disadvantage families. Only last week I heard from a couple in their 60s who decided to marry after their former partners had died. However, they have now found that their pensions will be reduced if they marry. Rather than encouraging people to marry and to establish a family unit, that situation deters them. I do not believe that anyone has decided to make it harder for people to get married and easier for them to live together in a de facto relationship, but that is often the effect of government decisions. That is particularly true in the Federal sphere with regard to pensions and taxation.

This bill provides for the preparation of family impact studies and for the assessment of all bills introduced into Parliament and all expenditure or programs of expenditure of public money; the preparation of studies and assessments of other matters considered appropriate by the commission; the principles to be taken into account when preparing such studies and assessments; and the publication and review of studies and assessments. Members may remember the controversy that occurred during debate on the Family Law Act introduced by the late Senator Lionel Murphy. Widespread concern was expressed and as a result major amendments were made to the legislation. Those amendments included that the Family Court shall, in exercise of its jurisdiction under the Act, and any other court exercising jurisdiction under the Act, have regard to these provisions.

Those provisions are similar to the provisions in the Family Impact Commission Bill. It enshrines the need to preserve and to protect the institution of marriage as a union of a man and a woman to the exclusion of all others voluntarily entered into for life; the need to give the widest possible protection and assistances to the family as the natural and fundamental unit of society, particularly where it is responsible for the care and education of dependent children; the need to protect the rights of children and to promote their welfare; and the means available for assisting parties to a marriage to consider reconciliation or the improvement of their relationship to each other and to their children.

Those principles were amendments to the Family Law Act introduced by the then Federal Labor Government and supported by the Liberal-Nationals, and they became section 43 of that legislation. I campaigned in public debate for those amendments to the Act and I was pleased that they were made. My bill simply seeks to include those principles in State legislation. There is a vacuum in our State legislation and procedures in that regard. When we say we support the family, how is that done at the State level? This bill, when passed, is one simple way of demonstrating the sincerity of all members in supporting the family as a basic unit of society and recognising that the family has a special place in society.

During that earlier debate, I contacted many organisations to hear their views about the legislation—and those views have not changed—including organisations that strongly supported the legislation, particularly the Salvation Army. The Salvation Army said that it supported the definition of "family" provided in the bill. Its comments formed part of the important community feedback that supports the principles in this legislation. Other organisations that strongly support the legislation are the Catholic Church, the Anglican Church, the Baptist Church and the Presbyterian Church of Australia General Assembly of New South Wales and community organisations such as Women's Action Alliance, and the then Festival of Light Australia Organisation, which is now Family Voice Australia. Many of those community organisations were established specifically to support and protect the family, so they were enthusiastic in their support of this legislation. In the bill "the family" is defined as:

... an organic unit consisting of a man and a woman, related by marriage, and the children of either or both of them by blood or adoption. Marriage is defined as the union of a man and a woman to the exclusion of all others voluntarily entered into for life.

As I said earlier, the bill does not exclude other relationships—same sex relations, de facto relationships and so on. It is recognised that those relationships exist; the bill focuses simply on the traditional family whilst not discriminating against other models. Clause 5 provides for family impact studies and assessments to be made by the Family Impact Commission on the effect of proposed legislation and government expenditure. It also provides people with an opportunity to apply to the commission. Schedule 1 sets out the application for a family impact study or assessment. Some members may have practical amendments to help the machinery provisions of the bill work more efficiently. I am happy to consider amendments that do not change the objects of the legislation.

Matters that the commission may wish to consider include: how many families will be affected by the proposed legislation or expenditure; what types of families will be affected by the proposed legislation or expenditure; will the proposed legislation or expenditure reinforce the stability of the home, and particularly the marriage or commitment that holds the home together; and whether proposed legislation will strengthen or erode the authority of the home and, specifically, the rights of the parents in relation to the education, nurture and supervision of their children. They are just some things the commission may consider; there is no restriction on what issues the commission may examine.

The bill also requires the commission to provide a copy of the study and assessment to the applicants and interested parties. In other words, the commission's procedure is open to public involvement and oversight. The commission will be required to make copies of each study and assessment available to the public for inspection, free of charge or for purchase. The commission will also be required to give a copy of each study and assessment to each member of the advisory committee. That procedure has already been adopted by the Parliament with respect to environmental issues. Environmental impact studies are made on many projects. I fully support environmental impact studies, which, for example, examine how a new dam might affect water supplies or how a new power station might affect electricity issues.

Environmental impact statements look at the impact projects might have on the environment but there seems to be a vacuum with respect to the impact legislation might have on families. Studies of legislation made by a Family Impact Commission will help to ensure that the legislation passed by this Parliament is in the best interests of the people of this State. The assessment of a bill will be read in each House of Parliament during the second reading stage, and a copy of the assessment will form part of the official records of the matter concerned. The bill also provides for the Minister to appoint a public authority or a public official as the authority with responsibility for one or more matters requiring study and assessment. The procedure that the commission will adopt in conducting its work is outlined in part 6, which relates to information gathering, et cetera.

Clause 21 allows the commission to invite public submissions on any matter that is the subject of a study. Clause 22 enables the commission to refer a matter that is the subject of a study to a public authority or public official for investigation or other specified action. Clause 24 enables the commission to conduct investigations on its own initiative or for the purposes of preparing a study or assessment. I will not go through every detail of the legislation. I urge members to study the bill prior to the debate. I will not rush the bill into the House; there will be a lengthy period to allow consideration of the legislation before it is brought into the House for debate. I always want to ensure that all members fully understand the content and purposes of legislation before it is debated. The bill provides for the establishment of an advisory committee to advise the commission. I have suggested the membership and procedure for that advisory committee.

Because sometimes detail is not provided in a bill, and as a result people may become concerned, I have tried to include as much detail as I can in the legislation. The committee is to consist of 15 members: one member is to be the director general of the Premier's department, or a representative; one member is to be the director general of the Attorney General's Department, or a representative; and one member is to be the director general of the Department of Health, or a representative. The remaining 12 members are to be appointed by the Governor, each person being nominated by the Minister or by a body that the Minister is satisfied represents one of a specific group of organisations.

To assist the House, I have suggested what organisations could be asked to provide representatives. Obviously it will be up to those organisations whether they choose to participate; they may decline to have members on the advisory committee. I have suggested that representatives should be invited from the Institute of Family Studies, the Salvation Army, the Anglican Church, the Catholic Church, the Uniting Church, representatives of the Jewish faith, the Greek Orthodox Church, the Presbyterian Church, the Assembly of God Church, and others, including the NSW Council of Churches. They are just some of the suggested organisations that could be asked to provide representatives; members may wish to include other organisations. That can be done by way of amendment to the legislation.

I assume that the Treasurer will want to know what this will cost the Government. Obviously, commission members will expect to receive some honorarium, and there will have to be a small staff, but it will not be an excessive burden on the State budget. The Christian Democratic Party has assisted the Government in passing legislation that has resulted in New South Wales leading the States with respect to the economy and the budget surplus. So there are funds available, if the legislation is passed, to provide for the operation of the commission. Realistically, the commission will result in some expenditure. People could be asked to volunteer their time but it would be better to have a more formal arrangement. In earlier debate some members suggested that, as they were not sure how the commission will function, there should be a trial.

I am not against having a trial. The legislation could be amended to include a five-year period of review—a sunset clause. If it was a failure, the commission would lapse and cease to operate. However, I do not believe that would happen. I am sure that the commission's work will be so valuable that no-one will propose closing it down. The commission will fill a gap in our parliamentary and administrative procedures for the benefit of the people of this State, and I am sure that the people will be very positive in their support for the establishment of the Family Impact Commission. I will be happy to answer promptly any questions from members about the bill. I commend the bill to the House.

Debate adjourned.

Condolences

SIR NICHOLAS MICHAEL SHEHADIE, AC, OBE

The Hon. NATALIE WARD (11:10): I move:

- (1) That this House express and place on record its deep sense of the loss sustained to the State by the death of Sir Nicholas Michael Shehadie, AC, OBE.
- (2) That this resolution be communicated by the President to the family.

I speak on the occasion of the passing of Sir Nicholas Michael Shehadie, a distinguished Australian. He always said, "Call me Nick," so, with the indulgence of the House, Dame Marie Bashir and his family, I will do just that. As a fellow rugby tragic, I will speak primarily of his rugby career. Nick was one of only two Wallabies ever to be knighted. He was born in Coogee and raised in Redfern. He played for Randwick Rugby Club, for New South Wales and for Australia. He played 30 tests for Australia between 1947 and 1958—a record at the time—with three of those as captain. He was inducted into the Sport Australia Hall of Fame in 1985, the Australian Rugby Union Hall of Fame in 2006 and the International Rugby Union Hall of Fame in 2011 in recognition of his services to rugby and the role he played in establishing the Rugby World Cup.

Nick has been involved—with distinction—in almost every facet of rugby union. In 1947, he played in his first international game against the New Zealand All Blacks as a second rower. He first toured the British Isles in 1947-48 as a 20-year-old. He went on to play against the New Zealand Maoris and New Zealand in 1949, the British Lions in 1950, New Zealand again in 1951, Fiji in 1952 and 1954, and on tours to New Zealand and South Africa. He captained the team in South Africa and against Fiji in 1954. One of his greatest honours was being the first player invited to appear against his own teammates for the Barbarians during the Wallabies' tour of Britain in 1957-58. Of course, the Barbarians won. He also captained New South Wales and Randwick, where he played 175 first grade games.

I will come back to his rugby playing, but first I will speak about his contribution to the administration of the sport. After his playing career, Nick became a first grade referee. As the wife of a former referee, I can attest to how important and much maligned that role is. Nick was a respected rugby administrator; he became Executive Chairman of the NSW Rugby Union in 1979 and President of the Australian Rugby Football Union in 1980. He managed the 1981-82 Wallabies on their tour of the British Isles and he managed Australian teams to the Hong Kong Sevens. Off the field, he was elected thirty-third Lord Mayor of Sydney in 1973, but his greatest legacy may well be the Rugby World Cup for which he was a driving force. In 2015, Sir Nicholas spoke of the opportunities that rugby gave him as a boy growing up in Redfern. He said:

I've been lucky, coming from a family in the days of the depression when things were tough. I've got to say that rugby opened many doors for me.

This is key to the opportunities presented by rugby union—or, as we call it, "rugby". As a Director of the Australian Rugby Union [ARU] Foundation, I was privileged to witness Sir Nicholas still supporting rugby late last year. The ARU Foundation is a not-for-profit foundation that supports rugby in Australia from the grassroots to the gold jersey. The ARU Foundation also supports women's rugby, player welfare and Indigenous rugby. Sir Nicholas appeared on the foundation's video, *Rugby Made Me*, which was designed to highlight the uniquely wide range of participants in rugby. Players past and present spoke of how rugby had changed their lives, from helping kids to focus on staying in school to encouraging professional athletes to conquer their fears. The

campaign demonstrates the positive role that rugby plays in the Australian community. Women, men, injured players, Wallabies past and present, Indigenous and gay players spoke. At the end of the video Sir Nicholas—knight, Lord Mayor, Special Broadcasting Service [SBS] chairman and Wallaby, simply said, "Rugby made me."

The contribution of Sir Nicholas in growing, popularising and promoting the sport of rugby union throughout his life means that today the sport is synonymous with what it means to be Australian: The game is as open and inclusive as ever. It is an exciting time for rugby in Australia, particularly for women. Sevens and Fifteens are both played in schools and clubs across the country. The inclusion of Rugby Sevens in the 2016 Olympic Games in Rio has sparked the global growth of the game. These tournaments are often hosted by regional rugby clubs and State unions around the country. I am sure that Nick would allow me the indulgence of plugging the New South Wales Government's Active Kids voucher, which encourages parents to sign their children up for sport. Sport is a great and inclusive pastime that we should all encourage. That is the magnificent thing about sport—and not just rugby. I thank Rodney Cavalier for the following anecdote about Sir Nicholas. He said:

In all sports, Nick was talented. He loved to test his body and skills in competition and in tests against himself. In boxing, he was a champion. He ran a place in middle distance at athletics carnivals. He makes a point in his memoirs that cricket was his first love. Being Redfern, cricket was played in the laneways and the wicket was a garbage bin. His medium pace was good enough to earn him a place in Waverley's under-16 Green Shield side.

The surf at Coogee was nearby. Coogee brought him into the orbit of Randwick Rugby Club, where my good friend Bruce Notley-Smith is doing a fantastic job. He is very supportive of the club. At Randwick, Nick made friends for life. He was embraced by past greats of the calibre of Cyril Towers and Col Windon. After a few games, Randwick deduced that they had scored someone of uncommon talent. A club famous for its running game discovered they had a forward who could lead the pack. Rugby was about to take central position in Nick's life.

Nick made his first grade debut for Randwick at the age of 15. With each game, Nick advanced on New South Wales selection. Once he was wearing the blue and performing, Nick entered the frame for Wallaby selection. He hit the big time in 1947. He made his debut for New South Wales and was selected in the final test against the visiting All Blacks. At season's end, Nick was selected in the Wallaby squad for the 1947-48 tour of the United Kingdom [UK] and France. Let us not forget, the 1947-48 tour was the first tour of the UK by any Australian national side since the war. A year ahead of the 1948 Invincibles, these men covered themselves in glory.

Outside rugby, Nick was uniquely non-partisan. He became a trustee of the Sydney Cricket Ground [SCG] in 1978. I am told that, when a member of the board was insolent to the chairman, Patrick Darcy, at a trust meeting, Nick took umbrage on Pat's behalf. He invited the offender to come behind the Ladies Pavilion. The invitation was not accepted. The government changed again in 1995. There was no surprise that Nick's term was renewed in 1996. Nick remained a trustee until he was ready to step aside—a decision made for him by the appointment of his wife, Dame Marie Bashir, as Governor of New South Wales.

Surviving a change of government was his metier. In 1981 the Fraser Government appointed Nick as the Chair of the Special Broadcasting Service [SBS]. By the end of his term in 1999, which was two changes of government later, he was the last surviving statutory appointment of Malcolm Fraser. By the end of this term with the Sydney Cricket Ground [SCG], he was the last surviving statutory appointment of Neville Wran. If the Fahey Government had been re-elected in 1995, Nick apparently was slated to become Governor. If Australia had moved to a republic in 1999, with the president elected by a two-thirds majority of both Houses, Nick was on a very short list for nomination. Nick was supported by both sides of politics. Being outside the world of politics, Nick was a bloke who counted both McKell and Askin as friends.

I am told that in his business life he had been involved in a lot of businesses over the years. One anecdote is that his dry-cleaning shop had the slogan, "Drop your daks at Nicks". Sir Nicholas Shehadie had sporting talent that was matched only by his generosity of spirit. He was an exemplar Australian from Sydney's eastern suburbs. He was a member of the Coogee Surf Life Saving Club and a player for the iconic Randwick Rugby Club—two institutions that have shaped Sydney—and I know that he continued to be proud of them. His friend Rodney Cavalier said, "He feigned the same humility with his knighthood, where Sir Nicholas said, 'I accepted it because I knew it would make my mother happy.'" He said that enforced modesty was a lovable trait, and so very Australian. Rodney Cavalier went on to say:

Sir Nicholas Shehadie AC lived a long life. He lived a good life. The friends he made were friends for life. He had no false airs, not with a knighthood and so many high honours, not after all those Royals and bigshots he had met. Essentially unchanged, he was a kid from Redfern, the child of migrants, who had married brilliantly, created his own family, soared to the heights and shed no-one along the way. Nick was the best of Sydney and Australia.

Philip Ruddock said of Nick, "He played a fundamental role in helping to shape the vibrant multicultural society that Australia is privileged to enjoy today. Sir Nicholas was a highly caring person with unlimited patience and friendliness. He would make time for absolutely everybody, whether they needed his help or simply wanted to

chat. He was a selfless individual and a true leader, who will be greatly missed." Rest in peace, Nicholas Shehadie. He is truly now a part of the game that they play in heaven. I commend the motion to the House.

The Hon. ADAM SEARLE (11:22): I participate in debate to associate the Labor members of this Chamber with this motion of condolence. When a great Australian passes, we all lose. So it is with the death of Sir Nicholas Shehadie—one of the truly great citizens of this State and of this nation. The mourning is genuine and widespread among the many thousands of people who met him over his lifetime in community, public and sporting lives. In our lives, some of us are lucky enough to be witnesses to history. Nicholas Shehadie was more than that; he was part of it, he helped to create it and to drive it. By so doing, he changed the way in which Australians lived and worked. His influence truly was extremely widespread.

I did not know Sir Nicholas very well, but over the years when I did encounter him and was privileged to speak with him at public functions, I was always struck by how down to earth, optimistic, cheerful and pragmatic he was about life. He had learned. He had led. He was happy to share with people what he knew. Nicholas Shehadie seemed to make the most of every day on his long life journey. His vision, his leadership and his strength came from a remarkable background. His grandfather, also named Nicholas, was sent to Australia from Lebanon in 1913 to assess the state of the Antioch Orthodox faith. But when World War I broke out he could not go home. Instead, he built the church here in the 10 long years he waited to be reunited with his family. Then his son, Michael, also became a priest and pastoral leader in the growing Lebanese community in Sydney. When his grandson, Sir Nicholas, grew up, it was in and around the church in Coogee and Redfern, where there is now a cathedral.

Sir Nicholas attended school at Cleveland Street Public School and at Crown Street Commercial School. A keen surfer, he soon became, like so many in Coogee in those days, a rugby player. He played a first grade game when he was only 15—the first of 175 appearances for Randwick. That was part of a lifelong love affair with the game, which included representing Australia on 114 occasions, including 30 tests, three as the Wallabies captain. He was one of the all-time great prop forwards. He was President of the Australian Rugby Union for seven years and instrumental in rule changes to improve safety for schoolboys. There are several things on which his sporting legacy is built. The biggest may be that he was one of the key architects of the game's World Cup, despite initial resistance from the Home Nations unions. His immense role was recognised when he was inducted into the Hall of Fame here and into the International Rugby Board's Hall of Fame.

Nicholas Shehadie's skill on the sporting field was matched by his eye for business. When his football career ended, he started a business supplying vinyl tiles for hotels and bars. He was the first in the country to recognise that the growing information technology departments of corporate Australia needed antistatic floors in their computer rooms. His contribution to public life is also hard to measure. He was the Lord Mayor of Sydney when the Queen opened the Opera House, in 1973. In 1971 he was made an Officer of the Order of the British Empire for his service to local government and appointed a Knight Bachelor in 1976 for his services as Sydney's Lord Mayor between 1973 and 1975. He was also Chairman of the Board of Technical and Further Education—as it was known in those days—and Chairman of the New South Wales Migrant Employment and Qualifications Board.

Nicholas Shehadie also was an instrumental figure in the creation of the Special Broadcasting Service [SBS]. During his chairmanship from 1981 to 1999, he oversaw pivotal improvements, including the introduction of the Special Broadcasting Service Act 1991 and expansion of the SBS's in-language services. In 1990 he was made a Companion of the Order of Australia for his services to sport, media and the community. He had been a member of the Sydney Cricket Ground [SCG] for 29 years when he was invited to become a trustee. He later served as chairman of the trust for 11 years. He was also involved during the time when the lights were installed at the SCG and when the Sydney Football Stadium was built. A stand there has been named in his honour. As has been mentioned, he stood down from that role only when his beloved wife, Dame Marie, became the State's first female Governor.

Today we pay tribute to the passing of a titan—a man whose soft-spoken grace swept aside partisan barriers, an extraordinary man who deserves the enormous respect in which he is held and of course the sadness that accompanies his passing. Our thoughts are with his widow, Dame Marie Bashir, and his three children, Michael, Alex and Susan. May he rest in peace.

Reverend the Hon. FRED NILE (11:27): I am very pleased and honoured to participate in debate on this motion of condolence, Private Members' Business item No. 1876, which states:

- (1) That this House express and place on record its deep sense of the loss sustained to the State by the death of Sir Nicholas Michael Shehadie, AC, OBE.
- (2) That this resolution be communicated by the President to the family. Some members may be surprised that there could be any connection between Fred Nile and Sir Nicholas Shehadie, but we both attended the Cleveland Street Public

School and the Crown Street Commercial School. In those days the system was that for a number of years students attended the Cleveland Street Public School and then they were transferred to the Crown Street Commercial School to do a course that involved learning bookkeeping and other matters related to business administration. Whenever Sir Nicholas and I met at functions, we always had a joke about the Cleveland Street Public School and the Crown Street Commercial School and our memories of various events that occurred during his time and my time, and some during my time of which he was aware. But I will not go into that now because it would detract from the motion. We are not talking about me; we are talking about Sir Nicholas. I was pleased to have a friendship with him through that association.

Sir Nicholas's grandfather, Nicholas Shehadie, was a clergyman in the Antioch Orthodox Church. He migrated from Lebanon in 1910 and later became head of the church in Australia and New Zealand. I was pleased to be invited to visit the church both in New South Wales and Adelaide. Antioch Orthodox Christians have made an important contribution to our nation's cohesion and growth. Obviously, the most significant part of Sir Nicholas' public life was his rugby career. He embraced Sydney's sporting lifestyle and joined the Coogee Surf Life Saving Club, where many of the surfers were avid rugby players. He joined the Randwick rugby club and was first picked as a replacement in first grade when he was only 15 years old. As members who have met him would know, Nicholas was a big man and would have been a big boy.

At age 16, Sir Nicholas made his first representative appearance for New South Wales against a combined services side. In 1947, he appeared in a New South Wales XV team against New Zealand and then made his debut for Australia in the final test against the same touring All Blacks. He was the fourth-youngest member of the 1947-48 Wallaby tour 30-man squad. He dislocated his shoulder on the fourth tour match against Cardiff but recovered to make 24 tour appearances, including the final two tests against England and France. He finished the tour in the Wallabies side that met the Barbarians in their inaugural match against an international touring team. He made representative appearances against the New Zealand Maori in 1949, and that year toured New Zealand in Trevor Allan's team, which for the first time in history returned victorious with the Bledisloe Cup. He made further representative showings against the British and Irish Lions in 1950, the All Blacks in 1951, and Fiji in 1952.

He has an outstanding record in rugby. All up, Shehadie made 175 appearances for Randwick Rugby Club in a 16-year club career. He represented Australia on 114 occasions and was the first player to reach the century mark. He played 30 tests—a record at the time—three of them as captain. In addition to his sporting success, Shehadie had success in business. He became a sales manager with a major asphalt company. When his footballing days ended, he commenced a business supplying and fixing vinyl tiles that were used in hotel bars and computer room installations requiring anti-static floors. The business was successful, being the first to market with a product in high demand by the growing information technology departments in corporate Australia. Another major highlight in his life was his 1973 election as Lord Mayor of Sydney, a role that he carried out with great flair. He was in office at the time of the opening of the Sydney Opera House by Queen Elizabeth II on 20 October 1973.

He was involved with the Sydney Cricket Ground. He has been a member of the Sydney Cricket Ground Trust for 29 years. In 1978 he was invited by the New South Wales Minister for Sport and Recreation, Ken Booth, to become a trustee. At the time he was a patron of the Randwick Rugby Club and a committee member of the Sydney Turf Club. Sir Nicholas was also involved in rugby administration and was successful in his contribution. In 1981, he was appointed Chairman of the Special Broadcasting Service [SBS] and served the organisation until 1999. He was national Chair for the Duke of Edinburgh's International Award Australia. Sir Nicholas was married to Marie Bashir, who was Governor of New South Wales from 2001 to 2014—she later became Dame Marie Bashir. The couple had three children and six grandchildren. We thank God for Sir Nicholas's life and his contribution to our city, State and nation. May God bless him and all the members of his family.

The Hon. NATASHA MACLAREN-JONES (11:35): I pay my respects to and acknowledge the life of a truly great Australian, Sir Nicholas Michael Shehadie, AC, OBE. During the course of his life, Sir Nicholas made great contributions to media, public service and, of course, sport, for which he will forever be remembered as a rugby legend. The Coogee-born son of Lebanese migrants, Sir Nicholas began his sporting career at the age of 15, playing for the Randwick Rugby Club in 1941. It would only be another year before he took to the field for the Waratahs. At the age of 22, Sir Nicholas was chosen to form part of the 30-man Wallabies squad for the 1947-48 Australia rugby union tour of Britain, Ireland, France, and North America—the first such tour in 20 years. The nine-month tour proved to be a defining moment in Sir Nicholas's sporting career. He made 24 appearances, including in the last two tests, and earned the respect of his fellow Wallabies, some as much as a decade older than him.

Recognised for his incredible skill and noted for his strength and endurance, Sir Nicholas continued to impress on the field. A stellar performance against the Lions in 1950 and his captaining of the Wallabies for a test against South Africa in 1953 were noteworthy highlights of his career. In 1957, Sir Nicholas made history as the first Wallaby to double up and go on another tour, this time to the British Isles and Europe. He would go on to

play for Australia a total of 114 times, making him the first player to reach the century mark. His fine rugby skills, power and humility earned him respect, not only amongst his Australian peers, but throughout the world.

Following his retirement, Sir Nicholas made a move into local politics, becoming an alderman of the Sydney City Council in 1962. His distinguished record of public service saw him elected as Deputy Lord Mayor in 1969 and Lord Mayor in 1973. During his term in office, Sir Nicholas oversaw the opening of the Sydney Opera House by the Queen in 1973, as well as royal visits by Charles, Prince of Wales, and Anne, Princess Royal. In addition, it was Sir Nicholas who presided over the beautification and pedestrianisation efforts in Martin Place, which we all appreciate. Not content with his great success in sport and public service, Sir Nicholas went on to work in sporting administration, notably as a trustee and Chairman of the Sydney Cricket Ground, Chairman of the New South Wales Rugby Union Board, and as Deputy President and President of the Australian Rugby Union Board. It was in this capacity that Sir Nicholas was able to make what was arguably his greatest and most enduring contribution to rugby when he, along with Dick Littlejohn of the New Zealand Rugby Union, lobbied the International Rugby Board for the establishment of the Rugby World Cup.

Despite initial resistance from Northern Hemisphere naysayers, Sir Nicholas and Dick Littlejohn travelled the length and breadth of the United Kingdom in what became known as the "Nick and Dick Show" in an attempt to persuade sceptics of the benefits of a world cup. Ultimately, the pair convinced English and Welsh representatives of the International Rugby Board and the vote was successfully passed. The 1987 inaugural Rugby World Cup was jointly hosted by Australia and New Zealand. Since 1987, the Rugby World Cup has gone from strength to strength and Sir Nicholas was deservedly inducted into the World Rugby Hall of Fame in 2011. Sir Nicholas seemingly never tired of public service and, in addition to his sporting administration responsibilities, he went on to become the Chairman of the Special Broadcasting Service [SBS] from 1981 to 1999, Chairman of the Board of Technical and Further Education [TAFE] and Chairman of the Migrant Employment and Qualification Board.

I note that from 1992 to 1994 Sir Nicholas was national Chair for the Duke of Edinburgh's International Award, Australia, and that the Parliamentary Friends of the Duke of Edinburgh's International Award continues to support the work of this great program. In later life Sir Nicholas continued his service to the community as he worked alongside and supported his wife, the thirty-seventh Governor of New South Wales, Dame Marie Bashir, AC, CVO. Sir Nicholas once remarked that rugby opened many doors for him, but today we can acknowledge the life and service of this remarkable man who opened many doors for others. It is clear that his incredible legacy extends beyond our nation's borders and is felt around the world. I offer our deepest sympathies to Dame Marie Bashir and their entire family. May he rest in peace.

The Hon. WALT SECORD (11:40): As Deputy Leader of the Opposition I support the condolence motion on the death of Sir Nicholas Michael Shehadie. I add my voice to the tributes to the late Sir Nicholas Shehadie, AC, OBE, who passed away on Sunday 11 February 2018. While most members in this Chamber will have known him through his sporting endeavours and his support for multiculturalism and diversity, I knew Sir Nicholas as the husband of a former Governor of New South Wales, the Hon. Dame Marie Bashir, the State's first female Governor. Sir Nicholas once joked to me at an official function that he was carrying out his duties as New South Wales's, Denis Thatcher, husband to the first female Prime Minister of the United Kingdom. For the record, he was no Denis Thatcher.

Born in November 1925, Sir Nicholas grew up in inner Sydney and attended Cleveland Street Public School and Crown Street Commercial School. In 1941, Sir Nicholas made his first grade rugby debut as a prop at the age of 15, and eight years later he was a key player in the first Wallabies team to win the Bledisloe Cup in New Zealand. Over his career he played more than 100 games for Australia, 30 of which were test matches, and he captained the Wallabies on four of those occasions. Afterwards, he became a businessman and, in 1962, he was elected an alderman on the City of Sydney Council. Eleven years later, he was elected Lord Mayor of Sydney. He served on the Sydney Cricket Ground Trust from 1978 to 2001 and was Chairman from 1990 until 2001. He also served as Chairman of the Special Broadcasting Service [SBS] from 1981 until 1999.

In my various ministerial staff roles between 1995 and 2011 with State Labor governments, I came into contact with Sir Nicholas and Dame Marie. As I reflect on Sir Nicholas, I vividly remember discussing with him in his home the forthcoming media and formal arrangements for the swearing-in of his wife as Governor in early 2001. As she canvassed her vast life experience, in anticipation of an impending press conference, Sir Nicholas beamed with pride as she spoke about her commitment to medicine, mental health, Indigenous issues and social justice. He smiled and whispered to me, "What is it with us tough men who fall in love with such kind women? We don't deserve them!"

During Dame Marie's tenure you would always see him standing near her and supporting her while beaming with pride. I am not breaking any confidences, but when then Premier Bob Carr canvassed his decision to recommend the appointment of Marie Bashir as State Governor, there was uniform delight in the decision. In

fact, there was a small group who believed that Sir Nicholas would also have made a wonderful Governor in his own right, and they said they would have agreed to that proposition if it had been put. I agree wholeheartedly. In conclusion, we will remember Sir Nicholas as an outstanding leader, sportsman and community advocate, a man who devoted himself and his life to the service of our State and the nation. My deepest condolences to his family, Dame Marie, their children, Michael, Susan and Alexandra, their grandchildren and loved ones. I thank the House for its consideration.

The Hon. TREVOR KHAN (11:43): I commence my brief contribution to this condolence motion by expressing my condolences to the family of Sir Nicholas Shehadie, AC, OBE, on his passing. The anniversary of my father's birth is 7 February. He was born in 1926, and Sir Nick was born in November 1925, so they were quite close in age. Sir Nick grew up in Redfern; my father grew up in Chalmers Street, Surry Hills. My father has been dead for five years, and as the anniversary of his birth approached my mother decided to sort some of his personal effects. Amongst those items was a cashbox he kept for the surgery. It was an old Cadbury tin that I remember being in the family when I was a child, so the age of the tin is anyone's guess. He kept rolled-up money in the tin, I suppose for change, but who knows whether the taxman saw all his income!

Mum was clearing out all the old rubber bands that had deteriorated to the point of being stuck to the bottom of the tin and noticed some bits of paper there too. One of those was an article about Sir Nick that my father had kept. One has to ask: Why does somebody keep a scrap of paper about a former lord mayor? As I said, dad grew up in Chalmers Street, the son in a fairly complicated family arrangement. He had a lot of older brothers and sisters. My grandfather was Indian, so the family could be described as a migrant family living in an essentially white community. Sir Nick lived quite close by in Redfern, also part of a migrant community, as his family is Lebanese. There was a common bond and both boys went to Cleveland Street Public School. The families of the two families interacted, with Sir Nick playing basketball with dad and some of his brothers in Prince Alfred Park. They interacted in the various ways boys from migrant backgrounds interacted and still interact.

What was on the piece of paper my dad kept for those years? It was an article about Sir Nick as a child growing up in difficult circumstances. He was part of what could loosely be described as a gang—with no negative connotations. The observation in the article was that some boys were not kind to Sir Nick, telling him, "Go back where you came from." The article asks how many of the boys who said such things to Sir Nick actually rose to become what Sir Nick became. Everyone can be proud of Sir Nick as we are all inspired by what he achieved. He epitomised what can be achieved by people in Australia, a society where people with effort, charm, dignity and intelligence can make a go of it. He was a classic Australian, and I honour his memory.

The Hon. LYNDA VOLTZ (11:47): Aspects of the life of Sir Nicholas Shehadie, AC, OBE, were as broad as they were deep. He once said that his favourite book was *A Life Worth Living*, and certainly he led a life worth living. He was outstanding in so many fields that it is hard to encapsulate his life in a condolence motion. As members know, I come from a rugby background. My first experiences with Nick Shehadie was not as an adult but as a child. My father ran Bankstown rugby union, and one of my early memories is that after games the children would be left in the car parks around various pubs while our parents had after-games drinks. This practice was much to the horror of Marie Bashir, who found us sitting in cars in car parks one day and duly instructed her husband, Nick Shehadie, to go into the pub and instruct our parents to get back outside and drive us home. That says a lot about the kind of people Nick Shehadie was and Marie Bashir is. Although this happened in the 1960s, when children were routinely left in car parks at pubs, Nick and Marie were concerned about children.

Nick Shehadie, like so many people, played many sports. It can never be underestimated just how good a rugby union player he was. He started in his first test in the second row. He is considered one of the most outstanding props the game has seen. Anyone who knows anything about rugby will know the difference in size between a second rower and a prop. It is quite an achievement to start your test in the second row and then move to the prop position. It is not just his achievement on the field, the 114 times he represented the Wallabies and the record-breaking 30 tests—at those times his captaincy of the Wallabies was record-breaking—it is also his administration of the game that is so outstanding. He had a real vision to create the Rugby World Cup in 1987. He moved the game from the amateur era into the professional era—and we can all debate what that means.

He understood what the tourism and event market meant for sports and he created what became a pre-eminent sporting event. Members will remember that the first such event here after the 2000 Sydney Olympic Games was the 2003 Rugby World Cup. I am sure my colleague the Hon. Walt Secord will remember that well. It was an outstanding event that brought so much to the city and the game. His vision was not just to create the Rugby World Cup but to change rugby. I note that the Hon. Natalie Ward talked about women's rugby when she moved the condolence motion. Women's rugby was not a new invention. Following on from 1987, in 1994 women's rugby union was set up in New South Wales. When people talk about women's sport now, they consider that a remarkable achievement. The women's rugby competition is almost 25 years old in this State. In 1987 people such as Nick Shehadie had a vision to change the game and to embrace the wider vision that allowed women on

to the field at places such as the University of Sydney and Warringah "Rats". Unfortunately, at the time, Randwick—Nick Shehadie's own club—would not let women on the field. We had long arguments with Jeff Sayle—whom Nick Shehadie would have known well—about that.

Sir Nicholas Shehadie was an outstanding administrator and changed rugby union forever. He was an outstanding sports person. He was an outstanding visionary in terms of his understanding of multicultural society within Australia. The reforms in creating the Special Broadcasting Service [SBS] and what that meant for people—to have news delivered in their own languages in what is one of the most successful multicultural countries in the world—was so fundamentally important. Nick Shehadie understood that. It has changed Australia forever. He encapsulates what is best about Australia: its multiculturalism and its opportunities for those from working-class backgrounds. Kids who went to Cleveland and Crown Street schools, Malabar, Birrong Boys High School or Bankstown Boys High School could get on the rugby field and succeed. Nick encapsulated that as well as anyone. I am sure Marie Bashir misses him greatly, as do his children Michael, Susan and Alexandra, and their families. I pass my condolences on to them.

The Hon. TAYLOR MARTIN (11:52): I pay tribute to Sir Nicholas Shehadie, AC, OBE. Sir Nicholas contributed greatly to our State in all his endeavours, especially as a player and captain of the Wallabies, and also as Lord Mayor of Sydney. I did not know Sir Nicholas, and I know that other members will make more personal contributions to this motion. However, I place in *Hansard* my condolences to a great man. I echo the sentiments of the Premier, who said that Sir Nicholas contributed:

... so much to New South Wales across public life, sport, media and the community and will be deeply missed ... Above all else Sir Nicholas was an inspiring, caring and compassionate person and was held in such high affection by so many across the State, and nation ...

Sir Nicholas made an outstanding contribution to rugby union in Australia, as a player and as captain. He played more than 100 matches for Australia, including tours of Great Britain, South Africa and New Zealand. The Wallaby Hall of Fame notes:

While he predominantly played at lock for the first half of his Test career, he soon moved to the front row where he excelled in both the loosehead and tighthead positions. He was a strong and physical scrummager whose high work rate was an inspiration to his teammates.

As a player he toured in the United Kingdom, France, North America, New Zealand, South Africa and Ireland. These tours were a little bit longer than they are now. His first tour, to Europe and North America, was nine months long. He played for Australia with other greats, including Rex Mossop, Ken "Killer" Kearney and Arthur Summons. In 1957 he became the first Australian rugby player to make two tours to Europe. That same year was when he met his future wife, Dame Marie Bashir. The two of them shared a long and prominent life together. They each excelled at their own pursuits and shared a passion for public service. Sir Nicholas supported his wife when she opened her medical practice. They raised a family together. He also took his duties seriously when Dame Marie became the Governor of New South Wales—he was often the first person to greet arriving guests.

As an administrator of the game of rugby union, Sir Nicholas's legacy includes changing the rules of the game at a schoolboy level to improve safety in scrums, which was the subject of much consternation in the mid-1980s. These important rule changes were something that was appreciated by the forwards in my team when I played halfback for my school when I was younger. His legacy is the significant decrease in injuries, particularly neck injuries, of young players. He was also a driving force behind the Rugby World Cup and was joint chairman for the inaugural 1987 competition held in Australia and New Zealand. I was listening to some tributes to Sir Nicholas this week. One that stood out was from Gordon Bray, the rugby union commentator, who said that he remembers Sir Nicholas as the tour manager in 1981. He was the one who carried the team's bags from the bus to the hotel—it was not beneath him to do that for the boys. It is fitting that he is memorialised at the Sydney Cricket Ground [SCG] Walk of Honour, as the SCG was where he not only played but also was a trustee for a number of years.

As an alderman on the City of Sydney from 1962 until 1977, Sir Nicholas was important in the development of the first City of Sydney Strategic Plan. The plan envisioned closing Martin Place to traffic and turning it into a pedestrian plaza as well as restoring the Queen Victoria Building. The Martin Place changes seem obvious now, but they were not in the late 1960s and early 1970s. At that time, the car was king in a city that had only recently dismantled the largest tram network in the world. The Martin Place we have today is the beating heart of the Sydney central business district and the centre of large events, including the Dawn Service on Anzac Day and the annual lighting of the City of Sydney Christmas tree. It is also remembered for being one of the live outdoor broadcast venues during the 2000 Sydney Olympic Games. However, prior to the 1970s it was just another busy city road.

He was no longer on council when the Queen Victoria Building was restored in the 1980s. However, the building came close to demolition while he was Deputy Lord Mayor, with prominent advocates in favour of

knocking it down including Harry Jensen, Professor Denis Winston and Harry Seidler. It was during this time that the heritage building was preserved, and I think all of Sydney now is grateful for that decision. As Lord Mayor of Sydney he was in office at the opening of the Sydney Opera House by Queen Elizabeth. He also officiated at visits by Prince Charles and Princess Anne.

As Chairman of the Special Broadcasting Service [SBS] he saw expansion of its broadcast throughout New South Wales and Australia. As the son of immigrants, Sir Nicholas knew how important foreign language television was to new migrants finding their way in our great country. Sir Nicholas was a great man whose contribution to the State and Australia will be fondly remembered by all. He was made a Knight Bachelor and a Companion of the Order of Australia. My thoughts and condolences are with his family, Dame Marie Bashir, his children Michael, Alexandra and Susan, as well as the rest of his family, his friends, the rugby community and many across New South Wales who will remember Sir Nicholas's positive contribution to our society.

The Hon. RICK COLLESS (11:58): I make a contribution to debate on this condolence motion to put on the record my appreciation of the contribution that Sir Nicholas Shehadie has made to this State and the nation. I started playing rugby union in 1968, when I was 16 years old. It was not long after that that I first heard the name Nicholas Shehadie—or Nick Shehadie, as he was known in those days—and heard about his involvement and his career in rugby union. The rugby fans in this place have already detailed his rugby career, so I will not repeat what they have said. However, it is important to note his roles as the Chairman of the New South Wales Rugby Union in 1979 and in the Australian Rugby Union in 1980, and his commitment to the creation of the Rugby World Cup in 1983.

Although Nick came from Coogee, he married a girl from the bush. Marie Bashir came from Narrandera and they were married in 1957 and had three children—Michael, Alexandra and Susan. As others have stated, Nick's football career started when he was just 15 years old. My rugby career started at about the same age, but I was nowhere near as good a player as he was. He was good enough to make his debut in the Randwick first grade team when he was 15 years old, and he played for the New South Wales rugby team when he was 16 years old. He had a magnificent rugby career. As I said, all rugby players in those days knew his name.

Sir Nicholas also had great public and business careers. I first met him after I came into this place and when Marie Bashir became our wonderful Governor. Every time we went to Government House, Nick was always there with his hand outstretched and he was always pleased to see us. He was a wonderful man who did great things for rugby union, for Sydney, for New South Wales and for Australia. I conclude by offering Dame Marie Bashir, their children and their extended family my condolences and my appreciation for the contribution of Sir Nicholas Shehadie.

The Hon. SHAYNE MALLARD (12:01): It is with great humility and honour that I pay tribute to the life of Sir Nicholas Michael Shehadie, AC, OBE, who passed away on Sunday 11 February 2018 at the grand age of 92. I convey my deep condolences to his lifelong partner, Dame Marie Bashir, and the extended Shehadie family. Dame Marie is a much loved public figure as our former Governor, and I know that the people of New South Wales have her in their thoughts at this sad time.

Sir Nicholas Shehadie was a giant of a man, both literally and figuratively. It is said that the doctor told his mother, Hannah Shehadie, upon the birth of the 12 pound Nicholas on 15 November 1926 that she had given birth to a "baby elephant". Sir Nicholas enjoyed telling that story throughout his life. This big baby went on to become a bigger figure in the public life of this city and nation through both sport and civic duty.

My contribution to this condolence motion today will focus on his civic life because we have heard from the rugby tragedies in this Chamber about his unrivalled sporting prowess. Sir Nicholas was a Redfern boy. He was born at a Coogee hospital, his mother having been raced there by the local Redfern butcher from the family's Redfern Street terrace house where his grandfather and father had settled the family on coming from Lebanon in the mid-1920s. His Redfern roots were a point of great pride for Sir Nicholas throughout his life. Much can be said of the struggles he endured as a migrant kid in the tough working-class suburb of Redfern; however, like most Redfern locals, he wore the community spirit as a badge of honour and throughout their lives he and Dame Marie often returned to the area.

Sir Nicholas's grandfather and father were both well-educated men of religion and ministers in the Antioch Orthodox Church. In fact, they built a church in Redfern serving the local largely Lebanese migrant community. On reading Sir Nicholas's autobiography, *A Life Worth Living*, aside from being struck by his humility and the humour that permeates his life's journey, one learns of his humble beginnings in Redfern, his family's struggle through the Depression, and the strength and cohesion of the Redfern community. He talks about his typically Redfern rebellious boyhood and upbringing, attending Cleveland Street and Crown Street public schools and his intersection with local Labor party identities, such as the local member Bill McKell, and his love for the

mighty Rabbitohs. Sir Nicholas participated in an oral history project dealing with Redfern commissioned by the City of Sydney in 1994. The interviewer asked, "What kind of house did you live in?" He replied:

In Buckingham Street it was a terrace house which still stands and my brother was born in 88 Buckingham Street Redfern but the house on the corner of Walker and Redfern Street which is now Housing Commission was a lovely old home.

It was their first home. He continued:

It was a big home and the church was behind it—

that is the church his grandfather and father built—

and I have some very fond memories there and the Albert View Hotel was right opposite. And we had a beautiful wall where all the boys, we used to sit there on a Saturday afternoon waiting for a fight to start in the pub and we were never disappointed; some very good street fighters in those days.

The interviewer then asked, "That was quite a common thing to watch the fights at the pub around closing time, wasn't it?" Sir Nicholas replied:

Yes, but they were all good people at the same time; they'd all help each other; by Monday morning they were all friends again.

Sir Nicholas went on to say:

... I'm very, very proud of Redfern. I'm a Redfern boy and I'm very proud of it.

The larrikin joker was ever-present. When he was asked what the local boys did for fun, he said:

The radio was always great for us—we had no television—and we'd go to the pictures and we'd go to the beach. I was a great one for scaling trams. I could even jump off backwards and we all learnt those things.

It was a different world then. The interview continued:

SR: And just hitched a ride?

NS: Oh, yes.

SR: And what beach would you go to?

NS: Down to Coogee or we'd go and swim at Centennial Park and I recall we'd be swimming there and when the trams went by we'd all jump out in the nude.

I presume that was to scare the tram passengers. If it were not for the eviction of his family by the Housing Commission from their much-loved Redfern home—which was demolished to make way for the flats that are still there today, which he describes as his saddest childhood memory—and the subsequent move to the Randwick area, where Nick Shehadie fell in with the rugby crowd, those on the other side of this Chamber may well be lamenting the passing of a great of their party. However, something Sir Nicholas was proud of, and something many of us in this Chamber also believe is important, was his personal respect for some of those on the other side of the Chamber and his lifelong friendships with them.

As a former South Sydney councillor and later as a City of Sydney councillor, my interest in Sir Nicholas's civic life stems from my own love of local government. At least a generation or two apart, I was always interested in his service to the community and conscious of the shadow he cast over both South Sydney and Sydney Town Hall as an alderman, lord mayor and later a commissioner. How did a great Australian rugby player and small businessman end up on the conservative Civic Reform ticket for Sydney Town Hall? His autobiography states:

I can honestly say that a career in politics had never entered my mind until ... the Civic Reform Association, a non-aligned ratepayers' association, contacted me and suggested that I stand as an alderman for the council elections of the City of Sydney. They were looking for candidates, and I was in no doubt they wanted to capitalise on my sporting experience and profile—the Shehadies were well known in the Redfern area.

Sir Nicholas was easily elected to the Northcott Ward of the City of Sydney Council in the 1962 election. However, the Civic Reform Association was in the minority on council and was up against formidable Labor men such as Cliff Noble, Reg Murphy, Ernie O'Dea and many others. He described his first term on council as a "traumatic learning experience" at the hands of the Labor Party. He soldiered on with the Civic Reform Association in opposition, learning the ropes as a new alderman. Of course, the election of the Liberal Askin Government saw a continuation of the seesawing of politically motivated council sackings and the redrawing of boundaries.

The Hon. Greg Donnelly: What has changed?

The Hon. SHAYNE MALLARD: Indeed, what has changed? If members would like to learn more about the five times the City of Sydney has been sacked and the boundaries redrawn, I recommend the excellent book *Sacked* by Hilary Golder. It is compulsory reading for any City of Sydney councillor or any Minister for Local Government. In 1967 the city councils were all dismissed and, overnight, the commissioners set about

redrawing the boundaries. That is something I am quite familiar with, too, having been sacked in 2003 and re-elected in 2004 for the same reasons. Thus the first South Sydney Municipal Council, comprising pretty much all of Alderman Shehadie's former Northcott Ward, was created. Revealing the astute politician he was, Sir Nicholas jumped across to the new city council—something I did too—and was elected on the Civic Reform team in 1969. Askin's political ploy paid off, and Civic Reform took control of Town Hall from Labor at the elections—something future State Governments would fail to achieve. Once Civic Reform was in power at Town Hall, Sir Nicholas's public policy legacy was established. Under Civic Reform and his active participation and leadership—especially in the area of land and development—the first-ever city plan was created, with Sir Nicholas at the helm.

From that plan were created Martin Place—against the wishes of the Askin Government—building setbacks and the widening of William Street, and the innovative heritage floor space ratio market, which allowed owners of heritage-listed buildings to sell, in a council-regulated market, the floor space above their heritage building to another development site. The proceeds were then used to restore the heritage building under a strict council-approved plan. Sir Nicholas was quite proud of that innovation and spoke about it quite a lot. This innovative approach is still used today. It has been copied in many parts of the world and has saved many historic buildings in our city from economic deterioration and inevitable demolition. If it were not for one single preselection vote Sir Nicholas may well have been the Liberal member for the Federal electorate of Parramatta, and an ambitious young Liberal called Philip Ruddock might have had his career plans slightly stalled. But that was not to be: Sir Nicholas lost that preselection by one vote.

The Hon. Greg Donnelly: And Hornsby would have a different mayor.

The Hon. SHAYNE MALLARD: I used the word "stalled"; I do not think Mr Ruddock's career would have been derailed. Twenty-four hours after losing the preselection for Parramatta—held at the Wentworth Hotel—Sir Nicholas was endorsed by Civic Reform and elected as Lord Mayor of Sydney. That was not a bad consolation prize! He became Lord Mayor of Sydney in 1973 and, by his side as always, Marie became Lady Lord Mayor, and took on all the civic duties of the era that went with that honorary position. Unsurprisingly, she exceeded what was required of her. In those days the office of Lord Mayor came with a chauffeur-driven Rolls Royce complete with City of Sydney flag fluttering on the bonnet. By his own account the boy from Redfern did not mind that too much.

Highlights of his term as Lord Mayor included the royal visit and the opening of the Sydney Opera House—great civic events that he and the city rose to. But he is also credited with establishing the Festival of Sydney in 1975, another great legacy of his civic life. That festival is still breathing artistic and cultural life into our city. He is also credited with playing a leading role in the tripartite agreement between the City of Sydney, the New South Wales Government and the Federal Government which saved the community of Woolloomooloo from annihilation and inappropriate overdevelopment. In September 1977, after having increased the majority of Civic Reform at the council elections, Sir Nicholas retired from local government, and he thought that was the end of that chapter. Sir Nicholas's career then moved into the sphere of boards and business, and, in his own words, he thought local government was behind him. He said:

On my retirement, I devoted myself to my business and was invited to join several company boards. My learning curve continued. One evening in 1987, almost ten years later, Pat Hills, the former state member and my chairman on the Sydney Cricket Ground Trust, rang me to say the government was about to dismiss the City of Sydney council and wanted me to become the deputy chief commissioner. My first reaction was, 'No way—been there, done that!'

But that sacking occurred the next morning. Amongst the councillors sacked by the Unsworth Government were Clover Moore and Frank Sartor—but I digress. Sir Nicholas Shehadie went on to efficiently manage the City of Sydney—it was in financial distress at the time—alongside two other commissioners, as the newly elected Greiner Government carved out the second South Sydney City Council. Given his love of South Sydney he led the successful efforts to make sure the new South Sydney City Council was financially viable and had good quality staff. That was something I appreciated very much when I was elected to South Sydney City Council. I note that the former Labor mayor of South Sydney, Vic Smith, contacted me to sing the praises of Sir Nicholas and his service to the council at that time. He certainly engineered a strong financial council at the time of that separation. I hope this has given a taste of Nicholas Shehadie's contribution to local government. It was clearly something he loved doing. He said:

As I look back on my days in local government, it was indeed an interesting period and I appreciate the wonderful experiences it gave me. Local government is the government that's closest to the people, because it deals with everyday issues. Sydney is a great city. I feel privileged to have been born and raised here and am proud that I have been involved in its development.

I conclude with a quote from another rugby tragic, Alan Jones, who wrote the foreword to Sir Nicholas's autobiography. He said:

His story, as told here, proves yet again that success is, more often than not, born of adversity; that there is no royal road to achievement or public prominence; that what people do with their lives is sometimes more noteworthy for the simplicity of its progress rather than the dimension of its achievements.

I thank you, Sir Nicholas. His was, indeed, a life well lived. I commend the motion to the House.

The Hon. WES FANG (12:15): Sir Nicholas Shehadie was a towering figure of Australian public life and leaves behind an incomparable legacy that helped shape the modern sporting, media and political landscapes of our great country. I never had the privilege of meeting Sir Nicholas, but I wish to put on the record my condolences to his family and friends. Sir Nicholas was the son of Lebanese immigrants and grew up in inner-city Redfern, attending Cleveland Street and Crown Street schools. Instead of following his father—the second ever Orthodox priest in Australasia—into the church, Sir Nicholas quickly became known for his sporting expertise and decided his immediate future was in rugby.

To say that Sir Nicholas was an overachiever is an understatement. At 15 years old, he made his debut for Randwick and just a year later he ran onto the field representing New South Wales. It was inevitable that Sir Nicholas would go on to wear the green and gold, and in 1947 New Zealand got their first look at Australia's new hard-hitting forward. Sir Nicholas would go on to play 30 tests for the Wallabies, including leading the side. He represented Australia 114 times between 1947 and 1958—the first rugby player to break triple figures. In characteristically roguish style, Sir Nicholas was also the first tourist to represent the Barbarians in a match against his own country.

In 1957 Sir Nicholas married Narrandera girl Marie Bashir. As I reside in the Riverina, I am quite proud of the fact that he saw what we see: the amazing characteristics of people from the Riverina. I was struck by the contribution of the Hon. Walt Secord, who mentioned Sir Nicholas's comments about his "dear wife". I also acknowledge the comments of the Hon. Trevor Khan, who mentioned the piece of paper which he found in a moneybox in his father's surgery. That note was about Sir Nicholas as he was growing up. As a son of a migrant I understand what it is like to be thought of as being a little bit different at school and I can appreciate why the Hon. Trevor Khan's father kept that piece of paper. It is certainly a moving and humbling story to see somebody achieve such lofty goals. Those school colleagues who made the comments about Sir Nicholas would probably have later regretted them.

There are two football codes played in the Riverina—rugby league and Australian Football League [AFL]. I played neither of those; I played rugby union. I proudly played in the second row for Mount Austin High School, and I can appreciate very much the achievements of Sir Nicholas on the rugby field. It is a difficult game. We can see from the level of representation he achieved in playing for and leading his country that he was an amazing man on the sporting field—but it was not only on the sporting field that he was a leader. In 1962 Sir Nicholas dipped his toe into public life and was elected as an alderman for the City of Sydney. After a decade of service, he was elected Lord Mayor in 1973. It is perhaps in his post-player career that Sir Nick made his greatest mark on rugby. As the President of the Australian Rugby Union [ARU], Sir Nicholas pitched the idea of a world cup to the International Rugby Football Board. The obstacles he faced in this quest were immense. The Northern Hemisphere officials were steadfast in their opposition to a world cup, believing the game belonged to them rather than to the Southern Hemisphere. Sir Nicholas said:

Ireland was opposed to it ... They said it was their game and not our game. And I remember the president of Scotland saying, over his dead body.

Sir Nicholas quipped:

We'll remember you on that day.

Sir Nicholas used his charm, leadership and savvy to win his opponents over and eventually establish the Rugby World Cup. In 1987 he oversaw its first tournament in New Zealand. His legacy will live forever in what has become the third largest sporting event in the world. If establishing the Rugby World Cup was not enough, Sir Nicholas was also an instrumental figure in the formation of the Special Broadcasting Service [SBS]. As its chairman from 1981 to 1999, he pioneered the expansion of SBS into language services. He understood the importance of immigrants to Australia and was an architect of broadening the national agenda to include Australians from all backgrounds and promote multiculturalism at every opportunity. Sir Nicholas was a titan of Australia. His presence was felt from the sporting field to the boardroom. We have lost one of our truly great citizens. I offer my most heartfelt condolences to his wife, the Hon. Dame Marie Bashir, and their family during this time. My thoughts are with all of them.

The DEPUTY PRESIDENT (The Hon. Shayne Mallard): According to sessional order, business is interrupted to permit the mover of the motion to speak in reply.

[Business interrupted.]

*Business of the House***PRECEDENCE OF BUSINESS**

The Hon. NATASHA MACLAREN-JONES: I move:

That the time for debate on this motion be extended by one hour.

Motion agreed to.

*Condolences***SIR NICHOLAS MICHAEL SHEHADIE, AC, OBE**

[*Business resumed.*]

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (12:22): I am delighted to have this opportunity to make a few remarks in memory of a great Australian, Sir Nicholas Shehadie, who passed away on the weekend. I also congratulate Deputy President Mallard on his contribution to this condolence motion. As a result of his service as a councillor of the City of Sydney and the City of South Sydney over a 10-year period, Deputy President Mallard would have seen the civic contribution that Sir Nicholas made within the boundaries of the City of Sydney. In the Deputy President's contribution, he reflected on Sir Nicholas's background, growing up in Redfern, but what has not yet been commented on is that Sir Nicholas grew up in the presbytery of the Antiochian Orthodox Church in Redfern.

Both his father, the Very Reverend Father Michael Shehadie, and grandfather, the Very Reverend Father Nicholas Shehadie, were priests in the parish of St George at Redfern, which is now the Cathedral Parish of the Antiochian Orthodox Church. Sir Nicholas's father, Father Michael, came to Australia in 1925 after studying to become a priest at a theological academy in Russia. Father Michael and his wife Hannah came to Sydney with their two daughters, and Sir Nicholas was born shortly afterwards. This paragraph from the website of the Antiochian Orthodox Church illustrates the sort of family life and the background of Sir Nicholas Shehadie and also illustrates the humanity and the public service that was imbued in him as a child:

The Shehadie family lived in the presbytery on the church grounds as the church became their life. The presbytery was full for Sunday lunch after church every week, and many families sought refuge at the presbytery when first arriving in Australia.

That family background obviously tells us a lot about Sir Nicholas's life. I will return to Sir Nicholas's rugby career, but firstly I mention his great role in the field of multiculturalism, and particularly his role as the inaugural chairman of the Special Broadcasting Service [SBS], which—as we have heard from the Hon. Natalie Ward—he held for 18 years, through two changes of Federal Government. SBS Chief Executive Officer Michael Ebeid described Sir Nicholas's role as "instrumental in our formation". The Federation of Ethnic Communities Council of Australia [FECCA] described Sir Nicholas as a "pivotal figure in the formation of SBS". There is no doubt that that was the case. Sir Nicholas has left an enormous legacy for Australia in helping embed SBS as part of our national life. His family background, the importance of migrant settlement and cultural diversity, and the life he led underlines FECCA's other comment about Sir Nicholas:

He was a living example of Australia's successful multiculturalism, born in Sydney to a Lebanese family and achieving remarkable success not only in sport, but later as Lord Mayor of Sydney as well as in his time as Chair of SBS.

As a starting point, I particularly underline Sir Nicholas's role as a living, breathing part of our story as a culturally diverse nation. I thank my colleague Natalie Ward for moving this motion today. She knew Sir Nicholas through her association with the Australian Rugby Foundation, an organisation with which he was associated as one of the greats of the game. A number of honourable members have contributed during this debate regarding his role as a rugby player, as an administrator and as one of the proponents—if not, the proponent—of the idea of the Rugby World Cup, which is the third largest sporting event in the world and an incredible legacy. No doubt many people, including some in the Chamber, aspire to seeing it become the biggest sporting event in the world, but we cannot make that claim for it right now.

I distinctly remember that during the period of Dame Marie's governorship it was not just World Cup Rugby, it was not just Australia, or even New South Wales, or even the graded club rugby of Sydney that Sir Nicholas supported; he supported a range of rugby charities, rugby clubs, rugby teams and rugby causes over his life. I remember that Dame Marie and Sir Nicholas hosted a reception when the International Gay Rugby competition, the Bingham Cup, came to Sydney. He was a solid supporter of that competition.

The Hon. Dr Peter Phelps: Go the Convicts!

The Hon. DON HARWIN: Go the Convicts, yes. That was a great occasion. I know how much the leading Sydney organiser of the Gay Games, Andrew Purchas, and everyone at the Sydney Convicts as well as all of us in the gay community appreciated the gesture from Sir Nicholas and Dame Marie when the Bingham Cup

came to Sydney. We heard from the Deputy President, the Hon. Shayne Mallard, about Sir Nicholas's involvement in local government and his contribution to the Sydney City Council. Mr Deputy President, you also touched upon something I propose to discuss. I have brought to the Chamber a book outlining a particular matter. Of course, Sir Nicholas's great success as a leading civic reformer of the City Of Sydney made many people speculate that he could have a parliamentary career.

Mr Deputy President, you referred to Sir Nicholas joining the Liberal Party and contesting preselection. I do not think he was a member of the Liberal Party for very long, to be perfectly frank. Nevertheless, I refer to a book written by Ian Hancock entitled *The Liberals: The NSW Division 1945-2000*, which is published by the Federation Press. It records that in the by-election for the Federal seat of Parramatta on 22 September 1973, "The distinguished sitting Liberal, Nigel Bowen, had retired to the NSW Court of Appeal. An impressive field entered the race and, after 11 substantive ballots and four elimination ballots, a young Philip Ruddock surprisingly defeated the supposed favourite, Nicholas Shehadie, by 25 votes to 24 (there was one informal vote)."

The DEPUTY PRESIDENT (The Hon. Shayne Mallard): We did the numbers back then, too.

The Hon. DON HARWIN: Perhaps it could be said that it took the parliamentarian with the second longest period of service in Australia's history and undoubted political skill, Philip Ruddock, to stop Sir Nicholas becoming, in my view, the best Prime Minister Australia never had. I invite members to think about that for a minute. The preselection was held in 1973, during the Whitlam Government. Had Sir Nicholas been elected then—as Philip Ruddock demonstrated, there is no doubt it was a seat that could be held; as a very popular political figure, Sir Nicholas would have been more than up to the job of holding the seat as well. By the late 1980s, as a person of undoubted popular appeal and skill, Sir Nicholas may well have propelled himself to the leadership of the political party from which he sought preselection, and he could well have been a Prime Minister of Australia. There is no doubt about that. He was a towering figure.

Sir Nicholas was the candidate of the general secretary at the time, Sir John Carrick, who was well known as being a talent spotter. Sir John had encouraged Sir Nigel Bowen into the field in the first place for Parramatta, and before him, Sir Garfield Barwick. Sir John may have been looking to secure a trifecta of knights in that seat, but it was not to be. That was one of the first preselections where Sir John, who had just stepped down as general secretary, got rolled and the person he wanted was not selected. What a towering figure he was, too. However, I digress: This motion of condolence is about Sir Nicholas Shehadie. I conclude my comments on this matter by saying it is very much my strong view that, if events had been different on that occasion, Sir Nicholas could well have been a Prime Minister of Australia.

As President of this House, I had a lot to do with both Dame Marie and Sir Nicholas. Inevitably, as a representative of this House, I had a lot to do with them at Government House and at other functions. It was a wonderful opportunity to get to know Sir Nicholas better. In the later years of Dame Marie's governorship, Sir Nicholas found it quite difficult to be as mobile as he once was. At that time, I too was a little less mobile than I am now. On one or two occasions I kept Sir Nicholas company while we were seated in the wicker chairs on the Government House balcony in the later stages of a State reception before the legendary Dame Marie finally let us go. There is nothing Dame Marie likes more than meeting people and she hated—I emphasise "hated"—to see a function end. But Sir Nick was a great guy. He was an absolutely wonderful Australian. He made an incredible contribution to Australia. I will always remember him fondly. It is my enormous pleasure to add a few words to this debate in tribute to him.

The Hon. SCOTT FARLOW (12:36): I also contribute to debate on the motion of condolence for Sir Nicholas Shehadie, AC, OBE, and offer my condolences to Dame Marie Bashir, in particular. Sir Nicholas was a man who many would agree was a larger-than-life character. Like so many across Sydney and the State, Sir Nicholas came from a migrant Lebanese background. Sir Nicholas' character was formed in the mould of a very proud and old community as well as one of the first non-English speaking migrant communities in Australia, the Lebanese community. The President of this House also has a Lebanese background. Sir Nicholas Shehadie was one of the leading lights of the Lebanese community, which is a matter of great pride for that community in New South Wales. His story is very similar to that of other Lebanese Australians.

Sir Nicholas was born in Coogee and raised in the Sydney suburb of Redfern. He went on to make a great contribution to our society, which is testament to how wonderfully community minded is the Lebanese community in New South Wales. Sir Nicholas had an amazing career in sports, business and politics. It is incredible to think how he was able to achieve so much throughout his life across so many fields. Sir Nicholas was married to our State's former Governor, Dame Marie Bashir. However, Sir Nicholas' achievements in life far outweigh his marital status. Sir Nicholas' contributions span sports, politics, philanthropy and community service.

My first encounter with the name Sir Nicholas Shehadie was when I looked across at the grandstand on the eastern side of the Sydney Football Stadium, which is now Allianz Stadium. In 2001 that grandstand was

named the "Nick Shehadie Stand" and it is the only stand that is named after a single individual. After his retirement from the Sydney Cricket Ground Trust, there was no opposition to the stand being named after him. I hope there will be a stand named for Sir Nicholas Shehadie in the redevelopment of Allianz Stadium. Sir Nicholas made a great contribution to rugby union in Australia, as both a player and a captain. During the 1949 Australian tour of New Zealand, Sir Nicholas saw Australia win the Bledisloe Cup for the first time in history. He played more than 100 matches for Australia and toured Great Britain, South Africa and New Zealand. He was President of the Australian Rugby Union from 1980 to 1987 and was instrumental in the establishment of the Rugby World Cup. Today, the tournament is one of the world's largest sporting events and the Webb Ellis Cup is one of the most sought-after prizes in world sport.

In 1973, Sir Nicholas was elected Lord Mayor of Sydney after running on the ticket of the Civic Reform Association, a non-aligned ratepayers association. On 20 October 1973, he oversaw the opening of the Sydney Opera House. I hold the event close to my heart because, funnily enough, I was born 10 years later on 20 October 1983. Sir Nicholas spearheaded the protection of the natural environment in Woolloomooloo from excessive overdevelopment and the closure to traffic and beautification of Martin Place until his departure from the mayorship in 1975. Yesterday I was looking at some of the pictures on the wall outside the Chamber and noticed that Sir Nicholas Shehadie was in the background of a 1974 photo of Prince Charles presiding over the Chamber. Lord Mayor Sir Nicholas is sitting in pride of place on the bench in the President's gallery. Sir Nicholas Shehadie did so much for Sydney and, as the Leader of the Government remarked earlier, we can only imagine what else he might have achieved if he had moved into the parliamentary realm—perhaps not in this Chamber but in Federal Parliament. Sir Nicholas was Chairman of SBS from 1981 to 1999, which all of us—apart from perhaps Reverend the Hon. Fred Nile—will agree is a long time. I note that Reverend the Hon. Fred Nile went to school with Sir Nicholas.

Reverend the Hon. Fred Nile: The same school.

The Hon. SCOTT FARLOW: The same school. During that time, Sir Nicholas also served as the chairman of TAFE and the Migrant Employment and Qualification Board. He was Chairman of the Sydney Cricket Ground Trust from 1981 to 1999. When I think of the captains of Sydney, I cannot think of anyone who was as big of a deal in this town as Sir Nick Shehadie. From 1992 to 1994, Sir Nicholas was national Chair of the Duke of Edinburgh's International Award – Australia and oversaw the program's growth and introduction into school campuses across New South Wales and Australia. The Duke of Edinburgh's International Award is an initiative strongly supported by the Hon. Natasha Maclaren-Jones, who is Chair of the Parliamentary Friends of the Duke of Edinburgh's International Award. Sir Nicholas was appointed a Knight Bachelor in 1976 and in 1990 he was made a Companion of the Order of Australia for his service to sport, media and the community.

Sir Nicholas was a figure whom many aspire to be but whom few will ever be able to match. He was inspiring, caring, compassionate; he was respected for his actions, not just his words. He had respect for his community, family and colleagues. He may no longer be with us but his work will live on forever. His actions are a testament to the great achievements of his career and his life. New South Wales prides itself on encouraging its citizens to act in a way that best emulates the morals and ethics of yesterday, today and tomorrow, and I can confidently say that Sir Nicholas did that. His extensive service to the community, contribution to politics and continued support for charitable and community-based organisations was significant, and his death leaves a deep hole in New South Wales that will take time to fill—and potentially may never be filled. It is with sadness that I send my sympathies to the Shehadie family, in particular Dame Marie Bashir, and wish them the best during this tough time. Vale, Sir Nicholas Shehadie.

The Hon. BEN FRANKLIN (12:44): I thank the Hon. Natalie Ward for moving this motion on the death of Sir Nicholas Michael Shehadie. The Hon. Natalie Ward and her husband have a great passion for rugby union and viewed Sir Nicholas as a towering figure. The fact that she has moved this motion is a lovely tribute to Sir Nicholas' life. Nicholas Shehadie's immense energy and passion made him an inspiration and role model to individuals across New South Wales in so many areas, including public life, sport and media. He rose to the top of numerous fields and stood fast in his personal values, which made him the incredible man he was. Prime Minister Malcolm Turnbull was correct when he said there is no other nation like Australia on earth. We are the most successful multicultural society in the world, and Sir Nicholas was a product of that. I acknowledge the contribution to the debate of the Hon. Trevor Khan, who sent an important message about the leader that Sir Nicholas was to so many within the community and the importance of having leaders from other cultures.

Like so many Australians today, Sir Nicholas was the son of immigrant parents, with his family migrating to Australia from Lebanon in the early twentieth century. At the time, the Shehadies were part of the growing Lebanese community in Sydney's inner west. Sir Nicholas' father, Michael, went on to lead as the pastoral head of the Antioch Church upon the death of his father in 1934. However, his family's strong ties to the Lebanese community did not attract young Nicholas to follow in his father's and grandfather's footsteps in the church; he

instead ran straight and true towards opposing players on the footy field, which landed him on the doorstep of a thrilling rugby union career. After his initial tour debut for the Australian Wallabies in the 1947-48 season, Sir Nicholas went on to appear in 30 tests, captaining three. From 1942 to 1958, Sir Nicholas appeared 37 times for New South Wales and 175 times for Randwick over a 16-year club career.

However, his service to the game and to the Australian Rugby Union did not stop there. One of his greatest achievements came during his time as Chairman of Australian Rugby Union. In the mid-1980s, he was approached by Queensland with the idea to host a rugby world cup. As head of Australian Rugby Union at the time, Sir Nicholas helped convince his New Zealand counterpart Dick Littlejohn to join him on a trip to London to persuade the English to get on board. In 1987 the first Rugby World Cup tournament took place, with 16 nations competing. Sir Nicholas' charm and appeal once again won over his colleagues and established what is seen today as the largest and truly global rugby tournament. Despite these achievements, Sir Nicholas never had a dull moment after his football career came to an end. Instead, he started a business where he supplied and fixed vinyl tiles used in hotel bars and computer room installations. As corporate Australia grew and telecommunications divisions and computer infrastructure demands increased and so too did Sir Nicholas' business.

Perhaps the most interesting aspect of his later career, which this House may appreciate, was his time as a councillor and eventually Lord Mayor of Sydney City Council. I note the Hon. Shayne Mallard's excellent contribution on this part of Sir Nicholas' life. In 1962, Sir Nicholas's public life began with a run as an Independent candidate on the Sydney City Council. This experience culminated with Sir Nicholas being elected Lord Mayor in 1973. He was in office during the opening ceremony of the Sydney Opera House by Queen Elizabeth II on 20 October 1973, and held the role for the following two years. Along with these notable roles, Sir Nicholas also served as Chairman of SBS for a duration of 18 years. He is recognised for the pivotal role he played in not only the formation of SBS but also the development of the national agenda, with a focus on multicultural Australia. During an interview on his time as chairman, Sir Nicholas reflected on the values and beliefs taught to him from his earlier rugby career. He said:

Any successes I've had have been based on a sporting activity. I've run businesses and I've run other places, as a team - I learnt this by playing sport.

Sir Nicholas was a humble leader who was universally respected and loved. This week we have lost an inspirational man. Along with everyone in the Chamber, I extend my deepest sympathy to his wife, Dame Marie Bashir, and their family during this time. Sir Nicholas will be dearly missed, but his legacy will always remain in New South Wales.

The Hon. MATTHEW MASON-COX (12:49): It is my honour to contribute to the condolence motion for Sir Nicholas Shehadie, AC, OBE. I thank the Hon. Natalie Ward for bringing forward this important motion and I associate myself with all contributions to the debate. What can I say about the life of Sir Nick? Sir Nick was a towering figure and a great example to us all. I will encapsulate my thoughts on what Sir Nick meant to me personally in the time I knew him and I will focus on some of his many achievements. Sir Nick excelled on a level playing field as a fearsome front rower and he excelled in creating a level playing field, whether as captain of the Wallabies, Chairman of the Special Broadcasting Service [SBS], Chairman of the Sydney Cricket Ground Trust, Lord Mayor of Sydney, President of the Australian Rugby Union or supporter of the many charities with which he was associated.

I particularly remember Sir Nick as patron of the Cauliflower Club and today I am wearing my cauliflower tie—although I acknowledge that my tie has a pink cauliflower at the bottom, which means I am a back rather than a forward. Sir Nick would not be impressed by that, because backs do not win games; forwards win games. However, being a back rather than a forward means that I have weathered the years somewhat better than most forwards do. Sir Nick was very proud of his cauliflower ears, as every front rower would be. Some members of this place are members of the Cauliflower Club, which does a wonderful job supporting disabled kids by fostering their participation in sport. The club has hosted many lunches, which Sir Nick regularly attended. He went through the necessary formalities and enjoyed staying late for the toasts. He was welcoming and had a story to tell and a joke to share. The money raised to help disabled children play sport is a true tribute to Sir Nick's participation, energy and passion.

Other members have spoken of Sir Nick's wonderful partnership with Dame Marie Bashir, the former Governor of this State. I also got to know Sir Nick when he hosted functions with his wife at Government House. I remember the long walk to Government House, where we were presented to Dame Marie Bashir by the President of the Legislative Council on the verandah. Sir Nick would be waiting there with glasses of champagne or cups of tea and chicken or egg sandwiches. Having a chat with Sir Nick and Dame Marie, a beautiful couple, was the highlight of visiting Government House. Sir Nick was a dignified, humble and gentle presence. We appreciated his jokes and the humour he brought to occasions. When I reflect upon what Sir Nick has done for this city, this

State and this nation, I consider him to be one of the greatest examples of what it means to make public service your vocation. He was an example to everyone every day, and he was a great example to all of us in this place.

His contribution has been honoured by members who have contributed to the debate today. Sir Nick was an Officer of the Order of the British Empire and a Companion of the Order of Australia. He was awarded the Australian Sports Medal, he was a Knight of the Order of St John and was inducted into the Australian Rugby Union Hall of Fame. Today we honour and pay tribute to Sir Nick. From humble beginnings he rose to become one of the legends of his generation. He was a towering figure, who excelled in everything he turned his hand to. He was an extraordinarily capable person and, on top of all that, a quintessential Australian. He levelled the playing field in sport and in civic life in the city, State and nation. His contribution will endure. I offer my deepest condolences to his beautiful wife, Dame Marie Bashir, and his family. God bless you, Sir Nick, and may you rest in peace.

The Hon. NATALIE WARD (12:55): In reply: I thank members who have contributed to debate on this condolence motion on the occasion of the passing of Sir Nicholas Michael Shehadie, AC, OBE. Sir Nicholas was a distinguished Australian, as we have heard from members on both sides of Parliament who have paid their respects by contributing to the debate today. Sir Nick was involved with distinction in almost every facet of Australian community life—philanthropy, politics, public life and civic duty. Members have spoken about Sir Nick's involvement with the Sydney Cricket Ground Trust, the iconic Sydney Opera House and on Sydney City Council as both an alderman and the thirty-third Lord Mayor of Sydney. Sir Nick's public service is perhaps unsurpassed, and he has been acknowledged by former Federal Minister Philip Ruddock and others who have shared personal stories about Sir Nick because he touched so many people's lives. We are sure to hear further stories about Sir Nick in due course.

Sir Nick was famously involved in rugby and in the arts. He was involved in rugby at all levels, from his local Shute Shield club to the World Cup. The Hon. Don Harwin spoke of Sir Nick's involvement with the Bingham Cup and his concern for players' welfare. He was in business with his brother, and family played an important role in his life. He was a devoted family man in partnership with his wife, Dame Marie Bashir. Sir Nick was a Lebanese immigrant, and he was proud of his heritage. He was a bastion for multiculturalism in Australia—a great aspect of Australian life that makes us proud, as referred to by the Hon. Trevor Khan and the Hon. Ben Franklin. Sir Nick was also Chairman of the Special Broadcasting Service for several years. As the Hon. Don Harwin said, Sir Nick was the embodiment of a great Australian. He was a philanthropist who was a loyal friend and who was involved with his community. The Hon. Adam Searle and the Hon. Walt Secord shared personal stories about Sir Nick, as did the Hon. Lynda Voltz.

Reverend the Hon. Fred Nile made a touching contribution about his time at school with Sir Nick. The Hon. Natasha Maclaren-Jones and the Hon. Rick Colless acknowledged Sir Nick's achievements in civic duties and in rugby. I thank the Hon. Taylor Martin and the Hon. Ben Franklin for their contributions. The Hon. Trevor Khan's contribution focused particularly on multiculturalism. The Hon. Wes Fang, the Hon. Scott Farlow and the Hon. Matthew Mason-Cox also contributed to the debate. We were touched by those who spoke of their personal interaction with Sir Nick and how his influence extended to people he had not met because he touched many realms of our lives.

He was so very Australian. He was a migrant. He was an all-round sportsman: rugby, cricket, surfing and swimming. He had humility, he had compassion. He was a family man, a father, a husband. He served in public office. He was a loyal friend, a remarkable man. I have one small anecdote—if I might be indulged by the House. It was a saying given to me by a friend that Nick was perfect for statutory appointments. Upon appointment, he was completely loyal to the board and the incumbent chair—we could learn something from that in this place. He cultivated staff and built relationships. Only good word of him reached the ear of the Minister. His reappointment was a given; change of government or change of Minister made no difference.

He was loyal to everyone, above and below. With the governments of New South Wales and the Commonwealth often in the hands of opposing parties, Nick was a safe appointment and a safe reappointment. Competence was matched by courtesy. A government scored prestige for itself by having him on board. Of course, his knighthood awarded in 1976 was an unstated bonus. His innings was long, he was free from any hint of scandal, and his final years were the stuff of legend. He was a remarkable man, and it is my honour and privilege in this House to commend this motion to send condolences to his beloved wife and his family. I commend the condolence motion to the House.

The PRESIDENT: The question is that the motion be agreed to.

Motion agreed to.

The PRESIDENT: I will now leave the chair. The House will resume at 2.30 p.m.

The PRESIDENT: Order! According to sessional order, proceedings are now interrupted for questions.

Questions Without Notice

MURRAY-DARLING BASIN PLAN

The Hon. ADAM SEARLE (14:30): My question without notice is directed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Given the importance of the Murray-Darling Basin Plan to farmers, the community and the environment, and given that negotiations are continuing at the Federal level with the aim of increasing water flows and putting a stop to water theft, why is the Minister now threatening to take New South Wales out of the plan?

The Hon. Dr Peter Phelps: What plan?

The Hon. Walt Secord: Theft! Water theft.

The Hon. Greg Donnelly: Toys out of the cot!

The Hon. Dr Peter Phelps: The one that Federal Labor did over yesterday?

The Hon. Walt Secord: A culture conducive to corruption.

The PRESIDENT: Order! Stop the clock. The Minister has not even had the opportunity to say one word, and the interjections coming from Government members and Opposition members clearly are disruptive. I will stop the clock when interjections continue to be disruptive. The Minister has the call.

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (14:31): I thank the Leader of the Opposition in this House for his question because it gives me a good opportunity to clearly update the House on an outcome from the Senate last night. That was a decision by the Federal Labor Party and the Federal Greens to ignore independent science, independent experts' advice, agreed pathways signed off by all States, and an amendment or review of the plan that was drafted by Tony Burke when he was in the Federal Government. The Leader of the Opposition asks why the New South Government now would take the decision to withdraw from the plan. I will explain clearly that New South Wales has met every one of its obligations.

The Hon. Penny Sharpe: You have always wanted to get rid of the plan. Be honest.

The PRESIDENT: Order! Stop the clock. I have only three options. First, I can allow interjections to continue to be disruptive. Secondly, I can call members to order. When I call members to order for the third time, I must ask them to leave the Chamber. Thirdly, I can stop the clock. I ask members to think about that. The Minister has the call.

The Hon. NIALL BLAIR: When the motion for disallowance was passed yesterday in the Senate with the support of The Greens and the Labor Party, that was a decision to ignore independent reports led by the Murray-Darling Basin Authority; reports completed by ecologists, economists and hydrologists; reports that involved four years of consultation with communities, experts and stakeholders; a report that provided a clear answer, which was that there needed to be an amendment to the northern basin target; an outcome that was not disputed by anyone at the ministerial council table, including the South Australian Labor Government; an outcome that was agreed; a process that was agreed; and everyone saying that this should occur because the Murray-Darling Basin Plan was written with the key fundamental principle that decisions made under that plan should be done in a true triple bottom line approach. Yesterday in the Senate debate and today we have suddenly heard that that report should be questioned because of compliance issues in New South Wales. They are compliance issues that I brought to the attention of this House.

The Hon. Adam Searle: Well, after *Four Corners*.

The Hon. NIALL BLAIR: They are compliance issues from which I have not shied away. They are compliance issues that I asked Mr Ken Matthews to investigate.

The Hon. Penny Sharpe: Without one prosecution. Not one prosecution.

The Hon. NIALL BLAIR: They are compliance issues that I took to the Murray-Darling Basin ministerial council meeting in December.

The PRESIDENT: Order! Stop the clock. At this rate, the Opposition will have the opportunity to ask one question. Clearly, the option of stopping the clock is not working. My second option will be to call members to order. The Minister has the call.

The Hon. NIALL BLAIR: The Government has dealt with and reported on those compliance issues as well as set up the framework in which to deal with them. Blatant politics is being played by the South Australian Government, and the Labor Opposition—by walking away from the experts' advice and delivering less water for South Australia, as those actions undoubtedly will—condones that action.

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

The Hon. NIALL BLAIR: The motion for disallowance will stop things such as the toolbox measures that would protect environmental flows in the northern part of the basin. As part of the amendment, the New South Wales Government agreed to toolbox measures. The Opposition spokesperson for the environment is responsible for condoning the actions in the Senate and in South Australia that will place in jeopardy \$180 million of environmental water projects. The toolbox measures were designed to protect those environmental flows. The Labor Opposition has taken that course because its Labor mates in South Australia are getting a towelling and will lose government. I hope the sellout by the New South Wales Labor Opposition is worth it. All Labor Opposition members should be ashamed of themselves. [*Time expired.*]

INTERNATIONAL TRADE RELATIONS

The Hon. WES FANG (14:37): My question is addressed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. How is the New South Wales Government developing the State's relationship with neighbouring countries?

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (14:37): I thank the Hon. Wes Fang for his question. New South Wales is the powerhouse of the Australian economy. Once again the CommSec "State of the States" report concludes that New South Wales is the best performing economy in the nation. The State's strong and open relationships with our international trading partners have been fundamental to that success. One such relationship is with Indonesia—a relationship the New South Wales Government is committed to developing for our mutual benefit.

I am sure members will join me in welcoming to the public gallery a delegation of senior editors from the Indonesian media, who have joined us today. On behalf of the New South Wales Government I thank them for their interest in the economic and cultural relationship between New South Wales and Indonesia. Indonesia is Australia's largest Association of Southeast Asian Nations [ASEAN] trading partner and a priority market for the New South Wales Government. Jakarta is the host of the ASEAN secretariat, which entrenches Indonesia's role as a leader in the ASEAN region. By 2030 Indonesia is projected to be the fourth largest market in the world after the European Union, the United States of America and China.

The New South Wales Government is proud to have a sister State relationship with the Jakarta capital city government and each year to host more than 7,000 international students, which create enduring friendships and professional ties. The Government is equally proud that in March Sydney will take centre stage when hosting a range of events at the ASEAN-Australia Special Summit 2018. Relationships and achievements do not happen by accident. They are created by the Government doing the hard yards to build friendships across the region.

I plan to visit Indonesia next week to pursue trade and investment opportunities and to meet with the ASEAN secretariat to discuss Sydney's role in the upcoming ASEAN-Australia Special Summit. I am pleased to say there is a huge appetite for New South Wales fresh produce in Indonesia. Exports of New South Wales primary produce to Indonesia have more than doubled year-on-year to \$328.6 million and NSW Department of Primary Industries has recently done outstanding work to get New South Wales cherries and berries into the hands of Indonesian families for the first time.

But our relationship with Indonesia involves more than commodities. Indonesia has a rapidly maturing economy and a burgeoning middle class. New South Wales has the expertise to meet the demand for new products and services there. An example of this is the work of Rowie Dillon, owner of Rowie's Cakes in Alexandria, who spoke at the Women in Global Business Indonesia workshop in March 2016, thanks to the support of Austrade and the New South Wales Government. Rowie, who specialises in wheat, yeast, dairy and gluten free treats, recently held a seminar for chefs from a Jakarta hospital on preparing specialty meals. She was overwhelmed by the reception from her Indonesian audience and the visit was invaluable for creating relationships.

Infrastructure is another area of growth and opportunity. The Indonesian Government has set an ambitious target to spend about US\$480 billion from 2015 to 2019 on infrastructure development. This relationship is helping businesses grow and creating jobs in both Indonesia and New South Wales, especially in regional New South Wales. New South Wales is proud to have fostered these relationships and I look forward to growing them even more when I visit Jakarta next week. It was wonderful to meet the delegation earlier today and to welcome them to question time. I told them that we would be well behaved so hopefully we can improve. I thank the delegation for their interest in New South Wales and wish them an enjoyable journey.

MURRAY-DARLING BASIN PLAN

The Hon. WALT SECORD (14:41): My question without notice is directed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Given the history of water theft, meter tampering and a culture of non-compliance under his Government, why does the Minister continue to threaten to take New South Wales out of the Murray-Darling Basin Plan or has that been his plan all along?

The Hon. Dr Peter Phelps: Point of order: The first half of that question contained a lot of argumentation and should be ruled out of order.

The PRESIDENT: Order! I remind members to allow another member to complete their point of order before they seek the call.

The Hon. Walt Secord: To the point of order: It is clear that these matters are on the public record. There is no argument whatsoever. There is a history of water theft, meter tampering and a culture of non-compliance. These matters were covered extensively on the ABC's *Four Corners* program and in media coverage throughout the State. The claims are fact; not argumentation.

The Hon. Penny Sharpe: Further to the point of order: These matters have been extensively covered in question time. The entire Matthews inquiry was set up as a result of this. These matters have been well canvased; they are not new. They are facts; not argumentation.

The PRESIDENT: The question is in order.

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (14:43): I thank the Deputy Leader of the Opposition for his question. We have discussed compliance matters and water management in New South Wales on numerous occasions. Members will remember that it was me, through my departmental secretary, who asked for Mr Ken Matthews to investigate the allegations. As a result of Mr Matthews' investigation, this Government introduced the legislation to set up an independent water regulator. What the members opposite fail to acknowledge in their questions about whether this has been our plan or dream all along is that New South Wales has met every requirement of the Murray-Darling Basin Plan to date. We were one of the States that signed up in 2012.

The Hon. Penny Sharpe: What about water-sharing plans?

The Hon. NIALL BLAIR: Water resource plans are not due until 2019. We have met every requirement.

The PRESIDENT: Order! I call the Hon. John Graham to order for the first time.

The Hon. NIALL BLAIR: We stood next to governments of different political colours on this issue. We have been at the table when hard decisions were made, and sometimes when those decisions were at the detriment to some New South Wales communities. I have participated in every one of the meetings. I have been to meetings where other States' representatives have walked out. But even those who walked out at the time came back because we all believed that the plan, although not perfect, was the best opportunity to achieve water reform. We left politics at the door to achieve better outcomes that were based on a triple bottom line approach. We have not left the table at any stage. We were there when the Northern Basin Review was written into the plan. We knew and understood the process, and what the science would be to provide that. When the result came back we continued to stay at the table and went through the different aspects, including the sustainable diversion limit submission we had to do. We continued to ensure that we brought all of our stakeholders together to meet our water resource plan timelines. It was unique because it did not matter what political colour the State or Territory government was.

The Hon. Penny Sharpe: Why are you threatening to shred it?

The Hon. NIALL BLAIR: I am going to answer the question of why we are walking away. Since 2012, every participating member of the plan put politics aside and we all worked together on difficult issues. But when the South Australian Labor Party was under the pump in the polls, they picked up the phone and called their mates in Canberra, with the support of those opposite, and introduced politics back into the plan, which was the best opportunity that we had. That will go down in history as the decision that turned a community-led, bipartisan reform on its head—all for politics. The reason people hate politicians was demonstrated by what we saw in the Senate last night.

MURRAY-DARLING BASIN PLAN

The Hon. ROBERT BROWN (14:47): My question is directed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Can the Minister assure the people of New

South Wales that he will withdraw from the Murray-Darling Basin Plan, now that the Federal Parliament has failed to protect New South Wales and southern Queensland regional families from extremists in the Federal Senate, and not be bullied into backing down? And does the New South Wales Government guarantee the approximate \$180 million funding for efficiency projects currently approved by the Commonwealth or in the pipeline?

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (14:48): I thank the honourable member for his question. I have made it absolutely clear that the current Murray-Darling Basin Plan and the ministerial council process have failed because of the introduction of politics that we saw coming off the back of the Northern Basin Review disallowance motion. I have begun the process to withdraw New South Wales from the plan. That is something that we have not taken lightly. We made decisions that were in the best interests of the plan as a whole, but it is now clear that we have to make decisions that are in the best interest of New South Wales and the triple bottom line in New South Wales. We will work with the Victorian Labor Government because it shares the exact same concerns as the New South Wales Liberal-Nationals Government. The Victorian Government has exactly the same concerns as we do and is as disappointed in Federal Labor as we are.

The Hon. Matthew Mason-Cox: You should be backing us.

The PRESIDENT: Stop the clock.

The Hon. Mick Veitch: Clean up your own backyard before you start shouting across the Chamber.

The PRESIDENT: Order! I call the Hon. Mick Veitch to order for the first time. The Hon. Robert Brown has every right to ask a question and to hear the answer to his question in silence. There have been continual interjections from the Opposition. The Minister has the call.

The Hon. NIALL BLAIR: What we have failed to see is any one Senator during last night's debate, or any Labor Party representative in the media today or in this House, stand up and tell me what aspects of the Northern Basin Review they disagree with. Which ecologist, economist or hydrologist do they disagree with? Which part was not worthy of the outcome recommended and signed off on by all States? They cannot tell me. Instead they are running a lazy argument about the water compliance issue and linking that to the review. Not once have I shied away from the issues on water compliance in this House. I have answered every single question thrown at me on water compliance.

The Hon. Penny Sharpe: Not one contribution, not one.

The Hon. Lou Amato: Point of order: I cannot hear the Minister's reply, and I am sure Hansard is also having that difficulty.

The PRESIDENT: I uphold the point of order. I call the Hon. Mick Veitch to order for the second time. I call the Hon. Penny Sharpe to order for the second time.

The Hon. NIALL BLAIR: As was stated in the question, we know that the \$180 million that was available for the Northern Basin Review is now at risk. I give this assurance to our communities in New South Wales, particularly those facing more uncertainty because of politics being played over communities: We know what projects we have signed up to and we will honour those projects. We will also look at which projects our communities want us to go ahead with, and I am willing to work with the Victorian Government on some of those projects. We will have conversations in Canberra about what funding is available to continue our part of the plan. We will now not consider the upwater that Victoria dearly wanted, because even if we were to agree on a way forward we know that that would be undone at a later point.

We will start asking questions about the barrages in South Australia and how things should be done for the proper management of water. We will work in the best interests of New South Wales communities. We will approach the Commonwealth to see whether funding is still available. This is how we do business: If we have said we will do something, we will honour that. This is the clear distinction between us and those opposite, because the deal is no longer a deal in their eyes.

EARLY CHILDHOOD EDUCATION

The Hon. LOU AMATO (14:53): My question is addressed to the Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education. Will the Minister update the House on how the New South Wales Liberals and Nationals Government is helping more kids to access quality early childhood education?

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (14:53): This answer follows one to a question addressed to me

yesterday in which I spoke about 2017 community preschool census data. I am once again pleased to update the House that the data, which was released in February this year, clearly shows significant improvement in the number of children participating in early childhood education programs for 600 hours in this State. Thanks to record spending and commitment from the New South Wales Liberals and Nationals Government, more kids than ever before across the State are receiving access to quality early childhood education. This is particularly true for children from a vulnerable and disadvantaged background and children in the year before full-time school. We are planning for the future to ensure that all children have the opportunity, and are supported and encouraged, to go to preschool when they reach that vital year before school, if not earlier.

In August 2017, 737 New South Wales government-funded community preschools participated in the Early Childhood Education Annual Preschool Census. The purpose of the community preschool census is to enable effective funding allocation and to meet our national reporting requirements. By collecting this data, the Liberals and Nationals Government can ensure funding provided under Start Strong is allocated to meet the needs of community preschools across the State. In 2015, there were approximately 23,800 children enrolled for 600 hours in community preschools, increasing to approximately 27,500 children in 2016. I am pleased to say that the 2017 results show that 38,500 children are now enrolled in 600 hours in community preschools in New South Wales. This is a 40 per cent increase. This Government cares about early childhood education and these numbers do not lie. The August census was the first since our Start Strong program was implemented and has clearly shown that our funding reforms have had a dramatic effect on the number of children enrolled for 600 hours.

The funding reforms have had an even more impressive impact on the number of vulnerable and disadvantaged children enrolled for 600 hours. Their enrolments jumped from 8,140 children in 2016 to slightly more than 12,000 in 2017, which is an increase of 48 per cent. This data proves that the New South Wales Liberals and Nationals Government's commitment to investing in our State's youngest learners is paying off. It means more children than ever have access to quality early childhood education. Reinforcing the success of the Start Strong program is the data released today by the Australian Bureau of Statistic's "Preschool Education, Australia" report that says the proportion of children in the year before school attending 600 hours of all forms of early childhood education has jumped by 9 per cent in New South Wales. The report also showed a 13.8 per cent increase in the proportion of Aboriginal children and a 10.1 per cent increase in disadvantaged children enrolled for 600 hours in the year before school.

This Government initially invested \$115 million in Start Strong funding reforms with the aim of making 600 hours of preschool participation more affordable. In the 2017-2018 budget, we committed an additional \$217 million to be invested over four years to 2021, to ensure that this Start Strong funding can continue to benefit children, services and families around the State. As I said yesterday, I am the mother of young children, including a preschool-age child, and I know others in this Chamber have children of a similar age. As a family, every day we see the positive impact that quality early childhood education has on our daughter. She benefits educationally and socially and her cognitive skills improve every day as a result of the interactions she has at preschool and day care. I know all children attending such services benefit from their attendance. This Government is putting its money where its mouth is by backing these services for our kids. It is a proud day for me as Minister when data shows that what this Government is doing is working. *[Time expired.]*

OFFSHORE PETROLEUM EXPLORATION

Mr JUSTIN FIELD (14:57): My question without notice is directed to the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts. Last month the National Offshore Patrolling Safety and Environmental Management Authority approved Asset Energy to conduct seismic testing off the coast of Newcastle and the Central Coast in petroleum exploration permit area 11. Does the New South Wales Government support the development of an offshore oil or gas project off the New South Wales coastline between Sydney and Newcastle? If not, what action will the Government take to ensure this region is not turned into a future oil and gas field?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (14:58): I noted earlier in the week that Mr Justin Field, on the first sitting day of this year, gave a notice of motion on the subject and I am pleased to have an opportunity to make some comments in response to his question today. He is referring in his question to Asset Energy Proprietary Limited, which was granted Petroleum Exploration Permit 11 in Commonwealth waters off the New South Wales coast in 1999. While petroleum exploration permits are jointly administered by the State and the Commonwealth, which is perhaps in some senses appropriate given that we are dealing with Commonwealth waters, my powers are not the same as those of the Federal Minister.

My advice is that the State cannot step in and revoke without the concurrence of the Commonwealth Government. Further, even when the State is opposed to the renewal of a petroleum exploration permit, the Federal Government can override any objections that the State has and renew the permit. That is the advice that I have

received from my advisers, and I give it by way of explanation because Senator the Hon. Matthew Canavan, the Minister for Resources and Northern Australia, wrote to me in May 2017 requesting me to concur with an 18-month extension of the permit term for PEP 11 on 3 May 2017. I sent a reply to him on 2 June 2017 in fairly clear terms, which I will go through now.

I made it quite clear to him that, in line with a decision taken by my predecessor, Minister Roberts, in the other place in November 2015, the New South Wales Government is opposed to the extension of PEP 11. He opposed it in November 2015 and in my response in June 2017 we maintained our opposition to the extension of the permit. Why is that? By way of background for the House, I make it quite clear that there is now a substantial difference—and indeed an inconsistency—between the Commonwealth offshore and the State onshore assessment and performance requirements in relation to explorations and titleholders across a wide range of considerations, including financial, technical, reporting, environmental and community consultation standards. Our assessment and performance requirements at a State level for onshore are much, much more rigorous than the offshore requirements that the Commonwealth has in place. The House will be aware that in October 2015 the New South Wales Government brought to this Chamber and this Parliament very significant reforms to the legislative framework governing the petroleum and mining industries in this State. [*Time expired.*]

MURRAY-DARLING BASIN PLAN

The Hon. PENNY SHARPE (15:02): My question is directed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Does the Minister acknowledge that his chosen former Water bureaucrat Gavin Hanlon told irrigators in early 2017 that it was the Minister's intention to find a way to take New South Wales out of the Murray-Darling Basin Plan when he said in the secret audio recording of a teleconference with irrigator lobbyists that taking New South Wales out of the Murray-Darling Basin Plan was "plan B" which was "doable but messy"?

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (15:02): There are two facts. First, all the allegations from the *Four Corners* report have been adequately investigated and the Government has provided its response. Secondly, I have attended every ministerial council meeting and New South Wales has met every obligation and time line. They are the facts. New South Wales has remained at the table and committed to the plan. I went to the meeting in December where New South Wales made an offer to South Australia—off the back of the Ernst and Young report—to look at a possible pathway to help South Australia with the upwater. That does not sound like a government that was looking at how to get out of the Murray-Darling Basin Plan. On Monday this week I had scheduled a meeting to look at those projects with stakeholders. We have acted on every part of our responsibility. Earlier this year I hosted every one of our stakeholder panels from right around New South Wales.

The Hon. Ben Franklin: Point of order: My point of order refers to the cacophony coming from Opposition members. The Hansard staff will be having a dreadful time, let alone the rest of us.

The PRESIDENT: Order! There are interjections coming from Government members as well. I remind the Hon. Penny Sharpe of two things. First, it is her question that is being answered. Secondly, and probably more importantly, she is on two calls to order. I indicate to her colleagues sitting behind her that if they continue to interject I could mistakenly think it is she who is interjecting—when it is coming from that direction and I am not looking. I would hate to put the Hon. Penny Sharpe on three calls to order when it is the Hon. Daniel Mookhey and the Hon. John Graham who are interjecting. The Minister has the call.

The Hon. NIALL BLAIR: That is not the behaviour of a government that was trying to walk away. I pose the challenge to those opposite again. On the other side of the Chamber the shadow Ministers—

The Hon. Scott Farlow: Point of order: Within two seconds of your ruling, Mr President, the members that you named interjected while the Minister was speaking. I ask that those members be called them to order.

The PRESIDENT: I agree with the point of order. I will not call the members to order because I did not have the opportunity even to look in their direction in the short time since my previous ruling. I will keep looking in that direction now. The Minister has the call.

The Hon. NIALL BLAIR: On the benches opposite we have the shadow spokespersons for the environment and for primary industries and duty members of the Legislative Council for areas such as Barwon and Northern Tablelands. Not one of them—

The PRESIDENT: Order! I call the Hon. Daniel Mookhey to order for the first time.

The Hon. NIALL BLAIR: Not one of those members has stood up and presented a clear argument as to what is wrong with the Northern Basin Review, which probably means they do not understand it. They do not understand the process or the outcomes or what was decided.

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

The Hon. NIALL BLAIR: I suspect they are too busy trying to help out their mates in South Australia or trying to play politics here in New South Wales. It is lazy of those opposite. If they are so upset about the Northern Basin Review they should stand up and tell me what is wrong with it.

The PRESIDENT: Order! I call the Hon. John Graham to order for the second time.

The Hon. NIALL BLAIR: But do not ever come back into this House and ask: But what about the science? What about the experts? What about the independence? Their actions today mean they can never run that argument again, because they are ignoring all of them—a four-year process—and all for the sake of helping out their mates in South Australia. They should stand up and tell us what they know about the Northern Basin Review or the plan more broadly. Stand up and tell me what is wrong with the reports. Stand up and tell me which ecologist was wrong, stand up and tell me which hydrologist was wrong, and stand up and tell me why those communities should be punished unfairly. Those opposite want to talk about jobs and communities but their actions here today show that they are willing to sell them all out.

MINING INDUSTRY

The Hon. MATTHEW MASON-COX (15:08): My question is addressed to the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts. Will the Minister update the House on how the Government is improving the competitiveness of the New South Wales mining industry?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (15:08): I thank the Hon. Matthew Mason-Cox for his question, and I am sure he is going to be delighted with the answer. New South Wales has some of the most rigorous conditions imposed on its mining sector compared with the rest of the world. This is not a bad thing as this approach ensures that we uphold the highest of standards in today's mining operations. However, we have an over-complicated fee structure, and the mining industry in New South Wales is subject to more fees than apply in other comparable jurisdictions. The structure of those fees potentially imposes additional costs on both the industry and the Government. But not anymore. Without changing any of our performance standards, we have simplified our fee structure as from 1 February this year.

Some 29 fees and levies have been removed from the mining and petroleum regulation. The 29 fees removed were not only infrequently used but also added a level of complexity that contributed to unnecessary delays and took time to collect and process. In fact, several of these fees and levies cost more to collect and enforce than was made from imposing them. We now have a more competitive investment destination, without any reduction in standards and at no cost to the industry or to the taxpayer. This investment is crucial for the State now and for our future. The New South Wales economy is dependent upon the mining sector, demonstrated by the near \$23 billion it exported in 2016-17. This State is also rich in the minerals, metals and materials required to support the renewable energy technological revolution. Rare earth minerals, aluminium, cobalt and copper are all required for the manufacturing of wind turbines, so New South Wales has the potential to service the growing demand for renewable technologies. This will not only support our energy security but also create jobs and investment across our State.

This Government supports safe and sustainable investment in the resources sector. That is important for the considerable number of jobs and families the sector supports, and for the royalties that allow the State to pay for infrastructure and services. This State also has a chance to be a key player in the tech metals and renewable sector in the world market. To keep New South Wales and Australia at the forefront of advanced manufacturing, this Government is committed to continuous improvement, as demonstrated by the Premier's commitment to cutting red tape. This red tape reduction will improve service levels at no cost to the taxpayer and will contribute to the competitiveness of New South Wales. This Government supports our mining industry. It has reduced red tape and it continues to uphold the State's world-class standards, and it has done all of that at no cost to the taxpayer. That is what a good government does.

WOMEN'S REFUGES

Dr MEHREEN FARUQI (15:11): I direct my question to the Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education, representing the Minister for Family and Community Services, Minister for Social Housing, and Minister for the Prevention of Domestic Violence and Sexual Assault. Given recent revelations that one women-only refuge—the Hornsby Ku-ring-gai Women's Shelter—has turned away 721 women due to a lack of beds over the past three years, how many women have been turned away across the State because the Government has built only two new refuges since 2011?

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (15:12): I thank the honourable member for her question. As she has asked the question of me in my capacity representing the Minister for Family and Community Services, Minister for Social Housing, and Minister for the Prevention of Domestic Violence and Sexual Assault, the Hon. Pru Goward, I will take it on notice and refer it to the Minister for an answer.

MURRAY-DARLING BASIN PLAN

The Hon. MICK VEITCH (15:13): I direct my question to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Given the Minister's reported refusal in today's *The Land* newspaper to express complete confidence in the actions of New South Wales Nationals' water Ministers between 2011 and 2015 and revelations that then water Minister Katrina Hodgkinson changed a Barwon-Darling water sharing plan in 2012 to reflect the recommendations of irrigator lobbyist Ian Cole well after public consultation had concluded, why is his office now claiming in today's *The Land* that, "It is routine to accept stakeholder feedback on water sharing plans and make changes right up until the draft is finalised—even if public consultation is closed"?

The PRESIDENT: Order! I have not ordered the Clerk to stop the clock because it was not started given that the Minister has not been able to begin answering the question. The Minister has the call.

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (15:14): I thank the honourable member for his question. As he knows, issues relating to the development of that 2012 water sharing plan were raised during a *Four Corners* program. I have consistently said in this House that because those matters are under investigation it would not be helpful for me to provide a running commentary.

The PRESIDENT: Order! On behalf of all members, I welcome Anthony Mitchell, the husband of the Minister for Early Childhood Education, and, far more importantly—I mean no disrespect to Anthony—Annabelle Mitchell to the Chamber.

The Hon. Mick Veitch: That is why the Minister is so well behaved.

The PRESIDENT: Order! I hope that as a result of Annabelle's presence in the Chamber everyone will be well behaved.

DRONE TECHNOLOGY

The Hon. BEN FRANKLIN (15:15): I address my question to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Will the Minister update the House on what the New South Wales Department of Primary Industries is doing to encourage and to support the adoption of drone technology on farms?

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (15:15): I thank the honourable member for his question. New South Wales farmers are some of the most innovative in this country. They have always been quick to adopt and to apply new technology to advance their processes and to improve outcomes. As members know, remotely operated aircraft—also known as drones—have become more and more common over the past decade. We are taking drones from the battlefield and mastering them in the farmer's paddock. Drone use is growing rapidly across the farming sector as farmers take the opportunity to gather data about their properties. A drone allows them to do this more efficiently and at a lower cost than by using traditional methods.

A producer can now buy an entry-level drone, complete basic training, subscribe to a data service online, and start collecting detailed pasture and crop health maps in a few days. Unlike some satellite services that offer crop surveillance, when farmers use a drone they have total control over when they collect the information and how much detail they receive. Farmers can measure soil moisture and plant stress, meaning they can manage their water and chemical use more efficiently. They can even spray with drones, providing unprecedented accuracy. Drones allow a farmer to easily check on stock, fencing, feed and water levels. It saves time, fuel and maintenance costs and, most importantly, reduces the risk of potential farming hazards.

The Department of Primary Industries [DPI] is working alongside farmers to develop smarter technologies and applications so they can capitalise on the advantages that drones can offer. Since DPI introduced its Remote Piloted Aircraft System Operations Certificate less than a year ago, agency staff have logged more than 300 hours of flying time during more than 1,100 flights. There are now 64 licensed drone pilots within the DPI with access to 42 remotely operated aircraft. These pilots are using drones for compliance and surveillance operations in the hunting and fishing areas, to detect pollution in waterways, to detect illegal land clearing, to collect information about crop health, soil and environmental information, to assess crop management, and to

monitor pest animals. By using a range of sensors for different purposes, DPI drones can be used day or night, and can spot pest animals or illegal hunting and fishing activity, even in thick scrub. Members may have recently seen the impressive vision of the surf lifesaving drone rescuing two swimmers on the North Coast.

The Hon. Walt Secord: How about water theft? Can it also pick up meter tampering?

The Hon. NIALL BLAIR: You absolute grub!

The Hon. Walt Secord: Confected outrage!

The Hon. NIALL BLAIR: You are taking the potential drowning of two people on the North Coast—

The PRESIDENT: Order! The Minister will resume his seat

The Hon. Walt Secord: You are the grub! You oversaw water theft and did nothing.

The Hon. NIALL BLAIR: You are a grub!

The Hon. Walt Secord: Thief!

The PRESIDENT: Order! I direct the Clerk to stop the clock. First, the term "grub" as used by the Minister is clearly disorderly. I require the Minister to withdraw that term.

The Hon. NIALL BLAIR: I unreservedly withdraw the term.

The PRESIDENT: The use of the term "thief" by the Deputy Leader of the Opposition is also disorderly. I require him to withdraw that term.

The Hon. Walt Secord: I apologise unreservedly and withdraw the word.

The PRESIDENT: I thank both members. If there is another display of that nature I will not be calling members to order once or twice; I will simply direct the Usher of the Black Rod to remove them from the Chamber. Such behaviour—screaming over the table, particularly when I am calling for order—is unacceptable, unparliamentary and will not be tolerated. The Minister has the call.

The Hon. NIALL BLAIR: Members may have seen recently the impressive vision of the surf lifesaving drone rescuing two swimmers on the New South Wales North Coast. This was a Department of Primary Industries led initiative as part of the New South Wales Government's \$16 million shark mitigation strategy—a strategy that has been remarkably successful and which has put New South Wales in the spotlight as a world leader in this space. I thank the Parliamentary Secretary for the North Coast, the Hon. Ben Franklin, for his role in helping this technology make its way to Surf Life Saving NSW. It was remarkable that the day we launched that technology it was able to be used to save the lives of two swimmers who were in trouble. That is the type of role that this technology can play. As Minister responsible for an agency that is embracing this technology, I thank all those in the Department of Primary Industries for their efforts and for continuing to adapt the technology for our farms.

PETROLEUM EXPLORATION

Mr JUSTIN FIELD (15:21): My question is directed to the Minister for Energy and Resources. Regarding the Minister's previous answer concerning the differences in assessment and performance standards between onshore and offshore petroleum projects, is it the view of the New South Wales Government that the offshore rules are inadequate or in need of updating? If so, in what way?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (15:21): I was beginning to touch on that subject during my answer to the member's previous question. With respect to the legislation that I was discussing in my previous answer, several aspects are relevant. There are, for example, higher performance standards, wider enforcement powers and tougher penalties for noncompliance—all of which are significant differences between the State onshore and Commonwealth offshore positions. Those would probably be at the crux of the inconsistencies. In my previous answer I also outlined a number of other areas where there is a difference. Our view is obviously that the State requirements are far more significant and take a far more responsible approach. There is a strong case for creating consistency between the two so that it will be a more appropriate framework.

The Government's view is that offshore development cannot be contemplated while there is inconsistency between the two approaches. The Government's consistent position will be to oppose it while the Commonwealth regime does not match the very strong onshore requirements that New South Wales has put in place. Of course, there will be other considerations—and I am sure my colleague the Minister for Primary Industries will have something to say about them. In this answer I have responded from the perspective of the Resources portfolio but, as the member noted in his media statement—which referred to his notice of motion—there are very significant issues in relation to marine life that would be relevant in forming the view of the New South Wales Government.

MURRAY-DARLING BASIN PLAN

The Hon. JOHN GRAHAM (15:24): My question without notice is directed to the Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry. Given the Minister's continued threats to take New South Wales out of the Murray-Darling Basin Plan, what correspondence has he received from National Party donors supporting his plan to take New South Wales out of the Murray-Darling Basin Plan? Will the Minister table them?

The Hon. NIAL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (15:): The person I have corresponded with most in relation to this decision has been the Labor Minister for Water in Victoria.

ABORIGINAL LANGUAGE AND CULTURE

The Hon. TAYLOR MARTIN (15:25): My question is addressed to the Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education. Will the Minister please update the House on how the New South Wales Government is supporting Aboriginal communities around our State.

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (15:25): Upon coming to government in 2011, the New South Wales Liberal-Nationals Government commenced a conversation to reset and transform the relationship between Government and the community. The Government undertook the most extensive consultation with Aboriginal people in recent New South Wales history as the foundation for Opportunity, Choice, Healing, Responsibility, Empowerment [OCHRE], the New South Wales Government's community-focused plan for Aboriginal Affairs. I would like to acknowledge the then Minister, Victor Dominello, who was instrumental in the foundation of OCHRE.

This Government remains committed to continuing this conversation, to continuing to listen and be accountable to Aboriginal people, and to be responsive to Aboriginal hopes and aspirations. At its heart, OCHRE is a transformation of this relationship, and it is through this transformation that we will achieve improvements in Aboriginal people's social, economic, cultural and emotional wellbeing. In addition to the Government's extensive consultation through OCHRE, as Minister, I regularly meet with Aboriginal stakeholders and community members right around the State. The Government understands that only through working hand in hand with the Aboriginal communities can we fully address inequity in our State. The traditional focus on gaps and deficits has done little to address what communities and individuals are telling me they want to see: a share in the decisions that affect them most directly, and the recognition and realisation of their aspirations.

I am pleased to inform the House that the fourth annual report of OCHRE was published on the Aboriginal Affairs website on 9 January 2018. It documents our achievements and the lessons we have learnt through its implementation. I am encouraged by the many positive messages I hear from Aboriginal people about OCHRE, and by the 2017 independent review undertaken by the McKell Institute, which stated that OCHRE "stands alone in its scale and ambition". The success of the New South Wales Government's OCHRE initiative is highlighted by the achievements over the past year that support the strengthening of Aboriginal language and culture. The historic Aboriginal Languages Act 2017 was enacted by the Government on 24 October 2017, following 32 community conversations in 16 locations involving 377 participants and written submissions.

This historic legislation—which I know we were all proud to be a part of—enshrines the protection and revitalisation of Aboriginal languages in New South Wales, and demonstrates the Government's genuine commitment to strengthening Aboriginal language and culture. The number of preschools, primary and secondary schools engaged with the five Aboriginal Language and Culture Nests established under OCHRE grew from 60 to 67 at the end of June 2017. Some 6,379 students are now learning an Aboriginal language—up from 5,166 in the previous year. We continued to support NAIDOC Week events and activities, providing grants to 156 organisations between June 2016 and June 2017. That was particularly relevant last year, given that the NAIDOC Week theme was Our Languages Matter.

Alongside the strengthening of Aboriginal language and culture across New South Wales, the continuing conversation about healing is a priority under OCHRE, and continues to be a vital part of resetting the relationship with Aboriginal people. Aboriginal Affairs has continued to work in partnership with the National Healing Foundation and Aboriginal communities to plan and deliver healing forums across the State. Four forums had been held by the end of 2017, with another two planned for this year. These forums are enabling communities to drive a conversation with government and non-government organisations about healing. Without this first step, and a better, shared understanding, we cannot hope to rebuild the relationship between communities and Government. We are continuing to see growing engagement with education and employment initiatives under OCHRE as more Aboriginal students, schools and employers take advantage of opportunity hubs. During the

12 months prior to 30 June 2017, 178 schools engaged with a hub, 2,291 students connected to a hub and 126 school leavers— [*Time expired.*]

HUNTER NEW ENGLAND HEALTH STAFFING

Reverend the Hon. FRED NILE (15:29): My question is directed to the Hon. Niall Blair, representing the Minister for Health. Is the Minister aware of the report in the November 2017 issue of *The Lamp*, the magazine of the NSW Nurses and Midwives' Association, concerning budgetary pressures on the Hunter New England local health district and its impact on staffing? How does the Government foresee that this ongoing problem will affect the ability of doctors to discharge their duties and patients' expectations that they will receive quality medical attention? What does the Government propose to do to give effect to Industrial Relations Commissioner John Stanton's recommendations, particularly for the Belmont Hospital and especially when registered nurses on sick leave are replaced by another registered nurse?

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (15:30): I thank Reverend the Hon. Fred Nile for his question. The question is directed to me as the representative of the Minister for Health in this place. The question requires quite a bit of detail. I will refer the question on notice to the health Minister so that he may prepare a detailed response.

The Hon. DON HARWIN: If members have further questions, I invite them to place them on notice.

MYALL CREEK MASSACRE MEMORIAL

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (15:30): Yesterday the Hon. Walt Secord asked me a question in relation to the Myall Creek Massacre Memorial. I am advised that all applications for the funding in question were tested by panels of representatives from State and local government and those with an arts, screen and culture background. The Regional Cultural Fund falls within the remit of the Minister for Arts and, as such, further questions should be directed to Minister Harwin.

Announcements

PHOTOGRAPH OF LEGISLATIVE COUNCIL

The PRESIDENT: I inform members that a House in session photograph will be taken on Wednesday 14 March immediately following prayers. All members are requested to be in the Chamber at 11.00 a.m. on that day.

Documents

TABLING OF PAPERS

The Hon. SCOTT FARLOW: I table the following paper:

Entertainment Industry Act 2013—Final Report of the Interim Statutory Review of the Entertainment Industry Act 2013.

I move:

That the report be printed.

Motion agreed to.

Bills

PREVENTION OF CRUELTY TO ANIMALS AMENDMENT (STOCK ANIMALS) BILL 2015

Second Reading Debate

Debate resumed from 22 October 2015.

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (15:32): I speak on behalf of the Government on the Prevention of Cruelty to Animals Amendment (Stock Animals) Bill 2015, which was introduced by the Hon. Mark Pearson. The New South Wales Government takes animal welfare seriously. We understand the importance of ensuring that stringent laws and requirements are in place. That is why we are doing everything possible to protect animal welfare as well as our valuable reputation for producing some of the finest food and fibre in the world. However, the compliance response must be in proportion with the size of the problem and the industry context.

In this case, industry has already demonstrated a commitment to ensuring appropriate systems are in place to deliver animal welfare outcomes. Overall, intensive animal industries in New South Wales have taken a proactive stance to ensure animals are appropriately protected from the risk of fires and from any malfunctions in

feed, water or ventilation systems. Like with any industry or system, in recent years there have been isolated and unfortunate incidents involving the death of animals. However, most of those incidents occurred due to a system breakdown rather than the lack of a system. These incidents are distressing. However, more regulation for the whole industry is not an appropriate response to these rare events.

The industry's commitment to animal welfare is demonstrated by the fact that all major domestic red meat abattoirs—which account for approximately 95 per cent of production—already use closed-circuit television [CCTV] monitoring. The major poultry abattoirs—which account for more than 95 per cent of poultry production—also have CCTV monitoring in place. With such a high rate of voluntary industry monitoring, further regulation of this activity is unnecessary. The Government is focused on performance-based systems, training and guidance rather than the imposition of more regulation without consultation and without even establishing whether an industry-wide response is necessary. The Government opposes the bill as we already have sufficient measures in place to ensure animal welfare in abattoirs and other stock keeping facilities.

In addition, the bill would impose significant regulatory burden on businesses. There has been no analysis of its potential effectiveness and there has not been sufficient consultation with the impacted stakeholders. The Prevention of Cruelty to Animals [POCTA] Act 1979 already requires that a person must not commit an act of animal cruelty and must take reasonable care in order to prevent the commission of an act of cruelty to an animal in their care. In particular, abattoirs are licenced by the NSW Food Authority and are subject to strict licensing conditions and unscheduled audits of their activities. There are many other existing legislative requirements and industry standards that also ensure the welfare of animals in these facilities, including work health and safety legislation and planning legislation. The result of this is that the fire safety of these facilities is assessed on the basis of risk and fire sprinklers are installed based on this risk assessment.

Further, back-up systems for feed, water and ventilation are already required under the Animal Welfare Code of Practice for commercial pig production and this is likely to be expanded in the future to intensive poultry farms. We do not need additional red tape that only duplicates existing regulatory requirements. Furthermore, the industry is already leading the way in improving animal welfare outcomes. As I mentioned earlier, CCTV cameras have already been installed in around 95 per cent of abattoirs. This footage is already made available to the Government in the course of its audits and investigations. Additional regulation is not the right approach here.

I now turn to the regulatory impact of the bill on businesses. The bill would impose significant costs for businesses by mandating a one-size-fits-all approach to safety standards in abattoirs and stock keeping facilities. Further red tape is the last thing our producers need right now. The existing system of legislation and industry-based codes of practice will continue to protect the welfare of animals in these facilities because it allows for an assessment of risk based on the individual facility rather than imposing the same standard on everyone regardless of whether they are already ensuring the welfare of their animals. There has been no assessment of whether the requirements imposed by the bill are required in New South Wales or whether they would have a significant impact on animal welfare.

While the Hon. Mark Pearson indicated in his second reading speech that the bill was developed in response to a few isolated incidents where animals had been harmed, he has not made it clear why an industry-wide response is required. Finally, there has not been sufficient consultation with the industry. If this bill was introduced right now, it would have significant impacts on industry and businesses across New South Wales while achieving no real benefit to animal welfare. The New South Wales Government is working hard to grow our \$15.4 billion primary industries sector, and we have a strong record when it comes to animal welfare in New South Wales. We take animal welfare seriously. I have an Animal Welfare Advisory Council [AWAC], which provides expert advice on matters relating to the welfare of animals. The council monitors community attitudes and trends, identifies current and emerging animal welfare issues, and puts forward options to manage concerns.

Following the 2015 parliamentary inquiry into companion animal breeding practices, the Government implemented a number of recommendations, including a review of penalties for animal cruelty offences. A cross-jurisdictional analysis of penalties has been completed. An intergovernmental steering committee has been established to review penalties. The Animal Welfare Advisory Council has been consulted. I expect a report with recommendations to be provided in the near future. I cite the example of companion animals, which I acknowledge is a little different from the bill being discussed, as a matter on which the Government has been working with the Office of Local Government in relation to a pet animal register.

As I previously mentioned to the House, recently the Government examined the new poultry standards and guidelines, particularly how they may have an impact on industry. The New South Wales Government has appointed an animal welfare expert and former New South Wales Chief Veterinary Officer, Dr Ian Roth, to lead consultation with the community and stakeholders on ways in which to improve animal welfare outcomes in the New South Wales poultry industry. That approach is preferred by the New South Wales Government, rather than the approach adopted in the bill. The difference between the consultation with broader stakeholders and the

community in relation to this bill in comparison with the Government's approach to adopting potential changes to the poultry standards and guidelines is vast. Any change described in the bill would have serious impacts on businesses. Furthermore, as I mentioned earlier, those changes may not deliver the types of animal welfare benefits envisaged by the Hon. Mark Pearson, who introduced the bill.

Some considerable time has elapsed between now and the first reading of the bill. I acknowledge that the Hon. Mark Pearson has had a number of meetings, at least with my office, to discuss some of the concerns about the original draft of the bill. A concern I certainly had was the breadth of the bill's definitions. I believe that the Hon. Mark Pearson's instructions to Parliamentary Counsel have resulted in a bill whose definitions are so broad that they could apply in many different contexts. I thank the Hon. Mark Pearson for discussing the bill with me because that gave me an opportunity to ask about some of the definitions. It is clear from those discussions that the Hon. Mark Pearson did not intend the definitions to be so broad. I know he discussed a number of amendments concerning those definitions, which may be introduced at the Committee stage.

I understand that there have been some issues in relation to stock animals but, as I have outlined, my understanding is that they are isolated incidences. Furthermore, those issues are not addressed by the bill. In New South Wales, animal welfare is taken very seriously, which is best addressed by the adoption of the risks-based approach rather than a one-size-fits-all approach. For the reasons I have stated, but particularly because of a lack of consultation with industry and the lack of a clear understanding of the type of impact that changes in the bill would have on industry and jobs as well as the absence of a clear indication of animal welfare benefits that may result, the Government cannot support the bill in its current form.

However, the Government will continue to discuss animal welfare. The Government is committed to examining other refinements and measures that can be adopted in the animal welfare space, particularly legislation. As I indicated earlier, reviews are underway regarding penalties. I have no doubt that at some time in the future this House will address the animal welfare issue and resume the debate on stock animals. However, the provisions of the bill will not achieve the outcomes that the Hon. Mark Pearson envisages. The changes in the bill will be difficult for industry to implement. The implications of implementing the bill are not clearly understood. I reiterate that the Government will not support the bill.

The Hon. MICK VEITCH (15:52): It is with pleasure that I participate in debate on the Prevention of Cruelty to Animals Amendment (Stock Animals) Bill 2015, which, as the Minister for Primary Industries said, is referred to as POCTA. Some considerable time has elapsed between now and the introduction and second reading of the bill, so I will take a little time of the House to remind members of the contents of the bill. It states:

The object of this Bill is to introduce the following requirements for the purposes of ensuring the humane treatment of stock animals:

- (a) the proprietor of an abattoir or intensive livestock keeping facility is to install and maintain a fire sprinkler system in the abattoir or facility,
- (b) the proprietor of an intensive livestock keeping facility is to install and maintain an alarm system in the facility,
- (c) the proprietor of an abattoir or intensive livestock keeping facility is to ensure a video and audio recording of all operations relating to the keeping, movement, handling and slaughter of animals at the abattoir or facility is made and retained for a certain period.

Because a considerable period has elapsed since the Hon. Mark Pearson introduced the bill and made his second reading speech, I took the time to reprise my understanding of his second reading speech. Like the Minister, I acknowledge that since the second reading speech was made, the Hon. Mark Pearson has spent considerable time liaising with me around some of the concerns I have with the bill. In more recent times we discussed the Hon. Mark Pearson's proposed amendments to the bill that are designed to make it more amenable to consideration by members. Some of my concerns are similar to those of the Minister in some respects, but my main concern relates to the definitions in the bill. I must say that definitions can be a sticking point in a lot of legislation. For example, it can take quite some time to have the definition of a "shed" fit the exact purpose of a bill.

Considering the types of sheds used in farming and agricultural enterprises, legislation has to be carefully drafted to ensure it does not capture structures such as shade sheds, which have no electricity supplied to them at all, have no sides on them and are fully open, and are often used for shading sheep or stud rams in paddocks. My concern is that the definitions in the bill will capture structures of that type. I believe that was not the intention of the Hon. Mark Pearson in introducing the bill. Those matters deserve serious consideration. My other concern relates to implementation. For example, the bill refers to all facilities, which imports an aspect of retrospectivity to the legislation. I know a number of members of this House are concerned about legislation that introduces retrospective measures.

The point I make is that some of the structures already exist, some of them may be quite old, and some may be of more recent construction; but with this legislation we are giving consideration to imposing a regime

across all structures. I believe that some members of this House would be concerned in some respects about the bill applying retrospectively. If the bill is passed, the time frame for introducing its measures is not clear. I am unsure whether it is intended to phase in changes over time and whether only new structures would be encompassed, or whether old structures will be included. Those details are not present in the bill, but they relate to matters that must be considered as part of members' deliberations. I have discussed some concerns with the Hon. Mark Pearson, particularly those relating to alarms.

In its current form, the bill provides for the installation of alarms that are designed to automatically detect any malfunction in feed, water and cooling systems. When I think about how such a provision would be implemented, it occurs to me that a farmer would almost have to have a fully computerised system. I am not certain that a shade shed for a ram in the middle of a paddock requires a fully computerised system. During our conversations the Hon. Mark Pearson said that was not his intention, but potentially that is one of the implications of the bill. Of course, that requires considerable telecommunications and broadband capacities and, as anyone from regional New South Wales knows, there is an issue with telecommunications and broadband in a lot of places, which could impact the rollout of the bill. We also need to consider the costs and logistics of retrofitting existing structures. They are some of the issues that concern me with the implementation of this type of legislation.

I also have some general concerns with the Prevention of Cruelty to Animals Act. The Act is more than 20 years old and has not been reviewed in quite some time. The name of the Act is a misnomer—it does not prevent cruelty to animals at all; it is a reactive piece of legislation. The RSPCA can go out only after someone has lodged a complaint. I am concerned with how POCTA has evolved and whether it still meets the needs of modern society. Community expectations have moved a long way since the legislation first came into play. The implications of this bill should be given great consideration and in-depth analysis.

Today the Minister for Primary Industries made some comments in his contribution that leaned towards greater analysis of this bill's implications and how POCTA will play out in modern society. Everyone in the Chamber agrees that animal health is important. Community expectations have increased around animal welfare. We all need to ensure that when people go to Woolies, Coles, ALDI or IGA to buy their protein they know the meat has been produced ethically and humanely. The community expects that animal welfare standards will continue to increase and we need to work through those expectations.

The Hon. Catherine Cusack: It is actually called "prevention of cruelty".

The Hon. MICK VEITCH: The Minister questioned whether the bill was an appropriate response to the matters that the Hon. Mark Pearson is trying to address. I also have some concerns about whether the bill is an appropriate response. We need to consider how this bill will fit within the existing legislation and compliance regimes in New South Wales. It will be difficult for Labor to support the bill in its current form but the Hon. Mark Pearson has been talking to me about potential amendments. I have a copy of the amendments but because they have not yet been tabled, other members do not have a copy to read. The amendments that the Hon. Mark Pearson is going to put forward go a long way in improving aspects of the bill. I would like to hear in his reply to the debate what he intends to achieve with the amendments. If put in place, some of the amendments would be acceptable to the Opposition.

We would like to see this bill pass the second reading stage and progress to the Committee stage so we can consider the amendments. I am not sure if the Hon. Mark Pearson is going to table those amendments or add to them, but to be fair to other members they should be tabled so we can all have a look at them—that is usually what we do. Labor could not support the bill in its current form but is prepared to allow the bill to progress to the Committee stage to consider the amendments in more detail.

Dr MEHREEN FARUQI (15:54): I thank the Hon. Mark Pearson for introducing the Prevention of Cruelty to Animals Amendment (Stock Animals) Bill 2015. The protection of animals and animal welfare is given far too little attention in this Parliament. The Prevention of Cruelty to Animals Amendment (Stock Animals) Bill 2015 does two key things. First, it mandates that intensive livestock facilities and abattoirs install and maintain video and audio recording devices of operations that are critical to the unloading, handling and slaughter of animals and to ensure that those recordings are able to be accessed by a food authority for a period of at least three months. I am proud to have introduced a similar bill—the Food Amendment (Recording of Abattoir Operations) Bill 2013—soon after becoming a member of Parliament. The rationale for that bill remains relevant now.

The Greens bill and the bill we are debating today did vary in some respects. The Food Amendment (Recording of Abattoir Operations) Bill 2013 expressly included knackeries, ensured recordings were kept for six months and contained a significantly higher penalty for failure to comply, carrying a maximum penalty of 500 penalty units for an individual or 2,500 for a corporation. Current standards are not sufficient to curb acts of cruelty—in some cases, extreme cruelty—or hold perpetrators to account. There needs to be a strong and robust enforcement mechanism. In February 2012, secretly recorded footage given to Animal Liberation revealed

extreme acts of cruelty at the Hawkesbury Valley Meat Processors. The footage showed sheep being skinned alive, pigs beaten while fully conscious and cattle repeatedly jabbed with electric prods.

In response to the Hawkesbury Valley exposé, the NSW Food Authority conducted a review of all domestic slaughterhouses in New South Wales. Although the review has not been made public, it has been reported that welfare breaches were uncovered in all 10 red meat slaughterhouses. The breaches included incompetent slaughtering staff and ineffective stunning, which means that some animals may have been fully conscious when slaughtered. The Government's announced package to address these problems has improved training and auditing, but still largely relies on self-regulation. The best approach to ensure better detection and accountability for such cruelty is to make closed-circuit television [CCTV] mandatory for all abattoirs, knackeries and slaughterhouses. Even though some abattoirs have elected to install CCTV, many have not. This leaves hundreds of thousands of animals vulnerable to abuse. Moreover, the footage is not routinely monitored by independent parties.

The NSW Food Authority claims that nine out of 10 New South Wales domestic red meat abattoirs now have CCTV monitoring. This proves that the industry has the ability to introduce widespread CCTV. What remains to be done is making CCTV mandatory and ensuring that the footage is monitored, which this bill will do. The bill also requires intensive livestock-keeping facilities to maintain a fire sprinkler system and an alarm system. This is common sense. These animals have no means of escaping a fire or of feeding or watering themselves should an automated system break down. This extends to ventilation systems as well. A few years ago, a fire broke out at Wonga Piggery in Young, killing 2,500 pigs in a horrible way. A few months before that, 500 pigs died of heat stress at a Riverina farm when the air-conditioning system malfunctioned. I cannot imagine that anyone would object to keeping animals safe from these incidents.

Intensive factory farming can involve animals being kept in cages and conditions where they cannot even exhibit natural behaviours, such as chickens being unable to spread their wings and pigs being unable to turn around. These practices have no place in modern society and should end. The provisions of this bill will at least ensure some basic safety measures to protect animals. I remind members that we still have the spectre of ag-gag laws hovering over our heads. It is inconceivable to think that the New South Wales Government would not support the transparency measures in this bill but then persecute courageous people who enter intensive farming facilities to reveal the realities of factory farming. It should not take whistleblowers placing their employment and personal safety at risk to bring animal cruelty to light with covert under-cover cameras. Mandatory video surveillance at all abattoirs is required to ensure animal welfare and give the general public greater confidence that animal welfare laws and standards are being complied with at all times. The Greens support this bill.

Debate adjourned.

Adjournment Debate

ADJOURNMENT

The Hon. DON HARWIN: I move:

That this House do now adjourn.

MINING INDUSTRY

Mr SCOT MacDONALD (16:00): Mining is a tough business, but it is absolutely critical to New South Wales. I was honoured to join supporters of the resources industry on 22 November 2017 at the National Mining and Related Industries Day, marked by a celebration dinner in Sydney hosted by Hancock Prospecting Group Executive Chair, Mrs Gina Rinehart. In January I visited Glencore's Bulga Coal mine, which began 23 years ago and was opened by then Premier Bob Carr as an underground mine. It is now an open-cut mine with a capacity of more than 10 million tonnes of coal per annum. There are 900 employees and contractors on site. I met some of these men and women. It is demanding, skilled work. My visit reinforced my view that the community should respect and support those who choose to work in this industry. They should not be dismissed or belittled by the inner-city latte set. The hypocrisy of those who enjoy the security of base-load power and the economic dividends from our resources sector, yet elect to denigrate mining and in particular the coal industry, should be outed for what they are.

Across Australia the mining sector employs 218,000 men and women. Most, of course, are in regional Australia, but many from our cities and suburbs are employed in the mining services sector. New South Wales Government figures show coal is the State's single largest export earner, accounting for more than \$15.2 billion in 2016-17, or just over a third of our goods exported in that year. In the process the sector delivered more than \$1.5 billion in mining royalties for the State in 2016-17. We in this Chamber remember The Greens mining spokesman, Mr Jeremy Buckingham, in 2015 gleefully forecasting a decline in royalties when the opposite has

happened. In the last 10 years royalties have increased nearly fourfold, contributing directly to our State's schools, hospitals, roads and other services.

In my presentation at the dinner, I also reminded the audience of the critical role the mining industry played in insulating Australia from the global financial crisis [GFC]. It was not Wayne Swan's—Swanny's—cash splash, handing out \$950 cheques to dead people and expats, that saved us; it was the mining investment boom of \$591 billion for the decade from 2007 that brought capital into our country, drove mining and related construction in our regions and kept people in jobs. When non-mining capital expenditure was declining in that period, mining capital expenditure [capex] increased from around \$26 billion per annum in 2007 to \$94 billion per annum in 2013. In 2006-07 mining's share of business investment was about 25 per cent and went to more than 50 per cent by 2012-13. It is now back to pre-GFC levels, but we are moving from investment and related construction stimulus to the dividends of ramped-up operations. Even at these normal investment levels, mining is still 50 per cent higher than the next nearest industry sector of other business services and three times investment in either agriculture, retail, manufacturing or finance and insurance. We should celebrate this contribution from the resources sector at that fragile time in our nation's economic history.

In my presentation I also touched on my tour of the shale gas regions of the United States [US]. I said it was important we truth-test The Greens' assertions of environmental and social havoc where the resources sector operates. I did that in places including Dimock, Pennsylvania. As I showed in slides and related conversations with those communities, none of Mr Buckingham's or The Greens claims stacked up. Water systems were not despoiled, farmers reported a productive collaborative relationship with shale companies and communities got on with their lives and worked with the oil and gas industry. It is interesting to read now of people moving from New York State to Pennsylvania because of high taxes and energy costs in New York, which has turned its back on the gas sector and pipelines to feed its homes and industries.

Like Pennsylvania, our communities benefit not just from royalties, taxes, fees and charges levied on the resources sector—in fact, in Australia, the mining sector contributed \$165 billion in the decade to 2014-15 to Federal coffers. I saw in the US considerable contributions to sporting, cultural, educational and social bodies from the resources industry. In Australia, we are fortunate to have the contributions of some of our corporate leaders in this sector, including Mrs Rinehart who supports a range of charities such as White Ribbon Day, women's refuges, St Vincent's Hospital, Prince of Wales Hospital, the Curran Foundation and our Olympic sportsmen and women. Business leaders Kerry Stokes and Twiggy Forrest have been rightly recognised for their long-term philanthropic contributions. I spoke in this Chamber last year about WesTrac's support for school leavers and apprentices in the Hunter. This year I hope all members can mark National Mining and Related Industries Day and National Agriculture Day. These industries have worked together for over 200 years in this State. They represent about half of New South Wales' goods exports.

DEFENCE INDUSTRIES

Mr JUSTIN FIELD (16:05): Australians have been shocked that the Federal Liberal-Nationals Government can seriously suggest Australia should become a major global weapons exporter. To paraphrase the Prime Minister, he seems to think, "It's never been a more exciting time to be an Australian ... arms dealer." This is the latest salvo in a long Coalition fear campaign. Over the last few years we have seen the ongoing elevation of security issues beyond their relative risk, the rebranding of Border Force into a military-style domestic defence organisation and, more recently, an over-the-top amplification of the war rhetoric coming from the United States President. The entry of hawkish former General Jim Molan into the Senate will only strengthen the hand of those in the Coalition who want fear to drive the political agenda of the Federal Liberal-Nationals.

In the former general's first speech to the Senate yesterday, he said that Australia should welcome China's emergence as a global power but that we should do so "from a position of strength". His prescription is an increase in defence spending that is in part needed because of what he sees as the diminishing power of the United States [US] military. In his opinion piece in the *Australian* earlier this year, the former general cited falling US military capacity, divisions of combat troops that are not combat-ready, and being hundreds of naval vessels and war planes short of what is deemed to be needed. But let us interrogate this a little.

The Stockholm International Peace Research Institute keeps track of military expenditure around the world. In 2016, US military spending was \$611 billion, nearly three times that of China and more than the next eight highest spenders combined. Every other nation on the planet combined spends about a fifth less than the US does each year. Australia comes in twelfth at more than \$24 billion, but we already spend more per capita than China. How increasing Australia's defence spending would enable us to fill the former general's supposed gap in US capability when the US spends 24 times what Australia does on defence is unclear. How it enables Australia to strengthen our hand in the region in light of a rising China is left unstated by the former general's demands. His prescription is for Australia to enter a global arms race. Senator Molan's views seem entirely consistent with his history. After his term in Iraq he filled the position of Defence Materiel Advocate of the Defence Materiel

Organisation. This is a senior uniform position tasked with assisting defence exporters. Since his time in defence, media reports cite the former general as having been a consultant for BAE Systems Australia and Israeli Aerospace Industries.

If it was just one Senator whose last job in the Army was working as the chief liaison between military procurement and weapons manufacturers and exporters, and who more recently worked for the defence industry as a consultant, I would write it off as little more than another example of the disgusting revolving door between industry, lobbying and government that seems to be par for the course for the Liberal Party. But the former general's entry to Parliament comes on the back of the announcement by the Prime Minister that we are going to strive to become a top arms-exporting nation and of the continual ramping up of defence and security rhetoric from the Coalition. Australia needs in its parliaments leadership and advocates for peace, not lobbyists for war and fear. No-one is calling for the Australian Government to ignore our defence needs or global threats. But defence and foreign policy is not just about submarines and rocket launchers; it is an area of public policy requiring facts, critical analysis, caution, and statesmanship. This is far from what we are getting from the Coalition—and Federal Labor has shown almost no willingness to challenge the pro-war and security rhetoric from the Liberal-Nationals Government.

This is fundamentally a question about priorities, and the Federal Government has them all wrong. The idea that we cannot support an electric car industry or be global battery and renewable energy technology leaders, but we can take on the global arms industry, is absurd. The Coalition is making a choice based on using the politics of fear, not on the best interests of the nation and a more peaceful region and world. No-one doubts we have the people and knowledge to apply ourselves to becoming global leaders in war technology, but the fundamental question is: Why would we want to do that? As a society we can choose to direct our efforts into technologies that will help the world, not further escalate the global arms race and make the world less safe. More than ever, we need leadership that promotes peace, not war.

LOCAL GOVERNMENT INFRASTRUCTURE

The Hon. PETER PRIMROSE (16:10): Most people are aware of the obscene decision of the New South Wales Liberals and Nationals to spend over \$2.5 billion on stadiums in Sydney, rather than on schools and hospitals throughout the State. It is hard to justify \$2.5 billion for Sydney stadiums when the Liberals and Nationals have already squandered billions of dollars in cost blowouts for their tunnel and road projects in Sydney. People in regional New South Wales are also angry at the announcement by Leader of the National Party and Deputy Premier John Barilaro that only 30 percent of the proceeds that the New South Wales Government will receive from the sale of the Snowy Hydro Scheme to the Federal Government will be used in regional New South Wales. A Foley Labor Government in 2019 will ensure that 100 per cent of the estimated \$5 billion that will flow from this nationalisation will be put right back where it belongs, into regional New South Wales.

In October last year the Local Government Engineers Association and the NSW Division of the Institute of Public Works Engineering Australasia published a detailed report entitled "Building NSW Together: Improving the Infrastructure Delivery and Engineering Capacity of Local Government". The report argues that while local government in New South Wales has a long and valued history in the delivery and maintenance of community assets and services, it is now increasingly struggling to do so as a consequence of funding limitations and engineering de-skilling. I quote from the report:

One of the largest single issues preventing effective infrastructure investment across Australia is the lack of adequate engineering capacity within Local Government.

Infrastructure projects and their subsequent management are complex, and require engineering expertise. Recently, the trend has been to hire external consultants—not uncommonly from an overseas-based office—to design and construct significant infrastructure projects. But while consultants often have a high level of theoretical knowledge, they often lack the experience and expertise of in-house engineers. Council engineers need to have the practical, hands-on knowledge and broad skillsets to make things work, and routinely manage tight budgets, minimal resources and strict deadlines.

To address some of these issues, the report makes a number of recommendations that I hope the Government speedily responds to. These include the establishment of a local government infrastructure unit within the Office of Local Government to foster best practice procurement by councils, and headed by a qualified chief engineer. The unit would be charged with engaging "wise heads" from local government to improve consultation between State and local government, learn from the past and develop tools, such as an infrastructure development manual, a general contract form, and a best practice procurement guide. It should be advised by a local government engineering advisory council, comprised of representatives from local government, the engineering profession, and industry.

The report points out that limited engineering capacity and/or capability affects all areas of infrastructure investment, including scoping, supervision, prioritisation and maintenance. Engineering skills within local government can also be critical in informing the elected council, gaining community approval, giving councils the evidence base required to borrow for important investments, and supervising contractors to ensure they are meeting community needs.

Yet, despite the obvious need for greater engineering capacity, some councils—in particular those in regional areas—lack the funds for adequate workforce development. As a consequence, a collaborative approach between councils can result in a greater capacity to effectively provide the required infrastructure investment. If the Government provides the necessary structures and supports, regional joint organisations and regional organisations of councils [ROCs] have the potential to assist councils in meeting the infrastructure needs of their communities. The report recommends that each joint organisation includes an infrastructure unit headed by a chief engineer.

Under this system, councils would be able to share the cost of critical engineering capacity, enabling them to better deliver key projects. The system would also help reduce the costs of duplication and contracts, and facilitate the sharing of knowledge. Another recommendation is that the State Government establish an engineering workforce development committee, and provide funding for engineering cadetships in local government in order to build future engineering and delivery capacity. There are many other recommendations and I urge the Government to closely examine and consider all of the recommendations, in close consultation with Local Government NSW and the sector as a whole.

RELIGIOUS FREEDOM

Reverend the Hon. FRED NILE (16:15): Yesterday Michael Koziol in the *Sydney Morning Herald* reported with a large banner headline that the "Yes" campaign for same-sex marriage will now:

... seek abolition of all church exemptions to anti-discrimination laws.

This kind of excessive over-reach is exactly what was predicted, and the predictions were laughed at as paranoid. This call now forms part of the "Yes" campaign's official submission to the Federal review into religious freedoms. Too easily some of us forget that religious liberties are civil liberties, and civil liberties are human rights. Some have argued that our civilisation has entered a phase during which conflicting rights—all of which purport to be inalienable and uncompromising—are struggling for supremacy in the public square. There is truth to this, but the mistake many make is that all the things that are claimed as "rights" are somehow on an equal footing. The fact is that they are not.

The right to worship is one of the oldest and hardest-won civil liberties in Western civilisation, one which has been secured by the ultimate sacrifice of countless men and women throughout the centuries, and for good reason. A religious understanding of the world is inherently concerned with the discovery of truth. All of the classical systems of Western philosophy—on which our concepts of law and government rely—would not be possible without this understanding. We do ourselves and our posterity a great injustice by failing to appreciate the root and source of our civilisation. This is equally true for people who may have no religious conviction. This is because the freedom of conscience goes to the very heart of what it means to be a human being. It is part of our condition as intelligent beings. Belief and faith provide the momentum behind man's impulse to know and understand the world in his journey to understand the divine.

It is no surprise therefore that there would be no modern science without the great centres of learning in Europe, all of which came into existence under the patronage of the Church and Christian leaders. Compare this to what is claimed as a "right" by agenda-driven pressure groups today. The manner in which we have seen sexual morality liberalised over the last several decades, culminating in the legislated fiction known as "same-sex marriage", is perhaps the best example of a mere desire dressed up in the language of rights. Much of what is passed off as a "right" today is merely a whim, a fashion, a fad, or a mockery of natural law. The two cannot be compared or placed on an equal footing. They are not equal, because only one is a right under natural law. To suggest that protections for an ancient right be removed from our law to benefit a fiction is quite simply absurd.

I remind members that religious freedoms are meaningless if they do not also include the right to practise that religion in the public square. Instead, we are witnessing a bizarre situation unfold where a group that claims to stand for free expression, personal liberty, tolerance and open-mindedness is explicitly calling for the repeal of fundamental rights of the majority on nothing more than political grounds. To be able to act in accordance with one's conscience is the cornerstone of liberty. We know from history what happened in Nazi Germany and Stalin's Russia. To imprison conscience by barring it from public life is tyranny, plain and simple.

I congratulate the Government of Bermuda on being the first government to repeal its same-sex marriage legislation and to replace it with domestic partnerships. The Christian Democratic Party plans to launch a national

petition to repeal the rushed Federal same-sex marriage legislation. We congratulate the Government on establishing the Ruddock inquiry and look forward to seeing the report on how to protect religious freedom. Unfortunately, all of the amendments that were designed to protect religious freedom in the same-sex marriage legislation were rejected by the Labor Party and The Greens. Hopefully, Mr Ruddock's inquiry and his recommendations will bring those religious freedoms back into play and they will then be incorporated in legislation. We trust that the Liberal Party, The Nationals, the Labor Party and The Greens members will support the right to religious freedom.

HUNTER AND CENTRAL COAST DEVELOPMENT

The Hon. TAYLOR MARTIN (16:20): The secret is out: The Hunter and Central Coast regions of New South Wales are two of the best places to live. As a result, their population is growing and both regions are expected to have a significant number of new residents who call them home over the next two decades. As a result, it is important that the New South Wales Government has a clear plan to ensure that the growth in these areas is managed sensibly and strategically. We need to ensure there is appropriate development to house new residents, whether they move to our region or whether they want to form a household where they grew up. We must also ensure that there are jobs for them when they move in.

To manage this growth for the Hunter, we have the Hunter Regional Plan 2036. This plan indicates that by 2036 the Hunter will be home to almost 130,000 more people, who will require 61,500 more jobs and 70,000 additional dwellings. I am happy to say that the Hunter is on track to achieve that. In fact, 2017 was a big year for the Hunter, with several major infrastructure projects reaching significant milestones. They include the opening of the Newcastle Interchange at Wickham, enabling works beginning on the new Maitland hospital, construction starting on the Newcastle Light Rail, and construction also starting on two new wings at Cessnock Correctional Centre. I joined the Minister for Corrections at the opening of one of the wings a couple of weeks ago.

The inaugural Newcastle 500 was also held at the end of the year, and the region can be proud of its success. The city put on a great show, the weather was perfect, and the images broadcast around the world showcased the sensational destination that is Newcastle. To further boost tourism, the Berejiklian Government is building a new cruise ship terminal to cater for the influx of ships bringing visitors to this great city. NeW Space is an iconic building in the city which was opened last year and which was a collaboration between the State and Federal governments and the University of Newcastle. Just down the road is the new \$90 million courthouse which was completed in 2016 by our Liberal Government. I feel sorry for the member for Newcastle, whose electorate office is in-between these two buildings and adjacent to the new light rail on Hunter Street: It must be hard to find ways to talk down the Government's great work in the city. When Labor is in government it takes the region for granted. All these projects are part of the Government's plan to build the infrastructure required to support the population growth and to create jobs to ensure that Newcastle thrives.

It is a similar story on the Central Coast, where the Government has just released the "NSW Regional Plans Central Coast Monitoring Report 2017". The plan predicts that the population of the Central Coast will increase from 339,550 in 2016 to 415,050 in 2036. To support a population increase of 75,500, the Central Coast will require 24,674 new jobs and 41,500 new dwellings. The Government is investing in Gosford central business district with the new Department of Finance building that will house 300 public sector employees. The Gosford Hospital upgrade is nearing completion and will include the new campus for the Central Coast Medical School. The upgrade is being funded by State and Commonwealth governments with the support and advocacy of the local Federal member, Lucy Wicks. The University of Newcastle is also on board. This project will transform the city into a world-class medical precinct and will drive private investment in the region.

Unfortunately, the Labor councillors on the Central Coast Council want to micromanage development applications and blow out approval times. Late last year in the dead of night, the council passed a measure that would see compliant development applications requiring only 15 objections to be automatically referred to councillors for approval. The move to reduce the number of objections required for automatic referral will mean development applications could take up to 28 days longer to approve. This is due to the length of time required to prepare the report to be considered by council and for a decision to be made.

To ensure that the Central Coast can cater for population growth, the New South Wales Government has been working hard to assist councils to reduce the time it takes to determine the outcome of development applications to 90 per cent within 40 days. That is one of the Premier's priorities. I was very pleased to see the Liberal councillors successfully rescind the decision this week and seek community feedback on the policy. However, I expect the Labor Party to double-down on its efforts to stymie progress for our region. In my inaugural speech in this place I pledged to continue the tradition we have in Western society of aspiring to leave more for those who come after us. It seems the Labor Party does not share that goal.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): Order! The Hon. Lynda Voltz is very good at low-grade heckling. She should desist because the Hon. John Graham is entitled to be heard in silence.

LITERARY RECOMMENDATIONS

The Hon. JOHN GRAHAM (16:25): There are few things I enjoy more before Christmas than combing through the best book of the year lists in search of holiday reading. I also love the regular news story that details the holiday season reading hopes and dreams of Federal members of Parliament. I have always regarded it as an aspirational list, and I am not confident that all those members always read all of those books.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): Or at all!

The Hon. JOHN GRAHAM: Indeed. It is a pity that there is not a similar reading list for State members of Parliament. This is one area in which we should compete more with one another. In that spirit, I report back on some of my holiday reading with a couple of recommendations. I recommend John Edwards' excellent book *John Curtin's War*. It is tough to write something new about that period, but Edwards has an economic and historical perspective on the twentieth century that adds to the picture. He has a commanding grasp of the context. He presents a damning set of observations about the state of Australia's preparations for war under Menzies. They invite and deserve a response from Menzies supporters, and I would be fascinated to read one. The historical record would be better for such a response.

The best book I read over the break was *How Music Works* by David Byrne. Part biography, part analysis of the modern music industry, he has taken the time to write about the subject that has consumed his life. As he says, "You can't touch music—it exists only at the moment it is being apprehended—and yet it can profoundly alter how we view the world and our place in it." As the lead singer of Talking Heads, and given his myriad musical collaborations since, David Byrne has thought more about this subject than almost anyone on the planet. It is an essential read.

Having recently become a parliamentarian, I turned to Phineas Finn in the Trollope Palliser novels. I found them both entertaining and instructive. I recommend them as an excellent companion volume to the just released *Annotated Standing Orders of the New South Wales Legislative Council*. The blockbuster world history *Sapiens: A Brief History of Humankind* is a remarkable survey of some of the latest historical and archaeological thinking about humanity's place on the planet. Interestingly, it contains a lot of material about Australia and provides a rare and useful perspective for this nation about our place in the wider human story. In his book *Munich*, Robert Harris has told another gripping tale. Set in 1938, it tells the tale of Chamberlain and Hitler's negotiations at that time. John le Carré has written his best book yet—which is no small feat—*With a Legacy of Spies*. It tells the story of an institution judging historical events by modern-day standards. For anyone interested in politics, it is an enduring question.

The Hon. Shayne Mallard: What about Carl Scully's book?

The Hon. JOHN GRAHAM: I am only halfway through it. Most divertingly, I could not put down Jennifer Egan's *Manhattan Beach*. Set during and after the Depression in Brooklyn, it was an absolute page-turner. I recommend them all to the House. I support a post-Christmas audit of the aspirational lists of books members intended to read over the break.

The Hon. Lynda Voltz: What about the books written by women?

The Hon. JOHN GRAHAM: I invite disagreement with my recommendations, including from the Hon. Lynda Voltz. We should disagree more about books, reading and history, but we should disagree respectfully on these subjects. Reading is important because it is a window to the world. However, it is also important to remember that not everyone can see through that window. The Organisation for Economic Co-operation and Development reports that 44 per cent of Australians between 15 and 74 years of age lack the literacy skills required for everyday life. That has always been a problem, but in a digital world it is a much bigger problem. Literacy should be a higher priority for governments, not only for the next generation or for kids, but also for adults. For our citizens to make their way in this digital world, we must give them more support than ever to learn to read.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 16:30 until Tuesday 6 March 2018 at 14:30.