



New South Wales

Legislative Council

PARLIAMENTARY DEBATES (HANSARD)

**Fifty-Sixth Parliament
First Session**

Wednesday, 2 May 2018

Authorised by the Parliament of New South Wales

TABLE OF CONTENTS

Bills	465
Road Transport Legislation Amendment (Road Safety) Bill 2018	465
First Reading.....	465
Members	465
Unparliamentary Language.....	465
Motions	465
National Domestic Violence Remembrance Day	465
Junior Lifesavers of the Year Award Recipients	465
NSW State Emergency Service National Medal Recipient Joe Rytmeister	466
New South Wales Olympic Council	466
Committees	467
Select Committee on Electricity Supply, Demand and Prices in New South Wales.....	467
Motions	467
Greek Festival of Sydney.....	467
San Francisco World Spirits Competition	467
Festival of Pongal	468
International Day of Mourning.....	468
Corrective Services Attestation Ceremony.....	469
World Autism Awareness Day	469
New South Wales Federation of Community Language Schools.....	470
Tennyson Rural Fire Service Brigade Station	470
Byron Bay International Fashion Festival	470
Portuguese Aged Care Incorporated	471
Mingyue Lay Buddhist Temple	471
Zahle Association of NSW Inc. Gala Dinner.....	472
Indochinese Aged Care Services Fifteenth Anniversary	472
Australian Skateboard League National Finals.....	472
Law Term Red Mass.....	473
Central Coast Commonwealth Games Medal Recipients.....	473
Delicious. Produce Awards Winners	473
Kearsley Community Dawn Service Committee Inc.	474
Tweed Commonwealth Games Award Recipients	474
Documents	474
Unproclaimed Legislation.....	474
Tabling of Papers	474
Petitions.....	474
Petition Received	474
Business of the House.....	475
Postponement of Business	475
Disallowance.....	475

TABLE OF CONTENTS—*continuing*

Crown Land Management Regulation 2018	475
Bills	481
Road Transport Legislation Amendment (Road Safety) Bill 2018	481
Second Reading Speech	481
Second Reading Debate	485
Announcements	489
Photographs of Legislative Council	489
Members	489
Representation of Ministers Absent During Questions	489
Questions Without Notice	489
Powerhouse Museum Relocation	489
Powerhouse Museum Relocation	489
Powerhouse Museum Relocation	491
Kangaroo Management Plan	492
Early Childhood Education	492
Liquor and Gaming Industry Regulation	493
Powerhouse Museum Relocation	493
Mineral Industry	494
Native Vegetation	495
Powerhouse Museum Relocation	495
Preschool Funding	496
Hunter Water Consumption	497
Tweed Hospital	497
Arts and Cultural Development	498
Obesity	498
Powerhouse Museum Relocation	498
Powerhouse Museum Relocation	500
Bills	500
Road Transport Legislation Amendment (Road Safety) Bill 2018	500
Second Reading Debate	500
Third Reading	505
Transport Administration Amendment (Sydney Metro) Bill 2018	505
First Reading	505
Budget	505
Budget Estimates and Related Papers 2017-2018	505
Adjournment Debate	514
Adjournment	514
China-Australia Trade Relations	514
Regional Roads Infrastructure	514
Cinema Online Booking Fees	515
Veterinarian Suicide Rates	516
Drought Assistance	517

TABLE OF CONTENTS—*continuing*

Western Sydney Infrastructure517

Workers Rights518

LEGISLATIVE COUNCIL

Wednesday, 2 May 2018

The PRESIDENT (The Hon. John George Ajaka) took the chair at 11:00.

The PRESIDENT read the prayers.

Bills

ROAD TRANSPORT LEGISLATION AMENDMENT (ROAD SAFETY) BILL 2018

First Reading

Bill received from the Legislative Assembly, and read a first time and ordered to be printed on motion by the Hon. Don Harwin.

The Hon. DON HARWIN: I move:

That standing orders be suspended to allow the passing of the bill through all its remaining stages during the present or any one sitting of the House.

Motion agreed to.

The Hon. DON HARWIN: I move:

That the second reading of the bill stand an order of the day for a later hour.

Motion agreed to.

Members

UNPARLIAMENTARY LANGUAGE

The Hon. WALT SECORD (11:02): Mr President, yesterday you directed me to withdraw comments made during questions without notice. I withdraw my comments made in relation to the Minister for the Arts, and Leader of the Government, the Hon. Don Harwin, where I called him "a liar and a fibber". I unreservedly withdraw the comments.

Motions

NATIONAL DOMESTIC VIOLENCE REMEMBRANCE DAY

Dr MEHREEN FARUQI (11:03): I move:

- (1) That this House notes that:
 - (a) Wednesday 2 May 2018 is National Domestic Violence Remembrance Day;
 - (b) it is a day to remember the women and children who have died and the ones left behind due to domestic and family violence;
 - (c) it is also a day to recognise the grave, destructive and lasting impacts of domestic violence on our communities;
 - (d) this day is held in conjunction with Domestic Violence Prevention Month; and
 - (e) according to statistics collected by Destroy the Joint, we have lost 18 women to domestic violence so far in 2018 and last year 50 women were killed because of domestic and family violence across Australia.
- (2) That this House recognises National Domestic Violence Remembrance Day.
- (3) That this House reiterates its strongest commitment to doing all it can to prevent domestic violence and supports continued funding for refuges, including specialist women's refuges, and other vital support services for women and children affected by domestic violence.

Motion agreed to.

JUNIOR LIFESAVERS OF THE YEAR AWARD RECIPIENTS

The Hon. TAYLOR MARTIN (11:05): I move:

- (1) That this House notes that:

- (a) on 19 April 2018 Surf Life Saving New South Wales awarded Oscar Crowe of Macmasters Beach Surf Life Saving Club and Sophie Burns of Elouera Surf Life Saving Club the Junior Lifesavers of the Year Award;
 - (b) Mr Crowe and Miss Burns were among the 22 finalists from the 11 branches in New South Wales invited to take part in the annual leadership and development program which brings together outstanding young surf lifesavers in their final year of nippers; and
 - (c) the other finalists from the Central Coast and Newcastle were Jade Crook from Shelley Beach, Flynn Wallace-Smith from Caves Beach and Lanah Van Dyke from Redhead.
- (2) That this House congratulates Mr Crowe and Miss Burns on capping off their nipper careers in impressive style by winning the coveted Junior Lifesaver of the Year award.

Motion agreed to.

NSW STATE EMERGENCY SERVICE NATIONAL MEDAL RECIPIENT JOE RYTMEISTER

The Hon. BEN FRANKLIN (11:05): I move:

- (1) That this House notes that:
 - (a) at the recent NSW State Emergency Service Ballina unit training night, Dr Joe Rytmeister was awarded a National Medal for his service to the SES;
 - (b) the National Medal is awarded to members of organisations which serve or protect the community in hazardous situations to themselves; and
 - (c) Dr Rytmeister was recognised with the medal for his 35 years of service to the SES.
- (2) That this House recognises the importance of the NSW SES and SES volunteers in assisting communities during times of emergency, often in dangerous situations.
- (3) That this House congratulates Dr Rytmeister on being recognised with the National Medal and for dedicating 35 years of service to the SES.
- (4) That this House thanks Dr Rytmeister and all SES members for volunteering their time to help our communities during emergencies.

Motion agreed to.

NEW SOUTH WALES OLYMPIC COUNCIL

The Hon. LOU AMATO (11:06): I move:

- (1) That this House notes that:
 - (a) the New South Wales Olympic Council held its annual general meeting awards and scholarship presentation on 18 April 2018 at City Tattersalls Club, with representatives from sporting associations from across New South Wales;
 - (b) the meeting was chaired by the New South Wales Olympic Council [NSWOC] President, Ms Helen Brownlee, OAM, who is also Vice President of the Australian Olympic Committee [AOC] and who has served the community with distinction for many years;
 - (c) the AOC and NSWOC were delighted with the performance of the Australian Olympic Team in PyeongChang, South Korea, in February 2018, with the team achieving 11 top 10 results, including a bronze medal for Scotty James in the men's half pipe and two silver medals won by dual Olympian New South Welshmen Matthew Graham (Gosford) in moguls and Jarryd Hughes (Greenwich) in boarder cross;
 - (d) twenty-one of the 51 athletes comprising the Australian Olympic Team in PyeongChang reside in New South Wales;
 - (e) Olympic silver medallist Jarryd Hughes addressed the meeting and reflected on his Olympic journey leading into and at PyeongChang and the amazing moment of winning a silver medal;
 - (f) the New South Wales Olympic Council Order of Merit was awarded to Peter Hadfield in recognition of his contribution to the sport of decathlon and the Olympic movement for four decades, representing Australia at the 1980 and 1984 Olympic Games, being the media commentator for seven Olympic Games with ABC Radio, an Olympians Club member for over 20 years and an executive member of the New South Wales Olympic Council;
 - (g) Peter Kerr, AM, was awarded the Order of Merit for his outstanding contribution to water polo at State, national and international levels and to the Olympic movement and sport in general; and
 - (h) the NSWOC awarded 10 grants of \$1,500 each to junior (under 18) New South Wales athletes to assist in their sporting endeavours, the recipients being: Katherine Wang, fencing; Annalee Grove, football; Miles Davis, hockey; Kieran Guan, short track skating; Jenna Trim, softball; Ella Woolridge, triathlon; Charlotte McGill, athletics; Madeline Sinderberry, equestrian; Amelie Tabor, figure skating; and Matthew Humby, water polo.
- (2) That this House:

- (a) acknowledges and commends the dedication and outstanding work of the NSWOC, particularly the extensive service of its president, Mrs Helen Brownlee, OAM, and Executive Officer and the Director of National Fundraising, Community and Athlete Services Mr James Edwards; and
- (b) congratulates all award and scholarship recipients.

Motion agreed to.

Committees

SELECT COMMITTEE ON ELECTRICITY SUPPLY, DEMAND AND PRICES IN NEW SOUTH WALES

The Hon. PAUL GREEN (11:07): I move:

That, for the purpose of its inquiry, the Select Committee on Electricity Supply, Demand and Prices in New South Wales have power, with the approval of the President, to make visits of inspection elsewhere in Australia.

Motion agreed to.

Motions

GREEK FESTIVAL OF SYDNEY

The Hon. DAVID CLARKE (11:07): I move:

- (1) That this House notes that:
 - (a) on Sunday 18 February 2018 the official launch of the thirty-sixth annual Greek Festival of Sydney was held at Tumbalong Park, Darling Harbour, Sydney, and attended by several thousand members and friends of the Greek-Australian community;
 - (b) the festival, which runs from 16 February to 17 June 2018, is organised by the Greek Orthodox Community of NSW and comprises an extensive series of events showcasing the cultural, artistic, historic and literacy achievements of Hellenic civilisation and the New South Wales Hellenic community; and
 - (c) special guests included: the Hon. Gladys Berejiklian, MP, Premier of New South Wales; the Hon. Ray Williams, MP, Minister for Multiculturalism; Mr Luke Foley, MP, Leader of the Opposition; Senator the Hon. Concetta Fierravante-Wells, Federal Minister for International Development and the Pacific; the Hon. David Clarke, MLC, Parliamentary Secretary for Justice; Mr Mark Coure, MP, Parliamentary Secretary for Transport and Infrastructure; the Hon. Tony Burke, MP, Federal shadow Minister for Citizenship and Multicultural Affairs; the Hon. Linda Burney, MP, Federal shadow Minister for Human Services; the Hon. Sophie Cotsis, MP, shadow Minister for Multiculturalism; Mr Jihad Dib, MP, shadow Minister for Education; the Hon. Courtney Houssos, MLC; Mr Christos Karras, Consul General for Greece, Sydney; Mrs Katia Gkikiza, Trade Commissioner for Greece; Councillor Angela Vithoulkas, City of Sydney Council; Deputy Mayor Alexandra Luxford, Randwick City Council; Councillor Paula Masselos, Waverley Council; Councillor Andrew Tsounis, Bayside Council; Mr Harry Danalis, President, Greek Orthodox Communities of Australia; and Mrs Danalis and Dr Efrosini Deligianni, Modern Greek Studies, University of New South Wales.
- (2) That this House:
 - (a) congratulates the Greek Orthodox Community of NSW, in particular its president, Harry Danalis, Festival Chair Nia Karteris, and the Executive Committee for hosting and organising the 2018 Greek Festival; and
 - (b) extends its best wishes and thanks to the Hellenic-Australian community for its ongoing positive contribution to the State of New South Wales and Australia.

Motion agreed to.

SAN FRANCISCO WORLD SPIRITS COMPETITION

The Hon. BEN FRANKLIN (11:07): I move:

- (1) That this House notes that:
 - (a) the 2018 San Francisco World Spirits Competition was held from 13 to 15 April this year;
 - (b) that more than 2,200 spirits were judged in this year's competition, which is the largest number in the competition's 18-year history;
 - (c) the competition is one of the most respected and influential spirit competitions in the world;
 - (d) Cape Byron Distillery won gold medals for its gins Brookie's Dry Gin and Brookie's Slow Gin;
 - (e) Brookie's Dry Gin is made on the Brook farm in the hinterland of Byron Bay and showcases native Australian ingredients; and
 - (f) Brookie's Slow Gin is made using Davidson Plum, a unique fruit indigenous to the subtropical rainforest of northern New South Wales and south-east Queensland.
- (2) That this House congratulates:

- (a) Jim McGowan, Eddie Brook and the Brook family on their work in creating these award-winning gins; and
- (b) the whole Cape Byron Distillery team on their success at the World Spirits Competition.

Motion agreed to.

FESTIVAL OF PONGAL

The Hon. DAVID CLARKE (11:08): I move:

- (1) That this House notes that:
 - (a) on Wednesday 7 February 2018 in the Jubilee Room, New South Wales Parliament House, Tamil Arts and Culture Association Inc. held a celebration of the annual Festival of Pongal, which was attended by members and friends of the Tamil-Australian community;
 - (b) Pongal is a Tamil harvest festival celebrated in the month of January and is one of the most important festivals of the worldwide Tamil community;
 - (c) special guests included:
 - (i) Mr Vanlalvawna, Consul General of India in Sydney;
 - (ii) the Hon. Ray Williams, MP, Minister for Multiculturalism;
 - (iii) the Hon. Victor Dominello, MP, Minister for Finance, Services and Property;
 - (iv) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice;
 - (v) Dr Geoff Lee, MP, Parliamentary Secretary to the Premier, Western Sydney and Multiculturalism;
 - (vi) Ms Sophie Cotsis, MP, shadow Minister for Women, shadow Minister for Ageing, shadow Minister for Multiculturalism, and shadow Minister for Disability Services;
 - (vii) Ms Jodie McKay, MP, shadow Minister for Roads, Maritime and Freight;
 - (viii) Dr Hugh McDermott, MP, member for Prospect;
 - (ix) Mr Kevin Conolly, MP, member for Riverstone;
 - (x) Ms Julia Finn, MP, member for Granville;
 - (xi) Mr Greg Warren, MP, member for Campbelltown;
 - (xii) Ms Liesl Tesch, MP, member for Gosford;
 - (xiii) Dr G. K. Harinath, Chair, Multicultural NSW;
 - (xiv) Mr Albert Vella, OAM, President, NSW Federation of Community Language Schools;
 - (xv) Ms Marta Terraciana, Chair, Ethnic Communities Council;
 - (xvi) Mr Muthukrishnan, eminent Tamil writer from Tamil Nadu, India; and
 - (xvii) representatives of numerous Tamil and Indian-Australian community organisations.
- (2) That this House:
 - (a) commends Tamil Arts and Culture Association Inc. for its organisation of the celebratory function, particularly its Executive Committee, Mr Mathu Ramchandirin, President; Ms Sumathy Ravi, Vice President; Mr Anagan Babu, Secretary; and Mr Karnan Chidambarambharathy, Treasurer; and
 - (b) extends greetings to the Tamil-Australian community on the occasion of the 2018 Pongal Festival.

Motion agreed to.

INTERNATIONAL DAY OF MOURNING

The Hon. ERNEST WONG (11:08): I move:

That this House:

- (a) notes that on 28 April each year countries around the world pause to commemorate workers who have died as a result of a workplace incident or occupational disease on this International Day of Mourning;
- (b) acknowledges that on 28 April 2018 the twenty-second memorial service was held by Unions NSW and SafeWork NSW at Reflection Park in Darling Harbour to honour and remember those who have lost their life at work, together with their families and friends;
- (c) further acknowledges that this service was well represented by attendees, including the Hon. Dame Marie Bashir, AD, CVO; the Hon. Matt Kean, MP; the Hon. Adam Searle, MLC; Senator the Hon. Kristina Keneally; the Hon. Barrie Unsworth; the Hon. Greg Donnelly, MLC; the Hon. John Graham, MLC; the Hon. Ernest Wong, MLC; and Reverend the Hon. Fred Nile, MLC;
- (d) recognises that:
 - (i) in the 14 years from 2003 to 2016, 3,414 workers lost their lives in work-related incidents;

- (ii) in 2016 there were 182 worker fatalities, equating to a fatality rate of 1.5 fatalities per 100,000 workers;
 - (iii) in 2017, the preliminary data show there were 186 Australian workers killed at work; and
 - (iv) as at 20 April there have been 40 Australian workers killed at work in 2018.
- (e) reaffirms its commitment to ensuring the best safety practice for workers in New South Wales.

Motion agreed to.

CORRECTIVE SERVICES ATTESTATION CEREMONY

The Hon. TAYLOR MARTIN (11:09): I move:

- (1) That this House notes that:
- (a) on 20 April 2018 a Corrective Services NSW attestation ceremony was held at the Cessnock Correctional Complex;
 - (b) the attestation ceremony celebrated the graduation of 31 Corrective Services NSW Trainee Correctional Officers from Classes 18-001 and 18-003;
 - (c) the following awards were presented:
 - (i) Commissioner's Commendations for brave conduct and professionalism in responding to the fire at the Cessnock Correctional Centre on 9 June 2016 to Des Butler, George Chapman, and Jamie O'Connell;
 - (ii) Commissioner's Commendations for professionalism in responding to the fire at the Cessnock Correctional Centre on 9 June 2016 to Kerryn Ball, Kylie Beckman, Ben Grimas, and Susan Jedrzejczyk; and
 - (iii) National Medal to Rey Hollero for 15 years service.
 - (d) those who attended as guests included:
 - (i) Corrective Services NSW Assistant Commissioner, Corrections Strategy and Policy, Luke Grant;
 - (ii) member of the Legislative Council, the Hon. Taylor Martin;
 - (iii) Mayor of Cessnock City Council, Councillor Bob Pynsent;
 - (iv) Director, Custodial Operations (North), Glen Scholes;
 - (v) Governor, Cessnock Correctional Centre (Minimum Security), David Mumford;
 - (vi) Acting Governor, Cessnock Correctional Centre (Maximum Security), Simon Raper;
 - (vii) Governor, Hunter Correctional Centre;
 - (viii) Acting Manager of Security, Custodial Training Unit, Jeremy Leach; and
 - (ix) family and friends of those receiving awards and the graduating classes.
- (2) That this House congratulates:
- (a) the graduating correctional officers on the successful completion of their training; and
 - (b) all medal and award recipients for their outstanding service to Corrective Services NSW.

Motion agreed to.

WORLD AUTISM AWARENESS DAY

The Hon. ERNEST WONG (11:09): I move:

- (1) That this House notes that:
- (a) the eleventh annual World Autism Awareness Day [WAAD] was on 2 April 2018;
 - (b) this year's theme is "Empowering Women and Girls with Autism" as the United Nations has expressed concern that women and girls with disabilities are subject to multiple and intersecting forms of discrimination which limit their enjoyment of all human rights and fundamental freedoms.
 - (c) WAAD was designated by the United Nations General Assembly resolution council on 1 November 2007 and adopted on 18 December 2007;
 - (d) World Autism Awareness Day is an internationally recognised day on 2 April every year, encouraging member states of the United Nations to take measures to raise awareness about people with autism throughout the world;
 - (e) WAAD is one of only four official health-specific United Nations Days; and
 - (f) the day aims to bring individual autism organisations together all around the world to aid in things like research, diagnoses, treatment, and overall acceptance for those affected by this developmental disorder.

- (2) That this House recognises that we have the responsibility to further increase and develop world knowledge of children and adults who have autism spectrum disorder, as well as advocating awareness of the unique talents of those with autism while putting a huge focus on the warm embrace and welcome that these skills deserve through community events.
- (3) That this House pledges its commitment to improving the lives of all Australians on the autism spectrum and the families who love them.

Motion agreed to.

NEW SOUTH WALES FEDERATION OF COMMUNITY LANGUAGE SCHOOLS

The Hon. ERNEST WONG (11:10): I move:

That this House:

- (a) congratulates the Federation of Community Language on its efforts with the official opening of the New South Wales Federation of Community Language Schools annual conference on 28 April 2018;
- (b) acknowledges the management committee headed by President Albert Vella and Executive Officer Michael Christodoulou, AM, for its tremendous work in uniting community language schools in New South Wales to provide a healthy and multi-linguistic learning environment for the community;
- (c) notes that Emeritus Professor David Nunan of the University of Hong Kong and Professor Ingrid Piller of Macquarie University attended as keynote speakers for the conference, which also included over 650 participants, including the Hon. Victor Dominello, MP; the Hon. Ray Williams, MP; Mr Jihad Dib, MP; Ms Jodi McKay, MP; the Hon. Ernest Wong, MLC; and Mr Mark Coure, MP;
- (d) recognises that the New South Wales Federation of Community Language Schools was established in Sydney in 1978 and represents 250 member schools in 460 locations with approximately 30,000 students who can choose to learn one or more of the 57 different languages available; and
- (e) further acknowledges the importance of community language schools in sustaining community languages and contributing to the multicultural assets of New South Wales.

Motion agreed to.

TENNYSON RURAL FIRE SERVICE BRIGADE STATION

The Hon. DAVID CLARKE (11:10): I move:

- (1) That this House notes:
 - (a) on Sunday 11 February 2018 the new Tennyson Rural Fire Brigade station in the Hawkesbury district was officially opened by the NSW Rural Fire Service Commissioner, Shane Fitzsimmons, AFSM;
 - (b) special guests included:
 - (i) Commissioner Shane Fitzsimmons, AFSM;
 - (ii) the Hon. David Clarke, MLC, Parliamentary Secretary for Justice, representing the Hon. Troy Grant, MP, Minister for Police, and Minister for Emergency Services;
 - (iii) Councillor Mary Lyons-Buckett, Mayor, Hawkesbury Council;
 - (iv) Superintendent Mathew Smith, Regional Services Manager—Operation (Region East), representing Chief Superintendent Jayson McKellar, AFSM;
 - (v) Superintendent Karen Hodges, AFSM, District Manager (Hawkesbury), NSW Fire Service;
 - (vi) Majors Ian and Kerry Spall, NSW Rural Fire Service Senior Chaplains;
 - (vii) local NSW Rural Fire Service Chaplains Cheryle and Greg Symons;
 - (viii) brigade officers and service members of the Tennyson Rural Fire Brigade; and
 - (ix) representatives of various community organisations.
 - (c) the Tennyson brigade of the NSW Rural Fire Service was formed over 50 years ago and now comprises 79 volunteer members.
- (2) That this House:
 - (a) congratulates members of the Tennyson Rural Fire Brigade on the occasion of the official opening of their new brigade station; and
 - (b) commends the Tennyson Rural Fire Brigade and its members for their ongoing and dedicated voluntary service to the people of the Hawkesbury district and to the wider New South Wales community.

Motion agreed to.

BYRON BAY INTERNATIONAL FASHION FESTIVAL

The Hon. BEN FRANKLIN (11:10): I move:

- (1) That this House notes:
 - (a) the fourth annual Byron Bay International Fashion Festival was held on 29 April at Elements of Byron;
 - (b) the festival showcased more than 30 local and international designers and their newest designs in swim, resort and evening wear;
 - (c) the festival featured local Byron Bay designers Solsoya, Sahana and Jenny Jazz; and
 - (d) the festival also included the screening of the latest award-winning fashion films, a live art performance and a program of all female DJs.
- (2) That this House congratulates:
 - (a) local designers Solsoya, Sahana and Jenny Jazz on featuring in this year's festival; and
 - (b) festival organisers on all their work running this year's successful festival.

Motion agreed to.

PORTUGUESE AGED CARE INCORPORATED

The Hon. ERNEST WONG (11:11): I move:

- (1) That this House notes:
 - (a) Portuguese Aged Care Incorporated held a successful fundraising lunch on 8 April 2018 for a Portuguese aged-care facility; and
 - (b) the lunch was attended by over 300 guests including the Consul General of Portugal in Sydney, Mr Paulo Guedes Domingues and his wife and son, the Hon. Ernest Wong, MLC, and former Marrickville Council Mayor Mr Barry Cotter.
- (2) That this House notes:
 - (a) numerous studies have shown that as people age they will often revert to their native tongues and customs, notwithstanding that they may have lived in their adopted country for many years; and
 - (b) children in situations with no alternative but to place their parents in aged-care facilities not fit for their purposes will be subject to further burdens and guilt.
- (3) That this House recognises the need of the Portuguese community of an aged-care facility to provide service to the elderly of Portuguese heritage.
- (4) That this House congratulates the Portuguese community on its great effort to raise money to establish an aged care facility to accommodate and serve the Portuguese and Portuguese-speaking community in New South Wales encompassing the Portuguese, Brazilian, Angolan, Mozambique and a large section of the Timorese communities.

Motion agreed to.

MINGYUE LAY BUDDHIST TEMPLE

The Hon. ERNEST WONG (11:11): I move:

- (1) That this House congratulates:
 - (a) the solemn and grand opening ceremony of blessing and purification of the new Buddhist Hall and the five-metre tall Ksitigarbha Bodhisattva organised by Mingyue Lay Temple in Bonnyrigg and attended by nearly 1,000 pilgrims; and
 - (b) Chairman Mr James Chan, OAM, and president, Mr Vincent Kong, OAM, on their leadership and great effort with the committee to work through the entire process of the extension of the temple, making it the biggest temple in Western Sydney and one of the largest Chinese Buddhist temples in the Southern Hemisphere.
- (2) That this House notes:
 - (a) the temple was administrated by the community organisation Australian Chinese Buddhist Society
 - (b) as its name indicates, the Mingyue Lay Buddhist Temple is mainly run by lay people and it is attended by Buddhists from Taiwan, Malaysia, Singapore and Vietnam, and
 - (c) the Mingyue Lay Temple has come a long way since its origins in 1982 as a small fibro building to a present-day massive building of about 16,000 square metres established by a group of local Chinese residents, native mainly from the Cantonese-speaking southern region of Si Jiu with a group of Vietnamese people, who came to Australia as refugees.
- (3) That this House acknowledges that the temple's function goes beyond just religious services, and that since its early days the temple has performed major fundraising activities for humanitarian causes, including floods and bushfires, with one of the most recent major fundraising activities being organised for the benefit of the East Timorese people.

Motion agreed to.

ZAHLE ASSOCIATION OF NSW INC. GALA DINNER**The Hon. DAVID CLARKE (11:11):** I move:

- (1) That this House notes:
 - (a) on Saturday 10 February 2018 the Zahle Association of NSW Inc. held its annual gala dinner at the Westella Renaissance Function Centre, Lidcombe, attended by several hundred members and friends of the association;
 - (b) special guests included: Monseigneur Marcelino, representing Bishop Charbel Tarabay, Maronite Bishop for Australia; Reverend Father Ibrahim Sultan, representing Bishop Rubert Rabbat Melkite, Catholic Bishop for Australia and New Zealand; Reverend Father Saad, representing Archbishop Basilios Antiochian, Orthodox Bishop for Australia, New Zealand and the Philippines; Mr Charbel Macaron, Consul General for Lebanon, Sydney, and Mrs Macaron; the Hon. John Ajaka, MLC, President of the NSW Legislative Council; the Hon. David Clarke, MLC, Parliamentary Secretary for Justice, and Mrs Marisa Clarke; Mr Jihad Dib, MP, member for Lakemba and shadow Minister for Education, and Mrs Dib; Mrs Tania Mihailuk, MP, member for Bankstown and shadow Minister for Family and Community Services, Mental Health, Social Housing and Medical Research; Mr Glenn Brooks, MP, member for East Hills; and Canterbury Bankstown City Council representatives Mayor Khal Asfour and Councillors George Zakhia, Rachel Harika and Bill El Hayeck; and
 - (c) the Zahle Association of NSW Inc. represents members of the Lebanese community in New South Wales whose family ancestry emanates from Zahle, Lebanon's third-largest city and a major centre of Christianity in Lebanon.
- (2) That this House extends best wishes to all members of the Lebanese Australian community whose ancestry emanates from the city of Zahle, Lebanon, and congratulates the organisers of the successful annual gala dinner.

Motion agreed to.**INDOCHINESE AGED CARE SERVICES FIFTEENTH ANNIVERSARY****The Hon. ERNEST WONG (11:12):** I move:

- (1) That this House congratulates Indochinese Aged Care Services on its fifteenth anniversary of proficient aged-care services in Western Sydney.
- (2) That this House notes:
 - (a) Indochinese Aged Care facility commenced operations at Bonnyrigg in October 2003 with 30 beds;
 - (b) the facility was established and built by a group of mostly Indochinese refugees to meet culturally specific needs of the aged population from Cambodia, China, Laos, Vietnam, and South-East Asian countries in Western Sydney;
 - (c) a recent extension completed in December 2013 was undertaken and the facility now provides accommodation and care to 88 frail aged members of the Indochinese and Chinese communities; and
 - (d) the organisation, besides providing accommodation services, has made contributions in community events and outreach activities for the seniors citizens in the area.
- (3) That this House acknowledges the tireless work by the committee, under the leadership of the incumbent chairman Mr Harry Tang, OAM, and the past chairpersons, with staff and volunteers to provide such an outstanding service to their residents and the greater Western Sydney community at large.
- (4) That this House applauds the unselfish dedication, both in donation and physical work, in achieving the provision of quality service to the community by the trustees: Mr Oai Trieu, Mr Som Sak Ma, Mrs Chow, Dr Peter Wong, OAM, Mrs Simmalavong, Mr Harry Tang, OAM, Mr Phuoc T. Tran, Mr Henry Tang, Mr Vincent Kong, OAM, Mr Huor Wing, Mr Bounkong Kerr, Mr Thay Lim, Mr Q. V. Truong, Mr Paul Cheong, Mr B. T. Vongmany, Mr Henry Ngai, Mr William Lam, Mr Eric Pang, Mr David Tran, Mr Ngin Suor Lim, Mrs Huong Tan, Ms Anna Nguy, Mr David Nguy, Mr Kian Seng Lee, Mr Suon Ngu, Mr Yu Hei Ng, Mr Son Ha Ma, Mr Wai Kau Chan, Mr Van T. Chung, Mr Kean Hoa Tea, and Mr Kenny Tran.

Motion agreed to.**AUSTRALIAN SKATEBOARD LEAGUE NATIONAL FINALS****The Hon. BEN FRANKLIN (11:12):** I move:

- (1) That this House notes:
 - (a) the national finals of the Australian Skateboard League were held in Melbourne during March this year;
 - (b) the competition focused on street skating, including performing tricks on rails and stairs;
 - (c) Tintenbar skater Bailey Ryan won first place in the 16 and under division of the competition;
 - (d) Bailey qualified for the national final after winning the State finals in Brisbane earlier this year; and
 - (e) Bailey only decided to enter the competition on the day of the State finals, with no extra training—a demonstration of his incredible talent.

- (2) That this House congratulates Bailey on winning the national final and wishes him the best of luck for future competitions.

Motion agreed to.

LAW TERM RED MASS

The Hon. DAVID CLARKE (11:12): I move:

- (1) That this House notes:
- (a) on Monday 29 January 2018 the commencement of the 2018 Law Term was observed by the holding of the Red Mass, presided over by Archbishop Anthony Fisher, OP, at St Mary's Cathedral, Sydney;
 - (b) special guests included:
 - (i) representatives of the judiciary: the Hon. Tom Bathurst, AC, Chief Justice of New South Wales; the Hon. Justice Margaret Beasley, AO, President of the NSW Court of Appeal; the Hon. Justice Derick Price, AM, Chief Judge of the District Court; His Honour Judge Greg Keating, President of the NSW Workers Compensation Commission; His Honour Graham Henson, Chief Magistrate; and other judges and magistrates;
 - (ii) leaders of the legal fraternity: Mr Arthur Moses, SC, President, New South Wales Bar Association; Mr Doug Humphreys, OAM, President, Law Society of NSW; Professor Michael Quinlan, Dean, School of Law, Notre Dame University, Sydney; Mr Michael McAuley, President, St Thomas More Society;
 - (iii) representatives of the New South Wales Parliament: the Hon. Mark Speakman, SC, MP, Attorney General; the Hon. Luke Foley, MP, Leader of the Opposition; Reverend the Hon. Fred Nile, Assistant President of the Legislative Council; the Hon. David Clarke, MLC, Parliamentary Secretary for Justice; Dr Hugh McDermott, MP; and the Hon. Paul Green; and
 - (iv) representatives of numerous religious and community organisations;
 - (c) The Red Mass, celebrated annually since 1931 at St Mary's Cathedral, Sydney, takes its name from the red vestments worn by the celebrant and is organised by the St Thomas More Society, a guild of Catholic lawyers; and
 - (d) in addition to the Red Mass, various religious services to celebrate the commencement of the 2018 Law Term were held in a cooperative fashion by various religious groups, including: St James Anglican Church, Sydney, presided over by the Most Reverend Dr Glenn Davies, Anglican Archbishop of Sydney, and the Reverend Andrew Sempell, Rector; The Cathedral of the Annunciation, Redfern, presided over by His Eminence Archbishop Stylianos, Primate of the Greek Orthodox Church of Australia; The Great Synagogue, Sydney, presided over by Rabbi Dr Benjamin Elton and the synagogue's president, Justice Stephen Rothman, OAM; and the Auburn Gallipoli Mosque, hosted by the Muslim Legal Network of NSW.
- (2) That this House acknowledges the fine work of the judiciary, barristers and solicitors in ensuring justice for the New South Wales community.

Motion agreed to.

CENTRAL COAST COMMONWEALTH GAMES MEDAL RECIPIENTS

Mr SCOT MacDONALD (11:13): I move:

- (1) That this House notes with great pride that athletes from the Central Coast region won five medals at the 2018 Commonwealth Games.
- (2) That this House congratulates and commends the following medal recipients:
- (a) Anja Stridsman, 60 kilograms bout boxing—gold;
 - (b) Ellia Green, rugby sevens—silver;
 - (c) Brad Woodward, 100 metres and 200 metres backstroke—two silver; and
 - (d) Nicola McDermott, high jump—bronze.
- (3) That this House acknowledges the outstanding work of the Central Coast Academy of Sport and its staff, who have contributed significantly to the success of Central Coast athletes.

Motion agreed to.

DELICIOUS. PRODUCE AWARDS WINNERS

The Hon. BEN FRANKLIN (11:13): I move:

- (1) That this House notes that:
- (a) the winners of the *delicious.* Produce Awards were announced on 17 April 2018;
 - (b) the awards celebrate Australian sustainable and innovative ingredients and recognise the passionate and talented people behind the ingredients; and

- (c) two North Coast cheesemakers, Cheeses Loves You and Nimbin Valley Dairy, were recognised with awards for their locally made cheeses.
- (2) That this House congratulates:
 - (a) Deb Allard from Cheeses Loves You for her Velvet Chausette; and
 - (b) Paul Wilson from Nimbin Valley Dairy for his Sainté Billiesoft curd goats cheese.
- (3) That this House wish Cheeses Loves You and Nimbin Valley Dairy the very best for the upcoming national awards.

Motion agreed to.

KEARSLEY COMMUNITY DAWN SERVICE COMMITTEE INC.

Mr SCOT MacDONALD (11:13): I move:

- (1) That this House notes:
 - (a) on Wednesday 25 April 2018 the Kearsley Community Dawn Service Committee Inc. held a dawn service and breakfast for Anzac Day;
 - (b) dignitaries in attendance at the service included: the Hon. Scot MacDonald MLC, Parliamentary Secretary for Planning, the Central Coast and the Hunter; Councillor Jay Suvaal, representing the Mayor of Cessnock, Councillor Bob Pynsent; Warrant Officer Class Two Stephen Bennett; and Mrs Pam Frances, wife of the late Regimental Sergeant Major Arthur Francis, CSC, OAM;
 - (c) a grant was secured through the Department of Veterans' Affairs Anzac Community Grants Program which allowed the committee to reflect on the sacrifices of Kearsley's service personnel, including the publication of a commemorative booklet that examined each of the local men who participated during World War I; and
 - (d) the Committee of Management of the Kearsley Community Dawn Service Inc. comprises Mr Jordan Fallon, Chair; Mr Dale Goldie, Secretary; Mrs Pam Snaddon, Treasurer; and general members Mr Col Fraser, Mr Hudson Fallon, Mr Chris Fallon and Mr Stephen Donn.
- (2) That this House acknowledges the outstanding work of the Kearsley Community Dawn Service Committee Inc. in ensuring that the sacrifices of Kearsley's service personnel are properly honoured and recorded.

Motion agreed to.

TWEED COMMONWEALTH GAMES AWARD RECIPIENTS

Mr SCOT MacDONALD (11:14): I move:

- (1) That this House notes that at the Commonwealth Games Dylan Wotherspoon of Murwillumbah played an integral part in the Men's' Hockey Team winning the gold medal and Gabrielle Nance of Kingscliff and Savannah Fitzpatrick of Cabarita were paramount in the Women's' Hockey Team winning the silver medal.
- (2) That this House congratulates and commends this Tweed superstar hockey trio of Savannah Fitzpatrick, Gabrielle Nance and Dylan Wotherspoon on their success at the Commonwealth Games.

Motion agreed to.

Documents

UNPROCLAIMED LEGISLATION

The Hon. SCOTT FARLOW: According to Standing Order 117, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 1 May 2018.

TABLING OF PAPERS

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

Annual Reports (Statutory Bodies) Act 1984—annual report of the Border Fence Maintenance Board of New South Wales for the year ended 31 December 2017.

I move:

That the report be printed.

Motion agreed to.

Petitions

PETITION RECEIVED

Human Trafficking

Petition denouncing human trafficking as a form of modern slavery and calling on the Government to support the introduction and passage of the Modern Slavery Bill 2018, received from the **Hon. Paul Green**.

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

The Hon. ADAM SEARLE: I move:

That Business of the House Notice of Motion No. 1 be postponed until Wednesday 23 May 2018.

Motion agreed to.

*Disallowance***CROWN LAND MANAGEMENT REGULATION 2018**

The PRESIDENT: According to standing order the question is: That the motion of the Hon Penny Sharpe proceed as business of the House.

Question resolved in the affirmative.

The Hon. MICK VEITCH: On behalf of the Hon. Penny Sharpe: I move:

That the matter proceed forthwith.

Motion agreed to.

The Hon. MICK VEITCH (11:28): On behalf of the Hon. Penny Sharpe: I move:

That, under section 41 of the Interpretation Act 1987, this House disallows clauses 30, 37, 40 and 72 of the Crown Land Management Regulation 2018, published on the NSW Legislation website on 16 March 2018.

This is a government that always seeks to avoid parliamentary scrutiny.

The Hon. Dr Peter Phelps: Shame!

The Hon. MICK VEITCH: I agree. It is shameful. This Government does not seek to argue its case in Parliament. It is content to use its numbers to push through legislation that is more often than not ill-conceived and not thought through. Today we are looking at aspects of the Crown Land Management Regulation 2018. Members may be aware of the lengthy debate that we had on the Crown Land Management Bill 2016 when it was brought to this Chamber. The former Minister, the member for Barwon, sought to rush the bill through both Houses with little time to consider its ramifications, and that was after he had made a commitment to release an exposure draft bill. Instead, the legislation was pushed through this Chamber without genuine engagement with the community. At the time the Opposition raised significant concerns about the bill—the broad powers of the Minister to transfer or vest land with agencies such as Property NSW without notification; the attempt to transfer Crown land to councils without adequate protection of those lands; and concerns about the mass freeholding of some of the most fragile landscapes in the State, being Crown land held under perpetual lease in the Western Division.

When making changes we need to make a case for those changes. With the mass freeholding of Western Lands Leases the Government simply has not bothered to make that case. I am yet to hear a coherent argument as to why these changes are needed. Instead, there are vague rantings from members of The Nationals, unsupported by any evidence or science. Why does the Government need to sell its remaining equity in these leases? What will it achieve and, importantly, why will it do so? Who will benefit? From an investment perspective what difference is there in a perpetual lease when the lessee has about 97 per cent equity in the land compared with freehold? The Government is yet to make a case; indeed, it is yet to present any case for parliamentary scrutiny. The Opposition moved this disallowance motion to provide an opportunity for parliamentary scrutiny. If the Government treats Parliament and the community with contempt, the Opposition will continue to bring it back to this Chamber to force it to explain its actions.

If the Government is prepared to make these changes without making a case for change, what are we trading off? For a government obsessed with selling off public assets, there is no economic advantage for the people of New South Wales. The one-off transaction is equivalent to about one year's rent. There is an argument that the transaction is not in the best interests of the State, as once again we lose another income stream. The Coalition has sold off much of the State's income streams. The fact that The Nationals have allowed this to occur should make them hang their heads in shame. What are the impacts on the travelling stock reserves in the west? *The Land* newspaper reported recently that these conversions will also allow for the freeholding of travelling stock reserves throughout the Far West. In these dry times one has to wonder whether this is in the long-term interest. I quote a drover, Zac, who told the *Dubbo Daily Liberal* last week:

A lot of them have been sold off and leased off on permanent grazing rights which sounds good when the season's good, to make money out of the route when no drovers need it. But then, when it's dry like this, it makes it a lot harder because all of the routes are already short on feed when everyone needs to go out and use them.

Again, this is why the western lease policy of this Government needs close scrutiny. This alone is cause for concern and it is reason enough for parliamentary debate on this matter. Perhaps the greatest concern is the environmental consequences of this transaction. When we debated the Crown Lands Management Bill 2016, we were doing so under Labor's then native vegetation laws. There was still a robust legislative framework that ensured vegetation, flora and fauna would be protected. Since 2016 the Government has removed these protections to allow bulldozers to start up and wreak havoc on lands, particularly in north-western New South Wales where a large number of Western Lands leaseholds are located.

So this is a double whammy: removing the protections of leasehold and leaving converted land at the mercy of the Government's weak biodiversity legislation—legislation that has been entrusted to under-resourced and underfunded Local Land Services. The current situation still allows for the conversion of specific leases and cases can be made for a range of purposes, such as expansion of townships and commercial development. To say the existing arrangements do not allow for conversions is mischievous and wrong. It is not the leases that are causing concerns in towns such as White Cliffs but rather the cock-ups by Crown Lands in failing to tell stakeholders, such as the White Cliffs motel, that its licences had been extinguished as a result of native title determinations. It would have been more in the public interest for Crown Lands to focus on this matter rather than the ideological obsessions of The Nationals. Given the lack of resources brought about by this Government, which has slashed and burned its way through agencies such as Crown Lands, there is simply insufficient oversight to look at an en masse conversion to freehold. Without an overriding public interest case this entire program should be shelved.

The PRESIDENT: Order! There are too many audible conversations in the Chamber. It is difficult for the Chair and for Hansard to hear the contribution of the Hon. Mick Veitch.

The Hon. MICK VEITCH: The other aspect of the regulation that the Opposition is seeking to disallow is that which removes covenants and other restrictions placed on converted former perpetual leases in the central and eastern divisions of the State. Once again, there is no attempt by The Nationals to argue why this is in the public interest. In this case there is a further erosion of environmental values on these lands. The Labor Government imposed these covenants and other restrictions, underpinned by the powers of the Conveyancing Act, when former perpetual leases were sold. This placed specific protections on former leaseholds, backed by the provisions of the native vegetation legislation and threatened species legislation. Yet again, these protections have gone and The Nationals want to do away with environmental covenants on these lands. This is another case of reckless policymaking by The Nationals, putting the ideological obsessions of a few over the public interest. When these changes were foreshadowed a number of years ago, the then Liberal Minister for the Environment, Robyn Parker, made much of the underlying environmental legislation. She was quoted in the press as stating that as leases are converted to freehold the environmental safeguards will be provided by the Native Vegetation Act and the Threatened Species Conservation Act.

The wording of clause 37, which deals with the removal of covenants, is of considerable concern. Clause 37 outlines the prescribed assessment principles for granting consent to remove covenants or restrictions. It says that when the Minister for Lands—without any consultation with the Minister for the Environment in most cases—is contemplating the removal of these protections, all the Minister needs to be convinced of is that the natural and cultural conservation values should be maintained; habitat connectivity should be maintained; and there should be no increase in the number or severity of threats to biodiversity. These are flimsy, subjective decisions. It is not a question of "must protect the environment", or "must not lead to increased biodiversity threats"; rather, it is left to the discretion of the Minister. This is reckless and sloppy and will lead to poor biodiversity outcomes. The Nationals are beginning to realise that they are on the nose and on the way out. Like any collapsing power structure, they have entered into a dangerous phase where they are willing to say anything to try to retain power. At the same time The Nationals are trying to tick off ideological obsessions while they still have the chance.

The Hon. Shayne Mallard: Who wrote your speech?

The Hon. MICK VEITCH: I wrote the speech. The Liberals should be concerned about this. The Hon. Shayne Mallard should read the regulation and have a look at what the Government is trying to do.

The Hon. Natasha Maclaren-Jones: Point of order: Interjections are disorderly at all times and so is responding to interjections.

The PRESIDENT: Order! I uphold the point of order. I call the Hon. Shayne Mallard to order for the first time. I ask the Hon. Mick Veitch not to respond to interjections. The Hon. Mick Veitch has the call.

The Hon. MICK VEITCH: A raft of changes will be implemented when the remaining parts of the Crown Lands Management Regulation commence, but why were these two issues of Western Lands and removal

of covenants brought forward and suddenly made a priority? It has more to do with the internal machinations of The Nationals than it has to do with the broader public interest. The Government has failed to make a case for these changes. I will listen with interest to the Government's response. I suspect that Government members will resort to hyperbole and falsehoods. Should they refuse to explain, or are unable to explain, why these changes are occurring, why they are so important and why they are urgent, we should disallow these clauses to safeguard the long-term environmental values of our Western Lands. If members have the slightest concern about weakened legislative language and its long-term impact on the environmental values of this State they should support this disallowance motion. The Nationals always say, "Trust us; it will be okay." I do not trust them and it will not be okay.

The Hon. NIALL BLAIR (Minister for Primary Industries, Minister for Regional Water, and Minister for Trade and Industry) (11:38): I lead for the Government in opposing the disallowance motion moved by the Opposition. This Government prioritises regional growth and economic development whilst balancing public interest and protection of the environment. The new Crown Land Management Act 2016, supported by the Crown Land Management Regulation, modernises the legislative framework for the State's Crown estate. Together the Act and the regulations allow Crown land in the Western Division to be converted from leasehold to freehold in appropriate circumstances and in light of a broad range of public interest considerations. The Act and regulations strike the right balance between environmental, social, cultural heritage, and economic considerations.

Disallowance of clause 30 of the Crown Land Management Regulation 2018 would prohibit landholders in the Western Division from converting land in the division, thereby nullifying economic growth and dismantling this carefully considered balance. More than 570 landholders from the Western Division have recently attended information sessions about these new provisions. The Hon. Mick Veitch said that this regulation serves the interests of only a few landholders. As I said, more than 570 landholders have attended sessions at Lightning Ridge, Wentworth, Balranald, Hillston, Cobar, Brewarrina and Broken Hill. Those landholders are very supportive of the opportunity the Government is providing to convert their leases to freehold and to support economic growth.

They also understand the need for a balanced approach because some parts of the Western Division are not capable of being developed or utilised for intensive agricultural production. Since relevant provisions commenced on 19 March 2018, more than 125 inquiries have been received regarding the new provisions relating to leases in the Western Division, and six applications have already been received from landholders. The Crown Land Management Act and regulations are the result of an extensive community and stakeholder consultation process. This included the legislation white paper, the parliamentary inquiry into Crown land, and a public submission process on the draft regulation that ran for six weeks in 2017.

One thing the Government heard loudly and clearly throughout this process was that Western Lands leaseholders want the ability to purchase and to convert their Western Lands Leases from leasehold to freehold. Landholders in towns like Wentworth, Gol Gol, Buronga, Dareton, and throughout the Western Division have said that they want the ability to purchase their farms that are in or around urban areas to facilitate economic growth and to allow investment in the important Western Division. This cannot occur if this disallowance motion succeeds. That is because the Act prohibits land in the Western Division from being converted to freehold and sold unless the Minister is satisfied of particular factors. One of those factors is that land must be located within a certain distance from an urban area, and 20 kilometres is the distance prescribed in the regulations. This distance was chosen after detailed consultation and because it responds to the need for growth in growing rural localities like Wentworth that are competing with larger towns like Mildura in Victoria.

It seems that the Opposition is comfortable with economic opportunities in places like Wentworth and Buronga being lost to the State. At the same time that it will inhibit regional economic growth, this disallowance motion also seeks to remove vital public interest requirements that the Minister and the department must consider when deciding whether it is appropriate to sell land in the Western Division. Disallowing clause 40 would remove the list of factors that the department must consider when assessing a purchase application to convert a Western Lands Lease to freehold title. The regulation requires the Minister to consider matters such as whether the land has areas developed for agricultural uses; whether it contains travelling stock routes or has extractive materials required by the State; whether any part of the land is protected for environmental or conservation purposes; and whether the land is likely to be required for a future public purpose.

The list was carefully prepared with feedback from a broad range of stakeholders to ensure that all relevant public interest considerations were front of mind when selling Western Division land. It also ensures that pre-existing lawful rights held on behalf of the people of New South Wales or by private individuals are adequately protected and are not eroded through the conversion of the leasehold interest to a freehold estate. Without this clause, decision-makers would be free to disregard fundamental environmental and other factors when making

decisions about Western Division land. It is baffling what the Opposition is seeking to achieve by removing this crucial protection.

The disallowance motion also attacks the existing rights of lessees in the Western Division who have had their leases granted under the Crown Land Continued Tenures Act or the Wentworth Irrigation Act. These lessees currently have rights to purchase their land. In seeking to disallow clause 72, the Opposition is attacking these rights, which the Government preserved through the new Act and regulations. Under the new Act and regulations, this small group of lessees is exempt from the section 5.9 eligibility criteria because it is not relevant to the lessees and would unnecessarily limit purchase rights. Diminishing existing rights of regional leaseholders is not something the Government can support. The section 5.9 criteria were established to maintain restrictions that now apply only to lessees under the existing Western Lands Act. It is simply not appropriate to apply these criteria outside this group.

Finally, I will speak to the disallowance of clause 37. The Act allows the removal of covenants that have been imposed on leases under the Crown Land Continued Tenures Act to protect environmental values. It recognises that these covenants were imposed on a large number of leases, including leases of land without significant environmental values. In these cases, covenants restrict development by lessees and prevent economic development. The Act recognises that a balance needs to be struck. Covenants should be removed only where there are no environmental values. However, they should be left in place where environmental protection is still required because of natural and cultural values, endangered habitat, and biodiversity. It allows environmental principles to be set out in the regulations in clause 37 to ensure that covenants are removed only when due consideration has been given to these important values. Clause 37 appropriately balances environmental considerations against restrictions that curtail the ability of regional lessees to develop their land. By disallowing this clause, no covenants can be removed, even where there will be no environmental impact as a result of removal. Its disallowance would stymie economic growth and regional development.

This is a shameful action by members opposite and it demonstrates that they cannot be trusted. More importantly, it underpins the fact that they think landholders in New South Wales cannot be trusted. That is exactly the same argument that they used to oppose the biodiversity legislation introduced by this Government. There is a clear distinction between what the Government and the Opposition believe is the role our landholders and farmers play in underpinning and preserving biodiversity in this State. They should be part of the solution.

As I said, there is a clear distinction between what the Government believes and what members opposite believe. They believe we should not trust our farmers to be part of the solution. They are willing to sit in Sydney and ignore the community of Wentworth and other communities that are looking for development opportunities where appropriate. They obviously have not spoken to local government representatives in the area and they have ignored the landholders who attended the information sessions to see how they could be part of the process. The appropriate safeguards are still in place and this is something which those communities have been asking for and which this Government has delivered.

The Opposition is taking us back to the same arguments put when we debated biodiversity in this place. Everyone should be reminded of what the Opposition is doing between now and March next year. Members opposite do not trust our farmers and they do not believe they should be entrusted to be part of the solution. They believe no landholder in New South Wales, whether they be a lessee or a freehold title owner involved in farming, should be trusted to protect the environment. The Government disagrees and that is why it opposes this disallowance motion. The Opposition is trying to score political points on something that has been the subject of extensive public consultation, information gathering and debate. This is simply posturing by members opposite, who are sacrificing the interests of remote western communities. That is why members should oppose this motion.

Mr DAVID SHOEBRIDGE (11:48): I speak on behalf of The Greens in supporting this disallowance motion that seeks to disallow a series of key regulations that the Government has moved under the Crown Land Management Act 2016 and the Crown Land Management Regulation 2018. What is at stake here? This Coalition Government is engaged in a continental-scale act of privatisation with few, if any, environmental controls or social protections.

This wholesale selling off of Crown land in the western third of the State is of a scale that is hard to conceive. Some 4,300 grazing and other leases are for sale by the Government across 32 million hectares of publicly owned land. I would like to say that it is on the auction block, but this Government is proposing to privatise 32 million hectares of public land. This is no auction; it is a giveaway. The cost of buying this land from leaseholders at the most is 3 per cent of the unimproved capital value. The Government pretends to be fiscally responsible and it pretends that it cares about the public interest. Who are the 4,300 graziers and leaseholders who will obtain this benefit? I am sure there are some influential people in The Nationals. I would like to know whether any of them are key donors to The Nationals, as that is a hell of a return. The Government was voted in and it is

giving away public land—not one or two hectares, but 32 million hectares. As I said, the cost of buying this land at the most is 3 per cent of its unimproved capital value.

When it comes to environmental values, this Government is responsible for environmental destruction. It tore down the native vegetation laws and put in place pretend biodiversity laws. There is not a tree to which it does not want to put a chainsaw. It is in its DNA; it is what it does. There is a war on trees, brought to us at taxpayers' expense by a government that has no regard for the environment. In the middle of this great giveaway we find the seeds of an environmental catastrophe. Amongst the 32 million hectares of public land that is being given away are three-quarters of all the travelling stock routes in New South Wales. Some 6,500 travelling stock reserves on Crown land across New South Wales cover approximately two million hectares. Those travelling stock reserves are sometimes the last remnant of ecologically endangered communities on flood plains and coastal plains. These ribbons of biodiversity that run through our State are essential for key economic connections.

In times of drought in New South Wales the travelling stock routes are often a lifeline for farmers and stock. But in the western third of the State there is no separate title for travelling stock routes. Therefore, when the great giveaway happens and Crown land leases are handed over to private owners at 3 per cent of their value, with each of those leases goes the travelling stock routes. Three-quarters of the travelling stock routes in New South Wales are in the Western Division and they are on this Government's chopping block.

The Hon. Niall Blair: Are they within 20 kilometres of the towns? Your maths is so wrong.

Mr DAVID SHOEBRIDGE: You got your chance, Minister.

The Hon. Niall Blair: You need to learn how to count.

Mr DAVID SHOEBRIDGE: You got your chance, Minister. You can get one of your other cronies to speak in this debate but do not interject across the table.

The Hon. Rick Colless: Point of order: I am offended by the comments Mr David Shoebridge made a few moments ago. He looked at me, pointed to me and called me a crony. He should be asked to withdraw his comments.

Mr DAVID SHOEBRIDGE: To the point of order: I spoke of the class of government and I referred to The Nationals as cronies.

The Hon. Catherine Cusack: To the point of order: The member in a deliberate and disorderly way was addressing other members of Parliament and not speaking through the Chair as he is required to do in this Chamber. He was smearing and provoking members. He should be called to order and asked to withdraw his comments.

The PRESIDENT: I have heard enough on the point of order. There were far too many interjections. Other members have been allowed to speak without interjection. Mr David Shoebridge also has the right to speak without interjection. I also believe that his reference to "cronies" was directed to Government members and not to a specific member. Mr David Shoebridge has the call.

Mr DAVID SHOEBRIDGE: Environmental damage could be caused from the wholesale selling off of travelling stock routes in the middle of a process instituted by the Government to ensure appropriate protections. That process is subject to consultation and further review. The Government does not even wait for its own process to finish before the travelling routes are put on the chopping block for sale. Where is the long-term economic plan for those landowners and stockholders in far western New South Wales to protect their economic lifeline—those travelling stock routes? There is no protection. The Government is selling the land before the protections are in place. Even the Government's narrow economic interests would recommend not selling the travelling stock routes until consultation is complete and they are protected.

The only information the Government has sought about the travelling stock routes in the Western Division is a self-report from landowners on how often the routes are being used. If the landowners were asked in the middle of this process whether those stock routes were being used and whether they were useful, the answer would be, "They are hardly ever used and they are not very useful." That is the process this Government is going through. It does not even wait for that sham process to finish before it starts selling travelling stock routes. The Government, which does not really care, is playing dice with the economic future of the western third of this State. Maybe the Government is worried that it will not retain office after March next year so it had better get the great giveaway happening now. That is what it looks like. This Government is fearful that it will not retain office so it is quickly flogging off everything that has not been flogged off already and it does not care about the economic and environmental damage. This proposal will result in statewide economic and environmental damage with no return to the public. It could be said that this flawed and dangerous policy perfectly sums up this Government. I commend the disallowance motion, which The Greens will be supporting.

Mr SCOT MacDONALD (11:58): I oppose the disallowance motion, which I call a "Newtown" motion—inner-city Labor versus reality in the Western Division. A couple of years ago I spoke to landowners in the Wentworth council area who have been working for a long time on defining this legislation. On the Victorian side of the border, which has the same sort of landscape, one can see development, investment, confidence and infrastructure. People can go to financial institutions in Victoria to borrow money. They have freehold land, they can borrow and they can put up a business plan. Unlike people in New South Wales, they do not have to get the Minister's consent for any transfer or sale of a lease.

It is an inferior property right and an inferior title in the Western Division. The 1901 Act was developed with good intent 117 years ago but, contrary to what the previous two speakers from The Greens and Labor told us, those lands now have solid environmental coverage through the Biodiversity Conservation Act and the Threatened Species Conservation Act. No matter whether the title over that land is freehold or leasehold, or whether it is converted or not converted, the owner is bound by the environmental protections in those Acts. This is a shameful disallowance motion from the inner-city enclave of the Labor Party, which has little connection with reality in rural areas.

These matters are important to the challenges of farming and rural life. The driving forces of larger farms have caused populations to move away from agricultural areas. In part, that is because of a lack of investment and a lack of the certainty that comes from having a title that allows land to be dealt with in the same way as land in any other part of the State. It is an inferior property right. The Crown Lands policy contains many protections. There will not be a wholesale conversion and the provisions will not apply to classes of vulnerable lands. There will be protections for travelling stock routes through what is allowed and not allowed to be purchased. It will not just be a question of whether someone feels that the land has been used lately. It will require the consent of Crown Lands. I am confident that we can look at it lease by lease and title owner by title owner to see whether it is appropriate and in the best interest of the lease holder, the public and the community.

Seven information sessions were held in February, March and early April. Organisations such as the Finch Action Group have had the opportunity to have their say. The matter has been discussed for a long time, not just the past six months or year. It has been talked about for decades. It is time that this was done in a careful and measured way. I believe we can catch up in some parts of the Western Lands and be on a similar footing as Mildura, where significant investment has been made in agricultural enterprises and infrastructure. At the moment, farmers with these leases have to renew their licence to farm. Imagine what a farmer anywhere else in the State would think about that. I think The Greens would like the agriculture sector to need a licence to farm. It is an unnecessary restriction and unnecessarily expensive regulation. It holds back communities and their economies. Wentworth Shire Council has said loudly and clearly that it backs this move and is disappointed by the prospect of a disallowance motion. I oppose the motion.

The Hon. RICK COLLESS (12:03): I join my colleagues in opposing the disallowance motion. A few moments ago Mr David Shoebridge made some extraordinary statements. He used phrases such as "continental-scale privatisation" and "wholesale selling off". Nothing could be further from the truth.

The Hon. Dr Peter Phelps: That's The Greens for you.

The Hon. RICK COLLESS: It is. They never let truth get in the way of their story. The Minister said in his speech:

... the Act prohibits land in the Western Division from being converted to freehold and sold unless the Minister is satisfied of particular factors. One of those factors is that land must be located within a certain distance from an urban area, and 20 kilometres is the distance prescribed in the regulations.

Mr David Shoebridge said that we are about to sell 32 million hectares in the Western Division. If a line were drawn 20 kilometres around all the urbanised areas in the Western Division, it would not add up to 32 million hectares or come even close to it. I do not know where Mr David Shoebridge gets his figures from. He is absolutely, 100 per cent wrong in that regard. But The Greens never let mistruths get in the way of their preselection process. They use the old adage that if you tell a lie for 100 days in a row it becomes an accepted truth. That is the sort of nonsense they go on with. They keep repeating mistruths in the hope that people will think they are facts.

I have worked in the Western Division for most of my parliamentary career and in western New South Wales for all of my professional career. The issue of freehold of Western Division leases has been constantly raised with me, particularly around Wentworth in the far south-west. On the Victorian side of the river, where they have had access to land, development has occurred. That has not happened on the New South Wales side because they have not been able to access the land. If this disallowance motion is agreed to, there will be continual disruption to much-needed development in some really important Western Division communities. I cannot believe that the Labor Party has put this up. I can assure Labor members that they will get no votes in the Western Division

because of this disallowance motion. We have been lobbied long and hard to ensure that this disallowance motion is defeated.

The Hon. MICK VEITCH (12:06): On behalf of the Hon. Penny Sharpe: In reply: I thank Minister Blair, Mr David Shoebridge, Mr Scot MacDonald and the Hon. Rick Colless for their contributions to the debate. We are not satisfied that the protections that have been put in place are sufficient. We moved the disallowance motion to provide for greater parliamentary scrutiny because we do not think there is adequate parliamentary scrutiny over the process. The Minister said that the Labor Party does not trust farmers. That is not the case—we just do not trust The Nationals. I am concerned by Mr Scot MacDonald's comments about banks not lending against this tenure. It is difficult to understand why a bank would not lend against a tenure that has been in place for 117 years. I reckon that might be something for the banking royal commission to have a look at. In conclusion, I commend the motion to the House.

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

The House divided.

Ayes17
Noes22
Majority.....5

AYES

Donnelly, Mr G (teller)
Graham, Mr J
Moselmane, Mr S
(teller)
Searle, Mr A
Shoebridge, Mr D
Walker, Ms D

Faruqi, Dr M
Houssos, Ms C
Pearson, Mr M

Secord, Mr W
Veitch, Mr M
Wong, Mr E

Field, Mr J
Mookhey, Mr D
Primrose, Mr P

Sharpe, Ms P
Voltz, Ms L

NOES

Amato, Mr L
Brown, Mr R
Cusack, Ms C
Franklin, Mr B
Khan, Mr T

Mallard, Mr S
Mitchell, Ms S
Ward, Ms P

Blair, Mr N
Clarke, Mr D
Fang, Mr W (teller)
Green, Mr P
MacDonald, Mr S

Martin, Mr T
Phelps, Dr P

Borsak, Mr R
Colless, Mr R
Farlow, Mr S
Harwin, Mr D
Maclaren-Jones, Ms N
(teller)
Mason-Cox, Mr M
Taylor, Ms B

Motion negatived.

Bills

ROAD TRANSPORT LEGISLATION AMENDMENT (ROAD SAFETY) BILL 2018

Second Reading Speech

The Hon. BEN FRANKLIN (12:15): On behalf of the Hon. Niall Blair: I move:

That this bill be now read a second time.

I am pleased to introduce the Road Transport Legislation Amendment (Road Safety) Bill 2018. The purpose of the bill is to improve road safety by enhancing our drug-driving enforcement, enhancing penalties for driving under the influence, and providing for the adoption of new and emerging camera technology to address the risks of mobile phone use when driving. These are the first legislative initiatives to be delivered as part of the New South Wales Government's Road Safety Plan 2021, which the New South Wales Premier and the Minister for Roads, Maritime and Freight announced in February 2017. The plan outlines proven and priority measures to address key contributors to our road toll and to move us towards achieving our State priority target, which is to reduce fatalities by 30 per cent by 2021—compared to the 2008 to 2010 levels.

The plan reflects the internationally recognised Safe System approach to improving road safety. It has been developed based on evidence and expert advice from across Australia and countries with the safest roads in the world. Development of the plan also involved input from road safety stakeholders, practitioners and the community. In total, more than 4,000 people helped develop the plan through expert workshops, an online survey and community forums. As part of the plan, the key challenges of drug-driving and driver distraction are being tackled from a road-user perspective, with a combination of enhanced enforcement, education and tougher penalties. Together with measures to improve the safety of our roads and vehicles, this will deliver an overall safer network for all road users.

The Road Transport Legislation Amendment (Road Safety) Bill 2018 will increase penalties for the offence of driving under the influence and provide clear powers so that New South Wales police can take drug-impaired drivers off the road. Based on current driver licensing records, at least 1,000 driving-under-the-influence offences are committed each year, and these drivers will be subject to more stringent penalties. The bill also adds cocaine to the three "prescribed illicit drugs"—cannabis or tetrahydrocannabinol [THC]; speed or ice, known as methamphetamine; and 3,4-methylenedioxymethamphetamine [MDMA], known as ecstasy—that are currently tested during roadside drug enforcement. It will make it an offence to have cocaine present in oral fluid—saliva—when driving. This will make New South Wales the first jurisdiction in Australia to test, through roadside oral fluid testing, for this common illegal drug that can affect driving skills.

Drug driving is a key factor in the New South Wales road toll. In the 2016-17 financial year, there were 77 fatalities from crashes involving a motorist with one or more of the three current prescribed illicit drugs present in their system—or 22 per cent of the road toll in the 2016-17 financial year. Over the five years from 2012 to 2016, 308 people died in crashes involving a driver or rider with a prescribed illicit drug in their system. This represents 18 per cent of all fatalities over the five-year period. Data for impaired driving in the 2017 calendar year road toll is incomplete as laboratory blood and urine test results for all drivers involved in fatal crashes are not yet available, but prescribed illicit drugs were present in at least 45 fatalities from January to September 2017.

Under the Road Transport Act 2013, there are two distinct offence types relating to drug-driving. The bill will amend each offence type to strengthen our overall approach to deterring drug-driving. The New South Wales Government takes a zero-tolerance approach to driving after illegal drug use, which is reflected in the law. Under the Act, it is an offence to drive with certain illicit drugs present in oral fluid, blood or urine in any detectable concentration—commonly referred to as a "presence offence". Currently under the Act, the three prescribed illicit drugs that are illegal to be present in oral fluid, blood and urine while driving are tetrahydrocannabinol [THC], the psychoactive component of cannabis; methamphetamine, commonly referred to as "speed" or "ice"; and ecstasy [MDMA]. These illicit drugs are not permitted in the system of drivers because of the effect they can have on driving skills. THC, the psychoactive component of cannabis, can slow reactions and reduces the ability to respond to situations. It can affect perception of distance and time, lower concentration and reduce coordination.

Stimulants such as speed or ice and ecstasy can make drivers more likely to take risks or drive aggressively, and can affect fatigue levels and concentration in the period after use. These illicit drug types are also commonly used in the community or are present in road toll statistics. The "presence" offence is typically enforced through the roadside mobile drug testing [MDT] regime in New South Wales. Similar offences and roadside testing regimes are in place across all jurisdictions in mainland Australia. The intent of this enforcement and offence is to deter drivers from taking the risk of driving after drug use. Similar to the random breath testing program, this deterrence is achieved with an efficient, high volume testing program that means drivers can be detected anywhere and anytime.

In 2015, the New South Wales Government committed to tripling the number of roadside mobile drug testing units from around 30,000 per year to over 97,000 per year by 2017. This was achieved in June 2017 with 97,400 tests completed by the NSW Police Force in the 2016-17 financial year. The Road Safety Plan 2021 makes a commitment to double the number of roadside drug tests to 200,000 tests by 2020 to increase the likelihood of drivers being detected, which will more strongly deter drug-driving behaviour and help to drive down the road toll. The increase in tests means that New South Wales will have the largest roadside drug testing program in Australia. The first element of the bill complements this commitment by amending the definition of "prescribed illicit drug" to also include cocaine.

The effect of this is to extend current powers relating to roadside MDT testing to include cocaine. This enables analysis of samples for the drug and establishes an offence for driving with cocaine present in oral fluid—saliva. Cocaine use can impair the skills required for safe driving. The immediate effects of cocaine use can be distracting and disorienting, which affects concentration on the driving task. The drug can also produce changes in reaction time, greater impulsiveness and increased risk taking. While there is an existing offence for driving

with the presence of cocaine, this is currently limited to blood and urine testing, which is obtained in limited circumstances.

The extension of police powers to enable roadside oral fluid testing for cocaine provides police with an additional enforcement tool that has far greater potential to deter drug-driving after cocaine use. The addition of cocaine to the roadside drug testing regime will also automatically apply to drug testing for vessels under the Marine Safety Act 1998, which adopts the definition of "prescribed illicit drug" in road transport law. Consequential amendments to the Marine Safety Act 1998 are included in the bill to ensure ongoing alignment between the road and marine oral fluid testing regimes.

The second amendment to the bill relates to the other drug-driving offence under the Act: driving under the influence. This is a serious offence that generally involves a driver who has shown signs of being impaired at the roadside or while driving. Driving under the influence can involve impairment due to illegal or pharmaceutical drug use, or a combination of drug types, as well as alcohol. If a police officer has a reasonable belief that a motorist is under the influence of a drug or alcohol, based on their driving or their manner or behaviour when breath tested, they can require a driver to complete a sobriety assessment. If the motorist fails or refuses the assessment, the police officer can arrest them and require them to undergo blood or urine testing. Based on analysis of the laboratory results, the motorist may be charged with the offence of driving under the influence.

The New South Wales Government is sending a strong message to the community that impaired driving is not acceptable on New South Wales roads. The bill increases the maximum penalties for driving under the influence offences to reflect maximum fines, prison terms and disqualification periods available and applied to high-range prescribed concentration of alcohol drink driving offences. At present, penalties for driving under the influence offences largely reflect those applied to mid-range drink-driving offences.

All driving under the influence offences involve court attendance and no change is proposed to this process, which is appropriate for serious driving offences. Penalties, up to the maximum available, are applied by the court according to the circumstances of the case. The amendment means that for a first offence a maximum penalty of 30 penalty units, which is currently \$3,300, or imprisonment for 18 months or both may be ordered by the court. In addition, an automatic licence disqualification period of three years would apply. The court may impose a longer or a shorter period of disqualification than the automatic period, however, it must not be shorter than 12 months.

In the case of a second or subsequent offence, 50 penalty units, which is currently \$5,500 or imprisonment for two years or both, may be ordered by the court. An automatic licence disqualification period of five years with a minimum period of two years would apply. Impaired driving, either by alcohol or drugs, is among the most serious of driving offences. The community expects that appropriate penalties will apply to drivers who put lives at risk by driving while impaired, whether that drug is illegal, a prescription drug or a combination of drugs. The bill also provides police powers that are intended to limit driving by alleged driving under the influence offenders in the period between an offence and attending court to more closely resemble the powers to act in the case of high-range drink-drivers. This will involve a two-stage approach.

First, clearer police powers will prohibit driving in the immediate period after a suspected offence of driving under the influence. Under current provisions, police can take steps to prevent driving if they reasonably suspect a driver is under the influence. These steps can include temporarily prohibiting driving and confiscating keys or taking a vehicle for safekeeping. However, the circumstances and how long a driver can be prohibited are not explicitly outlined in the Act. The bill will allow police to issue a driving prohibition of 48 hours to a driver that has been arrested to undergo blood and urine tests after they have failed or refused a sobriety assessment. This action is only taken if police have completed the steps under the Act and arrest a driver for the purpose of blood and urine testing because they are suspected of being under the influence.

Drivers arrested for this purpose are typically detected by police because their manner of driving is affected, or they are stopped for a breath test and their condition, behaviour or appearance indicates they may be under the influence of a drug and they do not have an illegal level of alcohol. In this case, police may form a "reasonable belief" that the driver is impaired by a drug, and a driver can be required to complete a sobriety assessment. If a driver fails or refuses this assessment they can be arrested. This amendment provides clear and consistent direction to police that in circumstances where a driver is reasonably suspected of being under the influence there is an expectation that the person will not be permitted to drive for a period after they are detected showing signs of being acutely impaired. A 48-hour period is considered an appropriate prohibition period to address an immediate road safety risk, while recognising that the driver in this circumstance is suspected but not yet charged with an offence.

Secondly, the bill provides for further licence action to be taken when a driver is charged with a driving under the influence offence. Drivers charged with a driving under the influence offence are typically allowed to

continue to drive between being charged and their court date. In comparison, drivers charged with a high-range drink-driving offence can be issued an immediate licence suspension notice when charged, which remains in place until the charge is heard in court. A driver is generally charged with a driving under the influence offence once the laboratory results are received and reviewed, which can be some time after an offence. The bill enables police to issue an immediate licence suspension notice to a driver charged with a driving under the influence offence. This suspension will apply until the charge is determined by a court. Consistent with the Act, any period of suspension is required to be taken into account by the court when subsequently deciding on a period of disqualification.

These changes will strengthen our drug-driving framework and are intended to deter motorists from driving under the influence of a drug. The final amendments in the bill relate to the use of camera-based technology to enforce mobile phone offences. This amendment will place New South Wales in a position to be an early adopter of emerging technology. Research shows that a driver taking their eyes off the road for two or more seconds doubles their risk of a crash. At 60 kilometres per hour, if the driver looks at their phone while driving for just two seconds, they travel 33 metres blind. A short lapse of concentration can have lifelong consequences. Between 1 July 2012 and 30 June 2017, there were 184 crashes on New South Wales roads where hand-held mobile phone use by drivers was identified as a contributing factor. These crashes resulted in seven people being killed and 47 people being seriously injured. While this is only a very small fraction of the crashes and trauma on New South Wales roads over the five-year period, crash numbers are under-reported due to the difficulty of obtaining evidence of mobile phone use at crash scenes.

The New South Wales Road Rules 2014 prohibit mobile phone use by novice drivers and limit phone use by other licence holders. Learner, P1 and P2 drivers are not permitted to use any function of their mobile phones while driving. Unrestricted licence holders can only make or receive calls or play music if this does not involve touching the phone or if the phone is in a cradle fixed to the vehicle. Heavy penalties, including double demerits, apply.

While more than 40,000 infringements were issued by police for illegal mobile phone use in the 2016-17 financial year, emerging automated camera and software technology presents an opportunity to supplement police enforcement and further deter motorists from illegally using a mobile phone. The use of automated camera enforcement to address speeding and red-light running behaviour and trauma has been highly effective, with fixed speed cameras consistently associated with fatality reductions of around 90 per cent at camera locations. Red-light speed cameras are associated with a 42 per cent reduction in fatalities at camera sites. There is the potential to achieve greater deterrence of mobile phone use through the infringement of drivers and to reduce the behaviour across the network.

Driver distraction, including mobile phone use, also represents a significant community concern. The purpose of the reforms in the bill is to drive innovation in robust enforcement technology that addresses mobile phone distraction. The reforms are intended to allow for technology to develop in different ways, while prescribing that automated enforcement in New South Wales will always be expected to meet minimum requirements. All automated camera devices used for enforcement in New South Wales must be approved for a particular use. These amendments will allow enforcement devices that photograph mobile phone use offences to be approved for use.

The amendments are designed to be broad enough to ensure that technology developers are not limited in their design and allow existing infrastructure and technology to be used where appropriate. For example, this may allow existing traffic enforcement devices, such as speed cameras, to be used if they are deemed appropriate. These amendments will also include mobile phone offences within the definition of a "detectable traffic offence". Evidence of a mobile phone offence obtained by an approved traffic enforcement device will be admissible in court proceedings and so-called "owner onus" provisions will apply. This means that the responsible person for the vehicle, who is usually the registered operator, is deemed liable for the offence unless they nominate a different driver as responsible for the offence. This provides the avenue for efficient, automated enforcement. These amendments will facilitate the development of camera-based enforcement technology to be trialled for mobile phone offences.

The bill also makes amendments to the Transport Administration Act 1988 to ensure that once a robust enforcement system is established, fines resulting from camera-detected mobile phone offences, like those from camera-detected speed and red-light offences, will be paid into the Community Road Safety Fund. The New South Wales Government established the Community Road Safety Fund in 2013 to fund dedicated road safety initiatives. In developing these amendments, and in addition to the consultation undertaken for the Road Safety Plan 2021, Transport for NSW has consulted with the New South Wales Police Force, the Ministry for Police and Emergency Services, and Roads and Maritime Services. The bill represents this Government's strong commitment to improving road safety, delivering our new Road Safety Plan and sending a clear message to the community that drug-driving and distracted driving is unacceptable. I commend the bill to the House.

Second Reading Debate

The Hon. PENNY SHARPE (12:33): I lead for the Opposition in this House on the Road Transport Legislation Amendment (Road Safety) Bill 2018. I note that my colleague the shadow Minister for Roads, Maritime and Freight in the other place has described in detail Labor's position regarding this legislation, and so I *will keep my remarks brief.

The bill seeks to amend the Road Transport Act 2013 to achieve a range of outcomes, including enabling police to test for cocaine in a driver's system in the same way drivers are currently tested for other prescribed illicit drugs such as cannabis, speed, ice and ecstasy, bringing the consequences for driving a motor vehicle while under the influence of drugs into line with those for doing so with a high-range prescribed concentration of alcohol; authorising a police officer to prevent a person suspected of being under the influence of alcohol or another drug from using a vehicle; authorising the use of devices for the enforcement of offences relating to the use of a mobile phone by drivers of motor vehicles; and other minor amendments.

I reiterate the words of my colleague in the other place: Road safety is a priority for us all. Every member of this House would have been touched by someone or someone's family who has died on the roads. As we know, every life lost is a great tragedy, not just for that individual but also for their family and those who they leave behind. The toll of lives lost on New South Wales roads is currently heading in the wrong direction, and it is our duty to do what we can to arrest this trend. The recent Christmas and summer period was especially shocking for the terrifying number and circumstances of incidents on our roads resulting in awful and needless deaths.

Labor supports this bill. However, I note that my colleague the member for Strathfield has expressed frustration with the Government for being sluggish in considering different and innovative approaches to reducing the road toll. The approach to improving safety on our roads in New South Wales has changed very little in the past 10 years, which is why my colleague proposed a parliamentary inquiry into road safety. But at this point, it appears that the Government is refusing to support it. Again, I ask the Government to reconsider. The road toll was trending down for 10 years; if it is now trending up, we need to look at why and we need to look at other ways to try to curb the toll. Labor believes that a high-level, transparent inquiry by this Parliament is necessary. As someone with lengthy experience in committee inquiries, I say that there would be few more important ways to stop hundreds of deaths in our State each year.

Some initiatives in this bill are partly new approaches, and the Opposition supports generally the objectives of the bill. The bill enhances drug-driving enforcement and penalties, which Labor supports. Motorists who drive under the influence of drugs show a blatant disregard for their responsibility to other road users and the community at large, and more action to combat this dangerous behaviour is welcome. This bill will enable police to test for cocaine in a driver's system, in the same way that drivers are currently tested for cannabis, speed, ice and ecstasy. The bill also strengthens the powers of police when dealing with motorists driving under the influence and increases the penalties for drug-driving. The bill increases the maximum penalties for driving under the influence of drugs to reflect those penalties applied to high-range drink-driving. Police will be able to issue a 48-hour driving prohibition to a driver arrested to undergo blood and urine tests for suspected impaired driving, and to issue a license suspension notice to a driver charged with driving under the influence. The other measures in the bill relate to the introduction of camera-based technology for mobile phone use offences.

Labor supports measures that deter, discourage and detect people using their mobile phone while driving. We all know that people do it, that they should not do it, and that it is an extremely dangerous thing to do. There are too many accidents because people were too busy texting, looking at Facebook, or being distracted by having their phone in the car and trying to answer messages and phone calls as they come in. It is concerning that despite education and awareness campaigns highlighting the potentially fatal consequences of using a phone while driving, it seems that the message is just not getting through. It is also a reflection of our ubiquitous use of phones and the fact that most of us—including most members in this Chamber—are barely away from our phones for any period of time.

Labor supports greater law enforcement measures to keep drivers off their phones while they are at the wheel. However, Labor has concerns regarding transparency and consistency with some of the Minister's proposals in this bill. Actions to be undertaken include the trial of a range of detection technology to catch drivers who use their phone while driving, such as new camera technology and the use of tollway cameras to detect mobile phone use, as well as speed and red-light cameras and transit lane cameras. Unfortunately, the community and the Parliament are still in the dark regarding how the new technology will operate. The Opposition understands that the technology takes a photo of every driver in every car and that an algorithm is then used to determine whether a driver is using a phone. We do not know how that algorithm works. We also have no detail for when the trial will begin. The media seem to have some idea, but the community and the Parliament are unclear about what is going on. The concern about the lack of detail stems from the fact that the Minister is asking for broad and unfettered powers to trial and introduce technology that we know very little about.

As my colleague in the other place said, a minute and a half clip on the television news is not enough to give drivers confidence in the technology or how it will be used. It is up to the Minister and her department to educate and make the community aware about what this technology involves. The Minister's reply to the second reading debate in the other place did not enlighten us. The Minister simply said the Government "is one of the first in the western world to introduce this technology. When you are the first, you do not have all the answers." I indicate to the Minister for Roads, Maritime and Freight that I do not think that is a very good answer. As the Minister responsible for this legislation, the Minister should have more answers than that.

The concern Labor holds about the cameras is that it appears they will photograph everyone by looking into their vehicles. To determine whether a driver is using their mobile phone, the camera appears to capture a photograph from the front of the vehicle, which shows the steering wheel and potentially the driver's legs, arms, lap and chest. The Minister's reply indicated that all photographs will be used solely for law enforcement purposes and tightly controlled to ensure privacy. The bill needs more work. The Minister stated that a privacy assessment involving the Privacy Commissioner will be completed. Members of this House should not have a bill in front of them without that work having been done.

The bill represents a significant widening of photographic intrusion into people's private lives. Members are still not clear about how those provisions will be used. It is of grave concern that the Privacy Commissioner was not even consulted on the formulation of this bill and that members do not have a report on the bill to refer to. Labor welcomes the news that the Minister belatedly will consult the Privacy Commissioner but we want to see a report sooner rather than later. Labor will hold the Government to account on that report.

Despite a range of concerns raised in the other place about the use of private toll road cameras to detect offences, and concerns about privacy and the potential for encroachment into other offences that will be detected using the cameras without informing the community, the Minister responded that the intention of including toll cameras in the reforms is to allow for the use of existing infrastructure, if the trial identifies that this technology can be adopted. There is a lot of cart before the horse with this bill. It would seem logical that the Government should do the work first, and then bring to the Parliament the necessary reforms required to undertake a new category of road rules enforcement, especially when serious privacy concerns exist.

This is a Government introducing a new enforcement mechanism with no commitment to transparency. That is likely to lead to confusion and anger among motorists, unless the Government starts informing the community of its plans. However, the Minister promised that existing cameras of any type—including toll cameras, red light cameras, fixed cameras and mobile cameras—would be used only to detect mobile phone offences, if gazetted for this purpose. That is one small step, but there are still a lot of unanswered questions. My colleague in the other place also indicated that Labor believes there should be a transparent review of this technology and its use. This was not committed to by the Minister in her reply. I ask the Parliamentary Secretary in this place during his reply to give a commitment to a transparent review of the technology and its use. Given that this technology is still in its infancy, Labor believes such a review is necessary.

I suspect many members of this House will wish to speak during this debate. I hope that Government members further explain and elucidate the provisions of this bill in detail. As I said previously, many issues with this bill remain unresolved. However, I indicate that Labor will support the bill because we believe that some items in the bill are important. All of us are concerned about driving down the road toll. I ask the Parliamentary Secretary to respond to the issues that Labor continues to raise about some of the technology and privacy aspects of this bill.

Mr DAVID SHOEBRIDGE (12:43): The Greens will not oppose the Road Transport Legislation Amendment (Road Safety) Bill 2018. The bill has a number of objects: to include cocaine as a prescribed illicit drug for the purposes of the Road Transport Act; to bring the consequences for driving a motor vehicle while under the influence of drugs into line with those for doing so with a high-range prescribed concentration of alcohol [PCA]; to authorise a police officer to prevent a person suspected of being under the influence of alcohol or another drug from using a vehicle; to authorise the use of devices for the enforcement of offences relating to the use of mobile phones by drivers of motor vehicles, which is obviously primarily cameras; and to make other amendments of a minor, miscellaneous or consequential nature. Broadly, this bill deals with the State Government's broken drug-driving testing regime in New South Wales. This bill fundamentally does not fix that, but at least at a global level it makes some marginal improvements to it.

First, the bill includes cocaine as a prescribed illicit drug for the purposes of roadside drug testing. In short, that means that the police can test for cocaine. As The Greens spokesperson on justice and police, I inform the House that my party and I have a long record of challenging the broken roadside drug testing regime in this State. One of our key challenges has been that currently the offence that results in the loss of a driver license if a person has the mere presence of certain illegal drugs in their system refers to only three illegal drugs, which are methylenedioxymethamphetamine, methamphetamine and cannabis.

Overwhelmingly, those who have lost their driver licence as a result of failing that particular test have been those who have had traces of cannabis in their system. One only has to examine the statistics to realise how deeply inequitable the implementation of that regime has been. In many ways it has been a police-driven and Government-driven war, particularly in the North Coast of New South Wales. In the Tweed Local Area Command, people are 30 times more likely to be convicted of a drug-driving offence than are people in Sydney's eastern suburbs or on Sydney's north shore. People in south-western Sydney are 10 times more likely to be whacked with a drug-driving offence than are people who live on the north shore of Sydney. As is the case with so much of this Government's war on drugs, it is a class war in which the privileged minority in this State largely have got off scot-free. I cannot go past the failure to include cocaine in the broken testing regime to highlight what a class war it has been.

For the record, the regime in which people lose their licence because they have in their system a trace element of drugs, which is found after a sophisticated laboratory test that is looking for the smallest detectable amount, is not a road safety regime. That is a war on drugs by another name. The idea that people in this State routinely lose their licence because they smoked a joint three days before they were stopped by the police is simply failed policy writ large. That is what is happening. People around this State, particularly those on the North Coast but not limited to the North Coast, are losing their licence because they have been found to have the smallest detectable amount of cannabis in their system. There is no evidence at all that they are a danger to other drivers or that they are even slightly impaired, but because the Government's zero tolerance approach is taken to an extreme level, they routinely lose their licence, which means they lose their job, their social connections, and their ability to carry out the most basic things of life such as attending medical appointments and getting their groceries—all because they had a joint three days before they got behind the wheel of a vehicle. It is akin to losing a driver licence because a person had a beer at a barbecue the day before being tested.

Somehow this Government thinks that is okay. The Greens disagree. That is pretend road safety. However, the interesting part of that particular flawed part of the road safety regime is that there is one illegal drug that obviously has been excluded, and that is cocaine. We know that the use of cocaine in New South Wales has reached a 15-year high. If people want to know what the cocaine capital of Australia is, it is Sydney. If people want to know the part of Sydney that has far and away the highest level of cocaine use, it is Sydney's eastern suburbs. When waste water from the eastern suburbs of Sydney is tested in Federal studies, the results literally blow the dial due to the amount of cocaine that is being used. When the sewerage system that pumps waste from the good burghers of the Prime Minister's electorate at Wentworth is tested for cocaine, the results blow the dial. The conservative estimate is that approximately a kilo to a kilo and a half of cocaine is used by people in the Federal electorate of Wentworth every weekend.

This Liberal Government pretends that it is conducting a serious war on drugs, but who gets off scot-free? It is the privileged people in the eastern suburbs of Sydney and the privileged people on the north shore of Sydney. The privileged people get off scot-free. Who is the war being directed against? Some poor sod who smokes a joint in Campbelltown. This is a class war and a privilege war pretending to be a road safety regime and pretending to be concerned about harm minimisation.

We have pointed this out repeatedly: Not only is there a spike in cocaine use, and primarily amongst those who have the money to pay for that drug, but we also know from study after study—not just in Australia but also from studies in Europe, the United Kingdom and the United States of America—that cocaine has a real and significant impact on road trauma. With the substantial surge of cocaine use in New South Wales, why is the Government whacking people in south-west Sydney for cannabis use and whacking people in the Tweed for having a joint three days ago, while police conducting roadside drug tests in Paddington or Double Bay or North Sydney are just waving people through even though they may have substantial amounts of cocaine in their system? Is the Government just protecting its own? Yes, of course it has been. That is what this is. If we are going to have this flawed system, we should at least rope in this other known illegal drug that is causing road trauma. The Government should at least police its own for once. A bit over two years ago on 23 February 2016 I had a bizarre exchange with the former Minister for Roads, Maritime and Freight, Duncan Gay. I asked him why the testing regime does not cover cocaine. He then said:

We are testing for the drugs that our equipment allows us to test.

That was his answer. It was, to be polite about it, bullshit.

The Hon. Niall Blair: Point of order—

Mr DAVID SHOEBRIDGE: I withdraw it.

The Hon. Niall Blair: Point of order: I appreciate that the member has said he will withdraw his comment, but we need clarification on what he is withdrawing. I suggest it is the unparliamentary language that he is withdrawing.

The DEPUTY PRESIDENT (The Hon. Paul Green): The member has taken that point of order on board and will refrain from using unparliamentary language.

Mr DAVID SHOEBRIDGE: I withdraw it. Minister Gay's comments were untrue. However we might wish to describe them, they were untrue because the Dräger 5000, the second-stage testing machine that the police have been using for years and were using at the time that Duncan Gay said, "We have not got the equipment to test for it," has at all times been able to test for cocaine—and not just cocaine. It has also been able to test for another class of drugs that is a far larger concern for safety and road safety—that is, benzodiazepines. Benzodiazepines are prescription drugs that are a significant cause of road trauma in this State. If a person mixes benzodiazepines with cannabis, alcohol or any other drug there are major road safety concerns.

Up to now, and even after this bill, police will be stopping people at roadside drug testing and administering an oral swab, and if a person is zonked to the eyeballs on benzodiazepines—a real menace—they will be waved through. But if someone has a trace element of cannabis because they smoked a joint three days ago? Bang! They will lose their licence, be removed from the roads and be fined \$1,000. That is not a road safety regime; that is a joke regime based on ideology and not road safety. We know that those Dräger 5000 machines were able to test for cocaine at the time the Minister gave that answer in Parliament. The manufacturer has been saying it for over a decade. It got worse because then I asked him, "Why do you not test for cocaine? We know you can." He then replied—again, on 23 February 2016—that:

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

Shamefully, that advice came from the Centre for Road Safety, which is meant to be an apolitical authority on road safety. When I tested centre representatives sometime earlier this week about whether that is still their advice, they would not answer. It was nonsense advice in February 2016 and should never have been given by a statutory authority that wants to be respected, and it is nonsense now.

Finally, the Government has admitted that cocaine can now be detected for up to 24 hours after it has been ingested and that is why they can test for it, but they knew that in February 2016. The erroneous and false advice that was given by an agency that, at the time, was pretending to be an authority on road safety stands out as a low point for intelligent advice from government agencies in this State. I call it out for what it was—political advice, not genuine advice. This agency was trying to get a Minister out of a hole, rather than doing its job as the Centre for Road Safety and providing authoritative advice that this Parliament can rely upon to make our roads safe. I am glad that cocaine has been roped into this unfair regime, not because I think it is terrific that people will lose their licence for having a trace element of cocaine, but because when we rope the wealthy and the privileged into a crap law, we are far more likely to see it under pressure and see change.

As we get to a place where we test drivers for all drugs that are known to commonly impair driving—legal or illegal—and we test them at a level where we know the drugs will impair driving and cause people to be unsafe on the roads, we should have a non-partisan debate about this. Family members do not care if the driver who killed their loved ones was impaired by a legal or illegal drug. They, like me and like all of us in this chamber, want our roadside drug testing laws to say that if someone is impaired by a drug, it does not matter which drug. They should get off the roads. If we find someone to be impaired by drugs, we will convict them, take their licence and punish them accordingly. This should not be limited to just three or four illegal drugs. All of the drugs that we know commonly impair driving, legal or illegal, should be being tested for at the level that we know impairs drivers, and that is where our laws should be targeted. That would be a road safety law that The Greens would support. We are not there now, but this bill may be a step towards that.

In relation to the increased penalties for section 112 of the Road Transport Act, that section refers not to the impairment offence, but to driving under the influence of drugs. We know that if someone is driving under the influence of drugs, they are a danger to other drivers. If someone is found guilty of driving under the influence of drugs, the appropriate offence is the equivalent of high-range prescribed concentration of alcohol [PCA]. I believe that is right. That does seem to provide the appropriate level of offence for driving under the influence of drugs. The expanded power under proposed section 148EA to allow a police officer to arrest a person following their failure to submit or pass a sobriety assessment and to prohibit that person for driving a motor vehicle for 48 hours is a commonsense measure. That is why we do not oppose it. I find it surprising that police do not already have this power. With all of the nonsense laws that this Parliament passes, we have not addressed that until 2018.

I note the comments from the Opposition on the proposed provisions for primarily camera-based technology to catch people who are using their mobile phone while driving. If we reflect upon what we have observed in vehicles, all of us would know that this is a significant problem. We have seen a series of high-profile cases where people have been caught. None of us kids ourselves about this. I note that the Hon. Penny Sharpe is stuck to her phone right now. All of us are often stuck to our phone as though somehow it is an essential lifeline

for us. When driving, it is not. We might whack the phone onto Google Maps and find out where to go, but apart from that we should be leaving them alone. I see that the Deputy President has put his phone down in the course of this small exchange and I commend him for that. It points out this issue.

[Interruption]

The Minister has looked up from his phone and is contributing in a disorderly way by interjection, and I think that is good, too. We know how ubiquitous phone use is and we know that all of us need to break the habit and confirm that we should not be using our phones while driving. Introducing further measures so that we can find people who do it and breach the law is good. The one caveat we put on this proposal is that we still do not know what the privacy safeguards are. I asked for clarification in a briefing earlier, but we still have not had advice about what the privacy safeguards are.

It is one thing to take a photograph of a vehicle to see if it is speeding or the like from its external appearance. It is another thing to consciously look into the vehicle to see what people are doing inside. I would appreciate it if the Parliamentary Secretary, in his speech in reply, could indicate what privacy measures will prevent these images from being misused and ensure that they are only looked at for a proper purpose, and also what the storage and safety requirements are for that process. I have indicated at the outset that the Greens do not oppose this bill, and those are the reasons why.

The DEPUTY PRESIDENT (The Hon. Paul Green): I will now leave the chair. The House will resume at 2.30 p.m.

Announcements

PHOTOGRAPHS OF LEGISLATIVE COUNCIL

The PRESIDENT: I inform members that a staff member from the Legislative Council will be present in the Chamber from 2.30 p.m. to take photographs for use in official publications.

Members

REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS

The Hon. DON HARWIN: Before we commence question time I advise the House that the Deputy Leader of the Government will be absent from question time today on ministerial business relating to the visit of His Excellency the President of France. In his absence, the Hon. Sarah Mitchell will take questions for him.

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

Questions Without Notice

POWERHOUSE MUSEUM RELOCATION

The Hon. ADAM SEARLE (14:30): My question is directed to the Leader of the Government, Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts in his ministerial capacity and as Leader of the Government. When his Government calculated the net present value of the Powerhouse Museum decision why did it depart from using the usual 7 per cent discount rate, which has been applied to cost-benefit calculations by New South Wales Treasury since 1989, and instead use the figure of 6.88 per cent for its calculations?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (14:31): I thank the member for his detailed question. I will take it on notice and obtain an answer for him as quickly as possible.

POWERHOUSE MUSEUM RELOCATION

The Hon. LOU AMATO (14:31): My question is addressed to the Minister for the Arts. Will the Minister update the House on the relocation of the Powerhouse Museum to Parramatta?

The Hon. Walt Secord: Take it on notice, Donald.

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (14:32): I thank the member for his question. He is someone who has—

The Hon. Trevor Khan: Point of order: I take the same point of order that I have taken on several days that relates to—

The Hon. Walt Secord: Protection racket!

The Hon. Trevor Khan: The Deputy Leader of the Opposition continues to refer to the Leader of the Government by inappropriate, shortened names.

The PRESIDENT (14:32): The Hon. Walt Secord will withdraw the comment "protection racket". I find it offensive and I am sure other members do.

The Hon. Walt Secord: In accordance with the President's instruction, I withdraw the phrase "protection racket" that I used in response to the comments from the Deputy President.

The PRESIDENT: I uphold the point of order. I call the Hon. Walt Secord to order for the first time. I remind all members that we have only just commenced question time—we have not even reached the three-minute mark—and there have been at least eight interjections. I can assure members that if the interjections continue a number of them will not be in the Chamber by the time question time is completed. I cannot be any clearer.

The Hon. DON HARWIN: As I was saying, the Hon. Lou Amato cares deeply about Western Sydney, and I can understand why he is interested in views from others on what is happening with respect to an exciting infrastructure project that is going ahead in Parramatta. By relocating the Powerhouse Museum to the banks of the Parramatta River, the Government is breathing new life into the cultural fabric of Western Sydney.

The Hon. Scott Farlow: Point of order: Like many other members, I am interested in hearing the Minister's answer. Unfortunately we cannot because of the cacophony from those opposite. I ask that they be called to order.

The PRESIDENT: Order! I call the Hon. Penny Sharpe to order for the first time. I call her to order not because of the two or three interjections she made while the Minister was giving his answer but because she interjected while a point of order was being articulated by the Parliamentary Secretary.

The Hon. DON HARWIN: The Hon. Lou Amato asked me about alternative policies. The Opposition showed its true colours in a debate yesterday in the other place. Opposition members have turned their backs on the people of Western Sydney. Those opposite are not willing to make the tough decisions. Under the slightest pressure they fold like cheap deck chairs. Listen to what Labor members said yesterday. The member for Maroubra said:

When I go to Parramatta, residents say to me, "No-one has ever asked us what we want out here."

What absolute nonsense! One of the reasons we had an extended business case was that I felt there needed to be more consultation with the people of Western Sydney. The Government has consulted extensively on this. We have shared it—we have had it on the website.

The PRESIDENT: Order! This is the last warning. Many would say that I have given too many warnings. I can assure members that this is the last one.

The Hon. DON HARWIN: The member for Maroubra also trotted out the tired old line about the \$10 million, which we canvassed several times in the Chamber.

The Hon. Daniel Mookhey: Do it again.

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

The Hon. DON HARWIN: I am happy to go through it for the third time. Premier Baird announced \$10 million funding for a preliminary business case in 2015. At no point did he, or anyone else, suggest it would cost only \$10 million to relocate the Powerhouse Museum. The member for Maroubra should not have misled the other place. The member for Granville thought she would ridicule the museum and planetarium by describing it as "lame" and by saying that it would "bore people to death". Again, what absolute nonsense. It just shows how out of touch the Labor Party is with the people it claims to represent. In fact, the planetarium was one of the most requested features that came out of our consultations in Western Sydney.

The planetarium is going to be a key part of this cultural icon in Parramatta—a state-of-the-art facility that will be a hub for artistic and cultural growth. This criticism is in contrast to what Luke Foley, the Leader of the Opposition, told the Western Sydney Leadership Dialogue in 2016, when he said that he would support the move to Parramatta and that he would consult with the Western Sydney Arts and Culture Lobby. The Leader of the Opposition only needs to look at that organisation's submission to the museum and galleries inquiry to find that it clearly recommended:

... the Powerhouse Museum moving to Parramatta will be of major benefit to Western Sydney and its audiences.

In a complete betrayal of Western Sydney, Labor back-flipped and now promises second-rate infrastructure and a second-rate arts and culture solution. It is so second rate that no detail has been released about Mr Foley's fictional "performance space". That is unlike our solid proposal—which is funded—for rebuilding the Riverside Theatre. We have already done that. I think that Labor needs to take some advice from the former Labor Minister

for Western Sydney, David Borger. He said that the relocation of the Powerhouse Museum is "a victory for the people of Western Sydney". [*Time expired.*]

POWERHOUSE MUSEUM RELOCATION

The Hon. WALT SECORD (14:38): My question without notice is directed to the Minister for the Arts. Did the Minister mislead the community and the Parliament when he stated that the new site was getting more gallery and exhibition space when, in fact, his Government is reducing the amount of gallery and exhibition space from 20,000 square metres to 18,000 square metres? Who in the Government instructed Powerhouse Museum officials to remove all website references to the 20,000 square metre figure?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (14:39): There is no reduction. There is a 15 per cent increase. The honourable member is quite wrong to use—what was it—22,000 square metres?

The Hon. Walt Secord: Twenty thousand.

The Hon. DON HARWIN: He is wrong to use the 20,000 square metre description of the public and exhibition space because it is simply not true. The amount of public and exhibition space at Ultimo is 15,600 square metres. That is the actual amount. It will be 18,000 square metres at Parramatta. It will be bigger—15 per cent bigger than what we have at Ultimo. At Parramatta there will be state-of-the-art learning spaces. There are none at Ultimo even though one would think there would be at a museum focusing on science, technology, engineering and mathematics. That is one of the reasons we are going to move the museum. Another thing we will have at Parramatta that we do not have at Ultimo is a capacity to host blockbuster travelling exhibitions that need space and heights that cannot be achieved at the current museum. It will be a bigger and better museum at Parramatta.

The Hon. WALT SECORD (14:40): I ask a supplementary question. Will the Minister elucidate his answer by telling us on what calculation he bases the claim that 18,000 square metres is greater than 20,000 square metres?

The PRESIDENT: Order! The Minister did not make that claim in his answer. In fact, he did the opposite. Supplementary questions should be used to seek elucidation of a part of an answer given by a Minister. That is not what the Hon. Walt Secord is doing. The supplementary question is out of order. I call the Hon. Robert Brown to ask his question.

The Hon. Walt Secord: The tape will show differently, honourable Donald.

The Hon. Trevor Khan: Point of order—

The PRESIDENT: Order! The Clerk will stop the clock.

The Hon. Trevor Khan: I take the same point of order as before. The Deputy Leader of the Opposition continues to sledge the Leader of the Government, including by referring to him by names other than his correct title.

The Hon. Adam Searle: To the point of order: On this occasion, the Deputy Leader of the Opposition and the Minister were talking to each other across the table.

The Hon. Trevor Khan: To the point of order: With respect to the Leader of the Opposition, that was not what was going on. The words used by the Deputy Leader of the Opposition were clearly in the nature of a threat being made to the—

The Hon. Lynda Voltz: That's an outrage.

The Hon. Trevor Khan: No, it is not an outrage.

The Hon. Lynda Voltz: To the point of order: For the member opposite to accuse the Deputy Leader of the Opposition of sledging the Minister and creating a threat simply by referring to him as the honourable Don—

The Hon. Walt Secord: Donald.

The Hon. Lynda Voltz: —or as the honourable Donald is hardly within the confines of what the Hon. Trevor Khan is saying. I ask that we be allowed to get on with question time.

The Hon. Trevor Khan: Further to the point of order: That is plainly a misrepresentation of what the Deputy Leader of the Opposition has said on this occasion and on previous occasions. It is clear what is going on.

The Hon. Walt Secord: To the point of order—

The PRESIDENT: Order! I will not hear further on the point of order because I do not want to take up too much time. I intend to reserve my ruling on the second part of the point of order by the Hon. Trevor Khan until I look at *Hansard*. I can assure the Deputy Leader of the Opposition that I clearly heard him use the term "honourable Donald". The Leader of the Government will be referred to by his correct titles: "Leader of the Government", "the Hon. Don Harwin" or "Minister". His correct title is not "Don", and saying "Donald" or "the honourable Donald" does not make it any better. All members will refer to each other by their correct titles. If members want to have private discussions, they will do so quietly. If I hear a discussion, it is no longer private.

KANGAROO MANAGEMENT PLAN

The Hon. ROBERT BROWN (14:44): In the absence of the Minister for Primary Industries, I direct my question to the Minister for Early Childhood Education, representing the Minister for Roads, Maritime and Freight. Is the Minister aware of the current high kangaroo population across New South Wales? Will the Minister advise the House, through the departmental process, how many accidents involving kangaroos and cars have been reported on New South Wales roads since the beginning of this year? I understand that the data is available.

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (14:45): As a country driver, I am certainly aware of the number of kangaroos on the roads. I have seen them whilst driving around my area of the north-west and in other parts of the State. I will refer the specifics of the honourable member's question to the Minister for Roads, Maritime and Freight for a response.

EARLY CHILDHOOD EDUCATION

The Hon. TREVOR KHAN (14:45): My question is addressed to the Minister for Early Childhood Education. Will the Minister update the House on how the Liberal-Nationals Government is supporting more qualified educators entering the early childhood education sector?

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (14:45): I thank the honourable member for his question and for his ongoing interest in the early childhood education sector, particularly because he is expecting to become a grandfather for a second time later this year. That will be exciting for him. Qualified early childhood teachers play a vital role in delivering quality early childhood education programs in services across the State. More often than not, early childhood teachers are a child's first non-parent educator. Skills instilled at this early age range from teaching a child how to spell his or her name to counting, as well as basic principles such as treating others as we wish to be treated. Passionate early childhood educators can help our youngest learners to find their own passions from the very start of their education.

To support our educators and encourage more to join the sector, the Liberal-Nationals Government provides scholarships to educators working in a range of services, including long day care centres, early intervention services, preschools and family day care centres. Since 2013, a total of 255 scholarships have been awarded across three programs: Rural and Remote Early Childhood Teaching Scholarships, Early Childhood Teaching Scholarships and Incentive Scholarships. In 2015, the Rural and Remote Early Childhood Teaching Scholarship program was announced to assist diploma-qualified educators working in rural and remote areas to upgrade their qualifications and become early childhood teachers. The Government has committed to provide 30 scholarships every year to the program until 2019. Recipients receive up to \$10,000 to assist with their study costs, including textbooks or other resources, travel costs, technology to support study, and course fees. The Rural and Remote Early Childhood Teaching Scholarships build on the Early Childhood Teaching Scholarships that were offered in 2013-14 to educators in all areas of New South Wales.

The scholarships assist in delivering several key strategic early childhood education policy objectives, including achieving universal access to early childhood education, supporting participation in early childhood education in rural and remote communities, and addressing the early childhood teacher skills shortage in rural and remote New South Wales. The Incentives Scholarship program was established to financially assist students to complete their early childhood education degrees. In December last year, 44 Incentive Scholarships were offered to rural and remote educators who have already commenced their early childhood education degrees. The scholarships assist diploma-qualified educators working in centre-based preschools, mobile preschools and long day care services in rural and remote areas to complete their studies. The scholars have been attaining high levels of achievement. I am aware of one recent example of a scholar who achieved distinctions and high distinctions throughout her degree. That is a reflection of the passion of the scholars and directly supports the objective of delivering high-quality early childhood education programs.

I am pleased to inform the House that 31 scholarship recipients have already graduated from their courses and are bringing their newly gained skills and knowledge back into the services where they are employed. In

addition, the Department of Education awarded 37 scholarships under the former Preschool Disability Support Program to community preschool teachers to help them undertake further study in early childhood special education. Under the new Disability and Inclusion Support Program, the Early Childhood Early Intervention Scholarship program will provide opportunities to early childhood professionals working in community preschools to increase their skills in special education studies.

The program is currently in development and further information will be provided later this year. I am pleased to announce that the Government awarded 13 scholarships of up to \$20,000 each this year to support Aboriginal students wishing to complete an early childhood education bachelor degree. These early childhood education scholarships have been developed to help address the shortage of Aboriginal early childhood teachers in New South Wales and ensure that children have access to inclusive and culturally appropriate education programs. I am proud to be part of a government that is delivering these scholarships and I congratulate all the recipients and commend them for their hard work.

LIQUOR AND GAMING INDUSTRY REGULATION

Mr JUSTIN FIELD (14:49): My question without notice is directed to the Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education, representing the Minister for Racing. Last week the Victorian Commission for Gambling and Liquor Regulation fined Crown Resorts \$300,000 for blanking poker machine buttons in its Melbourne casino to increase gaming machine profits. The commission is also investigating further allegations of poker machine tampering by Crown. Given the demonstrated preparedness of Crown Resorts to breach gaming regulations in Victoria, does the Government consider Crown to be a "suitable person" to hold a licence to operate a casino in New South Wales, as required under section 23 of the Casino Control Act?

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (14:50): The New South Wales Government is taking this issue seriously, given its potential impact on the regulation of casino operators in New South Wales. I am advised that Liquor and Gaming NSW and the Independent Liquor and Gaming Authority are currently considering the recent disciplinary findings by the Victorian regulator against Crown Melbourne relating to unauthorised blanking of plates on gaming machines. Liquor and Gaming NSW and the Independent Liquor and Gaming Authority will also monitor the Victorian regulator's investigation into further allegations relating to continuous play gaming machines and multiple loyalty cards issued to a poker machine player at Crown.

I am advised that the Independent Liquor and Gaming Authority is the independent decision-maker responsible for determining whether a person or company is suitable to be associated with the management and operation of a casino in New South Wales. I am advised that Crown Resorts has been subject to two comprehensive probity inquiries conducted on behalf of the Independent Liquor and Gaming Authority, one in 2012 when Crown applied to acquire more than 10 per cent of Echo Entertainment Group shares—Echo Entertainment Group was the operator of the Star casino—and one in 2013 when Crown Resorts lodged its application for a restricted gaming licence at Barangaroo. Based on those inquiries, the Independent Liquor and Gaming Authority formed the view that there was no information to suggest that Crown Resorts was not suitable to hold a licence in New South Wales.

It is open to the Independent Liquor and Gaming Authority to consider the suitability of a casino or restricted gaming facility licence holder at any time. I am advised that Crown Sydney will not be authorised to operate gaming machines at its Barangaroo facility. Notwithstanding that, the Government will consider any findings of the Independent Liquor and Gaming Authority on this matter. The Independent Liquor and Gaming Authority has a number of regulatory options available to it, including the cancellation or suspension of the licence, the imposition on the licensee of a pecuniary penalty of up to \$1 million, the amendment of the terms or conditions of the licence, or the issue of a letter of censure to the licensee.

POWERHOUSE MUSEUM RELOCATION

The Hon. ADAM SEARLE (14:52): My question is directed to the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts. I refer to the question I asked earlier today and ask: Did the Government conduct any modelling using the 7 per cent discount rate and, if so, did this deliver a benefit-cost ratio of less than one for the Powerhouse Museum move to Parramatta?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (14:53): I thank the Hon. Adam Searle for his additional question on this matter which is related. It will involve me seeking advice not only from my officials but also from officials of at least two other Ministers, so I will take his question on notice. The Hon. Adam Searle raised the issue of the benefit-cost ratio [BCR]. The

BCR is a good one—it is 1.02. It is positive and it shows that the benefits of the project exceed the cost of the project—a great outcome for a piece of cultural infrastructure.

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

The Hon. DON HARWIN: If every piece of cultural infrastructure in regional or metropolitan New South Wales had to have a BCR of greater than one to proceed a lot of cultural infrastructure projects would not proceed. The fact that the Powerhouse Museum relocation to Parramatta is above one is a great outcome and it speaks to the value of the project not only for the people of Western Sydney but also for the entire State. It is a great project. Having a cultural precinct on the riverbank at Parramatta is a great outcome for central Parramatta—the centre of the river city; the centre of the three cities that the Greater Sydney Commission is planning in Sydney. The transformation of the riverbank with the new museum and the art bridge connecting the new museum across the river to the redeveloped riverside theatres will be a tremendous uplift for central Parramatta.

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

The Hon. DON HARWIN: That is fantastic as well. This great proposal will help to activate that entire region and make central Parramatta a fantastic place.

The Hon. Greg Donnelly: Show us the business case.

The Hon. DON HARWIN: We are showing you the—

The PRESIDENT: Order! I call the Hon. Greg Donnelly to order for the first time. I remind the Minister not to respond to injections.

The Hon. DON HARWIN: The business case summary is a document well worth reading.

The Hon. Greg Donnelly: Summary!

The Hon. Scott Farlow: It is more than you ever did.

The Hon. DON HARWIN: It is more than the Labor Government ever did.

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

The Hon. DON HARWIN: The summary goes through, in some detail, the essential elements of the project that people want to know.

The PRESIDENT: Order! I call the Hon. Shaoquett Moselmane to order for the first time.

The Hon. DON HARWIN: It tells us about the strategic context, which is the background, and it tells us about the problem description—something that Opposition members like to gloss over. It seems that those opposite have a policy to keep the Powerhouse Museum at Ultimo, but we have heard nothing from them about what they propose to do with the museum at Ultimo. Are they proposing to not do anything with Ultimo to improve it, make it fit for purpose and get it into the condition that it needs to be in to fulfil its charter in the twenty-first century? We have not heard that yet. But we know that it will cost \$524 million to do that. [*Time expired.*]

MINERAL INDUSTRY

Mr SCOT MacDONALD (14:57): My question is addressed to the Minister for Resources. Will the Minister update the House on the role of Central Coast mineral extraction in the construction industry and are there any threats to this industry?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (14:57): I would be delighted to go into some detail about this. I thank Mr Scot MacDonald for his question. He is right on the money. I have often spoken in this place about the importance of minerals and the benefits that they bring to New South Wales. An often unrecognised but important mineral to this State is clay, which supplies local infrastructure projects such as housing, schools and hospitals. These construction resources are crucial to our domestic economy and are vital to the affordable delivery of housing and world-class infrastructure. Mr Scot MacDonald asked me about the Central Coast and I am delighted to inform him that the Central Coast plays a significant role in supplying the materials to meet this demand.

The PRESIDENT: The Clerk will stop the clock. The Minister will resume his seat. The microphone needs to be fixed as it has slipped down. The Minister has the call.

The Hon. DON HARWIN: A good example is the Boral clay mine in Wyee, where the clay from the mine is used in the adjacent factory to manufacture terracotta roof tiles. The Wyee roof tile factory is one of only two Australian terracotta roof tile plants and the only one in New South Wales. The factory has been supplying

roof tiles for building and development since 1988. It employs 45 local people, who are responsible for the production of an estimated nine million to 10 million roof tiles each year—enough to put a roof on thousands of new homes.

It is important to note that this State's only terracotta roof tile factory cannot continue to operate without access to the particular type of clay located at the adjacent mine, and this is the threat facing the industry. On two separate occasions in the other place, the Opposition has tried to have the factory's supply of clay shut down by bills introduced by the Labor Party and the member for Wyong. The Hon. Luke Foley even gave notice for a bill of the same name while he was a member of this House. And guess what: so has the Leader of the Opposition, the Hon. Adam Searle. He has done it again. The Wyong Special Area (Protection) Bill has been Labor policy since notice was first given by Luke Foley in 2014. Well, it is time for the Labor Party to fess up.

Mr Scot MacDonald: Point of order: I cannot hear the Minister's answer.

The PRESIDENT: Order! I call the Hon. Penny Sharpe to order for the second time. I call the Hon. Daniel Mookhey to order for the second time. For the benefit of members, I indicate the following: the Hon. Shayne Mallard is on one call to order, the Hon. Walt Secord is on one call to order, the Hon. Penny Sharpe is on two calls to order, the Hon. Daniel Mookhey is on two calls to order, the Hon. Lynda Voltz is on one call to order, the Hon. John Graham is on two calls to order, the Hon. Greg Donnelly is on two calls to order and the Hon. Shaoquett Moselmane is on one call to order. I do not want any member to think they are on one call to order when they are on two calls to order.

The Hon. DON HARWIN: It is time for the Labor Party to fess up. Did you set out to shut down the—

The Hon. Lynda Voltz: Point of order: It is outside standing orders for the Minister to elicit responses from Opposition members during questions without notice. I ask you to direct the Minister to address you through the Chair, rather than addressing members on this side.

The PRESIDENT: I have indicated previously—as have a number of my predecessors—that when addressing the Chair, an honourable member is not required to actually look at the Chair. What is important is that the member speaking is doing so by addressing the Chair. I believe the Minister was addressing the Chair. But I remind all Ministers that just as it is not in the interests of members to interject—as stated by then President Johnson in 1979—neither is it in the interest of a member speaking to encourage such interjections. I do not believe that that is what the Leader of the Government was doing, but I simply bring that to everyone's attention.

The Hon. DON HARWIN: It is time for Labor Party members to fess up. Did they deliberately intend to shut down the Boral Montoro Clay mine? Did they intend to put 45 locals out of work? Or was it just rank incompetence? They come into this House wanting to be the alternative government, yet they are putting 45 people out of work in the Hunter and Central Coast region by the provisions of the bill that they have put on the *Notice Paper*. It is just classic New South Wales Labor: thought-bubble policy without thinking through the consequences. That is not how this Government works. We consult and we make the right decisions for the people of New South Wales. Unlike those opposite, the Government supports the construction, manufacturing and supply industries and this Government supports jobs on the Central Coast.

NATIVE VEGETATION

Dr MEHREEN FARUQI (15:03): My question is directed to the Hon. Sarah Mitchell, representing the Minister for Primary Industries. How many thousand hectares of native vegetation have been cleared since the Local Land Services Amendment Act 2016 was enacted?

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (15:03): I thank the honourable member for her question.

The Hon. Lynda Voltz: Take a whack at it, Sarah.

The Hon. SARAH MITCHELL: I thank the Hon. Lynda Voltz for her help, but I will take that question on notice in the Minister's absence. I am sure that he will be back with an answer shortly.

POWERHOUSE MUSEUM RELOCATION

The Hon. COURTNEY HOUSSOS (15:04): My question is directed to the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts. Given the Powerhouse Museum benefit-cost ratio for option 3 had included modelling based on \$472.7 million in revenue, how much of that revenue was based on entry fees? What is the projected entry fee under this modelling?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (15:04): Again, the honourable member asked a question of some detail in relation to the cost-benefit analysis methodology.

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

The Hon. DON HARWIN: Like the previous two questions that have been asked of me on that issue, I am happy to take them on notice and obtain an answer for the honourable member as soon as I can.

The PRESIDENT: I remind all members that only the Chair gives directions in the Chamber, and no-one else. I am the Chair at the moment.

PRESCHOOL FUNDING

The Hon. CATHERINE CUSACK (15:05): 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 Government is supporting children from culturally and linguistically diverse backgrounds?

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (15:05): I thank the member for her question. As I have said in this House many times, this Government knows a quality early childhood education sets a child up for the rest of their school life and beyond. That is why the 2017-18 State budget invested an additional \$217 million over four years, ensuring that needs-based funding under the successful Start Strong reforms is continued. Under Start Strong, community preschools are required to pass at least 75 per cent of the increased funding to families by lowering their daily fees, with a focus on making preschool more affordable for families that need it most. These funding reforms mean that all children, regardless of their background or where they enrol, will have affordable access to 600 hours of quality early childhood education in the year before school. Children aged three or over from Aboriginal and low-income families receive the maximum base funding rate regardless of socio-economic band.

Under Start Strong, an additional English language loading is provided to improve access for children from culturally and linguistically diverse backgrounds. I am pleased to remind members of the House that because of this ongoing commitment to early childhood education, recent enrolment data published by the Australian Bureau of Statistics shows a significant increase in the proportion of Aboriginal children enrolled in early childhood education programs in the year before school. I am also pleased to report that as part of the Sector Development Program, this Government provides the Bicultural Support program to community preschools to assist with the inclusion of children from culturally and linguistically diverse, refugee and Aboriginal backgrounds. The program is delivered by the Ethnic Community Services Co-operative.

I visit many services and I often receive feedback that the demographics of our early childhood education students is always changing. Earlier this week, I visited the Christ Church St Ives Preschool with the member for Davidson, Jonathon O'Dea. After having the privilege of a tour of the service, we spoke with the director and educators for a little while to receive their direct feedback about the sector. One of the comments made was that services are seeing higher rates of children with English as their second language. So this Government is listening to the community, and Bicultural Support is just one way in which it is continuing to support the needs of New South Wales families.

Bicultural Support is a program designed to offer language and cultural assistance to children, families and educators to support inclusive cultural practice in preschools. The program benefits services by raising awareness of cultural practices, encouraging an inclusive approach among staff, and helping children to learn more about each other. It helps to ensure better communication between children, families, educators and services and supports children in their transition to school. This year, the Bicultural Support program is offered to all community preschools and is anticipated to provide support for children from culturally and linguistically diverse backgrounds in approximately 120 preschools.

The Government is also implementing the Ngroo Walking Together program, which provides a range of training, tools and resources to assist community preschools to increase enrolments of Aboriginal children. The Christ Church St Ives Pre-School Kindergarten is one that has signed up for the 2018 round of the Ngroo Walking Together program because, as the director told me when I visited the centre this week, she received positive feedback about the program from other colleagues in the sector, who also want to take part. Currently the Walking Together program is being delivered in 235 community preschools across New South Wales, predominantly in regional and remote areas. This year long day care centres were invited to participate, with 149 services opting to take part in the program.

It is incredibly positive to see the increased uptake in Ngroo and reflects on the Government's commitment to ensuring quality and culturally inclusive early childhood education for all of our State's children. The success of the implementation of these reforms shows how we are continuing to deliver more affordable and quality child care to families and kids who need it most. [*Time expired.*]

HUNTER WATER CONSUMPTION

Mr JUSTIN FIELD (15:10): In directing my question without notice to the Minister for Resources, Minister for Energy and Utilities, Minister for the Arts, I refer to the Hunter Water website's acknowledgement that individual water use in the Hunter Water region is more than 10 per cent greater than that of the national average, and I ask: Why?

The PRESIDENT: Order! I call the Hon. Courtney Houssos to order for the first time. The Minister has the call.

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (15:10): I thank Mr Justin Field for his question. For a very long time Hunter Water has been a leader in bringing down levels of water consumption. One of the things that is most impressive about Hunter Water is the way it has been able to manage, over a very long period, to defer the need for large-scale storage assets to be built. That is because of the approach Hunter Water has adopted to water pricing and its approach to encouraging water-wise habits among consumers.

The Hon. Catherine Cusack: Hear, hear!

The Hon. DON HARWIN: The Hon. Catherine Cusack has been a member of this House for a long time and, like me and other members, will remember the many discussions held in this Chamber about the Tillegra dam proposal. Just after I had left university and started working in Parliament House as a staffer—more than 30 years ago—Tillegra dam was an issue. To give credit where it is due, the proposal started under the Wran-Unsworth Labor Government, which encouraged Hunter Water to adopt a much more sensible approach to water pricing and to encouraging prudent water use. By virtue of that, the Greiner Government was able to defer the Tillegra dam proposal. Subsequent governments, such as the Carr Government and the other three Premiers that followed it, also were able to do that. Because Hunter Water has been sensible about the volume of water consumed, there is no proposal for the current Government to build that dam.

Hunter Water is one of the oldest water utilities in Australia. It has a historical system, which is very interesting. There is a connection from Chichester Dam right down through the Tomago sand beds to the Grahamstown Dam, through the Hunter and to the ocean outfalls. Despite being an interesting system, it is an old system and it has a slightly larger problem with water leakage than do some of the other urban water authorities around Australia. Nevertheless, Hunter Water performs well and has one of the nation's lowest average annual bills for water and wastewater services.

On 7 March 2018 the Commonwealth Bureau of Meteorology published a national performance report that compares 20 water utilities across 20 indicators covering the areas of water resources, pricing, finance, customers, assets, environment and health. Hunter Water is performing very strongly against its peers with the third-lowest typical bill of all the major Australian water utilities of \$1,119 per household in 2016-17. It also boasts the lowest operating costs in Australia for operation, maintenance and administration expenses. The report highlights recent improvements in performance, including a 35 per cent decrease in complaints and an 8 per cent decrease in leakage, which is a very good thing. [*Time expired.*]

TWEED HOSPITAL

The Hon. WALT SECORD (15:14): My question without notice is directed to the Minister for Early Education, Minister for Aboriginal Affairs, and Assistant Minister for Education, representing the Minister for Health, and Minister for Medical Research. Given the recent public outcry concerning the Berejiklian Government's decision to select State significant farmland for the site of the new Tweed Hospital, does the Minister stand by his Government's decision to hire security guards for a community meeting later this month, which will be attended by the member for Tweed, Geoff Provost? Does the Government anticipate violence from protesting local pensioners and farmers? Is the use of security guards in the true spirit of respectful community engagement?

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (15:15): I thank the Hon. Walt Secord for his question directed to me and asked of Minister Blair, who represents the Minister for Health, and Minister for Medical Research, Mr Hazzard, in this House. I will take the question on notice and come back to the member with an answer.

ARTS AND CULTURAL DEVELOPMENT

The Hon. TAYLOR MARTIN (15:15): My question is addressed to the Minister for the Arts. Will the Minister update the House on how the New South Wales Government is supporting arts and culture across Sydney and Newcastle?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (15:16): I thank the Hon. Taylor Martin for his question. I know that he is a great supporter of the arts in New South Wales, particularly Maitland where we both visited cultural venues. This Government has provided record funding for arts, screen and culture, but support for the arts is not always about announcements of significant iconic cultural infrastructure—although we have made plenty of those. Sometimes it is the small upgrades to capital that go a long way. The New South Wales Government continues to value and support the sector with funding of \$350,000 being provided to 14 organisations across metropolitan Sydney, Western Sydney and Newcastle. Known as the Creative Capital program, the funding is designed to support the smaller-scale capital infrastructure projects in local communities that might otherwise not receive funding.

Creative Capital enables matched funding of up to \$60,000 to be provided to improve venues, repair and conserve collections, or to buy new equipment to improve the use of those wonderful facilities. I am proud to say that Creative Capital funding means that a number of important projects will now be realised, including the purchase of two new Woodrow kilns for the Newcastle Studio Potters for \$15,000; the fit-out of four new studio spaces at the Auburn arts centre for \$20,000; and the purchase of audiovisual equipment for the Blacktown arts centre for \$38,000; and the creation and installation of a bespoke arts storage hanging system for Penrith Performing and Visual Arts Ltd that provides an industry-standard and conservation-approved storage facility as well as a hydraulic lift for the safe storage and handling of collection items for \$49,000. In addition, there is funding of \$60,000 for a new purpose-built arts and community facility at the Shopfront Theatre for Young People at Carlton and funding of \$60,000 for upgrading the Ensemble Theatre to ensure that it meets accessibility standards.

Each of the 14 organisations awarded provides a valuable cultural offering to their local community. The New South Wales Government continues to show its strong support for the arts and cultural sector. The Creative Capital program is just one example of that support. The Government knows that getting people interested in the arts sometimes is about small gestures, such as making it easier for more people to make their way to the theatre or for the public to have a more interactive experience in artistic spaces. This Government's investment yields a high return for the sector and wider community and boosts capacity and public engagement across our cultural hubs. It also helps increase cultural participation and brings the additional benefits of jobs, regeneration of the sector and cultural tourism. It is because of this Government's strong record of financial management that we can afford to continually invest in arts, screen and culture.

I conclude by congratulating every one of the 14 worthy recipients of this round of Creative Capital funding and thanking them for their contribution to the cultural fabric of New South Wales. I particularly mention the Shopfront Theatre at Carlton, which has been a contributor to the cultural landscape for a very long time. I remember visiting it when I was a student at the St George Centre. The Shopfront Theatre makes a great contribution to kids in southern Sydney and to our wider cultural landscape. [*Time expired.*]

OBESITY

The Hon. PAUL GREEN (15:20): My question without notice is directed to the Minister for Early Childhood Education, the Hon. Sarah Mitchell, representing the Minister for Primary Industries who represents the Minister for Health. *ABC News* reported that Australia is now one of the fattest nations on Earth. Sixty per cent of us are overweight or obese and by 2025 that figure will rise to 80 per cent. Is the Minister aware of the collective power of weight loss? In 2011 members of an American church congregation together lost more than 113.4 tonnes. This is approximately equivalent to the weight of one Boeing 757-200. What is the Government doing to tackle this growing concern, particularly the potential development of long-term health risks that can lead to a greater burden on our healthcare system?

The Hon. SARAH MITCHELL (Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (15:21): I thank the honourable member for his question, which is about a serious issue that he is interested in. I will take the question on notice and refer it to the Minister for Health. I have no doubt that the member will receive a prompt answer with the information that he is after.

POWERHOUSE MUSEUM RELOCATION

The Hon. PETER PRIMROSE (15:21): My question without notice is directed to the Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts, the Hon. Don Thomas Harwin, member of the Legislative Council [MLC], Bachelor of Economics with honours. Given that option three of the

Powerhouse business case summary valued so-called consumer benefits at \$466.6 million, what percentage of this amount is considered intangible or soft benefits? Will the Minister now release the full modelling behind these consumer benefits?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (15:22): Let us be clear about what is happening here this afternoon. Australian Labor Party [ALP] members do not like it when we catch them out. Yesterday, ALP members came into this Chamber and said that the cost of the Powerhouse Museum will be \$1.179 billion. They were wrong, as I demonstrated to the House in a detailed supplementary answer.

The Hon. Courtney Houssos: Point of order: The question specifically asked about the business case of the Powerhouse Museum. The Leader of the Government is debating the question instead of answering it.

The PRESIDENT: I do not believe the Minister was debating the question. I believe he was being generally relevant. I do not uphold the point of order.

The Hon. DON HARWIN: As I was saying, I went through—in some detail—the costs in table 1 of the business case summary and explained certain elements of it. The Hon. Peter Thomas Primrose, Bachelor of Social Studies at Sydney University—I note that we share both a middle name and an alma mater—and other members of the Opposition have today decided to go to the other half of the cost-benefit analysis and ask a number of questions of immense detail rather than dealing with the real question before the House. That question is: Where do they stand and why have they flip-flopped?

The Hon. Daniel Mookhey: Point of order: The Minister is now answering a question that was not asked of him. He prefaced it with a description of the question that he should have been asked. This leads me to conclude that he is debating the question and not answering it.

The PRESIDENT: I do not think that is the case. I ask the Hon. Peter Primrose to provide me with a copy of his question. I believe the Minister was being generally relevant.

The Hon. DON HARWIN: As I was saying, the Labor Party should be telling us what it proposes to do at Parramatta. If it proposes to keep the Powerhouse Museum at Ultimo, it needs to come to terms with—

The Hon. Greg Donnelly: Point of order: The Minister is answering his question by asking a question about the Labor Party's position. That cannot possibly be an answer to the original question. Please encourage him to focus on answering the question that was asked of him.

The PRESIDENT: I was not able to listen to everything the Minister was saying because I was unfortunately focusing on the interjections of the Hon. Walt Secord. I almost called him to order for the third time. I will not rule on the point of order. I ask the Minister to be generally relevant. I accept in good faith what the Hon. Greg Donnelly was saying. I indicate to the Hon. Walt Secord that there will be no further warnings.

The Hon. DON HARWIN: To assist, I will focus entirely on table 1 in the business case summary. The Opposition has been asking questions about the benefits section of that document, and I will address that. The business case quantifies both the capital and operating cost impacts of each option. These costs fall into the following categories: construction costs, which are estimated for each option by expert advisers Rider Levett Bucknall, with appropriate contingencies and allowances for risks and client-side costs; capital cost variances between the options are driven largely by differences in floor space requirements; life cycle costs are the costs associated with—

The Hon. John Graham: Why are you discounting these less than any other project—

The Hon. DON HARWIN: I beg your pardon?

The Hon. John Graham: Why are you discounting these less than any other project that the Government has built since 1989?

The PRESIDENT: Order! I call the Hon. John Graham to order for the third time. In accordance with Standing Order 192, I direct the Usher of the Black Rod to remove the member from the Chamber. The member is excluded until 4.30 p.m.

[Pursuant to standing order the Hon. John Graham left the Chamber, accompanied by the Usher of the Black Rod.]

The Hon. DON HARWIN: As I was saying, yesterday there was a focus on costs and today there is a focus on benefits. The business case seeks to quantify the following categories of benefits for the project: consumer benefits are the forecast benefits, expressed in monetary terms, that will accrue to residents of New

South Wales who will visit the new museum. They are based on willingness-to-pay surveys of community attitudes. The business case also focuses on producer benefits.

The Hon. Daniel Mookhey: What about intangible benefits?

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

The Hon. DON HARWIN: If you know the answer why are you asking the question?

The PRESIDENT: Order! The Minister will resume his seat. I call the Hon. Daniel Mookhey to order for the third time. In accordance with Standing Order 192, I direct the Usher of the Black Rod to remove the Hon. Daniel Mookhey from the Chamber. The member is excluded from the Chamber until 4.30 p.m.

[Pursuant to standing order the Hon. Daniel Mookhey left the Chamber, accompanied by the Usher of the Black Rod.]

The PRESIDENT: Order! I call the Hon. Natalie Ward to order for the first time. The Minister has the call.

The Hon. DON HARWIN: There was a particular focus on the revenue benefits. The extra tax revenue earned directly by government as a result of the projected increase in visitors, funds which the Museum of Applied Arts and Sciences [MAAS] is expected to raise in donations through business sponsorships and endowments to help finance the construction of the project, and the anticipated financial benefit of being able to divest a portion of the riverbank site in Parramatta and of the MAAS's property at Ultimo to facilitate residential and commercial development, is all factored in. *[Time expired.]*

The Hon. PETER PRIMROSE (15:30): I ask a supplementary question. I thank the Minister for reading his answer. Would the Minister please elucidate the components of the consumer benefits that he spoke about?

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (15:30): I can but I would refer him to my previous answer.

The time for questions has expired. If members have further questions I suggest they place them on notice.

POWERHOUSE MUSEUM RELOCATION

The Hon. DON HARWIN (Minister for Resources, Minister for Energy and Utilities, and Minister for the Arts) (15:31): I have an additional response to a supplementary question asked of me by Mr David Shoebridge yesterday. I can advise I have met with no developers or theatre operators regarding the Ultimo or Parramatta sites since my last disclosure, which covered the period—

The PRESIDENT: Order! Government members should cease their conversations whilst their Minister is answering a question.

The Hon. DON HARWIN: I advise that I have met with no developers or theatre operators regarding the Ultimo or Parramatta sites since my last disclosure, which covered the period of January to March.

Bills

ROAD TRANSPORT LEGISLATION AMENDMENT (ROAD SAFETY) BILL 2018

Second Reading Debate

Debate resumed from an earlier hour.

The Hon. LOU AMATO (15:32): I speak in debate on the Road Transport Legislation Amendment (Road Safety) Bill 2018. I agree with the principles of the bill but we must be mindful of not becoming a nanny State where we overly legislate in a vain attempt to eradicate all the ills of society. No matter how much legislation we enact, we can never arrive at a perfect society. Some of the legislation has the effect of encroaching upon the civil liberties of the people of this State. With freedom comes risk. Since the mitigation of all risk is beyond the scope of legislation, we must be careful not to diminish the civil liberties of our people. We do not want a State where every action a person takes requires them to ask the question: Does the Government permit what I am about to do? We must allow for the natural law of reasonable behaviour, which is imprinted within the hearts of the people, to prevail.

I am concerned that there are people who may have suffered a mild stroke, have a speech impairment or perhaps a mild intellectual disability who may be falsely arrested and suffer the humiliation of being subjected to a urine and blood test. I support the Road Transport Legislation Amendment (Road Safety) Bill 2018. We have

to make our roads safer for road users and take drug-affected drivers off our roads. It is our duty to do so. An increase in fines, terms of imprisonment and licence disqualification periods for driving under the influence offences in this bill means that drug-drivers who put their lives and other's at risk can expect a tough penalty, and so they should.

These key penalties will now reflect those applied to the highest range drink-driving, first and repeat offences. This means that for a first driving under the influence offence, a maximum penalty of 30 penalty units—currently \$3,300 or imprisonment of 18 months, or both—may be ordered by the court. In addition, an automatic licence disqualification period of three years would apply. The court may also impose a longer or shorter period of qualification, rather than the automatic period. However, it must not be shorter than 12 months. In the case of a second or subsequent offence, 50 penalty units—currently \$5,500, or imprisonment for two years, or both—may be ordered by the court. An automatic licence disqualification period of five years, with a minimum period of two years, would apply.

There is misinformation in the community where people believe that drivers who are impaired because they have misused pharmaceutical drugs such as painkillers cannot be detected and therefore penalties are not enforced by police. This needs to be clarified. The offence of driving under the influence can apply to drivers who have been detected at the roadside because they are showing signs of impairment. NSW Police are trained to detect signs of impairment in drivers. Under the current procedures in the Road Transport Act 2013 police can arrest drivers reasonably suspected of being under the influence and take them to a hospital for a blood and urine test. Blood and urine testing can identify if the impairment was due to an illegal drug, a prescription drug or a combination of drugs. This includes different types of benzodiazepines, painkillers such as codeine, morphine and oxycodone, and other drugs including methadone, ketamine, lysergic acid diethylamide [LSD] and heroin.

On 15 January this year the Premier announced a review is underway to identify appropriate restrictions and safeguards to reduce the risk of driving while impaired by prescription drugs. The review will consider existing guidelines and policies and includes consultation with police, road safety and health experts. The measures will balance the safety of drivers on the road with the needs of people taking prescription medication. Any driver who takes a substance that carries a warning or is prescribed or recommended a new product by their doctor or pharmacist can take simple steps to check how this may affect their driving. Most medications clearly state not to drive or operate machinery while under the influence. These amendments, paired with other initiatives in the Road Safety Plan 2021, will send a clear message that regardless of what substance has been used it is the responsibility of the driver to remove himself or herself from the road if they may be impaired and have an accident that may kill or maim somebody. It is everybody's responsibility. I commend the bill to the House.

The Hon. COURTNEY HOUSSOS (15:38): I speak briefly on the Road Transport Legislation Amendment (Road Safety) Bill 2018. I indicate at the outset that Labor will be supporting this bill. Too many lives are lost on our roads and there was an horrific road toll over the Christmas period. As the shadow Minister noted, for the first time in recent years the road toll has increased. This is very concerning for all members of this place and for many members of the community. Earlier this week a learner driver passed away next to her father in tragic circumstances. I will not comment on the specific circumstances because I understand that the investigation is ongoing. These stories stay with one and affect those families for years and lifetimes after these tragic accidents occur. Others have spoken about the provisions dealing with drug testing. It is only appropriate that we increase the maximum penalties for driving under the influence of drugs to reflect the maximum fines, prison terms and disqualification periods available and applied to high-range drink-driving offences.

I will address my comments specifically to the camera-based enforcement provisions in the bill. While I support any measures that will make our roads safer and reduce the road toll, I am interested in the way that traffic cameras are used and the provisions that apply to them. I acknowledge that this is a policy issue and that it is not part of the legislation. However, I believe it is important to address it in this place because doing so will provide direction in implementing the legislation. When enforcing camera-based provisions, whether it be in respect of mobile phones or speeding, it is important that we understand that the purpose of doing so is not solely revenue raising. Traffic cameras are designed to improve driving behaviour, which will in turn reduce the road toll. If we are serious about doing that and not simply revenue raising, we must ensure that appropriate signage is visible. I wholeheartedly support the use of traffic cameras, and we should utilise every available technology to make our roads safer.

As much as we debate this issue in this place, as many stories as we see in the local media, and as much awareness raising that we do as members of Parliament, the reality is that it is not until drivers see signs warning of traffic cameras that many of them will be aware of a change in the legislation. Given that, it is essential that the signage be provided. As I said, I understand that this issue is not specifically covered by the legislation, but it is important that we place it on the record. Reducing the road toll has bipartisan support. We do not want to see

families losing loved ones on the road. We want to change drivers' behaviour and we should do so using all the technology at our fingertips; we should not simply use it to raise revenue.

The shadow Minister raised privacy concerns, and I share those concerns. We must carefully consider the way we use the images and the data that are retrieved, and the Privacy Commissioner is an appropriate person to consult on that issue. As I said, the Labor Opposition will support the legislation because it wants safer roads, and we must do everything we can to ensure that everyone gets home safely.

The Hon. PAUL GREEN (15:42): The purpose of the Road Transport Legislation Amendment (Road Safety) Bill 2018 is to amend road transport law to address drug-driving and driver distraction on New South Wales roads. The bill implements legislative reforms that form part of the Government's Road Safety Plan 2021. The plan was launched by the Premier and the Minister for Roads, Maritime and Freight on 6 February 2018, and includes targeted and proven initiatives that will help us progress towards our road safety goals by addressing key trends, risks and the types of crashes occurring on our roads.

Mr Shoebridge has been passionate about random breath testing and sniffer dogs for years. On this occasion we are dealing with roadside oral fluid testing for cocaine because cocaine can impair the skills required for safe driving. The bill will amend the definition of "prescribed illicit drug" in the Road Transport Act 2013 to include cocaine in addition to the three drugs currently tested—THC-cannabis, speed and ice, and ecstasy. The effect of this will be to extend the powers relating to random oral fluid testing at the roadside to include cocaine. This will enable analysis of drug samples and establish an offence for driving with cocaine present in oral fluid. Mr Shoebridge reasonably suggested that other schedule 8 drugs could impair driving more than cocaine. It was fair of him to note that some of those drugs will be waved through because they will not be the subject of testing and that they could do more damage. Technology is constantly improving and I believe that in time those substances will be included in the testing regime to ensure that drivers are accountable.

The bill increases the maximum penalties for driving under the influence to reflect maximum fines, prison terms and disqualification periods available to the court and applied to high-range drink-driving offences. For a first offence, the maximum penalty is 30 penalty units or imprisonment for 18 months or both, and an automatic licence disqualification for three years. In the case of a second or subsequent offence, the maximum penalty is 50 penalty units or imprisonment for two years or both, and an automatic licence disqualification for five years. The bill also provides police with the ability to issue a 48-hour driving prohibition to a driver arrested and to require the driver to undergo blood and urine tests for suspected impaired driving, and to issue a licence suspension notice to a driver charged with driving under the influence.

A terrible multiple-fatality crash occurred on the South Coast over the Christmas holidays. Like many others, the Falkholt family was travelling to a Christmas celebration in their car, which was packed with presents, but they never arrived. I understand that the driver of the other car involved in the accident was not only a repeat offender who was dealing with many legal issues but also under the influence of drugs. That accident was a demonstration of the ultimate impact of driving under the influence. The price the Falkholt family paid was abhorrent. Four members of the family have been taken from our community and from their families. These deaths make no sense. As at November 2017, there were 1,094 deaths on Australian roads. That is a huge number of people no longer going home to sit at their dining table.

The advances being made in communications technology are creating many challenges in motor vehicles. Drivers are being distracted by various pieces of technology that draw their attention away from the road. No-one is immune if they hear a device beeping or ringing in their car. It is extremely difficult to fight the urge to respond. However, answering an SMS, an email or taking a phone call can result in someone losing their life. The message is to get your hands off it, leave it alone and be hands-free. Some of the Bluetooth technologies are helping with that. Camera-based enforcement of mobile phone use backs up the previous comment about keeping your hands off it, because the camera will catch you.

The bill enables the use of camera-based technology to enforce mobile phone offences, and places New South Wales in a position to be an early adopter of emerging technology. The amendments will allow enforcement devices that photograph mobile phone use offences to be approved, and include mobile phone offences within the definition of a "detectable traffic offence". Evidence of a mobile phone offence obtained by an approved traffic enforcement device will be admissible in court proceedings and so-called "owner onus" provisions will apply. Amendments are also made to the Transport Administration Act 1988. Fines from camera-detected mobile phone offences will be paid into the Community Road Safety Fund, as are speed camera fines.

I recently test drove a car and it had a merging lane detector, sensors to prevent a car going close to another car, and could set a limit for cruise and non-cruise control. The technology in cars these days is incredible. One would hope these in-car technologies will equal fewer fatalities on roads. As a person who drives frequently, it is concerning to see so many P-platers who still have not got the message not to text whilst driving. Every two

or three cars I pass have a P-plate. It is unbelievable how many drivers of those cars are looking down into their lap and texting as they drive. I do not know what the answer is, other than to ban mobile phones from being operational in a P-plater's car, except for an emergency number being able to be used. P-platers need to be able to contact their folks or an emergency service if something goes wrong. The ability to ban mobile phones being used by P-platers whilst they are driving would go a long way to saving a few young lives. The bill will be added to over time as technology progresses to test for other drugs and oral fluids to ensure that drivers are driving to their optimum potential. I commend the bill to the House.

The Hon. WES FANG (15:42): Drug-driving is a key factor in deaths on country roads across New South Wales. In the 2016-17 financial year there were 58 fatalities from crashes involving a motorist with an illicit drug present in their system in country New South Wales. This represents 23 per cent of all fatalities that occurred on country roads in that period. Fatalities from crashes involving motorists with an illicit drug present have almost doubled in country areas over the past three financial years. It is increasingly important to implement new and enhanced measures to deter and detect drug-drivers, and the measures outlined in the bill will do just that. As announced by the Premier in January, the roadside mobile drug testing program will progressively increase over the next three years to up to 200,000 tests by the end of 2020. This will more than double the current number of mobile drug tests that are carried out in New South Wales. As somebody who has the heart of rural and regional New South Wales in mind, I commend the bill to the House.

The Hon. SCOTT FARLOW (15:54): I raise some of the points that have been outlined about the road toll. We have seen a creeping road toll and the Government does nothing to hide that. Unfortunately, we have seen in the last 12 months 411 deaths on the road, which is tragic. One death is one too many. I note the road toll has reduced significantly over the years as a result of certain measures that have been put in place. No doubt this legislation has the same intent. In 1979 the fatality rate was 28.9 per 100,000 of population, which was reduced to 4.1 per 100,000 of population in 2014. That did not happen of its own accord. There have been challenges that have occurred at every step of the way. Governments have responded with legislation, whether it be the introduction of random breath testing to changes in responses to road safety such as the introduction of mandatory seatbelts. This bill is part of that response.

As the deputy chair of the StaySafe Committee I noted that distracted driving is becoming more of an issue. The bill gives authorisation for the use of devices that have been developed to enforce offences relating to the use of mobile phones whilst driving. Mobile phone use is not necessarily highlighted in some of the road crash statistics, because there are other factors to blame. It is known that mobile phone use in vehicles has increased. As phones are equipped with not only telephone call and SMS messaging capability but also smartphone technology, drivers are being pulled over for watching videos, and conversing on Facebook and Snapchat. Mobile phone use is changing and the Government is addressing that with the bill.

It is surprising that drug-driving offences have not incurred the same penalties as high-range drink-driving before now. The bill captures the changes in the way people drive and under what influence. The Government is addressing the increased road toll and hopes to return to a record low road toll. We want a zero road toll in New South Wales. One life lost on our roads is one too many. I commend the bill to the House.

The Hon. BEN FRANKLIN (15:57): On behalf of the Hon. Niall Blair: In reply: I thank honourable members for their contribution: the Hon. Penny Sharpe, Mr David Shoebridge, the Hon. Lou Amato, the Hon. Courtney Houssos, the Hon. Paul Green, the Hon. Wes Fang and the Hon. Scott Farlow. I address some particular matters that have been raised in debate predominantly by members of the Opposition and The Greens. The first is the issue regarding privacy. As outlined by the Minister in the other place, exemption provisions are already included in the Privacy and Personal Information Protection Act 1998. They mean that Roads and Maritime Services is able to capture and use photographs for the purpose of law enforcement, including road safety offences. I reinforce that all photographs are now, and in the future will be, used solely for law enforcement purposes and tightly controlled. This includes encryption and secure transfer of information from cameras and between Roads and Maritime Services and Revenue NSW. When a robust, viable product is identified in the market, a privacy assessment involving the Privacy Commissioner will be completed before a device is gazetted for use.

The community wants safer roads and better driver behaviour. Of those surveyed, 74 per cent support the use of cameras to enforce illegal mobile phone use. We need to embrace this new technology, and what we are proposing is world leading. But let me be clear, the Government has committed that the technology will only be approved and gazetted for use once it meets the required standards. The Government has outlined that the technology will be trialled to determine its effectiveness. Following the trial, a review will be undertaken prior to any expansion of the technology's use. This review will consider all aspects of the technology, including privacy matters. This Government is embracing technology and identifying new solutions to improve road safety. The

Government will take the required steps to ensure that the technology is used appropriately and as expected by the community.

I will address comments made about the inclusion of cocaine in the mobile drug testing [MDT] program. The length of time a drug can be detected by a roadside mobile drug test depends on the amount taken, the frequency of use of the drug and other factors that vary between individuals. I am advised that after use the detection of cocaine in oral fluid would not typically be expected to exceed 12 hours, with 24 hours considered a likely outer limit. However, this is an indication only and is not legal advice. It should not be relied upon in court and is not intended to indicate that a driver will be fit or safe to drive after this time.

Cocaine is an illegal drug. There are no certainties about the concentration or content of what is consumed, in addition to the factors that vary between individuals. The message is simple: a person should not use illegal drugs and get behind the wheel of a car. The community can have a high level of confidence in the screening for the MDT program. Of all drivers who test positive to the current screening device at the roadside, around 97 per cent are confirmed positive when their sample is analysed at the laboratory. A driver is only charged with an offence if the laboratory confirms the result from the roadside screening test.

The current primary roadside drug screening device used by the NSW Police Force, the DrugWipe Twin, is not capable of detecting cocaine in a driver's oral fluid, saliva. A new device will be required. All oral fluid test devices need to be capable of indicating the presence of any prescribed illicit drug in a person's oral fluid and meet the appropriate standard. A potential device, also manufactured by DrugWipe, which incorporates cocaine detection as well as the drugs currently detected by MDT has been identified by police. The device has passed preliminary testing to the regulatory standard and Transport for NSW's Centre for Road Safety is working with the NSW Police Force and NSW Health to finalise testing. If the device meets the regulatory standard, it will be recommended for approval by the Governor and published in the *Government Gazette*, in line with the requirements in the Act.

Before closing, I want to highlight the importance of this bill in improving the safety of our roads for everyone in our community. Drug-driving reforms are the critical next step in strengthening our framework for enforcing, penalising and ultimately deterring drug-driving so that we can save lives. Penalties for the offence of driving under the influence—fines, terms of imprisonment and licence disqualification—will now align to those typically applied for high-range drink-driving. This is consistent with community expectation and means that courts will have more options to impose significant penalties for offenders who put themselves and others at risk by driving impaired. Police will also have clear powers to take drug-impaired drivers off the road immediately after an alleged offence and ensure licence suspension is available when a driver is charged, which is the case for high-range drink-driving.

By adding cocaine to the oral fluid testing regime, the bill ensures that this drug is treated the same as other illegal drugs that have the potential to impair the skills required for safe driving. This measure provides another deterrent. It sends a clear message that if someone takes the risk of getting behind the wheel after using, the person can be caught anywhere, anytime. Timing the delivery of this initiative with the expansion of the roadside mobile drug testing program and other measures in this bill provide a chance to deliver the change cost effectively. Like other States and Territories across Australia, New South Wales has a zero tolerance approach to driving after illegal drug use and has enforcement measures in place to deter and detect people who drive while impaired by both illegal and prescription drugs. The two-phase approach that we have to deter drivers and enforce laws by having both presence and driving under the influence offences is a key strength of this State's approach to reduce drug-driving trauma.

The bill will allow New South Wales to be a leader in testing and implementing camera enforcement of mobile phone offences. This technology is only just emerging and limited trialling has been completed to date. The initiative is in addition to and will reinforce our tough penalties and bans on all novice drivers using mobile phones while driving. Only devices that can meet robust standards and are efficient and effective solutions that support enforcement of mobile phone rules by New South Wales police will be further considered. The measures proposed in the bill are the first legislative initiatives of the Government's Road Safety Plan 2021. They do not stand alone but are supported by a comprehensive suite of ongoing and new initiatives to improve the safety of our roads, encourage safer vehicle uptake and educate and enforce drivers to deliver a safe road transport system. I commend the bill to the House.

The DEPUTY PRESIDENT (The Hon. Trevor Khan): The question is that this bill be now read a second time.

Motion agreed to.

Third Reading

The Hon. BEN FRANKLIN: On behalf of the Hon. Niall Blair: I move:

That this bill be now read a third time.

Motion agreed to.

TRANSPORT ADMINISTRATION AMENDMENT (SYDNEY METRO) BILL 2018**First Reading**

Bill received from the Legislative Assembly, and read a first time and ordered to be printed on motion by the Hon. Don Harwin.

The Hon. DON HARWIN: I move:

That standing orders be suspended to allow the passing of the bill through all its remaining stages during the present or any one sitting of the House.

Motion agreed to.

The Hon. DON HARWIN: I move:

That the second reading of the bill stand an order of the day for a future day.

Motion agreed to.

*Budget***BUDGET ESTIMATES AND RELATED PAPERS 2017-2018**

Debate resumed from 11 April 2018.

The Hon. DAVID CLARKE (16:08): I am pleased to be able to speak in this budget estimates take-note debate because it provides the opportunity to highlight that New South Wales is now the best economically performing State in all of Australia. The 2017-18 State budget continues our State's economic growth, which has been gathering steam since the Coalition's victory in 2011 and is bringing to an end 16 years of Labor's catastrophic mismanagement, with its overlays of corruption, incompetence, neglect and decay.

It has always been the case in Australia that Labor governments have been incapable of providing proper economic management. It has always been the cardinal rule of Australian politics that Labor governments destroy economies, whether State or Federal, and Coalition governments are then left to rebuild the wreckage that has been left behind. This has certainly proved to be the case in New South Wales, where Labor's 16 years of economic disasters were brought to an end with the Coalition electoral victory in 2011.

Over the past seven years under the Coalition Government, New South Wales has once again become the premier State and now leads all States in economic growth, stability and good governance. This is not only rhetoric but fact and is borne out by the latest budget figures. In 2016-17 the budget surplus was \$4.5 billion; in 2017-18 there will be a surplus of \$2.7 billion; and for the next four years after that an average \$2 billion surplus is expected. Our net debt was projected to be negative \$7.8 billion at the end of 2016-17, the lowest since records began in 1996-97. As a percentage of gross State product, net debt is forecast to remain lower than all other mainland States over the next four years. As a result of Coalition policies, the State's annual growth in net worth will be 8.5 per cent over the next four years—higher than any other mainland State.

While New South Wales is in great financial shape, Labor States are floundering under increasing debt. What a shame that as a result of an equitable application of the goods and services tax [GST] our State is subsidising other States that are wallowing under dead-beat Labor governments. New South Wales is carrying these decaying and moribund Labor-controlled States on its shoulders. This inequity in the GST process needs to be addressed once and for all. All reputable economists agree that New South Wales, with its sound financial management under the Coalition, leads the way forward for Australia. We have a triple-A credit rating, the lowest unemployment rate in Australia, the fastest growing wages, record level housing construction, and business investment that is growing faster than in any other State. Over the last year there was an increase in business investment of 5 per cent, whereas in the rest of Australia there was a fall of 10 per cent.

Under the Coalition Government, New South Wales is experiencing the greatest growth in its infrastructure ever; it is certainly greater than any other State. No wonder polls show that business confidence is higher in this State than in Australia as a whole. During Labor's pitiful 16 years in government, it promised infrastructure growth but delivered only hype and spin. Now, under the New South Wales Coalition Government, the people of the State are seeing with their own eyes massive infrastructure projects being rolled out in greater numbers than ever before.

The Hon. Dr Peter Phelps: Thank you, Dom Perrottet.

The Hon. DAVID CLARKE: Thank you, Dom Perrottet, indeed. Under the Coalition Government New South Wales is on the move again and is now the undisputed economic powerhouse of Australia. Over the next four years an additional \$74 billion will be invested in infrastructure projects. A typical example of such a project is the Sydney Metro Northwest. For years Labor promised again and again to build the line, but Labor lied and nothing happened.

The Hon. Dr Peter Phelps: Never delivered.

The Hon. DAVID CLARKE: Never delivered, as the honourable member says. Australian Labor Party proposals were grandly announced but then shelved, to be later dusted down, repackaged and reannounced before each election. Finally, in their 2011 election platform, Labor members abandoned the north west rail link altogether. They sold out the people of Western Sydney and north Western Sydney.

The Hon. Dr Peter Phelps: They hate Western Sydney.

The Hon. DAVID CLARKE: They hate Western Sydney, as the honourable members says. But what Labor failed to build the Coalition is now building, and by 2019 the Sydney Metro Northwest will be in operation. The Coalition will have delivered eight new railway stations with attached car parking facilities for 4,000 cars. The Coalition will have delivered 15 kilometres of twin rail tunnels stretching from Bella Vista to Epping—the longest railway tunnel ever to be built in Australia. It will have delivered also a four kilometre long elevated sky train between Bella Vista and Rouse Hill. On this newly built north west rail link, trains will be running every four minutes during peak hours. In addition, contracts have now been issued for the building of a second harbour rail crossing under Sydney Harbour, to be finished by 2024 to link the northern side of Sydney's rail system with the new Sydney Metro City and Southwest rail systems. When finished it will be able to carry more than 40,000 people each way per hour.

The Hon. Dr Peter Phelps: Each hour?

The Hon. DAVID CLARKE: Each hour. Upon completion, the twin rail tunnels will move more people than the Sydney Harbour Bridge and present Sydney Harbour tunnel put together. Overall, the new metro line will cover 66 kilometres and connect dozens of suburbs. Another great infrastructure project conceived, initiated and now being built by the New South Wales Liberal-Nationals Government is NorthConnex, the nine-kilometre twin motor tunnels linking the M1 Pacific Highway at Wahroonga to The Hills M2 motorway at West Pennant Hills. Started in June 2015 and to be completed in the next year or so, NorthConnex will be the longest road tunnel project in Australia and will remove 5,000 trucks a day from Pennant Hills Road, presently one of Sydney's worst congested roads. Apart from dramatically easing road congestion, it will reduce traffic noise and improve air quality and mean that vehicles will be able to travel from Newcastle to Melbourne without a single set of traffic lights.

What Labor was incapable of even conceiving let alone building, the Coalition Government is delivering to the people of New South Wales. Wherever one looks, whether it be in the Sydney metropolitan area or in regional and rural New South Wales, new infrastructure is transforming the State, after years of Labor laziness and neglect. Whether it is WestConnex in Western Sydney, the Sydney Metro Northwest or the Sydney Metro light rail projects in Sydney's east and west, we see massive transport infrastructure growth. Even in the northern beaches—an area deliberately ignored by Labor for 16 years because it was not in its political heartland—there is movement. Finally the traffic bottleneck stretching over the Spit Bridge and along Military Road is being addressed. Where Labor gave first priority only to what it saw as its voter heartland—

The Hon. Dr Peter Phelps: Mates.

The Hon. DAVID CLARKE: As the honourable member said, they always looks after their mates. They always have and they always will. While Labor gave first priority to what it saw as its voter heartland, the Coalition is bringing relief to all areas regardless of political allegiance. We are seeing the acceleration of the Princes Highway upgrade, the Berry to Bomaderry section is being funded for the first time, and the Berry bypass is being completed. The infrastructure boom in road and rail is only part of the State's renewal and regeneration. Health services will be beefed up with new hospitals in places such as Mudgee, Macksville and the Tweed, as well as with massive redevelopments for Campbelltown and Randwick. In education, more than 1,500 new classrooms will be delivered over the next two years. For homebuyers there will be much-needed relief, including transfer duty being abolished for first home buyers for new and existing homes worth up to \$650,000 and reduced for those worth between \$650,000 and \$800,000. Across New South Wales the Berejiklian Government, the Liberal-Nationals Government, the Coalition Government, is delivering for the people of the State. Labor sold out the people of New South Wales but the Coalition will not sell them out.

The Hon. SHAYNE MALLARD (16:17): I congratulate Treasurer Dominic Perrottet and Premier Gladys Berejiklian on delivering an outstanding budget for the people of New South Wales. Only a Coalition government can be relied upon to make the tough and right decisions that ensure the continuing growth of the economy and the creation of jobs that our communities need—meaningful, well-paid jobs, not only for today but for the next generation and the generation after. The Coalition Government is laying the foundations for the future. The New South Wales 2017-18 budget shows that New South Wales is expected to record a surplus of \$4.5 billion in 2016-17, a surplus of \$2.7 billion in 2017-18 and average surpluses of more than \$2 billion each year over the next four years to 2020-21. For the benefit of those opposite—the few who are present to hear the debate this afternoon—a surplus, which is something they are not familiar with, is when a government spends less than it earns and does not use the credit card of the State and create debt. A surplus is when we live within our means. At the moment there are a lot of economic lessons from which the Opposition can learn.

New South Wales is the only State in Australia with strong surpluses and, most importantly, negative net debt. The State has a growing net worth, a triple-A rating, record low unemployment and record investments in services and infrastructure. New South Wales continues to have negative net debt, which is projected to be negative \$7.8 billion at June 2017—by far the lowest level on record for the State—and is forecast to remain lower than that of any other mainland State as a share of gross State product.

Unlike those opposite, this Government is putting its money where its mouth is and is getting on with the job. It is investing in infrastructure and building more rail lines, roads, hospitals and schools. After seven years in opposition, the Labor Party continues to be an embarrassment on all those fronts but particularly on infrastructure. The Labor Party in this Chamber has opposed all of the Government's economic building initiatives. That is something that those opposite would know nothing about. For 16 years—I call them the "lost opportunity" years—Labor took the people of this great State for granted. This Government does not. For the past seven years, the New South Wales Liberal-Nationals Government has been undertaking a major infrastructure program, laying the foundations for a thriving New South Wales into the future.

Under the former Labor Government, the New South Wales economy was in shambles, as was emphasised by the previous speaker, the Hon. David Clarke. Let us take a look at some facts from Labor's 16 wasted years in government. There was an undisclosed \$5.2 billion hole in the budget forward estimates when this Government came into office. There was a \$30 billion infrastructure backlog. New South Wales was on track to lose the triple-A credit rating due to out-of-control expenses growth. Out-of-control wages growth cost the budget an extra \$900 million in Labor's last four years. During those lost 16 years, Labor members cared more about their own self-interest and the interests of their mates than about the long-suffering people of this State.

After 16 years of Labor mismanagement and debt, New South Wales is back as the nation's strongest economy. This Government is ensuring that the benefits reach every corner of the State, regardless of where one lives and regardless of how the majority of people vote. For example, the upgrades of Blacktown and Mount Druitt hospitals are underway. The opportunities are spread across the State. As the Treasurer said, "This is a budget for the people of our great State, delivering more than ever before on the things that matter: health, education, roads and transport, support for families, help for those who need it most, and the right conditions for businesses to grow."

I turn to transport. Despite Labor's statements in its many glossy brochures and on its websites, its transport infrastructure projects never eventuated. This Government is delivering the projects that the people of New South Wales need. It is investing over \$12 billion in public transport infrastructure and services and will continue to deliver transformational projects, boost services and provide the best experience for commuters. The people of this State deserve to enjoy first-class public transport and to travel in comfort and safety. As a member of this Government, one of the things I am most proud of is the balance of investment between public transport, roads and infrastructure. We have heard from the Hon. David Clarke about NorthConnex and the massive investment in roads with WestConnex. But investments in light rail and other public transport are all equal in the equation. This Government has got the balance right for the State.

The benefits from this massive investment in public transport will be seen around the State as this Government is committed to making public transport better for everyone, regardless of whether they live in the city, the suburbs or rural areas, particularly regional New South Wales. Let me provide a reality check for those opposite, who are so enthralled by this speech. Since this Government took office, it has delivered more than 19,000 additional weekly public transport services, and this year that number will grow to almost 24,000 additional services across the State. When the Labor Party was in government, instead of providing additional services, it cut almost 400 weekly train services. Instead of investing in important rail projects, Labor axed rail projects. What else did Labor axe during its lost, wasted 16 years in government?

The Hon. Natasha Maclaren-Jones: Tell us, please.

The Hon. SHAYNE MALLARD: I will illuminate what the Labor Party axed during the 16 years it was in government. We have been hearing a lot about bus services from some members opposite. Labor axed 1,500 weekly bus services. In 2007, it cut 416 daily train services. In 2010, it slashed 233 weekly ferry services. Ferry services have taken off since the franchising model was introduced. The private sector has taken charge of delivering that service, and more ferry services are being announced. It is the same model that the Minister for Transport and Infrastructure is looking at for buses. There will be more services, not fewer, when there is more free market activity in this area.

Labor did succeed at one thing, and that is its record of not delivering promised infrastructure projects. These include \$412 million wasted on the Rozelle metro; we all remember that one. That was a great shame. I think the Hon. Walt Secord was chief of staff to the Premier who cancelled it. The Rozelle metro was to go from the city to Balmain—an electorate that the Labor Party was keen to try to win back. As a councillor with the City of Sydney, I was involved in that project. The City of Sydney had invested quite a lot of money in the site across the road from the Town Hall to facilitate that project. A lot of buildings were bought, a lot of tenancies were cancelled, and nothing was built. Properties were compulsorily acquired and consultants who were engaged to design it had to be compensated. At the time, it shook the confidence of the private sector in the sovereign risk of dealing with the State. A lot of businesses and lives were disrupted, perhaps seriously damaged, and nearly half a billion dollars were wasted on that irrational project. Another cancelled project was the supposed \$1.3 billion Chatswood to Epping line, which actually cost \$2.3 billion—

The Hon. Dr Peter Phelps: They only got it wrong by 50 per cent.

The Hon. SHAYNE MALLARD: They got half the line at double the cost. We remember the \$100 million that Labor wasted on the aborted Tcard. That was before the Premier, who was at the time the Minister for Transport, introduced the Opal card. The implementation of the Tcard was blocked, essentially, by the unions. Labor handed back \$81 million to the Commonwealth for the West Metro project. The Minister for Transport, Andrew Constance, has calculated that Labor's axed and cancelled infrastructure projects would amount to roughly \$20 billion worth of infrastructure and an estimated 50,000 jobs for the State economy.

After six years in opposition, Labor still has no idea. Along with The Greens members—who, of course, are not present for this debate—Labor continues to oppose all of the Government's major transport projects and has voted against every transport project introduced in this Chamber. Despite this, the Liberal-Nationals Government is getting on with the job. It is investing in the More Trains, More Services program, with \$658 million for 24 brand-new air-conditioned suburban trains—the Premier recently inspected them as they arrived for testing—and extra services across the train network, including the Blue Mountains region, an area close to my heart.

It is time for a history lesson for Labor and its woeful record of not delivering vital infrastructure projects for the taxpayers of New South Wales, including the long-suffering residents of the Blue Mountains. No doubt the Hon. Adam Searle, who has an interest in this as well, will pay attention to this part of my speech. Perhaps the member for Blue Mountains in the other place will also pay attention to the truth about investment in the Blue Mountains. The Blue Mountains train line dates back to the 1860s. It is a magnificent train line to journey on, and I occasionally take a steam train up there. The line is not very different from when steam trains were in service. Under the previous Labor Government, a multimillion-dollar track and tunnel upgrade would have been required for the Blue Mountains line to carry the Oscar trains. I should not give credit to Labor, but it ordered the Oscar trains for inter-urban services and I understand that it is quite a good train. When the new trains are brought into the urban fleet, the outer suburban car [OSCAR] trains will be moved into the metropolitan fleet.

The Hon. Natasha Maclaren-Jones: Interesting.

The Hon. SHAYNE MALLARD: Apparently Labor did something okay. The OSCAR trains, which were ordered for the new interurban fleet by Labor, would travel between Newcastle, Wollongong and the Blue Mountains as the three ways that interurban trains travel. But, typically, Labor was not prepared or—as I think we already know—was not able to do the budgeting to invest in the upgrade for the Blue Mountains line and bring that line up to the standard of the rest of the rail network. The Blue Mountains line essentially is an 1860s track, platform and tunnel design. Labor was not prepared to invest the money to upgrade it, so what did Labor do for the residents of the Blue Mountains?

The Hon. Natasha Maclaren-Jones: Nothing.

The Hon. SHAYNE MALLARD: No, it was not just nothing. Labor treated them with contempt. Labor left the people who live in the Blue Mountains to travel in trains that are up to 40 years old—trains that still ply the route. Labor treated the people of the Blue Mountains as second-class citizens in the provision of State public transport. The trains and other rolling stock on the Blue Mountains line are heritage items. When I was attending

the university, I would catch the V Set trains from the Blue Mountains. Apart from upgrading the seats and banning smoking, the V Sets are no different from the trains I used to catch when I was at the university. As the trains approach the station, passengers waiting on the platform comment that they look like a larger version of a vintage train set. Although that is quite quaint, the fact is that Labor had no ability or willingness to upgrade the trains and tracks for the benefit of the people who live in the Blue Mountains. The Government is undertaking that project at a cost of some hundreds of millions of dollars. In contrast to that, the Labor Party refused to upgrade the line, could not upgrade it, and left the people of the Blue Mountains languishing in rolling stock that is old, redundant and obsolete.

The current performance of the Liberal-Nationals Government is a far cry from Labor's demonstrable lack of performance. The current Government is delivering historical levels of infrastructure across New South Wales. Part of the Government's investment is a \$2.3 billion contract for a state-of-the-art intercity rail fleet to service all interurban routes, such as Wollongong, Newcastle and the Blue Mountains. In addition to delivering that investment, the Government is committed to investing millions of dollars to upgrade the Blue Mountains line so that it can take modern trains. To Labor's shame, it failed to do that. At the Springwood festival on the weekend, I was pleased to be working at a street stall that had material revealing the whole truth about the Blue Mountains trains. People told me how unhappy they are about the lies that have been told—that the trains had been bought but they would not fit. That is the line that the local Labor member has been running. That line is so farcical that people saw through it. The truth is out there and the member for Blue Mountains has been caught lying on that issue as well.

The Hon. Greg Donnelly: Point of order—

The Hon. SHAYNE MALLARD: I withdraw the allegation of lying, which was inappropriate. I will rephrase it and hopefully avoid a point of order. The member for Blue Mountains needs to put the facts out there so that all the facts for debate are known. That is what I am attempting to do today. The New South Wales Government's More Trains, More Services program has been rolled out across the Blue Mountains. It will boost small business and tourism, which is already booming, by transforming travel to the World Heritage listed district. That will include 24 new express services between Sydney and the Blue Mountains on the weekends, which already have commenced; dedicated eight-car express tourist trains to boost Blue Mountains tourism with approximately 20-minute cuts to travel times; and more than 25,000 additional seats every week, including an additional 18,000 on weekends. Previously I alerted the House to a renaissance of the Blue Mountains tourism attractions.

The Hon. Dr Peter Phelps: Yes—Hydro Majestic?

The Hon. SHAYNE MALLARD: Indeed. It has been restored beautifully. The stations at Katoomba, Leura and Black Heath are hubs for international, interstate and intrastate tourists who are visiting the Blue Mountains. In addition, the New South Wales Government has fast-tracked improvements by doubling the capacity of six current weekend Blue Mountains services from four to eight carriages and by providing more than 4,000 additional seats on weekends immediately. The services upgrade is well underway. I welcome the announcement made by the Minister for Transport and Infrastructure about more trains for the Blue Mountains. As someone who lives in the Blue Mountains, I have experienced overcrowded trains on the weekends, in particular as droves of tourists and visitors discover the magic of the Blue Mountains. I congratulate the Minister and the Government on responding to local businesses and community calls for more services to the region.

I look forward to the already announced investments to upgrade the Blue Mountains line and introduce new state-of-the-art interurban trains, which will positively transform the visitor and commuter experience even more. This investment by the New South Wales Government in the Blue Mountains region, which includes Lithgow, is in stark contrast to the years of neglect of long-suffering Blue Mountains residents by Labor. Furthermore, Western Sydney is booming. It is only this Government that can demonstrate a strong commitment to Western Sydney's current and future residents. The Government understands the importance of investment in Western Sydney. The population of Western Sydney is two million and that is expected to increase by a million in the next 20 years.

The New South Wales Government has several major infrastructure projects underway in Western Sydney. One such project is the Western Sydney Airport at Badgerys Creek, which will generate further economic growth and prosperity for the region. It will be a catalyst for investments and job creation like no other and it will be a driver of economic activity in the area. The Western Sydney Airport is predicted to generate \$1.9 billion in the local economy and create 11,000 new jobs during its construction, which is already underway. The project is expected to create 60,000 meaningful and longer-term jobs.

Labor members who are present in the Chamber will correct me if I am wrong in saying that generally the Western Sydney Airport has bipartisan support. However, I am disappointed that the Blacktown and Blue

Mountains councils continue to campaign against the airport, despite its being the catalyst for the creation of new businesses and opportunities for the next two generations to obtain higher-paid jobs. What the Blue Mountains councils fail to understand is that the Western Sydney Airport will facilitate visits by tourists from India, China and Korea, who like to visit mountains and engage in the arts. Tourism and the arts provide many employment opportunities for young people.

Why has the Blue Mountains City Council put its head in the sand, so to speak, and fought against the Western Sydney Airport when it will be a catalyst for great economic stimulation, creation of job opportunities and development of the area? It is important for the Government to address challenges such as housing, infrastructure and increased traffic that will be a corollary to construction of the Western Sydney Airport. The Government must have a plan to ensure that the people of Western Sydney are not left behind. While economic development and population growth are signs of a region's many opportunities, they also present challenges in areas such as housing, infrastructure and traffic, and put pressure on the region's hospitals and schools.

However, as a good government should, the Liberal-Nationals Government is taking action to address those challenges. The Government is providing the region with strong transport links, which also will create job opportunities for local residents. The current budget includes more than \$1 billion to fund better roads across Western Sydney, complementing the \$3.6 billion Western Sydney Infrastructure Plan. The State Government is working with the Commonwealth Government to fund the \$3.6 billion Western Sydney Infrastructure Plan, which includes scoping work on a rail connection to the Western Sydney Airport that will allow residents of the region to have access to employment opportunities close to their homes. Connecting people to their workplace and to one another safely and quickly is a key priority of the Government. The current budget has allocated more than \$1 billion to new roads and road upgrades across Western Sydney. That program of work includes investment of \$153 million towards the Western Sydney growth roads program.

I turn now to address the environment of Western Sydney. The current budget announces environmental initiatives that will provide great leisure facilities for residents who live and work in Western Sydney and will encourage local biodiversity. I note that The Greens are not present in the Chamber to hear all this good news. A park improvement program, which will be administered by the great Western Sydney Parklands Trust, is being funded by an allocation of \$11 million. I am from Penrith originally and I have been involved in the Liverpool City Council. I can state from personal experience that the Western Sydney Parklands is to the people of Western Sydney what Centennial Park is to the people of inner Sydney: it is Western Sydney's lungs; it is a playground; it is the site of sporting facilities; and it is a much-valued cultural area.

The program includes the activation and linking of the Northern and Southern Parklands, improved play and recreational areas and the restoration and expansion of the bushland corridor for biodiversity. The Government is also providing \$54 million over five years for land management and biodiversity conservation reforms and strategic conservation planning for Western Sydney. This funding package is one way in which the Government is fulfilling its election commitment to deliver major productivity benefits for farmers, cost savings for developers and better biodiversity outcomes.

Unlike the Labor Party, this Government understands the importance of arts and culture, which is why it is investing hundreds of millions of dollars on key projects across New South Wales and continuing its ongoing support for local organisations in the arts and culture sector. Under the Labor Government, New South Wales had the lowest level of cultural arts funding per capita in Australia. At the time, the average amount of arts funding per person nationally was \$33.14 but in New South Wales it was only \$17.19 per person. After years of neglect by those opposite, New South Wales now has the country's strongest arts and culture sector. This sector is supporting the growth of our economy. It is for this reason that the Government has committed to several projects that will continue to stimulate growth and build upon the legacy we are leaving across the State.

Funding for the 2017-18 budget is spread across the State's cultural institutions and across regional New South Wales. This Government believes that regardless of where one lives in this State, everyone should be able to experience firsthand our State's wonderful arts and culture sector. The New South Wales Government is investing \$1.8 billion over four years in arts, natural history and cultural institutions. This investment includes more than \$244 million over five years for the Sydney Modern Project to transform the Art Gallery of New South Wales into a global art museum for a global city—a welcome investment in the arts and culture sector. This funding will significantly increase exhibition space, enable New South Wales to host more major international exhibitions and increase the gallery's ability to share its extraordinary art collection.

The Government will also invest \$190 million over four years towards the Sydney Opera House renewal program, to ensure the Sydney Opera House is properly equipped to continue hosting performances from musicians and artists around the world, and just under \$187 million over four years to rejuvenate the Walsh Bay Arts Precinct. This funding will enhance the unique cultural and visitor experience as well as restoring a significant piece of Sydney's waterfront heritage. The Government has also established the Regional Cultural Fund, investing

\$100 million over four years to build and upgrade arts and cultural facilities across rural New South Wales, including upgrades to galleries, museums, theatres or any space that will ensure arts and culture survives in rural and regional New South Wales. The Government is also providing \$52 million for the Arts and Cultural Development Program to support artists and organisations across New South Wales, including targeted funding for regional New South Wales and Western Sydney. In a clear demonstration of this Government's commitment to the arts and to Western Sydney, the Powerhouse Museum will be completely relocated to stunning new premises in Parramatta.

The Hon. Dr Peter Phelps: With a planetarium!

The Hon. SHAYNE MALLARD: It will also accommodate Australia's largest and most advanced planetarium. The new and expanded world-class Powerhouse Museum will form the centrepiece of the new arts and cultural precinct on the banks of the Parramatta River.

The Hon. Walt Secord: A monorail, a planetarium and a hovercraft.

The Hon. SHAYNE MALLARD: It will have light rail. The new arts and cultural precinct will include a modernised Riverside Theatre complex, cafes, bars and other public spaces. Relocating the Powerhouse Museum to Parramatta—the geographic heart of Sydney—will ensure that families in Western Sydney have access to world-class cultural facilities on their doorstep. Early works on the new museum will begin in 2019 and the venue is expected to open to visitors in 2023. The net cost to the Government for the relocation will be \$645 million. It will be bigger and better than anything New South Wales has ever seen and it will rival global cultural icons such as the London Science Museum and the Smithsonian Air and Space Museum. It is an exciting project and a great legacy of our Minister for the Arts, the Hon. Don Harwin.

The new Powerhouse Museum will be the largest museum in New South Wales and its relocation to Parramatta marks the first time one of New South Wales's five major cultural institutions will be entirely located in Western Sydney. The Government plans to retain cultural spaces at Ultimo, including plans for a new design and fashion museum and a Broadway-style lyric theatre. I commend Minister for the Arts, the Hon. Don Harwin, the best arts Minister this Parliament has seen, for his hard work and passion for the arts. Once again, I congratulate Premier Gladys Berejiklian and Treasurer Dominic Perrottet on this outstanding budget for the people of New South Wales. New South Wales is the envy of the rest of Australia due to its strong surpluses, negative net debt, a growing net worth, a triple-A rating, low unemployment and record investments in services and infrastructure.

This Government has worked hard to deliver on the things that matter to the people of New South Wales—health, education, roads, transport, infrastructure and public transport—and it will continue to work hard to ensure quality of opportunity for all its citizens, no matter where they live or what their circumstances. It has taken hard work to turn New South Wales around after 16 fruitless, wasted, lost years under Labor. The Labor Party continue to oppose all our measures to make New South Wales number one again. The Labor Party still has no clue, no leadership, no plans and no policies. Only the Berejiklian Government can be trusted to deliver for the people of New South Wales. I commend the budget to the House.

The Hon. LOU AMATO (16:44): The 2017-18 budget is a great achievement for the people of this great State. Since the election of the New South Wales Coalition Government, New South Wales has exponentially grown from strength to strength. Under the great leadership of Premier Gladys Berejiklian and the economic genius of Treasurer Dominic Perrottet, New South Wales has become the envy of all First World economies. The 2017-18 budget delivers a surplus of \$2.7 billion, with surpluses forecast over the next four years. The budget will deliver much-needed infrastructure and provide continued growth and employment opportunities. The budget not only has delivered on much-needed infrastructure and jobs but also has ensured that New South Wales has maintained its coveted triple-A credit rating.

The lease of 50.4 per cent of Endeavour Energy provided \$20 billion towards the rebuilding of New South Wales. The benefits of the lease dramatically reduced short-term debt to only \$7.8 billion at the end of 2016-17. New South Wales enjoys the lowest debt since record keeping began in 1996-97. New South Wales' net debt as a percentage of gross State product is forecast to be lower than any other mainland State for the next four years. Responsible fiscal management, which only this Government can do, is expected to reap the rewards of an expected average annual growth of the State's net worth by 8.5 per cent per annum to \$272.2 billion by June 2021. For the first time in 26 years New South Wales has grown faster than any other State or Territory. As a result, New South Wales is the world's prime example of economic stability.

New South Wales boasts the strongest jobs growth of any Australian State. New South Wales' phenomenal jobs growth has resulted in the lowest recorded unemployment of any State for the past five years. Since April 2011 an extra 369,600 jobs have been created in New South Wales and more than 58,400 jobs have been created in regional areas in the past two years. The economic stability and increased confidence created by

the budget is expected to realise continued expansion of the New South Wales job market. Unemployment rates are expected to remain steady at around 5 per cent even though New South Wales is attracting migration at above-trend levels.

The Hon. Walt Secord: But you are doing nothing about kangaroo attacks. What are you doing about kangaroo attacks?

The Hon. LOU AMATO: I like Skippy. Have you got something against Skippy?

The DEPUTY PRESIDENT (The Hon. Shayne Mallard): Members will address their remarks through the Chair.

The Hon. LOU AMATO: The New South Wales Government is committed to providing world-class health services. The 2017-18 budget provides a record \$7.7 billion over four years for NSW Health. The funding will improve healthcare services with new hospitals in Mudgee and Macksville. Campbelltown Hospital will receive a funding boost of \$632 million, whilst Randwick Hospital campus reconfiguration expansion will receive \$720 million, and the new Tweed Hospital and integrated ambulatory services will receive \$534.1 million. In 2017-18 the New South Wales Government committed to provide 3,500 additional nurses, midwives, doctors, allied healthcare professionals and hospital support staff. This will be exceeded with 4,500 new personnel. The budget delivers increased funding for education with \$15.7 billion allocated during 2017-18. The injection of funds will provide for new capital works and an additional 1,000 teachers. The New South Wales Government is committed to providing the best possible education opportunities for our children. We care about the future of our State.

To keep New South Wales moving to the top spot the budget will allocate \$72.7 billion over four years to road infrastructure and public transport. Our updated road infrastructure and public transport systems will ensure that local communities benefit economically and also enable us to get home to our families sooner. The unprecedented economic boom has put upward pressure on property prices. The New South Wales Government is committed to assist the Australian dream of home ownership. From 1 July 2017 transfer duty was abolished from homes to the value of \$650,000 and reduced for properties valued between \$650,000 and \$800,000. First home buyers will be eligible for grants of \$10,000 on homes valued up to \$600,000 and a new scheme, the first home builder grant of \$10,000, is available to first home buyers building a home on vacant land to the total value of \$750,000. Many first home builders are taking advantage of that in the Wollondilly shire in the south-west of Sydney.

The 2017-18 budget is a comprehensive, responsible plan to maintain New South Wales as a top performance State. In addition to jobs, health, education and home ownership, the budget will provide funds for developing and training through TAFE. The Smart, Skilled and Hired Youth Employment Program will assist young people in four pilot regional area programs enter employment through training and mentoring. Funding of \$63.2 million will be provided to improve child protection, which is important. The New South Wales 2017-18 budget is another fine example of this Government's commitment to the people of New South Wales. I commend the Premier, the Hon. Gladys Berejiklian, and the Treasurer, the Hon. Dominic Perrottet, for the great work they have done to keep New South Wales strong and number one in Australia.

The Hon. BEN FRANKLIN (16:53): I speak in debate on the 2017-18 State budget which delivers record investment, particularly in regional New South Wales. Each year this Government has delivered outstanding budgets demonstrating this State's strong economic position. This is owed to the incredible work of our current Treasurer, the Hon. Dominic Perrottet, and the former Treasurer and now Premier, the Hon. Gladys Berejiklian. I acknowledge the Treasurer for delivering yet again another surplus budget for New South Wales with a \$2.7 billion surplus this financial year. This Government has delivered a strong budget again and again, and the 2017-18 budget is another indication of this. We are now the powerhouse of this nation. As my colleague the Hon. Lou Amato said, we are number one, with an economy leading the nation.

This Government's strong financial management has meant that we can invest more in our local communities, particularly in regional areas. We are delivering where it matters: in health, education, roads and in support for families. I reflect on how this Government has delivered a budget that will benefit our regional areas, especially for northern New South Wales. As the Parliamentary Secretary for this region in the Berejiklian-Barilaro Government I have been proud to work closely with every local member, from Barwon across to the Tweed and down to Port Macquarie. Together we have ensured that northern New South Wales is in a strong and vibrant position, and in many areas it is leading the nation. Northern New South Wales is an area that will experience significant population growth in years to come. That is why it is vital to have increased funding for our regional and rural towns, communities and villages. That is what this Government is doing.

This is a budget for regional New South Wales. I acknowledge the Deputy Premier, who has championed regional New South Wales, through securing \$1.3 billion for the new Regional Growth Fund, which was committed in this budget. This funding will turbo charge our regions and will be invested in regional infrastructure to support growing regional centres, activate local economies and improve services within our communities. The Regional Growth Fund includes \$200 million over the next three years for the Stronger Country Communities Fund, which will go towards providing more support for our regional communities for crucial local infrastructure. The fund will allow for improvements in community facilities such as swimming pools, health centres and community centres.

For example, I am delighted that this funding has already supported some wonderful local projects in my community, including Heritage House Museum in Bangalow, the Ballina Tennis Club, the Sandhills Early Childhood Centre in Byron Bay and the Waterlily Park in Ocean Shores. I know that these achievements and this infrastructure is replicated across regional New South Wales in every local community. In addition, this fund includes \$1 billion for economic activation funding programs: Connecting Country Communities, Regional Sports Infrastructure, Growing Local Economies and Resources for Regions. These programs will ensure that our regional centres grow, by providing improved services for our communities. The Liberal-Nationals Government is committed to delivering high-quality education and in doing so ensuring the highest success for the children of our State.

The 2017-18 budget continues this outstanding support for education. Across New South Wales we will deliver 1,000 additional teachers in our schools. More is being done to address the school maintenance backlog, with \$747.4 million, almost three quarters of a billion dollars, allocated over the next four years to address the maintenance backlog in our schools. In addition, \$4.2 billion has been committed over the next four years for new schools or upgrades to schools. I am thrilled that both the Byron Bay Public School and the Lennox Head Public School will benefit from these upgrades. For Byron Bay Public School this means 10 new permanent classrooms. Lennox Head Public School will enjoy eight new permanent classrooms, a new administration building, a canteen, an out-of-school-hours care service and a special programs room. This funding will impact on the lives of children in Ballina and Byron Bay.

Schools across all New South Wales will benefit from this budget, especially in northern New South Wales. For example, Farrer Memorial Agricultural High School and Tamworth Public School will receive funding for upgrades as part of this \$4.2 billion investment in education. The Farrer Memorial Agricultural High School stage two development—which I know is close to the heart of Minister Mitchell, who is in the Chamber—will involve upgrades and expansion of the boarding accommodation at the school. Tamworth Public School will be upgraded and will be expanded to provide additional new permanent teaching spaces to address enrolment growth in the area.

To further address enrolment growth, this budget includes \$65 million for a new school in Armidale. This new state-of-the-art high school will cater for 1,500 students. This incredible school will include a 1,000 seat purpose-built performing arts centre, modern laboratories for science, design and technology, vocational education and training facilities and new and upgraded sporting fields. In addition, the Lake Cathie Public School, which is in the electorate of Port Macquarie and is a passionate personal priority of the local member, Leslie Williams, will undergo major upgrades, including new classrooms to assist with increased enrolments.

In Ballina, the Liberal-Nationals Government is continuing its boost in education funding. Last year I had the pleasure of joining the Minister for Education, Rob Stokes, in turning the first sod on the construction of the new \$50 million Ballina Coast High School. This extraordinary new school will include modern facilities for science, vocational education and training, creative and performing arts, personal development, health and physical education, and a new outdoor sports court. It was terrific to inspect the construction works of the new school site last month with Ballina Coast High School's innovative principal, Janeen Silcock. Janeen is an outstanding educator, which was recognised last month when she was awarded one of Australia's most prestigious teaching fellowships—a \$45,000 Commonwealth Bank Teaching Award. She will use this grant to fund the growth of an innovative in-school program that will provide new learning methods and outcomes for the school. I look forward to seeing the school officially opened early next year in time for the commencement of the 2019 school year.

The 2017-18 budget also provides continued funding for the Rural and Remote Early Childhood Teaching Scholarships program. It offers early childhood educators keen to upgrade their diploma qualifications to a bachelor's degree with further education, more career options and greater support for our early childhood services. I commend the Minister for Early Childhood Education, the Hon. Sarah Mitchell, for the extraordinary job she is doing in this area. Individuals such as Kyla and Philippa at Byron Busy Kids Long Day Care Centre in Byron Bay have told me how much they have benefited from further education. It is vital that we provide more support to our early childhood educators.

Debate adjourned.*Adjournment Debate***ADJOURNMENT**

The Hon. SARAH MITCHELL: I move:

That this House do now adjourn.

CHINA-AUSTRALIA TRADE RELATIONS

The Hon. ERNEST WONG (17:01): I draw the attention of the House to the ever-increasing importance of trade to Australia and New South Wales in the context of recent moves at an international level to increase trade barriers. The welfare of a nation depends on the availability of goods and services. Increasing the welfare of a nation consequently involves increasing the quantity of goods and services. This is achieved primarily through trade, which means it is fundamental to the prosperity of nations. A country engages in trade to obtain goods and services that can be produced at a lower cost by another country.

In turn, reducing the barriers to commerce produces a number of outcomes that increase the volume of goods and services traded throughout the world and gross domestic product growth in domestic economies. These outcomes include: more efficient allocation of resources, reduced prices and a greater availability of goods and services, access to finance at the lowest cost, facilitating investment where returns are highest, and delivering higher incomes to employees in companies that produce goods and services for export. They also include providing those companies with greater capacity to determine where and how they will invest, greater access to competitively priced inputs, greater opportunity to buy and sell at a price of their choosing, greater opportunity to choose where they procure inputs, greater opportunity to specialise in production and greater capacity to determine which employees with which skills they will hire.

At a global level, the conclusion of the General Agreement on Tariffs and Trade in 1947 and the establishment of the World Trade Organisation in 2001 reduced trade barriers to such a degree that world trade increased 27-fold between 1950 and 2005 from \$290 billion to \$8 trillion. In Australia, the 1973 25 per cent tariff reduction introduced by the Whitlam Government, which initiated the process of eliminating import duties, and the Hawke Government's 1988 decision to reduce tariffs to minimum levels laid the foundation for combined exports and imports as a percentage of gross domestic product [GDP] to rise from 14.1 per cent in 1983 to more than 40 per cent in 2010-11. As a consequence, the Australian economy is now the thirteenth largest in the world, with the value of goods and services produced reaching \$1.7 trillion in 2016-17.

Accompanying this development is the improvement in real incomes, which can be illustrated by comparing real gross domestic product with real gross national income. Between 2003 and 2011, for instance, real gross national income in Australia grew faster than real gross domestic product by about 14 per cent. The challenge that now confronts Australia is that of gaining the benefit of the economic transformation that has taken place in Asia on the basis of unrestricted trade. As Professor Richard Pomfret has said:

Australia has played a major role ... in the Asia Pacific region to set the foundations for building an open economy among the region's economies which today [collectively] account for 60 per cent of global domestic product.

At the forefront of the Asia-Pacific economies is the Chinese economy. Through its own transformation of commerce and industry, China now has the second largest economy in the world. Between 1978 and 2015, China's gross domestic product increased from \$US210 billion to \$US10.86 trillion, which is an annual growth rate of 11.3 per cent. China's share of world manufacturing output alone increased from 3 per cent in 1990 to 25 per cent in 2015. This meant that China achieved the status of the world's foremost manufacturing nation.

We have heard doubts about economic integration and some have dwelt on the differences between nations. That was exemplified in the British Government's intention to withdraw from the European Union. On the other hand, in the East-Asian region there is an understanding that economic integration serves the interests of all. I rarely agree with the Prime Minister, but I agree with his declaration that "this is a time when we need to state and defend our commitment to free trade". Naturally diversity similarly exists in East-Asian countries, but diplomacy offers solutions. However, it provides those solutions on the foundation of integration that trade has already created.

REGIONAL ROADS INFRASTRUCTURE

The Hon. RICK COLLESS (17:06): I draw the attention of the House to the Government's achievements in delivering road upgrades in the Central West of New South Wales. It is moving full steam ahead on delivering upgraded highways, with towns and communities already reaping the benefits of these ongoing and completed projects. In 2015 the Government committed \$500 million to supporting vital upgrades along the

Newell Highway, which is the backbone of rural towns and cities such as Narrandera, West Wyalong, Forbes, Parkes, Dubbo and Gilgandra. Those towns rely on the highway to transport produce from paddock to plate and to support local businesses and communities.

The Newell Highway extends from the Victorian border to the Queensland border and it is vital for the delivery and transportation of agricultural produce and other rural goods heading from the electorate of Orange to Forbes and Parkes and then to Queensland. In February the Government opened to traffic the \$33 million upgrade to the realignment of Newell Highway at Trewilga, which is between Parkes and Peak Hill. This critical upgrade will improve travel times for freight and motorists and will benefit farmers, local businesses and communities in Orange and surrounding areas.

The Government has also delivered 18 overtaking lanes, which have also improved travel times. Of course, they have produced other benefits such as reduce costs, which are a bonus for businesses across the Central West. In addition, they have reduced driver frustration and improved road safety because fewer people are taking risks when overtaking slower vehicles. The Government has also allocated \$40 million to the long-awaited Guanna Hill upgrade on the Mitchell Highway between Orange and Molong. The project is on budget, although work was held up by the extremely wet weather that occurred in 2016. Members will remember that the Newell Highway was closed for a number of weeks because of rising floodwaters.

Another major cause of the hold-up on the Guanna Hill project was when the contractors completing the works were supplied with material that did not meet the specifications for the RMS. Work was held up for some time while new material was sourced and properly tested to ensure that it met the specifications. That material has since been sourced and is now in the process of being installed. Some of the original material had to be removed and replaced with the new material that meets the specifications. While this has delayed the completion date, it has not increased the cost to the Government, as the cost was borne by the contractor.

That particular project is amongst a long list of projects that no other party could or would deliver to the Central West. The Government is making it happen, ensuring that these projects are helping keep people safe on our roads. The Mitchell Highway is a vital freight corridor which stretches from Bourke to Bathurst, linking major routes such as the Great Western and Newell highways to those other centres. Upgrades such as this are critical for the movement of thousands of head of livestock to one of the nation's largest saleyards, the Dubbo Regional Livestock Markets.

This project will significantly improve road safety and reduce travel times for 3,000 motorists and freight trucks that travel this route daily. It is also a key project in delivering an upgraded Sydney to Dubbo corridor, which will better link the movement of goods from the east to supply towns, farms and local businesses in the west. Improved road conditions on regional roads and highways such as the Newell and Mitchell highways mean safer driving for all motorists, improved freight efficiency, productive local businesses and reduced costs at the farm gate and in rural communities.

CINEMA ONLINE BOOKING FEES

The Hon. WALT SECORD (17:11): As the shadow Minister for the Arts, I speak on online cinema ticket booking fees. In 2017 there were 154 cinemas in New South Wales. They collected \$380 million in ticket sales at an average ticket price of \$14.13. Cinema is a vital part of Australian arts and our collective culture, and is the most accessible and popular stream—appealing to all sections of the community. In recent weeks I have had representations from film-goers who are angry about being charged a fee for making online purchases. Often, they make their purchase online to ensure that they get their preferred seat on a specific date. They understand that helps them as customers, especially for highly in-demand films. But they assert—and I agree—that an additional fee of up to \$3.25 a ticket is disproportionate to the real cost of the processing fees.

This seems especially valid when, despite making the online purchase, many cinemas still require the patrons to collect a physical ticket from the box office or the concession counter. In short, filmgoers believe it is blatant price gouging, and I believe it is a downright rort. This issue has been brewing for some time. In November 2015 I wrote to a major cinema chain about the fees. This was after I made a group online booking and was charged an extra \$4.80 in fees. At the time, the Event Cinemas chain responded saying:

Our online services and ticketing engine does come at a significant cost to the business.

Event Cinemas went on to say that the booking system allowed patrons to get their desired seat:

Reserved seating has been a huge success with our customers, as it gives them peace of mind that they have been able to secure the seats they want.

That may be true, but online purchases also provide peace of mind to the cinema operator, as the purchase is locked in and whether the customer shows up or not, the money is banked. That is more than peace of mind—that is securing and advancing one's revenue streams, which is a huge business advantage when selling what is often

an impulse purchase. By selling the ticket in advance the customer and the purchase are locked in. They cannot change their mind, they cannot decide to stay home and watch television, and so on. Let us be clear, advanced booking does provide a service improvement for customers who want that certainty, but it provides a significant advantage to the business too. For that reason alone, cinemas should see the cost of these systems as an investment in their revenue future, not a cost burden to pass on to customers.

Based on the most recent available data—that is, from 2014—of 80 million cinema tickets sold in Australia, \$40 million was collected by the cinema chains in online booking fees. This was without any real service benefit or any real per transaction expense to that service. Currently, Hoyts and Reading Cinemas charge \$1.50 and Event Cinemas charge two separate fees—\$3.25 and \$1.35—depending on the cinema class. I did not buy the cinema chains' arguments in 2015 and I still do not. I believe the case for removing booking fees is even greater.

This is especially in light of admissions by Event Cinemas' management that half of the cinema purchases made at its Bondi Junction cinemas were online. This means this "additional service" is effectively becoming the primary method of purchase. It is no wonder then that the online booking fee debate has resurfaced in the community. But, mid last year, the Dendy Cinemas chain axed its online fee. Previously, it charged \$1.20 a ticket. It listened to its patrons and responded. I applaud Dendy Cinemas for its decision. At the time, Dendy Cinemas Chief Executive Officer, Greg Hughes, said he hoped that by dropping the fee his chain would attract more patrons. He said:

We at Dendy Cinemas realised that businesses often spend too much time rationalising anachronistic practices like booking fees and not enough time focusing on what really matters, which is just figuring out how to improve satisfaction by listening to your customers.

I agree with Mr Hughes' comments. I would like to see other movie theatre chains follow suit and drop their booking fees. Until they do, there is little the customer can do other than take their business to cinema chains which do not charge booking fees. That is why I am alerting New South Wales cinemagoers to the leadership shown by Dendy on this issue. In conclusion, I would also like to see the Berejiklian Government take up this matter and refer it to both NSW Fair Trading and the Australian Competition and Consumer Commission. Those bodies could examine the real cost of the booking fee. I do not believe that each transaction costs up to \$3.25. In reality, online movie ticket purchases should be cheaper, as they provide guaranteed and predictable revenue to cinemas, while reducing their overall handling and labour costs. I thank the House for its consideration.

VETERINARIAN SUICIDE RATES

The Hon. MARK PEARSON (17:16): I congratulate you, Mr Deputy President Martin, on your appointment. A series of studies conducted in recent years have identified elevated rates of depression, anxiety and suicide among Australian veterinarians, with a suicide rate four times higher than the general population. These figures are consistent with studies conducted in Great Britain and America. There is clearly a common thread concerning the mental health challenges of the profession. Murdoch University is currently conducting research on the mental health of Australian veterinarians, which will hopefully assist the profession in improving the mental wellbeing of its members.

Multiple studies cite risk factors such as long hours and highly stressful decision-making, and the difficulty of recruiting locums to allow veterinarians to take much-needed breaks. In rural areas these difficulties are compounded by professional isolation. These are common stressors across many professions, but there are additional emotional stressors, such as the regular killing of animals, combined with easy access to lethal drugs that are unique to the veterinary profession. The 2016 Australian National Coronial Information System report noted a history of self-poisoning suicides linked to drugs available in veterinary clinics.

While there are no equivalent Australian figures, British studies showed that 81 per cent of veterinarians entered the profession due to their desire to work with the human-animal bond. Women veterinarians in particular were identified as having high levels of empathy towards animals. This empathy towards animals may, in a large part, be the cause of the mental distress experienced by veterinarians. Across a range of international studies, young and female veterinarians are at greatest risk of job dissatisfaction, leading to mental health difficulties and suicidal ideation. "Compassion fatigue" or "vicarious trauma" was identified as a risk factor leading to suicide.

The realities of veterinary practice can be emotionally gruelling. Many vets speak of the distress of being responsible for ending animals' lives, either directly in the case of euthanising sick or injured animals, or worse, being required to kill perfectly healthy unwanted animals, or indirectly in the case of the slaughter of farmed animals. Vets also found themselves in professionally challenging situations where they encountered animal abuse and neglect. Some studies have questioned whether the routine euthanising or killing of animals impacted on attitudes towards death more generally. In surveys, vets showed higher support for human voluntary euthanasia

than the general population. This attitude to death may even facilitate self-justification and lower their inhibitions towards suicide as a rational solution to their personal problems.

As a society we could do a much better job of providing funding and resources to ensure that no vet is required to kill perfectly healthy animals that have been abandoned or surrendered to council pounds or RSPCA shelters. The growth of no-kill shelters not only is a more humane approach to companion animals but also removes the risk of psychological harm to vets who are forced to administer the "green dream" to healthy animals. Even the upside of being a veterinarian—having clients with strong emotional ties to their companion animals—could create distress. The emotional intensity of that bond adds stress when the time arrives for euthanising sick or aged animals that are considered part of the family.

I commend the work of our veterinarians in alleviating animal suffering. My personal heroes are those vets who find the time to work pro bono or provide discounted fees to companion animal rescue groups, wildlife carers and farmed animal sanctuaries. Perhaps the Australian Veterinary Association may consider supporting veterinarians as they deliver these services as a way of providing a channel for their compassion and empathy towards animals.

DROUGHT ASSISTANCE

The Hon. ROBERT BROWN (17:20): I acknowledge the speech of the Hon. Mark Pearson from the Animal Justice Party. The mental health issues caused to veterinarians by animal stress are bad. Imagine how bad things are for the hundreds of farmers who this week are having to shoot their cattle. Last week I toured the Central West of the State and spent a good deal of time talking to farmers who are struggling with drought, including some large and well-known operators. As I am sure my colleagues in The Nationals understand, those people are doing it tough. With drought conditions expected to worsen, many more people's livelihoods will be at stake in the near future. I am ever mindful of the challenges and difficulties faced by those living on the land. Agriculture is a pursuit that heavily relies on water for irrigation purposes and for stock. I guess that is a motherhood statement, but when visiting these areas it becomes obvious how much drought can affect everyone. Grazing properties have been destocked as the anticipated crop yields have not eventuated for the past two seasons.

Prior to the latest drought, many businesses had already drought-proofed their properties as was recommended by the Government and its agencies. However, no amount of preparation or resilience can sustain farmers throughout long droughts. I saw that situation at Yeoval. Some of the stories I heard last week were heart wrenching. Some graziers are spending up to \$20,000 a week on stock fodder. Two-thirds of that money is spent on freight, not on stock, because graziers are having to bring fodder in from further and further away in Victoria and Queensland. Last month, they could fetch \$650 for a cow in a poor condition. Today they are only able to fetch \$60 for the same animal. Considering the cost of taking animals to the market, they get about 10¢.

It is easy for a government of the day to encourage farmers to move away from their reliance on an emergency response—and we actually support that. However, when a farmer's long-term drought plans have been executed and exhausted and they are faced with indefinite drought, one has to ask, "Where to now for emergency assistance?" Earlier today my colleague the member for Orange, Phil Donato, gave notice of a motion in the other place calling on the Government to immediately commence and swiftly undertake the necessary steps to access, determine and, where appropriate, declare drought-affected areas of rural and regional New South Wales as natural disasters. He also called on the Government to immediately provide uncapped emergency funding for transport of water and stock fodder in areas affected by drought for the purposes of sale, slaughter or to put cattle on agistment in areas where fodder is available.

The onus is on this Government to fix the mess that has been exacerbated by its 2013 decision to scrap drought relief funding grants and move with the Federal Government to the intergovernmental agreement. That might have sounded like a good idea at the time, but farmers who are having to shoot their cattle today do not think that it was such a good idea after all. Farmers have been left with a range of drought prevention loans and other loans for incidental expenses. They are not much use when a drought has been going on for a couple of years. A farmer already under financial stress cannot meet debt obligations with more debt, and no other business would be expected to do so. However, I note that over the years our Federal and State governments have poured billions of dollars into the manufacturing industry to keep it alive. I acknowledge also that governments have put money into farming enterprises to try to keep the agriculture sector alive. Drought mitigation is a noble cause, but when farmers need assistance right now, right now is the time to act. I urge the Government to provide some extra relief for those farmers.

WESTERN SYDNEY INFRASTRUCTURE

The Hon. NATASHA MACLAREN-JONES (17:25): The Berejiklian Government understands the importance of investing in the infrastructure needs of Western Sydney. We are making record investments in

health, hospitals, schools, road and rail. New South Wales is the infrastructure capital of the Southern Hemisphere. We continue to lead the nation in construction and engineering work, with the sector growing by 7.5 per cent in the past year. Our massive infrastructure program has been highlighted as one of the Premier's key priorities. We have already invested \$111 billion in infrastructure projects since 2011 with another \$80 billion to come over the next four years. The infrastructure investment will not only create jobs and boost the economy but also help businesses to grow. It will also allow our communities to access world-class facilities, improve living standards and reduce commuting times. That will mean that people will spend less time in traffic and more time with their families.

When we came to government in 2011, one of our first commitments was to deliver the North West Rail Link. That is now called the Sydney Metro Northwest and is the first fully automated metro rail system in Australia. This game-changing infrastructure project is delivering eight new railway stations and 4,000 commuter car parking spaces to Sydney's growing north-west region, providing for the first time a reliable public transport service to a region with the highest car ownership levels per household in New South Wales. Customers will be able to enjoy turn-up-and-go services with trains running every four minutes in peak hours and moving more than 40,000 people an hour. As well as improving transport connectivity, such projects present unique engineering opportunities. An example is the four kilometres of track between Kellyville and Rouse Hill known as Skytrain—an elevated viaduct with a landmark 270-metre cable-stayed railway bridge that will minimise impacts on local flood plains. Sydney Metro Northwest has been designed to deliver for the communities not only of today but also of tomorrow. The project is only the beginning of our plan to transform the rail network in New South Wales.

Sydney Metro City and Southwest will extend the Metro Northwest from Chatswood under Sydney Harbour through new central business district stations, connecting the existing T3 Bankstown line, which will be converted to support metro trains. Sydney Metro West is the third stage of our planned metro system which will connect the key precincts of Greater Parramatta, Sydney Olympic Park, The Bays Precinct, and the Sydney central business district. This once-in-a-century infrastructure investment will transform Sydney for generations to come and will double rail capacity between Parramatta and the Sydney central business district [CBD]. It will also link new communities to rail services and unlock housing supply and employment opportunities between the two central business districts.

Another key public transport project is the Parramatta Light Rail—one of our latest infrastructure projects to serve a growing Sydney. The light rail will help to create and connect new communities and places, and showcase what the region has to offer. Stage one will run from Westmead to Carlingford via the Parramatta CBD and connect the major health precinct at Westmead with three campuses of Western Sydney University at North Parramatta. Last week I had the opportunity to inspect the Westmead Hospital redevelopment and the plans for the light rail. There will also be extra services for special events and the capacity to carry 10,000 people an hour.

Stage 2 was announced last October and will connect the Parramatta CBD to Ermington, Melrose Park, Wentworth Point and Sydney Olympic Park along a nine-kilometre route. The New South Wales Government is committed to delivering transport solutions for the future of New South Wales. WestConnex and NorthConnex are part of extensive plans to meet Sydney's growing transport needs, and represent an innovative approach to busting congestion. WestConnex is central to Sydney's motorway network. It will provide a long-overdue underground link between the M4 and the M5, creating a seamless motorway without traffic lights. The project is supporting 10,000 jobs during construction and will get Sydney moving again. It will save motorists a combined 100,000 hours each day through reduced traffic congestion, with 45,000 fewer trucks and cars a day on Parramatta Road.

NorthConnex delivers a missing link in Sydney's road network, joining the M2 to the M1 Pacific Motorway. Due for completion next year, NorthConnex will enable travel uninterrupted from Melbourne to Newcastle without a single set of traffic lights. It is estimated that it will take 5,000 trucks per day off Pennant Hills Road. The new motorways will ensure local residents are able to enjoy less congested local roads and will help small business to get their product to market faster.

Strong economic leadership has allowed us to invest in our communities, help create jobs and improve lives. Across the State, the Government is powering ahead to shape New South Wales for the next 30 years and beyond. This Government will never lose sight of the fact that it has a responsibility to make our State the best place in which to live, work, raise a family and run a business. This is undoubtedly an incredibly exciting time for infrastructure development across the State as the Berejiklian Government continues to deliver record investments in infrastructure to shape the future of New South Wales for generations to come.

WORKERS RIGHTS

The Hon. SHAOQUETT MOSELMANE (17:31): Yesterday was May Day, also known as International Workers' Day. To mark the occasion in New South Wales, an annual May Day toast was held at the

NSW Teachers Federation in Surry Hills, which is celebrating its centenary year. Australian Council of Trade Unions Secretary, Sally McManus, addressed the standing-room-only crowd, acknowledging the role New South Wales unions played in achieving the eight-hour rest, eight-hour recreation, eight-hour work day, and the need to change the rules. I congratulate Unions NSW, the NSW Teachers Federation and Sally McManus on the successful May Day toast. We should all remember: the workers united will never be defeated.

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

Motion agreed to.

The House adjourned at 17:32 until Thursday 3 May 2018 at 10:00.