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## **LEGISLATIVE ASSEMBLY**

Wednesday 16 September 2015

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**The Speaker (The Hon. Shelley Elizabeth Hancock)** took the chair at 10 a.m.

**The Speaker** read the Prayer and acknowledgement of country.

### **JOBS FOR NSW BILL 2015**

**Message received from the Legislative Council returning the bill without amendment.**

### **AUDITOR-GENERAL'S REPORT**

**The Clerk** announced the receipt, pursuant to section 63C the Public Finance and Audit Act 1983, of a performance audit report of the Auditor-General entitled "Community Housing: Department of Family and Community Services", dated September 2015, received this day and authorised to be printed.

### **VISITORS**

**The SPEAKER:** I welcome 17 students from the Holroyd Intensive English Centre, guests of the member for Granville. I also remind members that today the annual Lions barbecue lunch will be held from 12 midday to 2 p.m. in the level 9 garden. The funds raised by the lunch will go to the Childhood Cancer Research Foundation, a very good cause, so I urge members to get to the barbecue.

### **BUSINESS OF THE HOUSE**

#### **Notices of Motions**

**General Business Notices of Motions (General Notices) given.**

### **LOCAL GOVERNMENT AMENDMENT (COUNCILLOR MISCONDUCT AND POOR PERFORMANCE) BILL 2015**

**Bill introduced on motion by Mr Paul Toole, read a first time and printed.**

#### **Second Reading**

**Mr PAUL TOOLE** (Bathurst—Minister for Local Government) [10.14 a.m.]: I move:

That this bill be now read a second time.

I am pleased to introduce the Local Government Amendment (Councillor Misconduct and Poor Performance) Bill 2015. It is often said that local government is the level of government closest to the people. It is for this reason that it is imperative that each local community can have confidence that their council will be focused on serving the public interest and its decisions will meet the highest standards of integrity. I am pleased to say that this Government has a proud record of legislating robust ethical standards for local government that are underpinned by a range of regulatory mechanisms that are designed to promote such outcomes.

In 2012 the Government legislated reform to provide for a more effective regulatory framework for prescribing the ethical and behavioural standards expected of individual council officials and the

enforcement of compliance with those standards. In 2013 the Government sought to address dysfunction and poor performance by councils by enacting an early intervention framework to allow a more rapid response to poorly performing councils and to drive improvement. It did this through new powers to issue a performance improvement order, requiring action by councils and individual councillors to improve their performance, and new powers to suspend a council for up to three months, with a possible extension of a further three months if required. While these reforms have been largely successful in achieving their objectives, exercise of these powers has highlighted opportunities to strengthen the provisions.

The amendments proposed in this bill are designed to address these, to build on the earlier reforms by offering a more effective deterrent to serious and repeated councillor misconduct and to provide the means to ensure effective and timely action is taken to uphold the standards that local communities expect of their council and the councillors they elect to them. The bill also seeks to deliver on my commitment to amend the current provisions of the Local Government Act that allow councillors to participate in the consideration of changes to a planning instrument applying to the whole or a significant part of a council's area they have pecuniary interests in, subject to their making a special disclosure of those interests. Councillors hold their civic office in trust for the communities that elect them. It is therefore disappointing to see a very small minority of councillors who consistently fail to meet the behavioural standards expected of them and who persistently disrupt council business.

One councillor has now been suspended on six separate occasions for misconduct. Another councillor has been expelled for disorder from 12 council meetings since being elected in September 2012. Such conduct damages community confidence in councils and the local government sector as a whole. The amendments proposed in this bill are designed to more effectively address this behaviour. It is proposed that councillors who have been suspended on three occasions will be automatically disqualified from holding office for the next five years, that is, two terms of the council. Disqualification will only occur after the Chief Executive of the Office of Local Government and/or the New South Wales Civil and Administrative Tribunal [NCAT] have established on three separate occasions that the councillor has engaged in misconduct that is sufficiently serious to warrant their suspension from civic office.

The proposed amendment is informed by the principle that councillors who repeatedly engage in serious misconduct have abrogated their responsibilities to the community that elected them and are no longer fit and proper persons to hold office. The amendments also seek to address wilfully disruptive behaviour by councillors that is calculated to prevent councils from meeting the needs of their communities. They do this by seeking to expand the definition of "misconduct" in the Act to include conduct that is intended to prevent the proper or effective functioning of a council or a committee of a council. This will allow the chief executive or the Civil and Administrative Tribunal of NSW to take disciplinary action in relation to such conduct.

Examples of such conduct include preventing a council from making a decision by deliberately leaving a meeting to deprive it of a quorum, submitting large numbers of notices or questions on notice with a view to preventing the council from getting through its business, and misusing rescission motions to prevent councils from revisiting a matter for another three months. Stronger penalties offer no deterrence where the means do not exist to support timely enforcement action. In some cases, the disciplinary process can take in excess of 18 months. The amendments contained in this bill seek to address this by streamlining the process for dealing with councillor misconduct to ensure faster but fair outcomes.

It is proposed to remove the requirement under section 440G for notice to be given of a motion at a council meeting to formally censure a councillor. This is a historical anomaly that predates the current prescribed Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW and causes confusion in councils. Under the prescribed procedures the only means by which a council can censure a councillor for misconduct is on a recommendation made by an independent investigator in their final investigation report. Under the procedures, this is to be reported to the council by way of a staff report in the agenda of a meeting and not by a notice of motion as currently contemplated under section

440G.

It is also proposed to remove the requirement for the Chief Executive of the Office of Local Government to undertake an investigation as a prerequisite to taking disciplinary action for misconduct in all cases, allowing them to dispense with an investigation where one is not required to establish whether grounds exist that would warrant such action. This will be the case where sufficient evidence already exists of the misconduct because the matter had been previously investigated under a council's code of conduct and had been referred by the council to the chief executive for disciplinary action under the misconduct provisions of the Local Government Act. Allowing the chief executive to dispense with the need for a further investigation in such cases will reduce the time involved in dealing with such matters by 9 to 13 weeks.

It is also proposed to remove the need for an investigation as a requirement for the chief executive to reprimand and counsel a councillor. This will allow the chief executive to deal with minor misconduct matters that do not involve the imposition of a significant penalty more efficiently solely on the basis of a departmental report prepared with respect to the alleged misconduct. This will reduce the time involved in dealing with such matters by 25 weeks. Given the minor and non-public nature of reprimands and counselling, it is also proposed to remove the right of appeal to the NCAT for decisions to reprimand or counsel.

It is also proposed to clarify the procedural fairness requirements that apply to disciplinary action by the chief executive under the misconduct provisions. Currently, the Local Government Act is silent on this. It is proposed to require that, prior to taking disciplinary action, the chief executive must give the councillor the subject of proposed disciplinary action at least 14 days' notice of his or her intention to take disciplinary action, including the disciplinary action that is proposed to be taken and the grounds upon which the proposed disciplinary action is to be taken, and to consider any submissions made by the councillor.

It is also proposed to improve the efficacy of investigations of councillor misconduct by the chief executive by expanding their evidence gathering powers to allow them to obtain information or documents from any person, not just councillors, council staff and delegates and administrators, as is currently the case. Consistent with section 21 of the Ombudsman Act 1974 and section 24 of the Independent Commission Against Corruption Act 1988, it is proposed to exclude from this information or documents that would attract a privilege where the person has not consented to compliance with the requirement to provide the information or produce the documents. The bill also gives effect to my commitment to address the understandable community disquiet at the potential for misuse by councillors who are property developers of the provisions of section 451 that allow councillors to participate in the consideration of changes to planning instruments affecting the whole or a significant part of a council's area in which they have a pecuniary interest.

These provisions were incorporated into section 451 to address the problem of significant delays to the implementation of standardised instrument Local Environmental Plans [LEPs] across New South Wales. The delay was being caused by councils unable to make decisions due to loss of quorum where councillors had a pecuniary interest. The subsection will be amended to ensure that it continues to meet this objective but to close off the risk of abuse by councillors who are property developers. It will do this by limiting its application to the interests councillors have in their and related persons' principal places of residence. Those councillors will still be required to disclose the affected interests but will be permitted to participate in the consideration of the planning changes. However, councillors with other property interests that are affected by the changes will be precluded from participating in consideration of them.

Regrettably, public confidence in councils has been shaken in recent years by findings by the ICAC that councillors have acted corruptly. The Local Government Act provides for the dismissal and disqualification for five years of councillors who engage in serious corrupt conduct. The Minister can also suspend a councillor for up to six months for serious corrupt conduct. However, the exercise of these

powers has exposed loopholes which potentially compromise the capacity of the Minister to respond effectively to a finding of serious corrupt conduct against a councillor to restore community confidence. In one case the councillor resigned before he could be dismissed and disqualified, meaning that there was nothing to prevent him from re-standing as a candidate at the upcoming election. The proposed amendments seek to address this by allowing former councillors to be disqualified from holding civic office.

In a second case a suspended councillor instituted legal proceedings with respect to ICAC's findings. There was nothing to prevent him from resuming office after the expiry of the six months suspension, even with an unresolved finding of corrupt conduct against him. The proposed amendments seek to address this by providing that where such proceedings are instituted with respect to a finding of corrupt conduct, the suspension is to continue until the proceedings are concluded and up to six months afterwards to allow sufficient time for the councillor to be dismissed and disqualified where this is warranted.

Performance improvement orders are one of the more effective mechanisms available under the Local Government Act for compelling poorly performing councils to improve their performance. These are designed to operate as a rapid intervention mechanism to compel poorly performing councils and individual councillors to take steps to improve their performance. Orders can be tailored to require different actions by different councillors within the council. Where the council or individual councillors fail to comply with an order, the next step may be to suspend the whole council or to seek its dismissal following a public inquiry. The exercise of these powers has revealed deficiencies in them that these amendments are designed to remedy.

In the absence of urgency, 21 days' notice must be given before the Minister can issue an order. This means that 21 days must pass before any action can be required of a council to remediate its poor performance. It is therefore proposed to reduce the notice period to seven days in all cases to facilitate faster remedial action. Currently, action cannot be taken to address non-compliance with requirements under an order until the order expires. The proposed amendments are designed to address this and to allow greater flexibility in managing non-compliance by allowing the Minister to require more than one compliance report during the term of the order and to vary the terms of an order on giving seven days' notice. The amendments will also allow other intervention action during the term of an order, such as suspension or the holding of a public inquiry, where it becomes apparent that the order will not deliver the required improvement in a council's performance.

In circumstances where a performance improvement order requires actions be individual councillors—for example, training or mediation—where one or some councillors fail to comply with these requirements the only response available is to suspend the whole council. Not only is that unfair to compliant councillors; it can also operate as an incentive for some councillors not to comply because they want to see the whole council suspended for political reasons. To put in place an effective deterrent to non-compliance and to allow a response to non-compliance that differentiates between complying and non-complying councillors, it is proposed to empower the Minister to issue a compliance order to individual councillors who fail to take action required under a performance improvement order. Councillors will be prevented from exercising their functions until such time as the compliance order expires or is withdrawn.

Compliance orders will continue until the councillor has complied with the order or for a period of up to three months with a possible extension of a further three months. That aligns with the maximum period for which a whole council may be suspended under section 438O. Where the Minister considers that disciplinary action may also be required in relation to a councillor's non-compliance, he or she may request that the chief executive refer the matter to the NSW Civil and Administrative Tribunal [NCAT] for its consideration under the misconduct provisions of the Act. It is also proposed to reduce the period in which councils are required to advise what they propose to do to implement recommendations made by the chief executive as a result of their investigation of a council from 40 to 28 days. In circumstances

where remedial action is warranted to address proven maladministration the current 40 days is too long.

It is imperative that communities can have confidence in their councils and the councillors they have elected. Repeated misconduct by individual councillors and poor performance by councils not only impacts on community confidence in the councils concerned but also erodes confidence in the local government sector as a whole. The sector has recognised this, which is why it has called for stronger action. The measures proposed in the bill are designed to improve the efficacy of the existing regulatory framework by offering a greater deterrence to councillor misconduct and disruptive behaviours and offering the flexibility to deliver a more effective and timely response to the types of behaviours that hinder councils in meeting the needs of their communities. I commend the bill to the House.

**Debate adjourned on motion by Mr Guy Zangari and set down as an order of the day for a future day.**

**TRANSPORT ADMINISTRATION AMENDMENT (CLOSURE OF RAILWAY LINE AT NEWCASTLE)  
BILL 2015**

**Second Reading**

**Debate resumed from 9 September 2015.**

**Mr RYAN PARK** (Keira) [10.33 a.m.]: This is an interesting one. Let us have a detailed look at the Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015. The Minister comes into the Chamber every other day and says that Labor is against public transport, but it has been a while since we had a bill that rips up a public transport railway line. It has been a while since a Minister has said, "You know what I'll do as the Minister for Transport? I'll rip up a railway line. I think that is a fantastic idea." I will go through the history of this issue and outline some of our concerns. At the outset I commend my colleagues from the Hunter. The member for Maitland, the member for Newcastle, the member for Charlestown, the member for Wallsend, the member for Swansea and the member for Port Stephens have worked tirelessly along with thousands of people in their community to raise concerns about the proposal in this bill.

It is interesting that there has not been only one debate or one referendum, loosely called, on this issue. The community has not had only one opportunity to have its say; it has had two. Having been on the back end of a few political whacks, I know that they are painful to remember. Members opposite will find the past two by-elections painful to remember, but let us discuss them for a minute. The Newcastle railway line was an issue in both by-elections and the community said loud and clear that it did not want the line ripped up. Perhaps we can neutralise those results by saying that by-elections are always difficult for governments of any political persuasion to win, but we then had the general election a few months ago. Members opposite will remember that the Government's result in the Hunter was pretty ordinary.

Every Hunter Labor candidate campaigned on a clear message that Labor would retain the rail line. There were no ifs or buts; it was clear. We outlined an alternative range of infrastructure and said that we would keep the railway line. At that time the people of the Hunter had the opportunity to say, "No, we don't like that idea. We like the Government's proposal to rip up the railway line." What was the result of the election? Labor won the vast majority of what could be called Hunter seats. That was the second time that the community had its say on the proposal. The situation then got worse for the Government as it faced court action by the Save Our Rail group and spent a sum of money to fight that case. I will be finding out how much money that was and I hope the Minister will declare it today. According to this Government that is fine and reasonable; that is what taxpayers' money should be used for in the public transport realm.

The Government, which constantly criticises the Opposition for being anti-public transport, thinks it is fine to use Transport portfolio money to pay for court action. We then found out that the Government

was not even going to wait for the court to rule on the matter. Instead, it introduced legislation in order to use Parliament to circumvent not only the wishes of the people at the by-election and the general election but also a legitimate action in the Court of Appeal. This proposal has the Clover Moore bill written all over it. As soon as the Government does not get its way it brings in legislation to ram things through without considering the communities that it is meant to represent. It is astonishing. But let us put Labor's view of this matter aside and look at what Paul Broad has had to say. Members opposite would be familiar with Paul Broad. He worked—

**Mr Andrew Constance:** Are you talking about the bill now?

**Mr RYAN PARK:** Hang on. Paul Broad has said a lot about the issue we are debating. Paul Broad was the person that the Liberal-Nationals Coalition appointed, along with its good friend Nick Greiner—I am assuming that members opposite know Nick—back in 2012. He was appointed to Infrastructure NSW. That is fine as Paul Broad has a wealth of experience in infrastructure and it was a reasonable thing to do. Paul Broad did not think it was a good idea to pump light rail through George Street but that suggestion was ignored. Paul Broad also had major concerns about this issue. Recently Paul Broad had such major concerns with the Government's approach in Newcastle that he resigned his position as chair of the Hunter Development Corporation, which is reasonable. This is not a Labor person; this is a person that the Government appointed.

Before Government members start reading the speeches that the Minister gave them, I will remind them what was said. Paul Broad said that his opposition to building on the truncated line was simple—it was around the belief that one never gave up a corridor. Paul Broad, a person who was appointed by the Government to advise it on infrastructure, is telling it to rethink what it is doing in this space, which raises serious questions about its ability to listen to advice, even from independent advisers that it has appointed to do that. But what about the Cabinet minute regarding light rail options? What did it say? My colleagues might have something to say about that. That advice was also ignored.

So far in the story two by-elections have been ignored, a general election has been ignored, the advice of someone in the infrastructure space who was appointed by the Government has been ignored and now the Cabinet minute advice has been ignored. Who did the Government listen to before it made this decision? It did not listen to the community or to its infrastructure expert and it did not heed the advice in the Cabinet minute, but it must have listened to someone. I hope that the Minister enlightens us and tells us who he listened to. It will be interesting to see whether it was the same person he listened to regarding the George Street light rail project which he enthusiastically supports.

The Minister did not listen to Reverend the Hon. Fred Nile, the leader of the Christian Democratic Party in the other place, to whom he tends to listen to a lot. This Government often listens to what Reverend the Hon. Fred Nile has to say, which is reasonable as he has been a member of Parliament for a long time and he has a contribution to make. Let us have a look at what the Select Committee on the Planning Process in Newcastle and the Broader Hunter Region said—a committee chaired by Reverend the Hon. Fred Nile. This will present the Government with an additional problem as it ignored another recommendation. The committee said:

That the NSW Government immediately reinstate rail services that have ceased and infrastructure that has been removed from the Newcastle heavy rail line.

In late 2014 the committee conducted hearings and received only 350 submissions—

**Mr Tim Crakanthorp:** It was 370.

**Mr RYAN PARK:** It received only 370 submissions which were mostly opposed to the railway line. An interim report that was tabled in December—eight or nine months ago—recommends in part:



That no steps be taken to remove Newcastle's existing rail infrastructure.

Labor went to the people with a clear plan at the by-election and the general election.

**Mr Ray Williams:** And how did that go for you?

**Mr RYAN PARK:** The member for Castle Hill invites me to respond by asking, "How did that go for you?" Labor currently represents the following seats in the Hunter: Maitland, Newcastle, Charlestown, Wallsend, Cessnock, Swansea and Port Stephens. Labor had a clear position, as did the Liberal-Nationals Coalition. The community that it is meant to represent spoke, its infrastructure adviser spoke, and its friend and colleague in the other place who chaired the committee spoke. How much more independent advice did the Government require? It ignored all the advice it received. The Opposition will be opposing the bill—

**Mr Andrew Constance:** That is all I wanted to hear. Well done. More anti-public transport—

**Mr RYAN PARK:** The Minister invited me to respond by saying that the Opposition is anti public transport. Let us have a look at the bill. Today we are debating a bill entitled Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill.

**Mr Andrew Constance:** That is right—heavy rail for light rail, my friend.

**Mr RYAN PARK:** The Minister said that the Opposition is anti public transport when he introduced a bill that has "Closure of Railway Line at Newcastle" as part of its title. I am happy that the Minister for Transport intervened and said that the Opposition is anti public transport.

**Mr Andrew Constance:** You are.

**Mr RYAN PARK:** The title of this bill implies that the Government is closing a public transport railway line. The Opposition opposes this bill. My colleagues from the Hunter and I will continue to represent our community, which has spoken loudly and clearly. This Government's infrastructure expert and Reverend the Hon. Fred Nile in the other place have spoken loudly and clearly, and the Cabinet submission is clear. It is time that this Government listened to the people of the Hunter.

**Mr RAY WILLIAMS** (Castle Hill—Parliamentary Secretary) [10.47 a.m.]: It gives me great pleasure to speak in debate on the Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015—that is, the closure of the old railway line at Newcastle. The people of New South Wales deserve a modern and integrated transport system and economic development. Supporting this bill is akin to supporting the revitalisation of that precinct and the embellishment of the area between the foreshores from Honeysuckle right through to the Newcastle central business district [CBD].

I take a moment to digress and to acknowledge Karen Howard in the gallery—a good friend and a wonderful, hardworking community member. I had the pleasure of spending some time with Karen when she was the candidate for the Hunter and we discussed important infrastructure issues. Karen understands, as this Government understands, that in order to address an area and to stimulate economic growth we need construction, development and revitalisation. This Government will be revitalising that corridor through the implementation of light rail as opposed to a heavy rail link. I know this area well, having spent some time around Honeysuckle. It is a planner's delight—

**Mr Clayton Barr:** How many times have you caught the train into Newcastle?

**Mr RAY WILLIAMS:** I acknowledge the interjection from the member for Cessnock. He thinks that planning is all about cow paddocks and opposing coalmines. True design and planning happens in and around areas where there is water—as planners often say, water is the great attractor—such as the

foreshore of Newcastle. The development of Honeysuckle, and I think of the wonderful Honeysuckle Hotel, and the ability to link that redeveloped area to the city's central business district will inject many millions of dollars into the Newcastle area and will be welcomed by all. I well remember, when we announced this funding after the lease of the Port of Newcastle, the Premier held up a copy of the *Newcastle Herald*—that fine newspaper of the Hunter region. The headline said, "It's our time." Karen Howard would remember that. The people of Newcastle knew full well that this Government was going to inject the amount of money that was necessary to rebuild Newcastle.

This Government wants to see Newcastle grow and to realise its potential as the second-largest city in New South Wales. The Newcastle Urban Transformation and Transport Program has been established to deliver this Government's \$460 million commitment to revitalise the city. The program aims to bring people back to the city centre by strengthening connections between the city and the waterfront, creating employment opportunities, providing more public space and amenity, and delivering better transport. There is no better public space than the wonderful green area connecting Honeysuckle to Nobby's Beach; it is a beautiful area. Central Newcastle deserves to be a significant economic, social and cultural centre. The New South Wales Government seeks to encourage residential and commercial development in the city centre and inject vibrancy back into the area—something that has been lacking for many decades, most recently under the Labor Government.

Unfortunately, it seems that some members of the Australian Labor Party—the remnants of the Labor Government that no longer needs to be mentioned—want to backtrack. They want to stay in the dark past and deny Newcastle the investment it needs to make it a modern city. As the second-largest city in New South Wales and the capital of the Hunter region, Newcastle has the ability to be a world-class city. The Newcastle Urban Transformation and Transport Program will unlock Newcastle's enormous potential, making it a more diverse and attractive centre for locals and visitors alike. Under Labor this potential was constrained by a lack of investment, a lack of will and a lack of decision-making. This Government will not allow a repeat of the past.

This bill will enable the New South Wales Government to get on with the job of transforming Newcastle. Connecting this area of the city to the transformed areas along the city's waterfront by removing the heavy rail barrier will be the catalyst to revitalising the city and will ensure the CBD retains its rightful place as the capital of the Hunter. Already this Government has made significant progress. It has awarded the \$73 million contract for the new Wickham Transport Interchange. This modern facility will be a vital part of Newcastle's new transport system. It will provide the backbone for a world-class transport system that Newcastle truly deserves. We have provided Newcastle with a taste of its vibrant future.

Six new pedestrian crossings are open, reconnecting the city centre to the waterfront at Steele Street, Kuwumi Place, Worth Place, Wolfe Street, Argyle Street and Perkins Street. A seventh new pedestrian crossing is on its way at Civic. Now we need to honour our commitment to bring light rail to Newcastle. Experience in other parts of the world tells us that light rail increases public transport patronage, delivers benefits to landowners and creates flow-on effects in diversifying the economy, improving liveability and increasing the sustainability of cities. This is the vision we have for Newcastle. The Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015 will expedite the introduction of light rail to Newcastle. In doing so, the bill will facilitate an integrated transport system and help to unlock the city's potential.

The delivery of light rail will build on our broader scheme of investment in the region. Since 2011 more than \$1 billion has been allocated for infrastructure commitments in the Hunter. We have provided \$25 million for the relocation of the University of Newcastle NeW Space city campus. In his inaugural speech the member for Newcastle highlighted the need for more employment and the opportunity to create university spots for young people in that area. We only achieve economic growth through investment and we only obtain access to university places by investing in universities. That is exactly what this Government is committed to doing. The member for Newcastle will go down in history as being

one of the greatest hypocrites in the Parliament of New South Wales. There is more to say on this. I am happy to continue to enlighten the House with further comments.

The new campus will benefit from both the new interchange and the light rail project, providing world-class transport infrastructure to match the investment. This example demonstrates how the city's needs will change as it continues to grow. It is now incumbent on the New South Wales Government to ensure that the light rail project and the transformation of Newcastle will proceed. This bill seeks to end the uncertainty caused by last year's court order obtained by a group opposed to the revitalisation of Newcastle. The legal proceedings have affected the progress of the project. Our commitment to Newcastle and its development has been clear, and this bill will enable us to deliver that project. I will now revisit some of the comments made by others in relation to this project.

**Mr Gareth Ward:** What about Jodi McKay? What did she say?

**Mr RAY WILLIAMS:** Let me come to that. I will start with former member and Minister, Michael Costa. His name might ring a bell. He said:

The hurdle in the revitalisation of Newcastle has always been the transport component. This plan fixes it, and Labor will lose all credibility if it opposes it in the Parliament.

But it gets better. In 2010 Sharon Grierson, the Federal member for Newcastle, told Federal Parliament:

For Newcastle, light rail would make it easier for everyone to enjoy the city's great lifestyle, it would breathe a new life into Newcastle's growth corridors and light rail would link our knowledge and people centres with smart transport for the 21st century.

Then there is the former member for Newcastle, Jodi McKay, who said:

I think the fact that the government has committed to taking out the heavy rail is going to change the city and I think that's a very positive thing ...

She said that securing light rail for the city of Newcastle was "fantastic". Those are just some of the quotes in support of this project, but there are others. Penny Sharpe, a former shadow Minister in this area, agrees. She said, "93 per cent of respondents recognised the need for the Newcastle city centre to be rejuvenated; 71 per cent of respondents were supportive of a new transport interchange at Wickham station and the removal of the heavy rail line to Newcastle". [*Extension of time agreed to.*]

It is important, before I conclude, to place on the record the thoughts of people in the community. I note that the member for Newcastle tweeted recently in an article that said the State Government would seek Parliament's approval to officially close the old Newcastle rail line at Wickham and finally make a significant start on its \$460 million project to transform the city. It was interesting to read the responses to that tweet. Obviously the member for Newcastle is opposed to economic development and he hates public transport, as do a number of Opposition members. Mr Stephen Cooper said, "Only a minority of Newcastle protested and rallied. Don't group us all in your negative politics."

**Mr Tim Crakanthorp:** Which branch of the Liberal Party is he from?

**Mr RAY WILLIAMS:** He is certainly not one of the 35 per cent who voted "overwhelmingly" for the member for Newcastle at the last election. Mr L Andy J replied to the tweet from the member for Newcastle by saying, "Stop holding us back, let us revitalise the city." The replies continue. Mr James Smyth said, "In my eyes, you don't represent the majority of Newcastle, only the senile change resistant minority holding the city back." I digress. I do not want to draw all of the comments made by residents in Newcastle to the attention of the House because there are pages and pages of them. I could go on for days, but I acknowledge that my extension of time to speak is brief. I will conclude by saying that when

this Government was elected it had a genuine intention to invest in all areas of need across New South Wales.

Newcastle is one of those areas. It deserves to have economic development so that people in that region, particularly the young, have jobs. If Opposition members choose to oppose this project, they will be forever condemned. If they oppose this investment in one of the most significant regions in New South Wales, they should never be allowed to take the Treasury benches in the future. We know that light rail will turn Hunter Street into a thriving main street and will improve connections between the city centre and the waterfront. The bill supports the economic development of Newcastle. I ask members who want to vote against it to consider where they wish to stand in history. This Government supports injecting \$1 billion into the revitalisation of Newcastle. It will improve life for people in Newcastle and the Hunter. I commend the bill to the House.

**Mr TIM CRAKANTHORP** (Newcastle) [11.00 a.m.]: I oppose the Transport Administration Bill (Closure of Railway Line at Newcastle) Bill 2015. The bill authorises the Government to close the public railway line that runs between Railway Street, Wickham, and Newcastle railway station. It is a shameful day because this bill flies in the face of what people have clearly said they want. The retention of rail services was front and centre during the Newcastle by-election campaign in October 2014, and pro rail candidates received a whopping 65.6 per cent of the vote. When the Hon. Pru Goward said boldly that the March election would be a referendum on the future of Newcastle, pro rail candidates received a massive 64.5 per cent of the vote. The Government reneged quickly on its "referendum on the future of Newcastle" rhetoric. The member for Keira said two elections delivered the same result, but in fact there were four. There was also the lord mayoral by-election and the ward 3 by-election, in which a vast majority of people voted for candidates who ran on a pro rail platform.

If that were not enough, Paul Broad, a senior New South Wales public servant and chairman of the Hunter Development Corporation, resigned, blasting the Government's plans to have light rail down Hunter Street and development of the rail corridor. He said he had experienced some disappointment with aspects of the Government's revitalisation plans, but most concerning was "a massive shift in power from Newcastle to Macquarie Street". It is significant when the Government of the day chooses to ignore the local community in favour of a decision that will be a massive boon to developers, who will not have to grout under the only strip of land in the central business district that is not undercut by mines. Having the proposed light rail down Hunter Street will cost taxpayers a massive \$100 million. Mr Broad said that the Hunter Development Corporation would not have sought development of the rail land. In fact, he demanded that the Government tell UrbanGrowth to get out and that it could not develop the rail corridor.

The Newcastle rail line was built 158 years ago in 1857. It has served the people of Newcastle ever since, providing an essential rail link from Sydney into the heart of Newcastle where people could easily alight to visit the beach, the mall, the museum, the art gallery or Darby Street. That will no longer occur seamlessly. Since the truncation of the rail line, 50 per cent fewer people are coming into the central business district by public transport. Local businesses have felt the effects and some are moving on. Labor's policy to retain rail into Newcastle has been solid for many years. I know, because I seconded Bryce Gaudry's motion to that effect at the State Labor conference a decade ago. Local community groups have been fighting to save the rail line for 30 years. I pay tribute to Save Our Rail and Hunter Concerned Citizens for their herculean effort throughout this crusade.

**Mr Gareth Ward:** Look who is in the gallery. They are concerned about you and your performance.

**Mr TIM CRAKANTHORP:** What about the rally yesterday? Throughout the past 12 months there has been a resurgence of support for the rail line, which has coincided with the Government's release of the proposed plans for the interchange and the light rail route. The community was not impressed with the second iteration of the proposed plans. They were so unimpressed that they called for an inquiry into planning and transport in Newcastle. This occurred around the time of the resignation of the former

member for Newcastle, the former member for Charlestown and the former lord mayor of Newcastle, which was driven by an Independent Commission Against Corruption [ICAC] investigation. The community believed rightly that the decision to truncate the rail line was made to benefit a few, but they wanted to know what was in the best interests of the community. That inquiry received 370 submissions, a substantial majority of which opposed the Government's decision to close the rail line. In March 2015 the inquiry delivered its findings, which indicated conflicts of interest around the rail line decision. Recommendation No. 10 states:

That the NSW Government immediately reinstate rail services that have ceased and infrastructure that has been removed from the Newcastle heavy rail line.

It is not only the community and the Labor Party that opposes the cutting of the rail line, and it is not only one of the Hunter's most senior public servants who has blasted the Government for putting light rail down Hunter Street. The Government's planning and transport agencies have done the same. Cabinet document 71, which was found in my office, clearly states that the Government's own agencies panned the light rail proceeding down Hunter Street:

The preferred light rail alignment has been identified as the rail corridor in Scott Street ... which supports the urban revitalisation of Newcastle... and the light rail should be continuing to Newcastle Beach as this minimised road impacts as well as the costs and risks of delivery.

The report concluded:

Based on detailed analysis undertaken in recent months, Hunter Street is not the preferred option.

It is not the preferred option, and if it were scrapped it would mean that \$100 million would be saved and we could invest that in fixing the Adamstown gates, improving the Glendale interchange and undertaking other important transport projects across Newcastle and the Hunter. Everyone in Newcastle is in favour of opening up the city to the harbour. That is why members on this side of the Chamber propose six new crossings at Worth Place, Wolfe Street, and one near Wickham station, as well as three new pedestrian crossings. We also propose beautification, improved signalling, and moving the stabling of trains to the western side of Wickham. All those measures would open the city to the harbour while keeping our mass transit system intact.

Not only do we want a high capacity, high frequency mass transit system into our central business district, we need one. We have 5,000 students travelling into the university campus, which was built opposite the current—but now closed—Civic railway station. It is ironic. The student campus has only five car parking spaces. The magnificent new law courts—another great Labor initiative—are 100 metres up the road and they have next to no parking and no railway station. The Government has proposed that GPT Group's development in the city will consist of 39,000 square metres of residential space, 15,000 square metres of retail space and 20,000 square metres of commercial space. However, the second largest city in New South Wales will be working with a Mickey Mouse transport system without the frequency or capacity to deal with transport requirements for the next 50 years.

In June last year, the Hon. Pru Goward, the then Minister for Planning, said astonishingly, "This is not a transport issue." It is about transport and planning for the people of Newcastle. Government departments are not working well together, which has been highlighted by the design of the interchange. Roads and Maritime Services and Transport for NSW are working in silos and not talking to each other. I conducted a survey recently to get an update of community sentiment on this issue. Of the hundreds of people who responded, 80 per cent said they would prefer the current rail corridor for the proposed light rail route. Cutting the rail corridor cuts options. It is doing things backwards without analysis. Again, the Government has put the cart before the horse. It is planning to fail yet again.

In question time last week the Minister for Transport suggested that I go to the *Newcastle Herald* website to see some of the responses from my community, and I did. Members opposite might be surprised—although I am not—by the results of the public poll. On Friday 11 September, the *Newcastle Herald* published the results of a poll on the question, "Are you happy with the Government getting on with the Newcastle rail line development?" More than half of those who responded said no. During the election campaign the Premier was in Sydney spruiking rail as the answer. Last week in question time the Minister for Planning was also promoting rail. He responded to a Dorothy Dixer:

Across the State vital projects ... and rail projects are being undertaken. Last week I visited north-western Sydney with the Premier to look at the first section of the skytrain that is being completed.

Why is it that in Sydney the Government is spruiking the benefits of the rail projects it is delivering—like the North West Rail link—but in Newcastle all it wants to do is rip up the line? The people of Newcastle have spoken time and again. The Government's own departments have analysed and reported on the need for the rail corridor. If the Government wins and the rail line is cut it will be reducing options for Newcastle residents. I am here representing the people of Newcastle and working to deliver the best transport outcomes for my electorate. Government members should swallow their pride and admit that they got it wrong. I cannot and will not support this bill, and I urge all members to reject it.

**Mr LEE EVANS** (Heathcote) [11.10 a.m.]: Central Newcastle deserves to be a significant economic, social and cultural centre. That is why this Government is implementing the Newcastle Urban Transformation and Transport Program, which will rejuvenate Newcastle. It will bring people back to the city.

**Mr Greg Piper:** How often do you go there?

**Mr LEE EVANS:** I was there a fortnight ago. In fact, I went to lunch at Honeysuckle in Newcastle. It was very nice; it was a beautiful day. I asked some people who were having lunch, "What do you think about the redevelopment?" The answer was, "We cannot wait." That was a pop poll conducted at a lunch in Newcastle involving people whom I did not know from a bar of soap, and they told me that they cannot wait for it. Already this Government has made significant progress on the project. The Wickham Transport Interchange will be a major part of Newcastle's new transport system. It will connect heavy rail, light rail, regional buses, taxis and car transport. It will be the gateway to the central business district [CBD]. The design of the interchange has been unveiled. It is an impressive design that pays tribute to the city's industrial history while also looking to its future.

The Government has consulted and taken on board feedback from the community. As a result, the revised design includes additional weather protection, public space and amenity. It will be a pleasure to use. Construction contracts have already been let and the early works package is near completion. The main works will now ramp up, with construction expected to commence later this year. The next major piece of Newcastle's transport and urban renewal solution is light rail. Historically, central Newcastle has been serviced by heavy rail, which limits the opportunities for urban renewal. A heavy rail line involves a wide, fenced-off corridor, which interrupts pedestrian flows and parts of Newcastle are separated.

The fencing and infrastructure of heavy rail also compromises the visual amenity of the area. In contrast, light rail is conducive to urban renewal. Due to the lower speeds and less obtrusive infrastructure, pedestrians can walk across the light rail line, public spaces can be more open and better integrated, and the visual amenity is superior. Light rail supports vibrant urban environments in various cities overseas, and that is this Government's vision for Newcastle. The Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015 will expedite the introduction of light rail to Newcastle. In doing so, it will maximise urban renewal and increase opportunities for central Newcastle.

The New South Wales Government is determined to give Newcastle the opportunity it was not

afforded under the Labor Government. This bill allows us to deliver on our commitment to invest in Newcastle, to stimulate the economy and to attract investment to the city. The Government has already partnered with other organisations to deliver funding for the relocation of Newcastle's NeW Space city campus, for law and business faculties in Civic; for the relocation of the court precinct to Civic; and for redevelopment of landholdings around Hunter Street Mall in the city's East End. The Government believes that after so many years of inaction, the people of Newcastle deserve some certainty that the Newcastle Light Rail project will be delivered.

In December last year, a group opposed to the Government's plans to revitalise Newcastle obtained a court order that had the effect of preventing government entities from closing the line and removing the infrastructure without an Act of Parliament. That Court of Appeal decision has been appealed and a decision has not yet been handed down. The legal proceedings have affected the Government's ability to progress the project. Additional costs have already been incurred as a result of the delay, and the Government does not want to waste any more time or money. Without certainty we will incur additional costs and delays. We are committed to getting on with the job, which will allow Newcastle to flourish.

While the legal proceedings are still underway there is a real risk that the Newcastle Light Rail project will not proceed as promised. The transformation of Newcastle is hindered for as long as the uncertainty lingers. This bill will end the uncertainty, ensure that the project can proceed as required, and avoid any additional costs. Newcastle deserves to be an economic, social and cultural centre, and light rail will play a major role in making that a reality. This bill supports that vision. I note the comments made by some luminaries from the Labor Party. Mr Michael Costa, former Minister for the Hunter, said in June 2013:

The hurdle in the revitalisation of Newcastle has always been the transport component. This plan fixes it, and Labor will lose all credibility if it opposes it in the Parliament.

Sharon Grierson, the Federal member for Newcastle, told Federal Parliament in 2010:

For Newcastle, light rail would make it easier for everyone to enjoy the city's great lifestyle, it would breathe a new life into the Newcastle's growth corridors and light rail would link our knowledge and people centres with smart transport for the 21st century.

Jodi McKay—the former member for Newcastle—said in January this year:

I think the fact that the government has committed to taking out the heavy rail is going to change the city and I think that's a very positive thing.

She said that securing light rail for the city was "fantastic". Where is the member for "Strathcastle"? Is she here? She is not here today. The Hon. Penny Sharpe, from the other place, was the Parliamentary Secretary for Transport and Roads in 2010. A letter to the Fix Our City group in February 2010 noted an independent survey, which indicated that "93% of respondents recognise the need for the Newcastle city centre to be rejuvenated". It also noted that "71% of respondents were supportive of a new transport interchange at Wickham Station and the removal of the heavy rail line to Newcastle (if dependent on the realisation of other catalyst projects)". It is time to stop holding Newcastle back. It is time to let Newcastle come into the modern age.

**Mr CLAYTON BARR** (Cessnock) [11.18 p.m.]: I speak on the Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015. I have something of a passion for this issue, having followed the debate for a number of years and having been a worker in the Newcastle central business district [CBD] from 2002 to 2009. I note that very few of the members who have spoken and who will speak in this debate today have had the privilege of seeing Newcastle go through the revitalisation process from 2002 to 2009. There is no doubt that the global financial crisis brought that to a

shuddering halt, but every day that I drove into the CBD there were cranes on the skyline. There were buildings being re-formed. There was revitalisation with the heavy rail line still in place. No-one on the Government's side of the debate who speaks on this issue in the House has that knowledge, insight and awareness. Let us be clear about that from the start.

For the sake of *Hansard*, I will describe the documents I wish to refer to rather than show them to those who are present in the Chamber. I have here approximately 10 centimetres or four inches of documentation that are all about the Newcastle revitalisation going back to 2006. Members who have not read those speak today from a position of ignorance. That is an important point that must be recognised because we are debating a combination of issues around planning, investment, revitalisation, communities and public transport. To help us all to understand how we get to this point and where we might have come from, let us go on a little bit of a journey over the period of this particular Government.

**Dr Geoff Lee:** Oh, no. I am not going to listen to this stuff. I am not here to go on a journey. I have read the report.

**Mr CLAYTON BARR:** I can go back to 2006, if Government members want me to, but I will start at 2011.

**Mr Andrew Constance:** Let us go back to 1886 instead.

**Mr CLAYTON BARR:** In the lead-up to the election campaign in March 2011, Barry O'Farrell went to the Hunter. The Minister might remember Barry O'Farrell, who was one of the Liberal ICAC Premiers in recent times. Barry O'Farrell went to the Hunter and told the people of the Hunter that there would be no decision on the Newcastle rail line without first consulting the community and the people of the Hunter. I am sure the member for Maitland will elucidate that point later. But Barry O'Farrell might have gone one step further when he went to Maitland and confirmed to the people of Maitland that under an O'Farrell Government the rail line would indeed be staying. Fast forward to 12 December 2012 when the New South Wales Long Term Transport Masterplan was released by the then Minister for Transport, Gladys Berejiklian. In that master plan there was no mention of cutting the Newcastle rail line. Oops!

Twenty-four hours later, the then Minister for Planning and Infrastructure, Brad Hazzard—not the Minister for Transport—went to Newcastle to announce that the rail line was going to be cut the very day after the New South Wales transport master plan was released. One might have thought that in that transport master plan there might have been some knowledge or awareness of the decision that was going to come the next day from the Minister for Planning and Infrastructure. Let us go forward another 24 or 48 hours. The Minister for Transport was asked for comments about the decision to cut the rail line. What was the response from the Minister for Transport at the time? "Mmm, the rail line? That is not a decision for the transport Minister. That is a planning decision." Okay, so let us go back to the then Minister for Planning and Infrastructure, Mr Hazzard. In Mr Hazzard's comments about concern over that rail line being primed for sale for development, he said this:

I can make it very clear, 100 per cent, that our intent [is that] it [the rail corridor] stays in public ownership for the long haul, so there's no intent whatsoever to go handing it over to developers. What we're really talking about here is a guaranteed, no doubt about it, stays in public ownership, must remain as a potential corridor [for the future].

That was the then Minister for Planning and Infrastructure, Mr Hazzard, just days after the announcement that the rail line was going to be cut. But what does the legislation before the House say? Clause 3 (2) states:

Accordingly, a rail infrastructure owner authorised under subclause (1) may sell or otherwise dispose of the land concerned and remove the railway tracks and other works concerned.



It is a muddled picture of exactly what the Government is trying to achieve in the Newcastle central business district [CBD]. There is clear inconsistency about the Government's decision-making processes, what drives its decision-making processes, who the masters of the Government's decision-making processes are, and about who really is in control. I will move on to discuss the walking automatic teller machine [ATM], Jeff McCloy. We might remember the walking ATM as having quite a chequered history and past concerning his involvement in the 2011 election and certain members of Parliament from the Hunter.

[*Interruption*]

**TEMPORARY SPEAKER (Mr Adam Marshall):** Order! I call members on both sides of the House to order, particularly the member for Kiama.

**Mr Tim Crakanthorp:** Kick him out.

**TEMPORARY SPEAKER (Mr Adam Marshall):** Order! It will be the member for Newcastle I will kick out. The member for Cessnock has the call. He will be heard in silence.

**Mr CLAYTON BARR:** I will state for the record, for the sake of this debate, something that has been widely reported in the media. Early in 2012 Mr McCloy, as a property owner and developer with a number of properties in the Newcastle CBD, wrote to the then Minister for Planning and Infrastructure, Mr Hazzard, and very clearly said to him, "I will refuse to invest in, to renew or to improve my properties in Hunter Street of Newcastle until you cut the rail line." In many other languages that might be referred to as held to ransom, or trying to hold sway, or trying to have say.

**Mr Andrew Constance:** Point of order: I ask the member for Cessnock to withdraw those comments because of the inferences against Brad Hazzard in the words he has just used.

**Mr Clayton Barr:** I will clarify that.

**Mr Andrew Constance:** If the member for Cessnock is going to start making those types of allegations in this House, he knows the processes around those types of allegations. I also urge the member for Cessnock to take a couple of steps back from saying that as well because he is pushing a very far-flung boundary if he makes that type of inference against Minister Hazzard.

**Mr CLAYTON BARR:** I appreciate the interjection from the Minister.

**Mr Andrew Constance:** No. I have taken a point of order and I have asked you to withdraw it.

**Mr CLAYTON BARR:** I will not withdraw it.

**Mr Andrew Constance:** You are not going to withdraw it?

**Mr CLAYTON BARR:** No. I will clarify my comments.

**Mr Andrew Constance:** Okay. You clarify it.

**Mr CLAYTON BARR:** I will clarify for *Hansard* that I in no way shape or form seek to suggest that that Minister Hazzard, who I consider to be a wonderful and honest man, has any suggestion of corruption here at all—none whatsoever.

**Mr Andrew Constance:** You said that he was blackmailed. You said that he was being held to ransom.

**Mr CLAYTON BARR:** I was saying that Mr McCloy was using his power, his position, his wealth and his input to try to—I emphasise "try to"—flex muscle and to try to bring about a decision that he wanted, but which the community might not have wanted. Furthermore, Mr McCloy had brown paper bag investments during the election process. Having written to the Minister for Planning and Infrastructure and made certain threats and having been elected as the Mayor of Newcastle later in 2012 he then—

**Mr Andrew Constance:** Point of order: This debate is going down a very slippery slope when there are matters before the ICAC that currently are being investigated.

**Ms Yasmin Catley:** Oh!

**Mr Andrew Constance:** Opposition members might object, but particularly Opposition members should know that, given the behaviour of some of their colleagues. I urge that the debate be brought back to the bill before the House.

**TEMPORARY SPEAKER (Mr Adam Marshall):** Order! I thank the Minister. A second reading speech is given reasonably wide latitude, provided that members' comments are relevant or germane to the short title of the bill. To this point, the member for Cessnock has been relevant. However, I urge the member for Cessnock to bear in mind the comments made by the Minister. The member for Cessnock has not been reflecting adversely on any member of this House. But if he chooses to reflect on people outside the House, potentially there are consequences for that.

**Mr Gareth Ward:** Further to the point of order: Mr Temporary Speaker, I am not seeking to canvass your ruling in any way, shape, or form but I will make the point that the member's comments must be relevant under Standing Order 76. I do not see how he can draw a connection or a nexus between donations and the rail line and the substance of the bill. Mr Temporary Speaker, I ask you to call the member back to the leave of the bill.

**TEMPORARY SPEAKER (Mr Adam Marshall):** Order! I thank the member for Kiama, but I rule that to this point in the debate the member for Cessnock's contribution has been as relevant as have other contributions in this debate so far.

*[Extension of time agreed to.]*

**Mr CLAYTON BARR:** There is something I wish to clarify. Earlier I spelt out the inconsistencies of the Government's decision-making process across successive Ministers. The decision-making seems to be incredibly inconsistent. Throughout this whole process the only consistency has been the position of somebody who currently is being investigated by ICAC and who has been widely reported as well as acknowledged and accepted as having made unusual and unlawful donations during a campaign period. That same person, Mr Jeff McCloy, said he felt like he was a walking ATM during the election process. He has had the ability to have enormous say in the decision-making in this issue.

Indeed, the one, the only, the singular consistency through all the planning and transport decisions about the Newcastle rail line has been the position of Jeff McCloy. The Government has not been consistent throughout the process. It has flipped, it has flopped, it has moved, it has shaken, it has gone forwards and it has gone backwards. Its Ministers and Premiers have not been consistent, its investment profiles have not been consistent, its funding has not been consistent.

**Mr Gareth Ward:** Point of order: That was the most extraordinary reflection on the Minister. Essentially, the member for Cessnock is saying that a developer was behind the reason for bringing forward this bill. That is an extraordinary reflection on the Minister. If the member does not withdraw it, I will have to move that he be not further heard.

**TEMPORARY SPEAKER (Mr Adam Marshall):** Order! Will the member for Cessnock withdraw

those remarks?

**Mr CLAYTON BARR:** To the point of order: There have been multiple, multiple Ministers. There has been a Cabinet document that has clarified the inconsistency.

**TEMPORARY SPEAKER (Mr Adam Marshall):** Order! So the member for Cessnock will not withdraw the remarks. That is fine.

**Mr CLAYTON BARR:** For those reasons I will not withdraw.

**TEMPORARY SPEAKER (Mr Adam Marshall):** Order! That is fine. I did not think the member for Cessnock was making any reflections on any particular Ministers. The member has said that he will not withdraw the remarks. If the member for Kiama wishes to move a motion, that is fine; but I am prepared to allow the member for Cessnock to continue his contribution.

**Mr Andrew Fraser:** Point of order: Clearly enunciated on the front cover of the bill are the objects of the Act, which basically give reasons why the legislation was introduced into the Parliament. The member for Cessnock clearly indicated to the House that the only reason the bill was being introduced was that it was the Minister's payback to people who had donated to a campaign. That, to me, needs to be withdrawn because it is not correct. It is not within the object of the legislation,

**Mr Tim Crakanthorp:** It's not about the Minister.

**Mr Andrew Fraser:** It was about the Minister—that is what the member for Cessnock said. I ask the member for Cessnock to withdraw the allegation he put before this House this morning.

**TEMPORARY SPEAKER (Mr Adam Marshall):** Order! Will the member for Cessnock take up that invitation and withdraw?

**Mr CLAYTON BARR:** No, I will not.

**Mr ANDREW CONSTANCE** (Bega—Minister for Transport and Infrastructure) [11.31 a.m.]: I move:

That the member for Cessnock be not further heard.

**Question put.**

**The House divided.**

**Ayes, 41**

Mr Anderson  
Mr Aplin  
Mr Ayres  
Mr Barilaro  
Ms Berejiklian  
Mr Conolly  
Mr Constance  
Mr Crouch  
Mrs Davies  
Mr Dominello  
Mr Elliott

Ms Gibbons  
Ms Goward  
Mr Gulaptis  
Mr Hazzard  
Mr Henskens  
Ms Hodgkinson  
Mr Humphries  
Mr Johnsen  
Mr Kean  
Dr Lee  
Mr Maguire

Mr Provest  
Mr Roberts  
Mr Rowell  
Mrs Skinner  
Mr Stokes  
Mr Taylor  
Mr Toole  
Ms Upton  
Mr Ward  
Mr Williams  
Mrs Williams

Mr Evans  
Mr Fraser  
Mr George

Mr O'Dea  
Mrs Pavey  
Mr Perrottet

*Tellers,*  
Mr Bromhead  
Mr Patterson

**Noes, 32**

Ms Aitchison  
Mr Atalla  
Mr Barr  
Ms Burney  
Ms Car  
Ms Catley  
Mr Crakanthorp  
Mr Daley  
Mr Dib  
Ms Doyle  
Mr Greenwich

Mr Harris  
Ms Harrison  
Ms Haylen  
Mr Hoenig  
Ms Hornery  
Mr Kamper  
Ms Leong  
Mr Lynch  
Dr McDermott  
Ms McKay  
Mr Mehan

Mr Minns  
Mr Park  
Mr Parker  
Mr Piper  
Ms T. F. Smith  
Ms Washington  
Ms Watson  
Mr Zangari  
*Tellers,*  
Mr Lulich  
Mr Warren

**Pairs**

Mr Baird  
Mr Brookes  
Mr Grant  
Mr Notley-Smith  
Mr Piccoli  
Mr Speakman  
Mr Tudehope

Mr Chanthivong  
Ms Finn  
Mr Foley  
Ms Hay  
Ms Mihailuk  
Mr Robertson  
Ms Smith

**Question resolved in the affirmative.**

**Motion agreed to.**

**Dr GEOFF LEE** (Parramatta—Parliamentary Secretary) [11.40 a.m.]: I also support the Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015. The New South Wales Government is revitalising the Newcastle city centre to boost economic activity and reinforce the city's role as a twenty-first century regional centre.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! There is too much audible conversation in the Chamber.

**Dr GEOFF LEE:** Since 2011 we have made more than \$1 billion in infrastructure commitments to the Hunter. We established the Hunter Infrastructure and Investment Fund to ensure the Hunter receives the investment this State's second-biggest city deserves. We are committed to economic development and growth in jobs in the Hunter. The Newcastle Urban Transformation and Transport Program is a centrepiece of this development. The program includes a new multi-modal transport interchange at Wickham; funding towards the relocation of the University of Newcastle city campus law and business faculties to Civic; redeveloping of landholdings around Hunter Street Mall in the East End; and, importantly, light rail between Wickham interchange and the beach. This program supports jobs. This Government is taking action to help grow new jobs in the city centre. It is investing in initiatives that create

jobs and encourage a range of businesses to the city centre. This bill supports these initiatives.

Light rail will play a pivotal role in the future of a modern, accessible city. Light rail will encourage urban renewal. The heavy rail line cut off Hunter Street from the waterfront. Pedestrian and traffic flows are limited, and different parts of Newcastle are separated. The fencing and infrastructure of the heavy rail line also compromise the visual amenity of the area. We truncated the line on Boxing Day last year, and already we have seen a change in the mood down by the water. Six new pedestrian links over the rail corridor have opened up the flow to people. We are reconnecting the city centre to the waterfront at Steel Street, Kuwumi Place, Worth Place, Wolfe Street, Argyle Street and Perkins Street. The people of Newcastle have realised that this Government delivers on its promises and is committed to ensuring economic development and jobs growth.

Across the world, light rail supports vibrant urban environments. This is because light rail-based urban development reduces traffic, creates more lively places to live and work, and encourages modern mixed-use development. Pedestrians can walk across the light rail corridor, which presents opportunities for improved public spaces and enables transport to better integrate with the landscape. A vibrant modern city with a thriving Hunter Street is our vision for Newcastle. If closure of the line is not permitted in upcoming months, additional costs and delays will be incurred. The Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015 will expedite the introduction of light rail and Newcastle's rejuvenation. This bill will end the uncertainty and ensure the project can proceed as planned.

While we are waiting on a Supreme Court decision, we are busy moving ahead with supporting infrastructure. The new design for the Wickham Transport Interchange responds to feedback from the community and includes additional public space and amenity. The interchange will bring together heavy rail and light rail with regional bus, taxi, and car transport. It will be the gateway to the central business district [CBD]. We sought to create a striking public space that not only looks good but also provides easy access for public transport customers. It will be a world-class modern infrastructure, while also paying homage to Newcastle's industrial past with its coal and steel port infrastructure. The contract for the new interchange has been awarded and early works are nearing completion. The community knows that we are serious about the Wickham Transport Interchange, and serious about encouraging jobs and economic development.

As the Wickham Transport Interchange demonstrates, we have made significant progress in delivering Newcastle's future. This bill provides for the next stage—light rail—which will enable Newcastle to reach its full potential. We want to see Newcastle prosper. I listened with disappointment to the contributions of those opposite to this debate. I surmise that they are ill-informed and not deliberately misleading the good people of Newcastle. Anybody who has seen light rail in action will understand its true benefits in rejuvenating areas. There are concerns about the introduction of light rail to Newcastle, as there were on the Gold Coast. Those concerns have been allayed by the fantastic light rail service on the Gold Coast and in the inner west. The services are well patronised by people who enjoy the benefits of using light rail.

Parramatta is slated for a light rail service. Our very good Minister for Transport and Infrastructure is in the House, and he is committed to providing light rail in Parramatta. The Parramatta community likes light rail and welcomes this plan because it knows the benefits of light rail not only for Parramatta but also for Newcastle. This is an important bill. Light rail has the potential to deliver 9,000 people an hour to their destination. It has high capacity, and provides easy and convenient access to public transport. It is more than just a transport option; light rail is a city shaper. Transport options shape cities: Penrith was shaped by cars, as was Parramatta, along with heavy rail. Now we have the opportunity to shape cities by developing light rail to create vibrant urban environments that favour people and activate the area.

As we have seen, heavy rail creates barriers to the flow of people traffic. People and traffic need crossings to get from one side of heavy rail to the other. Some Parramatta suburbs are divided by heavy rail. Light rail provides a user-friendly, integrated approach to moving people from their homes to their

jobs and back. Light rail provides easy access to shape integrated cities with vibrant public spaces and amenities. It changes the way cars, buses and pedestrian are integrated. Light rail will provide a vibrant transport hub that changes the economic development and prosperity of the area. It will deliver more homes, more jobs and improved liveability to the city by creating a vibrant lifestyle. I thank the member for Kiama for being passionate about light rail, as I am, because it revitalises the areas in which it runs. It will revitalise the cities of Newcastle and Parramatta.

**Mr Gareth Ward:** Parramatta has a good local member, that's why.

**Dr GEOFF LEE:** I acknowledge the kind comments from the member for Kiama. The benefits to the city of the light rail program will be clearly visible. I ask those naysayers in the Opposition to think about whether they care about their communities, the city of Newcastle and the needs of the people in terms of jobs, convenient public transport, increased density to provide more affordable housing and expanded transport with better lifestyles benefitting from environmental space. We must make cities places where people want to go because they can get around safely. We must increase housing density so people can work in the same area as where they live. They can visit cafes and restaurants for dining experiences, and enjoy nearby sporting venues. I commend the Minister for Transport and Infrastructure, and I commend the Baird Government for this initiative. I commend the bill to the House.

**Mr GREG PIPER** (Lake Macquarie) [11.49 a.m.]: I, too, will contribute to debate on the Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015. At the outset I acknowledge that the Minister for Transport and Infrastructure is at the table, listening to the speeches of many members on this bill. I will say that reflects my understanding of the Minister's commitment to any of his portfolios. I thank the Minister for listening to the issues raised by members. That said, I have grave concerns about this bill. I am certainly in a position to have a considered and informed opinion on this proposal. The area the subject of the bill is an area in which I grew up.

The Newcastle railway line was a big part of my life. In those days, I was able to catch the rail service from the small station at Kahibah; regardless of its size, it provided a quite effective public transport service from Kahibah and Charlestown all the way into its terminus at Newcastle. So I do know quite a bit about this rail line. But I also represent many people in the electorate of Lake Macquarie who make good use of that rail line and appreciated that it provided a service all the way into Newcastle. I do not want to make this argument about whether or not the heavy rail service should have been truncated; sometimes you just have to accept reality and move on. I will return to that after I commence my prepared speech.

This is the second occasion in 12 months on which I have spoken on this issue. The first time I spoke about it was on the Newcastle Inner-City Rail Corridor Preservation Bill 2014. I can say with some modesty that that was a popular, visionary and well-articulated piece of legislation—having been prepared by me—but it did not receive the respect that I believe it deserved. More is the pity, because if it had been supported and legislated, we would not necessarily be discussing the bill before the House today. But I set aside arguments about whether or not the heavy rail service should have been truncated, and deal with the reality.

My bill set out to preserve options for the existing corridor to enhance Newcastle in the current renewal process—which I know the Government is very keen to achieve—without obliterating future options. The rail corridor preservation bill supported what I believe to be the popular view of the majority of Novocastrians and people in the lower Hunter who used that transport option. They believed the Newcastle rail corridor should ostensibly be left for open space and recreational purposes. It also allowed for the operation of public transport, including light rail, in that space if in the future it is recognised that that is a better option. It was, I believe, an eminently sensible solution to the current debate about how to best use this contentious strip of land.

I must refer to the contribution of the member for Keira in particular, but of other Opposition

members as well. The member for Keira referred to the views of the former boss of Infrastructure NSW, Paul Broad, a person I know very well, particularly his view that you should not remove or surrender a corridor unless you absolutely have to do so. I agree with that view of Paul Broad. Paul and I do not see eye to eye on everything, but, certainly in this space, we were very much aligned. I understand that Paul Broad supported the intention of my bill to preserve that corridor. Having listened to what has been said on this bill by Opposition members, I must ask what Opposition members did when they were asked to support my proposal?

I raised this matter with the shadow Minister at the time, and I raised it with the Leader of the Opposition at the time, John Robertson, the member for Blacktown. Mr Robertson advised me that his response would come in writing. That was 12 months ago, and I have not yet received that response. When it came down to it, they did not support my bill. They took the view that there was only one outcome they would accept: that the heavy rail line be retained—regardless of the inexorable progression of reality. They put reality to one side and decided to dig in: It was to be heavy rail or nothing. Well, frankly, they got nothing. I am really disappointed about that. If the Opposition had supported my bill, perhaps we might have had a more sensible debate and, hopefully, a better outcome.

Many of my constituents would wish we were not having this debate. People who regularly travel into Newcastle by train from Lake Macquarie largely did not want the heavy rail services stopped. Many would prefer the Government rip up the grass and bitumen it has used to cover the rails at the new inner-city pedestrian crossings and reinstate the trains. But, realistically, that is not going to happen; that metaphorical train has left the station. The Government has indicated it will press ahead with its light rail plans and, with the somewhat belated introduction of this bill, it seeks the legislative clout to remove the tracks between Wickham and Newcastle. The issue now is about getting the best outcome for the majority of rail users—many of whom, I hasten to add, live outside the confines of the Newcastle CBD but who contribute very much to the economic and social fabric of the city and rightfully feel a sense of ownership of it.

Make no mistake, the people of Lake Macquarie, and Maitland—I am sure we will hear soon from the member for Maitland—and the outer suburbs of Newcastle are significant stakeholders in this debate; yet their views have been subsumed by users of the overall network. The best thing I can do on their behalf is advocate for a speedy resolution of this matter, because the situation they are faced with now—having to disembark at a makeshift terminus at Hamilton and transfer to buses for the remainder of their journey—is the worst of both worlds. They have neither the convenience of the old, non-stop passage into the city nor the promised benefits of the new-age light rail that is supposed to replace it. Regular commuters have been putting up with these temporary arrangements for the best part of a year now, with no real end in sight. I understand that this is part of what this bill is trying to achieve.

My view on the best route for the Newcastle inner city light rail line is no secret, and that is the crux of my contribution to this debate today. It makes no sense, economically, practically or aesthetically, to run the light rail anywhere other than along the existing corridor. The hybrid route that the Government has chosen largely seems to be the brainchild of the former lord mayor, yet it was not supported by Transport for NSW and has been decried by town and transport planning professionals. I have heard the arguments about how the partial routing of the light rail down Hunter Street will invigorate the city. Anyone who remembers Hunter Street in its heyday would recall the throngs of people walking the street between the east and west end of Newcastle; and no doubt they would desire that to be the norm again. I fail to see how the inner city would be any less invigorated by having the light rail run down the existing corridor.

For the benefit of members not familiar with Newcastle, the rail corridor we are talking about is, for most of its length, no more than one block from Hunter Street—a distance of about 50 metres; at some points, it is even closer. Imagine how delighted the planners of the George Street light rail, and I am sure the Minister, would be to have a vacant corridor just 50 metres away that they could avail themselves of. How happy they would be to forgo the trouble, public outcry and political headache of having to rip up one of Sydney's busiest streets to accommodate their new-age public transport system.

Yet, in Newcastle, where this easy option exists, the Government is going to ignore it, and spend something like an extra \$100 million to send light rail cars up the city's main street, where they will increase congestion generally and be in much greater conflict with pedestrians, private cars, delivery trucks and buses. That is fact.

This Government lays claim to having great economic credentials, and it has been going to great lengths to capitalise on existing assets, including the sale or lease of assets such as ports, electricity generators and of course, the poles and wires. Yet, without any seriously credible argument that the light rail in Hunter Street will be substantially better than using an existing corridor, the Government is willing to unnecessarily spend \$100 million dollars—money that could, for example, fund the much-needed Lake Macquarie Transport Interchange in full and do much more to get people using public transport than will tinkering with the Newcastle end of the line. [*Extension of time agreed to.*]

An integrated open space light rail corridor along the old heavy rail line could be a real asset to the city, a haven for tourists and locals alike—the perfect nexus between the old city and the vibrant new waterfront. It fits perfectly with the greenway, play city and entertainment city concepts for the eastern part of the corridor that UrbanGrowth and Newcastle City Council have recently put out for public discussion. Of course, the open space vision does not allow for the development of the corridor that some parties in this debate seem keen to secure, but I think it is more consistent with community sentiment.

The stalemate on the Newcastle rail line has gone on for too long. The current state of limbo serves no-one well, especially not regular commuters. The Minister for Transport said in his second reading speech that the purpose of this bill is to end the current uncertainty and ensure that the Newcastle Urban Transformation and Transport Program can proceed without delay. I—along with everybody, I am sure—would love to see much of this plan delivered, but this component is just wrong on too many levels, particularly in relation to the gross and unnecessary waste of public funds that will follow this action. It is not too late to make the sensible and obvious decision about the route of the new light rail and make use of the existing corridor for light rail. I call on the Minister and the Government to reconsider their policy.

I close by saying that I do respect that the Minister has come into this portfolio with this very advanced plan and a complicated set of circumstances, but it has gone on for way too long. I am not sure that anyone can point their finger at any one particular government, Minister or member of the public who might have triggered this, but it has come about over a long period of time and it really does need to be resolved. The debate is unsettling to the community and is holding back the city of Newcastle, not necessarily because of a lack of infrastructure but I think it takes away from a sense of confidence about the future of Newcastle. We need to have these matters resolved for that purpose if for no other.

This is one of my concerns about this whole issue—that the successive decisions, or lack of decisions, over a long period of time have meant that there has been a lack of confidence and therefore a lack of investment in Newcastle. The Government is being forced into a situation of renewal when Newcastle, with sensible and timely planning decisions over a long period of time, should never have got into this situation in the first place. But now we do have to address it—we know that. There has been a lot of money invested from the Commonwealth, from the State and certainly now also from local government. This is a major step and one in which I think there is overreach—we are overstepping in the amount of money that is being expended on this particular solution. I do support light rail now that the decision has been taken but I support it being on the existing corridor.

**Mr GARETH WARD** (Kiama—Parliamentary Secretary) [12.02 p.m.]: It is with great pleasure that I speak in support of the Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015. In doing so, I acknowledge my great friend Karen Howard in the gallery, who was of course the president of the Hunter Business Chamber between 2007 and 2009—the first female president of the Hunter Business Chamber, leading business in the Hunter. Unlike the member for Newcastle who has not been able to spend the entire debate in the Chamber, Karen Howard, the member for Newcastle in exile,



has been sitting in the gallery watching this debate and listening to the concerns that have been brought forward in this Parliament.

**Ms Kate Washington:** That is because he got the job.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I remind the member for Port Stephens of Standing Order 52 and ask the member to abide by it.

**Mr GARETH WARD:** I have to say that I had high hopes for the member for Newcastle, but it seems that every time he opens his mouth in this place he subtracts from the sum total of human knowledge. The particular speech he gave in relation to Newcastle, something that he allegedly passionately believes in, was one of the weakest and most pathetic contributions I have ever seen on the floor of this House. I hope that when members of his constituency read his contribution they will be as appalled as I was. Even if you were a supporter of his position, what an absolutely tawdry and pathetic contribution it was from the member for Newcastle.

**Mr Edmond Atalla:** Point of order: Standing Order 75. He is making personal reflections on the member.

**Mr GARETH WARD:** You bet I am.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I ask that the member for Kiama temper his comments.

**Mr GARETH WARD:** This is a member who claims to speak on behalf of his entire community, but in 2014 received only 36.9 per cent of the primary vote—hardly the voice of the people, the vox populi, on 36 per cent of the primary vote. One would expect the sophomore surge at the next election—that resurgence after all of his good work. What did his primary vote go up to at the election? It went up 4 per cent to 40 per cent—that is it; that is all she wrote. That is clearly a ringing endorsement of their position rather than actually articulating the position shared by the whole of the community. As somebody who worked on Wharf Road in—

**Mr Tim Crakanthorp:** Have you ever been there?

**Mr GARETH WARD:** I acknowledge the interjection—yes, I have been there. I actually worked on Wharf Road. I used to love going to the brewery. I used to enjoy wandering down to Harry's Cafe de Wheels. It was a wonderful place but it is made lesser by the member for Newcastle who actually wants to maintain a position that has been there for many years.

**Mr Chris Minns:** It is your personal vitriol which means you will never get to the front bench, mate—that is why. You are only good at one thing—you are a one-trick pony.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I ask the member for Kogarah to read Standing Order 52 and abide by it.

**Mr GARETH WARD:** He has no vision and no real contribution. What he actually said in this House today was that they would rip up the light rail and go back to heavy rail. Let us just be very clear on what Labor's position is: They want to rip up the light rail and reinstall heavy rail. To people in Newcastle that are concerned about this particular position I say: Do not worry too much, because when they were in government they could not deliver the metro project that they spent \$5 million on; they had 10 transport plans and delivered none of them.

**Ms Jenny Aitchison:** Point of order: It is relevance. I do not think the member for Kiama understands that his party is actually trying to rip up the heavy rail and replace it with light rail.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I remind the member for Maitland that this is not a debate. If a member has a point of order, they should give me the standing order. I think the standing order the member was looking for was 76. The member for Kiama remains relevant to the debate and there is no point of order. As was stated by the member for Northern Tablelands when he was Chair, it is a wide-ranging debate. I will rule fairly savagely on noise and reflections on other members.

**Mr GARETH WARD:** Let us be very clear about what I said—perhaps the members of the Opposition were not quite awake. I know that they are hardworking and up at the crack of noon every day, but perhaps they might like to listen to what I actually said. I said that they want to rip up the light rail once it is laid and replace it with heavy rail—that is what they want to do. They want to put the public to great expense with more level crossings and more dangers, and they do not want to build for the future. This Chamber has seen some great leaders—it has seen the likes of Parkes and other people who have stood here and advocated for great infrastructure projects—but what we got from the member for Newcastle was a great history lesson.

**Mr Chris Minns:** Point of order: It is continuing personal abuse. It must be by way of substantive motion.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! It was not personal. There is no point of order. The member for Kogarah will resume his seat.

**Mr GARETH WARD:** I was actually talking about his contribution in relation to this debate. He gave us a history lesson. He went through the history. That is great but the more you talk about the past, the more you proclaim your embarrassment about the present and show you have nothing to say about the future. People in the Hunter want to see a dynamic central business district [CBD]. If it were left to people like those on the Opposition benches, there would never be any jobs and there would never be any growth. If Newcastle was left to the people over there, they would rip up the light rail to the detriment of business and re-lay the heavy rail.

Their idea of modernism must be the Irish potato famine of the 1880s—that is the sort of thinking and arcane gnarlishness you would expect from a socialist Opposition driven by the union movement, driven by old ideas and old values. The forefathers of this State would be disgusted. John Hunter would be disgusted if he had to sit and listen to the verbal diarrhoea we heard dribbled all over the table today. Like a dog returning to its vomit, back to the union movement you go with the same sort of dreadful commentary we have heard in relation to infrastructure. This is a Government that makes no apologies about building infrastructure. You opposed every step of the way our revitalisation of Newcastle. If you had your way, there would be no infrastructure, no transport, no investment, no jobs—you vote against, against, against.

**Ms Jodie Harrison:** Point of order: I ask that the member for Kiama addresses his comments through the Chair and not address members opposite directly.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I remind the member for Kiama to address his comments through the Chair.

**Mr GARETH WARD:** I make the simple point that members of the Opposition have contributed nothing new to this debate today. They have said they will oppose a plan that will remove an impediment that businesses have articulated for years would be great for bringing the CBD back together and for promoting jobs and investment in the CBD. Members opposite are opposing investments in infrastructure and jobs. They want to bring back heavy rail. They want to rip up the light rail that we are going to lay down—

**Mr Tim Crakanthorp:** There is no light rail.

**Mr GARETH WARD:** Listen to what I am saying: we will put down the light rail.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! Opposition members will take heed of Standing Order 52, which states that a member has the right to be heard in silence.

**Mr GARETH WARD:** I expect that behaviour from members opposite because they are embarrassed. What investments did they offer to the people of Newcastle at the 2015 election? We did not hear much from them at all. They are opposing this Government's record investment in infrastructure. Let us compare the records. When they were last in Government there was record unemployment in the Hunter and a lack of infrastructure investments. They made this State number eighth in the nation. Today we are number one. Why would we take a lesson on business and jobs from people who are not concerned about investing in business and jobs? The person I will listen to is the member for Strathfield, for whom I have great admiration.

**Mr Tim Crakanthorp:** Here we go. You have got the dot points out again.

**Mr GARETH WARD:** I am not referring to dot points. Do not judge me by your own degraded standards. I do not read from dot points that are prepared by other people. The member for Strathfield, shadow Minister for Planning, who was a much better member for Newcastle—although not as good as Karen Howard would be—said on 7 January this year that she would support the revitalisation plan put forward by this Government. Labor continues to be embarrassed by its own record. In the interests of bipartisanship, I endorse the position put forward by the member for Strathfield, who has had a lot more experience in the job than the current member for Newcastle.

Perhaps if he spends more time in this place he might understand what happens when we invest in infrastructure in his electorate. He referred to the contribution by the member for Cessnock, which was an attack on a good Minister who was an outstanding contributor to this Government. If we are going to talk about contributions, let us talk about the contributions the Labor Party received from Nathan Tinkler, Jeff McCloy and Hilton Grugeon. I want to talk about that, but I also want to talk about jobs and investment, which is opposed by Labor and its pathetic member for Newcastle.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! Hopefully members on the Opposition benches will remain quiet while their member is speaking.

**Ms KATE WASHINGTON** (Port Stephens) [12.12 p.m.]: The Transport Administration (Closure of Railway Line at Newcastle) Bill 2015 gives effect to something that has already been undertaken by this Government. The act that was meant to physically and geographically stop the divide between the city and the foreshore has caused enormous division in the community across the Hunter. Let me be clear: The closure of the rail line predated the legal authority to undertake the closure. It has caused enormous disconnect across the Hunter because people are prevented from accessing Newcastle via rail. There are many aspects of this issue that amaze me. If this Government were serious about supporting the Hunter, about wanting to revitalise Newcastle, about putting light rail down Hunter Street, why on earth did it not fund and deliver the light rail before it ripped up the only reliable public transport into the city? It makes no sense, unless the Government is not truly serious and does not intend to deliver light rail.

The process which has led us to this point has been addressed already by my colleagues. I want this Government to hear and to listen to the real stories of people having been impacted by the closure of the rail line. I want this Government to understand that its acts do not affect only Newcastle. The impact of closing the rail line is much broader and reaches to the north, south and west, including the townships in the Upper Hunter and Port Stephens. The Government would be misguided to think that the people of Port Stephens do not care about Newcastle and that they are not impacted by the cut to the rail line.

Public transport in Port Stephens is already inadequate and is limited to buses. The closure of the

rail line has caused those inadequacies to be exacerbated. One important connection that Port Stephens had was the Stockton ferry. Before the rail line was cut, many people from Port Stephens would catch a bus to Stockton, then a ferry to Newcastle, then a train to Sydney or elsewhere. Elderly residents have described to me the experience of attempting the trip since the rail line was ripped up. Their descriptions have been tearful because they fear getting injured. Ultimately they no longer travel. There is just too much uncertainty and unreliability for elderly people to have the confidence to embark on such a journey and they are being isolated.

One such resident used to visit her sister weekly in Morisset for lunch. She would catch the bus, then the ferry, then the train. When she tried the journey following the rail line being cut, she found it very difficult to work out where to catch the shuttle bus. She had to walk further than she was comfortable with and because she had to wait too long for the bus, she was running so late that lunch was well over by the time she arrived. Although she feared the return journey, she had no choice but to do it again in reverse. Travelling like this at more than 80 years of age is too perilous. She is now choosing to not go out or to drive herself, which she would prefer not to do.

Then there are the issues with the workaround that this Government has offered to our community. People have to access rail services at Hamilton station. On 20 April a constituent from Corlette contacted my office informing me of the problems that occurred when he caught a train from Sydney to Hamilton station. The train arrived at Hamilton Station at 11.00 a.m. However, it stopped before arrival and an announcement was made that due to overloading at the station the train could not proceed. They were stuck. Owing to the delay, the resident and approximately 10 others missed the connecting bus service to Port Stephens. They were forced to wait a significant amount of time before they were able to return home.

Another resident told me of the difficulties that an elderly woman experienced getting on the bus at Bobs Farm, heading towards Hamilton station. Due to the long walk from the bus to Hamilton station, she chose to go into Newcastle to navigate the shuttle buses because it dropped her off at a point that was closer to the station and it meant she did not have to walk as far. Those examples are only a few of the many that illustrate the chaos that has been caused by this Government's decision to cut the rail line into Newcastle. One of the biggest public transport failures experienced by my community is the lack of a direct link to the University of Newcastle. This missing link has been described to me as unsafe and dangerous. Students are travelling from Raymond Terrace to university via a bus to Mayfield, then catching the bus link to the university, and the timing of connections is fraught. If a connection is missed students are delayed. I have been told that a number of students have missed exams because of the delays.

Students with cars drive to the university and then spend more on parking fees over the course of their degrees than on the actual degree. A new university campus is being built in the heart of Newcastle with only five car parks. It was planned that way in anticipation of there being accessible, reliable public transport. Despite the clear connection between the new campus and the hard rail line, this Government has chosen to rip it up. The new law courts were also planned with minimal parking in anticipation of accessible, reliable public transport. Again, people trying to access the courts have been left high and dry by the ripping up of the reliable hard rail into Newcastle.

Prior to coming into this place, I was a partner in a Newcastle law firm, with many staff who caught the train to work. In the lead-up to the rail line closure, staff were dealing with immense uncertainty. They were trying to rearrange their childcare arrangements in an effort to anticipate the upcoming changes and asking for a change of hours to manage the timetables that did not suit them. As a result, this Government's actions are affecting productivity and businesses are suffering. As a lawyer I also take significant issue with this Government acting without legal authority. Call me naive, but I thought that governments were required to uphold the law, as we ask of all residents of New South Wales. However, this Government saw fit to rip the rail line out of the heart of the Hunter overnight without the support of the community and without the legal authority to do so. If it was a legal act, why is the

Government introducing this bill? Why is it seeking to apply the law retrospectively?

Retrospective laws seem to be a specialty of this Government to fix mistakes and to cover actions that, due to the community's passion and commitment, reveal the lack of any legal foundation. We have seen it with respect to workers compensation and this Government is now seeking to change the law because it does not like it. The Government fears that the outcome of the pending court judgement will not be in its favour. That flies in the face of a fundamental legal concept called the rule of law—a concept that gives people certainty and ensures that they can make decisions confident in the knowledge of the applicable law. This Government does not care about such simple but important concepts. This Government thinks it is okay not to follow the law and then to change it when it has been caught out. How does this look to residents of New South Wales? Why does this Government think it can change the laws when they do not suit its purposes? No-one else has that privilege.

The closure of the rail line is a short-sighted decision by this Government—a decision made without the backing of the law and without the backing of the broader Hunter community. Ripping up a rail line on Boxing Day last year was a contemptuous and arrogant act by a government that has not listened to the people of the Hunter. This Government continues to fail to listen. No-one in this House, apart from those Opposition members who have spoken in debate today and the member for Upper Hunter, lives in the Hunter. Where is the member for Upper Hunter today? I believe he is cooking a barbecue upstairs. I spoke with people from the Upper Hunter who rallied outside Parliament House yesterday. They do not want to be cut off from Newcastle and they do not want to see the end of the hard rail. Would Upper Hunter residents prefer their member to be cooking a barbecue today or contributing to debate and representing their interests in this place?

The approach of this Government is to say, "We know better than you. We know what is in your best interests." It is paternalistic, arrogant and contemptuous, but it is not just Opposition members who hold that view. Paul Broad, one of the Government's head bureaucrats and chairman of the Hunter Development Corporation, recently resigned from his post. He resigned because he said there had been a "massive shift in power from Newcastle to Macquarie Street". He warned that the Hunter was losing its voice and that the Baird Government believed the region needs "saving from itself". We do not need saving; we need this Government to listen to and act in accordance with the wishes of the community.

Another aspect of this issue that amazes me is the fact that the Government plans to introduce light rail. It will still mean that Stewart Avenue, one of the main conduits into the city, is impeded. It makes no sense to be throwing money at something that does not solve the problems it was meant to address, especially at a time when we have 20 per cent youth unemployment and no social services to support the issues affecting our communities such as domestic violence and ice.

This Government has lost all perspective. Any rational outsider perspective would show that this Government is hell-bent on spending a lot of money on something that does not need fixing. Many in our communities are experiencing unemployment and they are suffering also from a lack of health and adequate social services. On behalf of the many residents who have raised their concerns with me, on behalf of the residents of Port Stephens whom I represent in this place and on behalf of the Hunter more broadly, I cannot and will not support this short-sighted bill.

**Ms JENNY AITCHISON** (Maitland) [12.22 p.m.]: As someone who has worked in transport and logistics for more than half of my working life I cannot believe the actions of this Government in relation to the rail line. The Transport Administration (Closure of Railway Line at Newcastle) Bill 2015, a ridiculous bill which has been a long time coming, shows that this Government has no idea what is going on in transport. At the eleventh hour, the third planning Minister in the Liberal-Nationals Coalition is attempting to legalise this dodgy deal. He has been talking to the transport Minister to push this legislation through before the Supreme Court appeal case shows, once again, that this Government is trying to do something that it should not be doing.

In the past five years this shoddy deal has been dealt with by two Premiers, three planning Ministers and two transport Ministers. There have been four by-elections—Newcastle, Charlestown, the mayoralty of Newcastle and ward 3—and two elections in 2011 and 2015. We have witnessed the Independent Commission Against Corruption inquiry, an upper House inquiry, the Supreme Court case and an appeal which this Government will lose. When will the Baird Government understand that no means no? Just like a sad Christmas carol, Government members have been pulling partridges out of the pear tree and singing the same tired old lines. Government members have no conviction, no understanding and no interest in the people of Newcastle or the wider Hunter region.

This Government has done everything it can to bully and bluster its way through this issue since its most spectacular backflip back in 2012. I am told that prior to 2011 Barry O'Farrell and Robyn Parker rode on the train from Newcastle to Maitland and said what a wonderful piece of infrastructure it was. On the day Barry even wore a Save Our Rail badge. I make special mention of Joan Dawson and Kim Cross of Save Our Rail—the major drivers of this campaign over the past four years or more. They have agitated for the Government to be honest and clear with the community on this issue. When they could not get clarity they took the Government to court and the Government lost. The Government appealed the decision and continued to plan for the rail truncation.

This Government has been living in fantasy land. It believes that just because it wants to sell off the corridor it should be able to do so. It does not matter what the law of the land provides or what communities in the Hunter say; the Government believes it can sell off the corridor without our consent. And there is no consent from Hunter residents. Only one person in this place from the Hunter has ever supported this; that is, the member for Upper Hunter. To be clear, he suffered a swing against him of more than 21 per cent. He should have followed the advice of the former member for Upper Hunter, who joined the former member for Maitland. Both of them, as Ministers, were reported to be against the truncation in May 2012, based on the potential impacts on rail users in their electorates.

In fact, according to the *Newcastle Herald* on 2 May 2012, the former member for Maitland told Michelle Harris that Maitland's roads were under pressure from commuter traffic and that the Government should be encouraging public transport use rather than removing infrastructure. Ms Parker said that the city could still be revitalised with the rail line in place, as it could help move students into the proposed city centre university campus. Even when the former member finally lost the fight in Cabinet in November 2012, according to the *Maitland Mercury* she reiterated her previous commitment to fight for the efficient and streamlined public transport system that Maitland people deserved.

Let us forget about politics and broken promises and look at planning aspects for a moment. Is it a coincidence that at the recent budget estimates hearings the current planning Minister—the third Minister on the job—was asked why the Government was considering development on the line, which it had no right to do. A couple of weeks later the second transport Minister obviously had a chat with the planning Minister, had a rethink and said, "Mate, I think we need to fix this up." The Government is now attempting to ram this legislation through without any negotiation and without giving the Opposition notice of its intentions, which is ridiculous. These are the Government's typical bullying tactics. I am advised—I do not know the exact wording—that the Minister for Transport told 2HD this morning that the Government wants to be able to close railways without the need for an Act of Parliament.

So what are we all doing here? Government members are using their numbers in this place—people who do not represent the views of anyone in Newcastle or the Hunter—to remove vital infrastructure. The Government keeps referring to Karen Howard—the twice-failed candidate for Newcastle. She is seated in the gallery and the member for Newcastle is sitting on the opposition benches because Karen Howard does not represent the views of the majority of Newcastle residents. The Government is using its numbers in this place. It has unlawfully ripped up essential rail infrastructure and no alternative infrastructure is in place. For all his talk of mandates, the Premier has been silent since announcing that this election would be a mandate for the people of Newcastle. How much more of a mandate does he need? Even the member for Lake Macquarie who spoke in this place recently—he is

not a member of the Labor Party—does not agree with it.

This Government is trampling over the governance and democracy of our regions, which should be a warning to every person in New South Wales. This Government has consistently and repeatedly rejected the views of residents about some stupid scheme that will benefit a minority. If 204 people can sign a document and give it to that random guy from Guyra in the other place, Mr Scot MacDonald, the Government will use its numbers in this place to go against the wishes of the community. This is not just an issue for the Hunter; it is an issue of governance and democracy for our whole community. Where is the member for Upper Hunter? He should be representing the people of his electorate in this place. People from Muswellbrook were outside the Chamber yesterday. Is he going to be invisible, like the former member for Maitland was, when she finally lost it? Is he at the barbecue to which reference was made earlier so he is not grilled on this?

**Mr Andrew Constance:** Point of order: There have been ongoing attacks against the member for Upper Hunter. I point out that he is attending a function for the Childhood Cancer Research Foundation. The member is making snide remarks about him in the House, but she should carefully consider what she is saying.

**Ms JENNY AITCHISON:** I would like to be at the barbecue too, but I am debating this ridiculous bill that was introduced by the Minister. We would all like to be supporting childhood cancer fundraisers, as I did last week, and which I will continue to do for Endeavour. We want proper public transport. We want to reach our regional central business district [CBD]. The Government went to the 2011 election on a platform of not removing that rail line. Recently the Opposition received a briefing from UrbanGrowth, and I said then that on 26 December the Government made a forced and rushed attempt to rip up this rail line before prorogation so that it could get the redevelopment underway.

Basically the Government said, "We won the election. We have done the backflip. We are going to rip it up." The Government wrecked it. This Government is a total wrecker. Nine months later we have nothing to show for the election commitments. The three train stops have become three bus stops, but without signage, and there are no additional stops. I suggested to UrbanGrowth, "If you're real about this light rail, why don't you put the extra stops in place that you promised?" Has UrbanGrowth done that? No! People who catch the bus past Civic station can get off and on near Scratchleys, but there is no signage advising that that can be done and there is no timetable. There has been no investment in this decision by this Government.

Public transport is vitally important to the socioeconomic strength, development and resilience of every community. It is a major social determinant of health. Distinguished transport and sociology academics, such as Janet and John Stanley from Monash University and David Hensher from the University of Sydney's Institute of Transport and Logistics, have been working on these issues for many years. They can draw maps showing that communities with strong, reliable and frequent public transport services fare best. The Hunter region has the highest unemployment rate in the State, yet this Government has just ripped the guts out of our public transport system. The result has been that Maitland people cannot get to Newcastle or easily get to Sydney to secure jobs. It is a disgrace.

To be clear, Labor started the revitalisation of Newcastle with the law courts and university facilities being relocated close to Civic station. The new Museum of Newcastle is located near Civic station. I have seen preschoolers get on that train who could not afford to get on a bus to go on an excursion to see the new museum. Those little four- and five-year-olds were taking the opportunity to travel from Maitland, but they will not be able to do that now because the new and renamed museum station has been closed. Many restaurants along the foreshore are within a five-minute walk of Civic station. The major shopping and residential developments slated for the area will not be serviced by rail. That is foolish.

Having the rail line is about giving people in Maitland and beyond in the Upper Hunter the

opportunity to connect directly with the major CBD in our region and then on to Sydney. It is about connectivity, transport and, ultimately, people. I could tell the House hundreds of stories and bore members to tears. I can see the Minister is bored because he does not give a hoot about people in the Hunter region electorates. The Minister will be held responsible for this. Some of my constituents have broken feet and have not been able to keep vital doctors' appointments. They have missed out on jobs and have not been able to meet university commitments because of the actions this Government has taken. *[Extension of time agreed to.]*

As I said, I could make another 10 speeches filled with stories of people who have been adversely affected by the Government's decision, but I will leave that full debate for another day. I simply say that the Government has shown no vision for public transport in the Maitland community. For the \$400 million that will be spent on the rail line, my electorate could have had a hospital or a fast train to Sydney with commuter carriages, wi-fi, phone chargers and tables. That money could have been spent on something that increases the efficiency and effectiveness of our community or on a visionary plan to provide a direct connection between Newcastle and our State capital, Sydney, which is within an hour's travelling time. This Government just does not care. The money could have been better spent on building more stations to cope with growth in Maitland's western areas or to provide the long-promised mobility access for stations such as Victoria Street station.

Since the Liberals were elected, the Government has been long on promises and short on delivery. This is a government without a vision for Newcastle. This Government is still bowing to property developers who want that land because it is the only property in the CBD that is not undermined. Even after the Premier promised to grout large sections of the CBD during the last election campaign, that has not been enough. Property developers always want more. This silly project will take light rail down Hunter Street at great expense—\$100 million—to businesses that have existed along the line for many years. What a waste! The project does not even address the major issue and major justification that has been raised in every discussion about the rail line—good old Stewart Avenue. We saw the Minister unveiling his so-called wonderful modern interchange, which has no facilities.

If the Government kept even one of its promises on transport—just one promise—perhaps the 10 minute frequency in peak hours for light rail, that is what would happen in Stewart Avenue. There would be a light rail train going past every 10 minutes. How does the Minister think commuters from Port Stephens, Maitland and the Upper Hunter will feel about that? They will all think hard about that. This bill is a disgrace. I want young people in the Hunter to be able to get jobs. Good transport builds economic resilience. With the Hunter region having the highest unemployment rates in the State, we need transport between Maitland and Newcastle and between Newcastle and Sydney. However, yet again, this Government has demonstrated that it has no ideas and no vision. That is a disgrace.

**Ms YASMIN CATLEY** (Swansea) [12.35 p.m.]: Like my Hunter colleagues, who are present in the House and who have made excellent contributions to this debate—the member for Newcastle, the member for Cessnock, the member for Lake Macquarie, the member for Maitland and the member for Port Stephens—and the member for Charlestown, who will speak shortly, I oppose the Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015. The member for Cessnock clearly and articulately gave the House a historical account of the rail line project in Newcastle and how this bill came before the House. This bill demonstrates the arrogance and untrustworthiness of this Government.

Residents in the Hunter region are unable to trust this Government's direction when it comes to planning for the Newcastle central business district [CBD]. The ripping up of the Newcastle rail line could not have been more mishandled if this Government had tried, but that has been achieved in spades by Government members. Firstly, a court ruled that a government cannot rip up a rail line without legislation being passed by Parliament. As a result of that revelation—and one would have thought that the Government would have checked that out first—the Government appealed the court's finding. We are still waiting for the Court of Appeal finding, which should be handed down before this legislation is passed.



Secondly, a parliamentary inquiry made a host of recommendations that the Government simply brushed aside. We have a government that will not accept due process. Instead, Government members just bowl into this House, whack a bill on the table and ram the Government's agenda through this House. That is simply arrogance. The Premier, Mike Baird, is arrogantly dismissing our legal process and our parliamentary committee. He returned to our town after all the dodgy Liberals were discovered and said, "I promise that I will do everything I can to win back trust." Well, no-one trusts the Premier on the rail line issue in Newcastle. That I can tell him!

This next one is a real beauty: The Premier came and said, with hand on heart, "This is not my project. This is not a government project. This is the people's project." That is not what one on his side of politics thinks. On 21 August, Paul Broad stated there had been "a massive shift in power from Newcastle to Macquarie Street". No-one in the Newcastle-Hunter region believes that this Government has provided leadership or been honest, genuine and transparent during this entire debacle of removing Newcastle rail line. I do not support this bill.

*[Business interrupted.]*

## **BUSINESS OF THE HOUSE**

### **Suspension of Standing and Sessional Orders: Order of Business**

#### **Motion by Mr ANTHONY ROBERTS agreed to:**

That standing and sessional orders be suspended to provide that, on Thursday 17 September 2015, government business take precedence of general business.

### **TRANSPORT ADMINISTRATION AMENDMENT (CLOSURE OF RAILWAY LINE AT NEWCASTLE) BILL 2015**

#### **Second Reading**

*[Business resumed.]*

**Ms JODIE HARRISON** (Charlestown) [12.39 p.m.]: I support the comments made by my Labor colleagues who oppose the Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015. Let me be clear about what this bill will do. It will authorise the closure of the whole or any part of the railway line that runs from Railway Street, Wickham, to the Newcastle railway station on the corner of Scott and Watt Streets, Newcastle, and authorise the "rail infrastructure owner ... under subclause (1) [to] sell or otherwise dispose of the land concerned and remove the railway tracks and other works concerned". What a disgrace.

I note that the Minister for Transport was not the Minister at the time and that he is cleaning up a big mess created by the Government. An enormous amount of taxpayer dollars has been wasted on the court case. Concerned citizen groups have invested an enormous amount of money and time in this court case. In the meantime, a perfectly good piece of railway infrastructure is being wasted; it has been left dormant for nine months while we have waited for the Government to work out what it is doing. The Government thought it could pull up the tracks one night after Christmas, on Boxing Day, flog off the land and get away with it. So far, it has spent about \$70 million on the closure of the line. It has grassed over some of the line, and a lot of geotechnological testing is being done. One can only think that that is preparation for a future sale and development along the rail line.

The Government said that the election would be a referendum on its decision to close the rail line. Obviously, the results in the Hunter and Central Coast seats showed what the people of the Hunter and

the Central Coast thought of the Government's concepts. I will refer to some of the promises made by Government members about this matter. In December 2013, less than two years ago, the then planning Minister said: "I can make it clear, 100 per cent, that our intent is that [the rail line] stays in public ownership for the long haul. There is no intent whatsoever in handing it over to developers. What we are talking about here is a guarantee, no doubt about it. It stays in public ownership and must remain as a potential corridor." The then Minister used the words "guarantee", "long haul", "stays in public ownership" and "100 per cent", whereas the bill clearly allows for the sale or disposal of the land.

I turn now to a comment made by Minister Goward on 3 June 2014. She said that building a barrier between the city and the waterfront "goes against the entire logic of the urban renewal strategy of Newcastle" and "contradicts the understanding we have with the community". Clearly, the Government has forgotten these statements; or perhaps it does not want to be transparent about it. The bill clearly allows for the sale of the line. From my way of looking at it and from what I am hearing from my Opposition colleagues, the Government certainly does not want to hold the seat of Maitland or many seats in the Hunter for a very long time. That is fine by us, because the current member for Maitland is doing a great job.

The Government's promise to close the line certainly breaks the promise it made that the election result would be a referendum on the decision. The Government is cheating proper legal processes that it instigated, and it is forcing the taxpayers to foot the bill. The Government should not tear up the rail line into Newcastle in the interests of the surrounding communities and future generations, in the interests of sensible transport planning and delivery of public transport services, and in the interests of fiscally responsible government. The lack of transparency and the way the Baird Government has behaved on this issue are appalling.

The economic modelling presented to the Government, such as the Urbis report, is merely smoke and mirrors; it used selective data and it presented the results the Government wanted. The closure of the rail into Newcastle makes absolutely no public transport sense. What other city on the planet pulls up rail that goes into the central business district [CBD]? Absolutely none. Indeed, other cities are building rail. In fact, the Government is building rail in Sydney. Why is the Hunter being punished and penalised? I can only think that it is because the Government did not get its way in the Hunter. Closure of the line cuts off people who live in Maitland, the Lake Macquarie region and on the Central Coast. People who work or study in the Newcastle CBD and people who need to go into the CBD for special medical or legal services are being penalised. Closure of the line has cut off the University of Newcastle Callaghan campus from its growing CBD campus and the expanding residential accommodation associated with it.

In essence, this bill hurts people. That hurt can clearly be seen in rail and bus usage into Newcastle, which has already declined. It had declined 12 per cent by March 2015, and has probably declined more since then. People are voting with their cars. They will not use any form of public transport; they want to use the railway all the way into Newcastle. A proper public transport decision should not be made by the Hunter Development Corporation, the Department of Planning and Environment or UrbanGrowth NSW. The decision has already been made by the people of the Hunter and the Central Coast, and last March they resoundingly rejected the Liberal candidates who supported cutting the line. A proper public transport decision on this matter is not only about the residents of inner Newcastle who will pay dearly for the cutting of this line with an increasing number of people wanting to park their cars on their streets and, as a result of that, a strangled economy and local businesses.

A proper public transport decision means continued or better access to the city for those in the valley and those living on the Central Coast. A proper public transport decision supports people who work, recreate and seek specialist services in Newcastle. A logical public transport outcome does not mean an increase in changes of the modes of transport. The Government's move to close the line has meant more cars going into Newcastle, not fewer cars. It is public transport planning madness. In addition, at no time has the Government presented a cost-effective case for removing this significant piece of infrastructure and spending possibly \$100 million on a replacement line. The Government has

consistently avoided direct questions and intelligent justification by the use of trite phrases—and we heard them in the debate today—such as "we want to open up Newcastle".

The revitalisation of Newcastle should not mean destruction of expensive community infrastructure. The member for Castle Hill and the member for Kiama said that the bill is necessary for Newcastle revitalisation. I do not know where they have been for the past 25 years, but revitalisation has been happening in Newcastle over that period. With the rail line and up until the rail line was cut in December last year a record number of apartments were being built in Newcastle. As the population grows in Newcastle, in the Hunter and on the Central Coast, this transport infrastructure will be necessary to move larger numbers of people. If the Government were interested in revitalising Newcastle, it would keep the rail line. It would build a light rail loop from a number of outlying suburbs and the wonderful Newcastle beaches.

Importantly, if it were truly committed to public transport, it would reduce the rail travel time from Newcastle to Sydney to less than two hours—it is currently three hours. That would certainly be a boost to the residents who work in Newcastle and to Hunter tourism. I oppose this bill. I hope that members in the other place will listen to the concerns of people in Newcastle, in the Hunter, in the Lake Macquarie region and on the Central Coast. I hope they will listen to the concerns of businesses in Newcastle, and I certainly hope and urge that they vote down this bill.

**Ms JENNY LEONG** (Newtown) [12.48 p.m.]: On behalf of The Greens I address the Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015 because I have carriage of transport issues in this place for The Greens. The Greens Transport spokesperson, Dr Mehreen Faruqi, has made it very clear in the other place that The Greens strongly oppose the closure of this rail line. Dr Faruqi has campaigned hard with the community and Save Our Rail. We are disturbed by the fact that while cities around the world appear to be closing motorways and investing in public transport, the New South Wales Government appears to be doing the exact opposite. It is time for us to realise that the Tony Abbott era of roads obsession is over and there should be more investment in public transport, not closing rail lines and building more polluting motorways.

We know the Government has introduced this bill because an Act of Parliament is required to remove the rail line. It should be noted that the battle over the Newcastle rail line has been raging for decades, with both Labor and Liberal governments attempting to remove it. It is clear that closing the rail line is in the interests of Hunter developers because it occupies prime foreshore land. Opposing the closure of this rail line is something that the constituents of Newtown, my electorate, share with the constituents of Newcastle, because it threatens urban growth while favouring developers' interests over community interests.

Answers to questions that my colleague in the other place Dr Mehreen Faruqi tabled in Parliament indicate that public transport patronage has collapsed since the closure of the rail line. People are now unfortunately getting back into their cars because the bus network is not providing an alternative solution. Residents are reporting that much of Newcastle is drained of life and traffic, and that parking is worse. Many of those who need to get to the inner city and to the beach by public transport are finding it much more difficult. The recent Legislative Council Select Committee on the Planning Process in Newcastle and the Broader Hunter Region strongly advocated for the reinstatement of rail services.

This could be the first time that a government has planned to rip up a rail line that connects two of the biggest cities in its jurisdiction. The closure of the rail line would hamper public transport patronage in the Hunter and do nothing to revitalise the city. The Government's 2014 traffic assessment for the Wickham Transport Interchange predicted a huge public transport patronage loss if the heavy rail was to be stopped at Wickham and any future replacement light rail installed. This Government is spending \$460 million to rip up a public rail network and to hand over the rail corridor to developers. Let me repeat that: The Government is not investing \$460 million in new public transport; it is spending \$460 million to rip up an existing rail network and to hand over the corridor to developers.

It is unbelievable that at time when we need to be addressing pollution caused by motorways and tollways, this Government is investing in ripping up a rail line and not delivering public transport for New South Wales. The Greens stand strong with the community in opposing this legislation. Save Our Rail has defended this matter in the courts and the Government has finally admitted that it needs to apply some scrutiny to this decision by introducing this bill. The Baird Government has never been transparent about decisions relating to funding polluting tollways or spending money on ripping up rail lines.

It has always been reluctant to give the reasons behind these decisions. It has been reluctant to reveal to the communities using this rail line how ripping it up will benefit them. Instead, there is a commitment to benefiting the developers in the area through the UrbanGrowth process. It is hard to see how anyone in the community—including parents with prams, older people, people with disabilities, businesses that are suffering as a result of people commuting by car or shopping in Sydney rather than in Newcastle—will benefit as a result of this Government spending \$460 million to rip up a rail line rather than investing that money in public transport.

It is clear that many residents of the Hunter area rely on rail to get to Newcastle for work, for shopping and for entertainment. The closure of this rail line will make it harder and the congestion problems worse. Even if any light rail replacement is built, forcing people to change modes of public transport will cripple public transport patronage. This will be likely to force people back into their cars and onto the roads. The time and financial penalty of forcing people onto the roads and dealing with separate services is a huge concern and will worsen the congestion in Newcastle without delivering for the community safe, effective, accessible and efficient integrated public transport solutions.

This legislation is a clear and unambiguous anti-public transport land grab. It is disappointing to see money from the Transport budget being spent to rip up a rail line rather than on delivering public transport for the community. The Greens have stood strong with the Save Our Rail campaign. Save Our Rail is a strong community campaign group standing up to the Government's cuts to rail services and its complete disregard for community concerns about access to public transport. I was pleased to join them briefly outside this Parliament yesterday. The Newcastle Greens are standing strong with community activists and people across the area. The Newcastle University Students Association came out in support of this rally and the Save Our Rail campaign. I salute the tireless work of public transport advocates like Gavin Gatenby and those involved in EcoTransit Sydney. This important campaign has been mounted to ensure that we save Newcastle's rail.

We need to take a step back and look at transport and roads in this State. This Government is spending \$460 million from the Transport budget to rip up a rail line and \$15.4 billion in public money on a 33-kilometre polluting tollway in the middle of the city. The Greens and the people of Sydney and across this State stand with the people of Newcastle in their campaign to get the Government to invest in public transport and rail infrastructure and not in polluting tollways and motorways. We want to have world-class public transport, not the closure of the Newcastle rail line.

**Ms SONIA HORNER** (Wallsend) [12.57 p.m.]: At the outset of my contribution to the debate on the Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015 I will make one thing clear: Not only do I stand in opposition to this bill but I also stand in opposition to any bill that aims to strip infrastructure and services from the people of Newcastle. I have always publicly opposed the removal of the rail line and I always will, no matter what government is in power. In the years since this Liberal Government has come to power, time and again we have seen it remove services from the people of Newcastle, and particularly from our western suburbs. The so-called achievements of this Government read like a eulogy for the services once enjoyed by Novocastrians. When I hear that this Government is all about revitalising Newcastle and that the removal of an important and irreplaceable piece of public infrastructure is the way to do it, I am not sure whether to laugh or to cry.

There have been cutbacks everywhere in the western suburbs. We have seen wholesale cuts

and burns to the State's TAFE system, with hundreds of TAFE teachers at Glendale TAFE losing their jobs. We have seen cuts to health services with Hunter New England Local Health District cutting counselling services. We have seen the closure of the Wallsend After Hours Medical Service and the end of the John Hunter Hospital shuttle bus. The John Hunter eye clinic was closed and reopened only after a big community campaign. Despite overwhelming community support for the opening of a police station in Wallsend and despite a pre-election promise to build a station at Glendale, this Government has taken no action. Indeed, in the latest round of new officer placements, not one was assigned to the Newcastle City Local Area Command. Even with some action on stage five of the Newcastle inner-city bypass, the Government still—

**Mr Andrew Constance:** Point of order: I have the greatest admiration for the member for Wallsend, but matters to which she has been referring are not within the leave of the bill. The bill is about closure of the railway line into Newcastle.

**TEMPORARY SPEAKER (Ms Anna Watson):** Order! The member's contribution has been relevant to the debate.

**Mr Andrew Constance:** The member was referring to police stations.

**TEMPORARY SPEAKER (Ms Anna Watson):** Order! The Minister will resume his seat. The member for Wallsend may continue.

**Ms SONIA HORNER:** I was making reference to the Glendale transport interchange, which of course is all about public transport. Sadly, the Glendale transport interchange, which was identified by all Hunter mayors as the region's top infrastructure priority, has been ignored by this Government and by the Minister for Transport and Infrastructure. Recently, I wrote to the Minister about this transport interchange, and I received this response:

Reviews of bus networks take place across New South Wales. Any modification will be made to support the revitalisation of Newcastle and integrate with the wider public transport network.

In other words, the Government and the Minister do not want to talk about improving public transport in the western suburbs until they get rid of the rail line. That does not make sense. We should not remove a good and important public transport network that serves not only the people of the city but also people in the western suburbs who rely on this service. Whenever I ask about public transport services, particularly bus services, I am reminded by the community about the importance of public transport links. That is what the Newcastle rail line provided for my constituents who caught the train, particularly at Cardiff, because they wanted good public transport links to the inner city.

This issue is also about public transport linkages to John Hunter Hospital, the university, Mater Hospital and Charlestown Square. Those are important linkages that the community needs and wants. Unfortunately, the Liberal Government has forgotten that Newcastle extends west of Hamilton. That is a real shame because commuters there also want to get into the city. The Government forgets that my constituents in Beresfield and Tarro rely on this rail service to get into the city. Of course, people in Fletcher, Minmi and Maryland do not have a direct public transport service to the city at all. They do not yet have a bus service. The Government forgets that the people of Jesmond and Wallsend are still without a police service.

This Government seems to forget that there are issues all over the city that need to be addressed. It forgets that we in the western suburbs exist, and that our community is crying out for more reliable, safe and efficient public transport to all of our Hunter hubs. My quest as a member has always been to get people out of cars and onto public transport; and the only way to do that is to make public transport safe, reliable and efficient. If the Government did that, I would support it. But we need to spend money on services right across the Hunter in order to do that. As the Liberal leadership trumpets its

budget surplus, it ignores the hardships that its cuts have caused for TAFE staff and students and for patients at John Hunter Hospital.

I finish by saying that when we were in government I never supported getting rid of the Newcastle rail line. In opposition, I do not support getting rid of the rail line. It is a bad decision. It is a bad choice. It is a bad choice for the people in the inner city, and it is a bad choice for the people in the western suburbs. As I said, my aim is to get more people out of their cars and onto public transport; and the only way to do that is by having seamless public transport services to which people are attracted. I want to see more people on trains and on buses. But people will not use those services if they are not attractive and they have to catch a number of different linking services.

People with disabilities or those pushing prams are discouraged from using those services. I call on the Government to withdraw this bill. I oppose the bill. I do not think it is in the best interests of the community. Commuters have told me that they do not support this bill. They want better public transport and they want the \$450 million that the Government intends to spend on this proposal spent on the Glendale transport interchange. If the Government does that, it will get a lot more bang for its buck.

**Mr DAVID HARRIS** (Wyang) [1.04 p.m.]: I speak to the Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015, which seeks to close this railway permanently and rip up the rail line that runs all the way into the Newcastle central business district [CBD]. I speak in this debate for a number of reasons. The first is from personal experience. When I attended the Newcastle College of Advanced Education many years ago I lived in Wolfe Street. I caught the train from Woy Woy station every Sunday night that went into Newcastle station and then walked to Wolfe Street, where I lived for the week. One of the most important things, particularly at the time of night at which I travelled, was the convenience of being able to travel directly to Newcastle station.

Many people now live in that precinct, where there are many more housing units as well as other accommodation in that Newcastle beach area. I am sure those people would have had the same experience; it was easy to get on a train that went through all the normal stops before arriving at Newcastle station. Especially for passengers who had lots of luggage, et cetera, it was very convenient. Unfortunately, I then had the long haul up the hill to where I lived in Wolfe Street. The most important factors of public transport are accessibility and convenience. The Government proposes by this bill to remove those two important factors, and that will adversely affect people in that area who use public transport. It seems to me quite crazy to put extra stumbling blocks in the way of users of public transport.

If this bill is passed, people not only will have to stop at Hamilton and Wickham but will have to make other travel arrangements to get onto the light rail service to travel the remaining distance into the city. Already, patronage of bus services into the CBD has diminished. People are voting with their feet, because those services cause them too much inconvenience, and are opting instead to travel by car. Parking in that area has always been a nightmare. Since the closure of David Jones and other stores in that area, parking has probably got even worse. We have to look at the history of the CBD to understand why that has happened. One of the key points was the opening at Charlestown and Kotara of two major shopping centres. That took people away from the CBD; it had nothing to do with the rail line at all.

Some argue that the only way to revitalise the Newcastle CBD is to get rid of the rail line. As far as I am concerned, they are looking at the wrong reasons to support their argument. I am a Central Coast member. Many people commute from the Central Coast to Newcastle. When I visited stations early in the morning, Central Coast commuters told me that they did not want the Newcastle rail line removed. They were very upset because they would not be able to travel directly into Newcastle. I recall one lady accosting Sandra Kerr, the Liberal candidate, for about 30 minutes. That irate lady told Sandra what she thought of the Government ripping up the railway line. So irate was the lady that she went towards the lifts twice before returning and having another go at Sandra. Obviously, this rail line raises quite passionate feelings in train commuters.

When proposals such as those contained in this bill are made, they have to be for sensible reasons. I cannot understand why the Government would consider spending \$460 million to rip up existing public transport and then spend more money re-establishing a service that I think will be highly under-utilised. If you understand the way Hunter Street works, people generally do not make stops along the way. They are going from point A to point B and they want to get there quickly. Having to get off at Wickham, get back on another service and then travel along that distance to the CBD when there was a service that was providing that direct option just seems crazy.

I draw attention to a letter I received from one of my constituents, young Daniel. He suffers from cerebral palsy and requires a motorised scooter to get around. He has a job in Newcastle. He found it quite easy to get onto the train at Wyong and travel to Newcastle. I actually met him outside the station at Wyong, where his scooter was taken out of his mother's car and assembled. He was able to get on the train at Wyong and travel all the way to Newcastle. It was all one level and had disability access at both Civic and Newcastle stations, so he was able to use both stops. He is very concerned about the proposal. He said:

By closing the Newcastle Railway the effect on people with disabilities has made it definitely more difficult and time consuming. On the difficult side for the number of people using mobility devices it is nearly impossible.

He said of the current set-up:

Hamilton is not well equipped for wheelchair users to transfer onto a bus or even an Accessible taxi. This means [a] number of those passengers has to get off at Broadmeadow and travel extra distances to the city centre or destinations. This means that these passengers have [to] pay a TAXI fare to get their final destination in lieu of the supposed available alternative bus.

One of the problems that he mentioned was that even with the taxi subsidy it was costing him an extra \$30 each way to travel the extra distance. I am sure he is not the only person with a disability that has been massively disadvantaged by this decision. He went on to say:

The stations on the suspended service section of the line being Civic and Newcastle were disabled friendly and gave protection to the users waiting for services. This is very important for the disabled and the elderly.

The travel time for the journey whether it is from the temporary terminus at Hamilton or later at the new terminal to be built a short distance down the track at Wickham make the journey considerably longer. (20 minutes at least in each direction)

So that is an extra 40 minutes per day. For someone in his position that makes things quite difficult. He also said:

It is a plan to downgrade rail transport not enhance it. What other city or urban traveller would opt for such a drop in standards and inconvenience in both time and amenity.

In inclement weather travellers have to now walk in the rain to change buses.

That is from Daniel, someone who suffers from a disability. He absolutely disagrees with this decision and sees it as being a total inconvenience. I note that although the twice Liberal candidate for Newcastle was in the gallery, she has now left before the end of the debate. She obviously has heard enough, waved the white flag and decided to leave. At the last election, Labor, which had a policy of retaining the rail line, won 10 seats across the Hunter and the Central Coast. Whilst I had many, many people come to see me and tell me that they wanted the rail line to be left open; I had nobody come to see me to say they wanted it closed down.

This is not just a Newcastle CBD issue. This is an issue that affects places like the Central Coast, Maitland and Cessnock. The Government is being very short-sighted in just looking after one perceived section of the community. I note that a Fairfax poll in December indicated that when the line was closed 92 per cent of people opposed it, so I think Newcastle people are opposing it as well. The Government is not looking at it from a regional perspective or from a proper public transport perspective. It is not looking at it in terms of how it will affect the elderly and it is certainly not looking at it in terms of how it will affect people with disabilities. I absolutely oppose this bill and I hope those in the other place from the Shooters and Fishers Party come on board. There are a lot more issues that need to be addressed by this Government other than spending \$460 million to rip up public transport that was being used very effectively.

**Mr BRAD HAZZARD** (Wakehurst—Minister for Family and Community Services, and Minister for Social Housing) [1.14 p.m.]: I would like to add a few words to the debate on the Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015. I have heard a number of members, particularly those from the Labor benches, enthusiastically implying all sorts of motives as to why this decision was taken. As the planning Minister at the relevant time, three years ago, the issue of trying to make sure that one of our great cities become even greater was at the very core of my and the Government's considerations. Former Premier Barry O'Farrell made it very clear to me as planning Minister that he wanted Newcastle to take its place in the State as a pre-eminent city, the second city of this State.

**Pursuant to sessional order business interrupted and set down as an order of the day for a later hour.**

**Pursuant to sessional order community recognition statements proceeded with.**

#### **COMMUNITY RECOGNITION STATEMENTS**

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**TEMPORARY SPEAKER (Ms Anna Watson):** Order! Pursuant to standing and sessional orders adopted yesterday, time allocated to community recognition statements will be 20 minutes and no further extensions will be entertained.

#### **ANNA BAY PUBLIC SCHOOL**

**Ms KATE WASHINGTON** (Port Stephens) [1.15 p.m.]: Last week I was pleased to attend Anna Bay Public School's 2015 school production titled *Shakin' it up at the Anna Bay Hall of Fame*. The play featured all students in the school, from kindergarten through to year 6. The play is set at Anna Bay Public School. An earthquake shakes the town and causes all of the books in the library's shelves to fall off, freeing characters from the pages. Some of the freed characters included Olivia, who was a pig with attitude, and a wild thing. I was amazed to learn that staff members Marg Allan and Jenny Dobbie were the writers and creators of the show.

It was a huge success and I acknowledge the hard work of school principal Matthew Freeman, his passionate staff and the school's parents and citizens association, who worked behind the scenes to ensure that the production was a success and allowed the students to shine. Seeing the talented students who brought the production to life with their huge smiles as they performed filled my heart to the brim. I thank Anna Bay Public School for continuing to play a role in fostering a stronger community and for giving its students the opportunity to participate in such a valuable experience. In doing so, our future generation has memories for a lifetime.

#### **WALBUNDRIE SMALL SCHOOLS NETBALL TEAM**



**Mr GREG APLIN** (Albury) [1.16 p.m.]: Well done to the Walbundrie Small Schools netball team on making it to the top four in the State. Out of 600 schools that competed in the New South Wales Primary Schools Sports Association [PSSA] knockout, the team advanced to the final eight and played in the finals, which were held at Homebush on Monday 14 September. The ten member team is made up from only 129 students attending Walbundrie, Walla Walla, Rand, Brocklesby and Burrumbuttock public schools. Congratulations to Michelle Andrews, their coach and the principal of Burrumbuttock Public School, and to team members Michala Ballentine, Lucy Ennis, Natalie Heagney, Milly Kohlhagen, Kelsey Lieschke, Madison Lieschke, Zoe Lieschke, Madeline Watkins, Kate Webster, and Indi Ziebarth. What a wonderful achievement.

### **ALSTONVILLE COMMUNITY PRESCHOOL**

**Ms TAMARA SMITH** (Ballina) [1.17 p.m.]: I recognise the incredible work of the Alstonville Community Preschool: its volunteers, parents, students, director Narelle Walker, and president Katherine Buckley. I have never met a more dynamic, professional and determined group of teachers and parents working tirelessly in pursuit of excellence in early education for children. Founded in 2010, the preschool was formed following the closure of Alstonville's only preschool after 41 years in operation. Parents and community members recognised a need to retain a community preschool in Alstonville and began working towards this goal.

What began as a group of concerned parents proactively working together, turned into a much larger community effort. They have fundraised a whopping \$670,000 and worked with Ballina Shire Council to secure a 4,000 square metre parcel of land at Crawford Park in Alstonville for the construction of a purpose-built community preschool. After working out of temporary premises—and even a shipping container—and five long years of lobbying and fundraising, the turning of the sod took place recently, which I attended. The preschool is almost there, with only \$60,000 still needed to build the outdoor playground for the children. Congratulations to everyone involved and to director Narelle Walker who just won an individual community award.

### **METFORD NEIGHBOURHOOD WATCH**

**Ms JENNY AITCHISON** (Maitland) [1.18 p.m.]: Every community at one time or another experiences antisocial behaviour. In many cases the best deterrent to reducing this behaviour is community members working together for the betterment of the area. Bill Hackney of Metford, who is one of these community-minded individuals, is committed to reducing the crime rate and improving community relationships in his neighbourhood. Bill set up a Facebook page to report crime in the Metford area, which he has recently relaunched as the Metford Neighbourhood Watch Facebook page. It is designed to allow community members to post issues that are happening in Metford.

The page has had so much success in reducing crime rates and increasing public awareness of safety that Bill has been handpicked to participate in a push by the NSW Police Force to launch a new-look digital Neighbourhood Watch initiative across the State. It is an outstanding achievement for Bill to be selected to participate in this program. His contribution could have serious and far-reaching benefits for many communities in the Maitland electorate and across New South Wales. I congratulate Bill on his initiative.

### **MAX JOHNSON, NORTHERN RIVERS 2015 VOLUNTEER OF THE YEAR**

**Mr CHRISTOPHER GULAPTIS** (Clarence—Parliamentary Secretary) [1.19 p.m.]: I offer my congratulations to Max Johnson on being named the Northern Rivers 2015 Volunteer of the Year and for receiving the Centre for Volunteering award for all his work with The Whiddon Group—Residential Aged Care. Max has volunteered at the home for seven years. He will do anything to make the residents feel special, such as telling jokes, having a chat, cooking pancakes and manning the barbecue. The local community owes a huge debt of thanks to the hundreds of volunteers who give so freely of their time. We

are very blessed to have so many volunteers who dedicate so much of their time to improve the lives of others. I ask the House to recognise the wonderful work that Max has carried out for many years as a volunteer at The Whiddon Group-Residential Aged Care.

### **GIRRAWEE HIGH SCHOOL**

**Dr HUGH McDERMOTT** (Prospect) [1.20 p.m.]: I commend Girrawee High School, a great school in the Prospect electorate. On Tuesday 16 September I was invited to the school to give a speech to senior students and school leaders on the values of leadership. I was also pleased to present badges to the new school captains, Victor Jong and Marie-Angela Echevarria, and to the new school vice-captains, Ashvin Bandokar and Mayah Thangarajah. I commend principal Julie Kennedy for her continued dedication to public education and her leadership at that school. I also commend deputy principals Greg Murty and Eloise Burgess and the outgoing school captains, Archis Akolar and Monica Jovanov. Girrawee High School continues to set a very high standard in the Prospect electorate. I commend its continued efforts and wish its year 12 class of 2015 the best of luck in the Higher School Certificate exams.

### **KIAMA AND DISTRICT CHAMBER OF COMMERCE**

**Mr GARETH WARD** (Kiama—Parliamentary Secretary) [1.21 p.m.]: I congratulate the re-elected Executive of the Kiama and District Chamber of Commerce. Marie Beikmanis was re-elected as president, Gavin McClure as vice-president, and Kay McNiven as treasurer and secretary. Other directors include Catherine Holz, from Carter and Ferguson Solicitors; Steve Warwick, a partner at RMB Lawyers; Patrick Mahedy, from PRM Architects Pty Ltd; Kay McNiven from Kiama Cabs and Hire Cars; and Greg Langford, from National Australia Bank. Congratulations to each of them.

On 14 July I was pleased to host a French-themed Bastille Day Business After Hours cocktail reception with members of the Kiama and District Chamber of Commerce. It was a resounding success and well attended. I pay particular thanks to Marie Beikmanis and Kay McNiven, who assisted greatly with catering and made the event very enjoyable. Congratulations to all those bastions of business. They do a great job supporting Kiama industry, business and jobs.

### **NEWCASTLE SURFEST WOMEN'S CLASSIC**

**Mr TIM CRAKANTHORP** (Newcastle) [1.22 p.m.]: I am delighted that this week Newcastle's famous Surfest women's contest has regained a six-star, 6,000-point status on the World Surf League's qualifying series. After losing major sponsorship and dropping to a 1000-point level this year, the Surfest Women's Classic will return to the top of the World Surf League's qualifying series rating after a crowdfunding campaign secured 73 \$1,500 shares from local Hunter businesses. It is the first event to be fully sponsored through crowdfunding. I am proud that Newcastle businesses and the community are supporting women's surfing in Newcastle. The return to a six-star status will mean that the event will attract the cream of the world women's surfing circuit to Newcastle.

Surfest originated in 1985 when Newcastle wanted to showcase the unheralded beauty of its beaches and surf breaks. It has now grown to be Australia's largest surfing competition, which attracts the world's best surfers every year. Next year the event will be conducted over 11 days from 11 to 22 February at Merewether Beach, which is a recognised Australian National Surfing Reserve. Surfest is more than a great surfing competition. It is a celebration of a city and its people and their special relationship with Australian beach culture. It is great to see Novocastrians supporting our own.

### **NORTH ARMIDALE REDMEN**

**Mr ADAM MARSHALL** (Northern Tablelands) [1.23 p.m.]: I pay tribute to the North Armidale Redmen who made up for the disappointing grand final losses over the past two years to achieve a 6-0

shut-out of Oxley Vale Attunga from Tamworth in the Northern Inland Premier League second grade premiership. I acknowledge co-coach Neil Wheaton on the excellent effort he has made this year in coaching a team of players aged from 15 to 32. I acknowledge Brad Dunham, Liam Georkas, Elijah Barnes, Matt Baillie and Michael Griffiths who slotted goals, with Georkas finishing with a double. Congratulations to the Redmen. They lost the last two grand finals but they have come up trumps this time. It is their first Northern Inland premiership since 2011. Up the Redmen!

#### **VIETNAMESE STUDENT'S ASSOCIATION MULTICULTURAL FOSTER CARE SERVICE FUNDRAISER**

**Mr NICK LALICH** (Cabramatta) [1.23 p.m.]: I inform the House that on Friday 7 August 2015 I was honoured to attend the fundraiser of the Vietnamese Students' Association [VSA] for the Multicultural Foster Care Service at the Crystal Palace Function Centre in Canley Heights. The fundraiser was an outstanding success, with more than \$12,000 being raised on the night. The money raised will greatly assist the Multicultural Foster Care Service, which is an out-of-home care service for newborns to young adults aged 18. The Vietnamese Students' Association is deeply passionate about improving the lives of young children in foster care. By raising much-needed funds, the Multicultural Foster Care Service providers will be able to further assist children from diverse cultures and linguistic backgrounds to maintain a strong connection with their culture. I thank the VSA's external vice-president, Julie Pham, for extending the invitation to me for this great cause.

#### **1ST LINDFIELD SCOUT GROUP QUEEN'S SCOUT AWARDS**

**Mr JONATHAN O'DEA** (Davidson—Parliamentary Secretary) [1.24 p.m.]: I recognise the conferral of the Queen's Scout Award on three young men from the 1st Lindfield Scout Group. On 1 August Oscar James, Angus Mackay and Andrew Walton were presented with their awards by the Governor at a ceremony at Government House. On 12 September 2015 I was delighted to attend a ceremony closer to home at the Andy Little Scout Hall in Slade Avenue, Lindfield. The Regional Commissioner of Scouts, the local scouting community and others celebrated the achievement of Oscar, Angus and Andrew. These impressive young men continue a fine tradition of the 1st Lindfield Scout Group, which has been established for more than 95 years.

#### **BELMONT DISTRICT HOSPITAL AUXILIARY**

**Ms YASMIN CATLEY** (Swansea) [1.25 p.m.]: I recognise the outstanding work of the Belmont District Hospital Auxiliary, led by current honorary secretary June Chapman. I was thrilled to be able to attend the auxiliary's presentation of service awards held recently at Belmont Hospital. The awards recognise the enormous contribution made to our community by the women's auxiliary. The auxiliary started in 1945, helping to raise money to build the hospital in the Lake Macquarie area. The hospital was finally built in May 1968, thanks in large part to the advocacy of the auxiliary.

At the recent awards I heard some wonderful tales from the many long-serving members, some of whom have served in excess of 50 years. Many changes have taken place over the years. First, the kiosk was a freestanding building, which was built with funds raised by the auxiliary. It was then given larger premises when it moved into the hospital and then was relocated with the expansion of the hospital, but the auxiliary never faltered. This year the auxiliary has raised more than \$110,000.

#### **FREYA BLACKWOOD, CHILDREN'S BOOK COUNCIL OF AUSTRALIA AWARDS**

**Mr ANDREW GEE** (Orange—Parliamentary Secretary) [1.26 p.m.]: I draw the attention of the House to an outstanding illustrator from Orange. Freya Blackwood has scooped the prestigious Children's Book Council of Australia awards, winning three separate titles. Ms Blackwood won the young readers category for the *Cleo* stories, which was a collaboration with Libby Gleeson, the early childhood category for *Go to Sleep, Jessie!*, which was also a collaboration with Ms Gleeson, and the picture book category

for *My Two Blankets* with Irena Kobald.

It is the first time in the award's 69-year history that an illustrator has been honoured three times in the same year. It is an outstanding achievement. She is one of the few Australians ever to win the highly prestigious Kate Greenaway Medal, which is an international competition. On behalf of the House, I extend our congratulations to Ms Blackwood and wish her all the best for her illustrations in the future. The Orange and Central West community is very proud.

#### **BLUE MOUNTAINS LOCAL AREA COMMAND 100 YEARS OF WOMEN IN POLICING**

**Ms TRISH DOYLE** (Blue Mountains) [1.27 p.m.]: I pay tribute to women police officers in the Blue Mountains electorate. In the 100 years since women first joined the NSW Police Force, the face and culture of policing has changed dramatically. To mark this occasion, I was joined at my electorate office this week by Sergeant Allanah Anson, Sergeant Kylie Pettit, Senior Constable Lisa Banks, Senior Constable Mary Lou Keating, Senior Constable Bianca Kleyn, Senior Constable Melissa Rosevear, Senior Constable Michelle Jancso and Constable Nikki Lee Jarvis.

The Blue Mountains Local Area Command has a number of dedicated, professional and hardworking women among its ranks. However, it is vital that local police forces represent the diversity of the communities that they serve and protect. Of the 117 sworn officers serving in the Blue Mountains only 25 are women—21 per cent. This figure is below the statewide average of almost 27 per cent. As the push for gender equality throughout all workplaces continues to gain strength, the significance of the centenary of women in New South Wales policing is an important milestone to recognise and a rallying point around which we should all push to see more women take up this challenging and rewarding profession.

#### **MEN OF LEAGUE FOUNDATION**

**Mr DAVID ELLIOTT** (Baulkham Hills—Minister for Corrections, Minister for Emergency Services, and Minister for Veterans Affairs) [1.28 p.m.]: I am pleased to inform the House that the Australian Hotels Association has shown great, tangible support for the efforts of the Men of League Foundation at its annual golf day at Stonecutter's Ridge Golf Club. As a patron of the Men of League, I was delighted by the generosity and effort of those organisations at the event. One cannot look past the efforts of Colin Parras of the Peach Tree Hotel in Penrith and Andrew Clement of the Independent Liquor Group, who drove the attendance and organised many aspects of the fundraising event. Thanks to the support of the Australian Hotels Association Western Sydney Sub-Branches, the event raised a remarkable \$14,345 for the Men of League Foundation, which will help to support families of the rugby league fraternity who have fallen on tough times. I commend their efforts.

#### **INNER SYDNEY MONTESSORI SCHOOL**

**Mr JAMIE PARKER** (Balmain) [1.29 p.m.]: I bring to the attention of the House an inspiring and vibrant community event I attended in my electorate earlier this month. The Inner Sydney Montessori School is a non-denominational school of around 270 students aged up to 12 years who attend campuses in Balmain and Lilyfield. This was the second year that the school held its Green Day Out fair. As well as offering a range of fun family activities, the fair showcased how urban sustainability creates connections between people, communities and our environment.

Principal Dr Bill McKeith defined urban sustainability as taking care of yourself, others and the environment. Informative workshops were held on topics including Cool Change Cities with Michael Mobbs, permaculture with Costa Georgiadis, wild weaving and Fermenting with Friends. I acknowledge and congratulate the following people on their enthusiasm, dedication and effort in bringing a positive and inclusive message on sustainability to the school and broader community: parent volunteers Paula Lawrence, Sarah Birken, Anne Driver, Olivia Haigh, Liz Coates and Justine Williams; and school staff

Emma Cassin, Amanda Reynolds, Maree Karadaghian, Kristine Shields and Principal Bill McKeith. I look forward to many more successful Green Day Out fairs.

### **CENTRAL COAST AUXILIARIES**

**Mr ADAM CROUCH** (Terrigal) [1.30 p.m.]: I congratulate the wonderful ladies at the Central Coast Auxiliary, who have raised more than \$150,000 for hospitals and health services in the past 12 months. Those lovely volunteers have done outstanding work. I have to ask: Where would we be without them? The volunteers, who come from Gosford, Ourimbah, Wyong, Woy Woy and Long Jetty auxiliaries, raise funds to purchase a wide range of equipment for our hospitals such as an ECG machine, a carbon dioxide monitor, bladder scanners, wheelchairs and examination tables. I acknowledge and congratulate our lovely volunteers in our auxiliaries on their outstanding hard work.

### **ST MARYS EAGLEVALE UNDER 12S DIVISION 2 PREMIERS**

**Mr ANOULACK CHANTHIVONG** (Macquarie Fields) [1.30 p.m.]: It is a sunny spring Saturday morning. Players are nervous. The tension is high. The crowd is cheering. Parents, grandparents, friends and family are watching every kick and every chase of the ball. It all comes down to the final game of the season for the St Marys Eaglevale Under 12s Division 2 Soccer Club against their arch rivals, the Camden Falcons. Having lost twice to the Falcons this year, could it be a three-peat loss to end what had been an excellent season? Not this time. St Marys Eaglevale's defence was rock solid with Alex Engeler in goal. They dominated possession and scored two goals to take the grand final for 2015. I congratulate the players, parents and coaching staff who put in so much effort to make the St Marys Eaglevale Under 12s Division 2 team worthy champions for 2015. Watch out Under 13s Division 1 in 2016—here come the Saints!

### **HOLSWORTHY ELECTORATE WALK 4 WILLIAM**

**Ms MELANIE GIBBONS** (Holsworthy) [1.31 p.m.]: I thank my community for its involvement in Walk 4 William last Saturday 12 September. Amazingly, about 1,000 people attended walks at sites in Liverpool and Chipping Norton. It is important to raise awareness of the disappearance of William Tyrrell. Somebody somewhere knows something. We ask them to speak up. I particularly thank Chipping Norton organiser, Valentina Mavrakis, and Liverpool organiser, Ruth Brissett, for their work and effort in organising volunteers and bringing people together to walk. I also thank Cure Photography Creations, Carnival Kingdom, Little Tree Pharmacy, Marvel Realty, Moorebank Hotel, the Food Lovers Market, AMF Bowling at Revesby, Coles at Chipping Norton, Darrell Lea, Gu Thai Cuisine and Big W at Liverpool, which provided Spiderman items to make the day a bit more exciting for the kids. In total 84 walks were held across Australia and overseas for this important cause. I thank the community very much.

### **WOODVILLE ALLIANCE NAIDOC WEEK CELEBRATIONS**

**Mr GUY ZANGARI** (Fairfield) [1.32 p.m.]: On 4 July 2015 my family and I had the pleasure of attending the annual NAIDOC Week celebrations at Hilwa Park in Villawood, hosted by Woodville Alliance. Woodville Alliance has been hosting the NAIDOC festival for 14 consecutive years as it continues to promote and highlight the importance of Aboriginal and Torres Strait Islander culture. It was a great day full of cultural song, dance, art and entertainment. The event was structured to engage with people from all walks of life and get them involved in Indigenous culture. I was incredibly proud to see the outstanding support shown by the local people who came out to enjoy the day. I congratulate Mrs Pam Batkin and the wonderful team at Woodville Alliance on hosting another successful event. The community looks forward to next year's celebrations.

### **OATLEY ELECTORATE MOON FESTIVAL**

**Mr MARK COURE** (Oatley) [1.33 p.m.]: On Saturday I had the pleasure of hosting a Moon

Festival celebration in my electorate of Oatley and was delighted that the Treasurer could join me as the guest speaker. I am grateful to the many constituents who joined with me to mark the occasion at Club Rivers in Riverwood. The mid-Autumn Festival is one of the most important and significant cultural events in the Chinese calendar. The community united on Saturday to celebrate and, of course, share some moon cake.

Our State boasts the largest Chinese community in Australia. Some 300,000 people of Chinese heritage live in New South Wales, and many of them reside in the St George area. As the member for Oatley I have spent much time with the Chinese community and witnessed firsthand the wonderful contributions they have made. Highly regarded for family values and business skills, the Chinese community is well respected and admired. The cultural contribution they have made is also appreciated, as is the community's openness and generosity. It is an honour and privilege to represent the largest Chinese community in Sydney, which is held in high regard for its traditions and hard work. I wish all people celebrating the Moon Festival luck, joy, peace and happiness.

#### **CENTRAL COAST COUNCIL OF PARENTS AND CITIZENS' ASSOCIATION**

**Mr DAVID MEHAN** (The Entrance) [1.34 p.m.]: I acknowledge the work of the Central Coast Council of Parents and Citizens' [P and C] Association. The Central Coast P and C Council is a fantastic group of parents that passionately advocates on behalf of our children attending Central Coast schools. The executive comprises President Mr Bruce Davis and Secretary Mrs Sharon Brownlee. Together they do a great job in conducting lively and productive meetings. Representatives of all Central Coast P and C associations attend the council meetings.

I also acknowledge the Central Coast P and Cs that organised Father's Day breakfasts in the week leading up to 6 September. Without mentioning them all, I commend Holgate Public School P and C, which organised an event I attended at the invitation of my daughter Lily. They put on a great show. I also acknowledge retiring Principal Mike Murphy and wish him all the best. Finally, I thank Mr Reece from my daughter's class for reminding her to bring home my Father's Day card. It is on the wall in my office and it—like my daughter—is gorgeous.

**Community recognition statements concluded.**

#### **IMPOUNDING AMENDMENT (UNATTENDED BOAT TRAILERS) BILL 2015**

**Message received from the Legislative Council returning the bill with amendments.**

**Consideration of Legislative Council's amendments set down as an order of the day for a later hour.**

*[Temporary Speaker (Ms Anna Watson) left the chair at 1.35 p.m. The House resumed at 2.15 p.m.]*

#### **PHOTOGRAPH OF LEGISLATIVE ASSEMBLY**

**The SPEAKER:** I inform members that in accordance with arrangements an official photograph will now be taken of members and officers of the House.

#### **PARLIAMENTARY LIONS CLUB BARBECUE**

**The SPEAKER:** We have an update from the Lions Club barbecue today. They raised \$1,000 for the Childhood Cancer Research Foundation. Thank you to everybody who attended. Well done. First prize went to April Lowndes, who won a \$100 voucher to dine at Wahroonga's famous The Butcher's Block. The second prize went to Lisa Gelzinnis and the third prize went to Alex Glumac. Dale Campbell, Liz Campbell and Warrant Latham, who were the Lions Club volunteers at today's New South Wales

Parliamentary Lions Club barbecue, are guests in the gallery of the member for Hunter.

## **VISITORS**

**The SPEAKER:** I extend a warm welcome to a group of friends and supporters from my electorate of South Coast. They are guests, of course, of the Speaker and member for South Coast.

I welcome 10 representatives from the Western Region Academy of Sport. They are guests of the Minister for Local Government and member for Bathurst. I also welcome Ryan Nindra, a year 10 student at Barker College. He is a guest of the member for Ku-ring-gai. I also welcome Kalani and Tex Francis of Fairy Meadow Demonstration School, accompanied by their mother, Emily Francis. They are guests of the member for Keira.

I also welcome students from Wyoming Public School Parliament leaders program, Putri Maharani, Hayley Pennell and Chase Twy, and their Principal, Rebecca Wild. They are guests of the member for The Entrance. I also welcome Councillor Lisa Matthews from Wyong Shire Council, guest of the member for The Entrance.

I also welcome to the gallery Karen Howard, businesswomen from Newcastle, and Will Creedon, restaurant and cafe owner from Newcastle. They are guests of the member for Kiama.

## **BUSINESS OF THE HOUSE**

### **Notices of Motions**

**Private Members' Business Notices of Motions (for Bills) given.**

### **DEATH OF ARTHUR ROBERT MORRIS, MBE**

#### **Ministerial Statement**

**Mr STUART AYRES** (Penrith—Minister for Trade, Tourism and Major Events, and Minister for Sport) [2.23 p.m.]: I pay tribute to the late Arthur Morris, MBE, who recently passed away at the age of 93. Arthur was born in Bondi in 1922 and became one of the finest Australian batsmen of all time, playing 46 tests and scoring 3,533 runs at an average of 46.48, which included 12 centuries with a highest score of 206 against England in 1951. He captained Australia twice and was named in Australia's Team of the Century. He is generally regarded as one of the best left-handed batsmen of all time. Arthur was the leading run-scorer in the famous 1948 Ashes series in England, which is a remarkable achievement given the calibre of the Australian side, not the least being the calibre of the great Sir Donald Bradman. For the information of members who are not aware, that team is often referred to as the Invincibles.

I invite members to think about that for a moment: It was one of the greatest teams to ever travel overseas and compete on behalf of this country. In a team comprising some of the best cricketers Australia has ever produced Arthur Morris was the leading run-scorer. As Bradman made the most famous duck in test history in his final match at the Oval, Morris was on his way to 196 at the other end of the pitch. However, it was in the previous test match at Headingley where he played what is widely considered to be one of his finest matches and his finest innings. He batted for an extraordinary five hours and scored 182 as Australia chased a record fourth innings total of 404 on a deteriorating pitch. Bradman later wrote of this innings:

He showed that day every quality demanded of the real champion. A rock-like defence, a powerful but studied aggression and a perfect temperament. Considering the situation in the state of the wicket, I doubt if a more valuable innings was ever played.

According to Bradman, Morris was "a genius [who] does things others could not, and should not, try to emulate". There can be no higher praise than that from the great man. Arthur Morris will be remembered as the twenty-fourth man to captain Australia in test cricket, filling in for the injured Lindsay Hassett against the West Indies in Adelaide in 1951 and again for Ian Johnson against England at the Sydney Cricket Ground [SCG] in 1954. Arthur also knew hardship and tragedy. He lost his first wife, Valerie, to breast cancer when she was aged just 33 and after only 18 months of marriage. He later married his second wife, Judith, in 1968. He also served his country in New Guinea during World War II. Arthur also was a member of the Sydney Cricket Ground trust for 22 years.

All those who met Arthur could not help but be charmed by his unstinting politeness and his great sense of humour as well as his particular quirk—his love for the soap opera *The Bold and the Beautiful*. Recently at the Sydney Cricket Ground the Arthur Morris Gates were opened. Although Arthur was too ill to attend, he was represented by his wife, Judith, who relayed that when she asked him why he had gates named after him, Arthur replied, "Well, it is obvious, isn't it? I was an opener." On behalf of the Government I extend sincere condolences to Arthur's family and friends as well as the entire cricketing community, who have lost a truly great legend of the game.

**Mr LUKE FOLEY** (Auburn—Leader of the Opposition) [2.27 p.m.]: It was one of the great honours of my life to meet Arthur Morris on several occasions, courtesy of the Sydney Cricket and Sports Ground Trust. As the Minister said, on 19 August this year, the Sydney Cricket Ground named one of its gates in honour of Arthur Robert Morris. Two days later he died at the age of 93. Those gates will forever stand as a tribute to him. He made his first-class cricketing debut in 1940. His opening partner was a future Liberal member of this House, Mort Cohen. Arthur Morris became the first cricketer in the history of first-class cricket to score not one, but two, centuries on debut. As a reward, Doc Evatt took him to Stan McCabe's sports store in the city to buy him a bat. Think about that: Somebody who debuted in first-class cricket by making two centuries did not own his own bat. It was truly a different era to what we know today.

Arthur Morris was appointed in 1965 by Robert Askin's Government to the Sydney Cricket Ground trust. He survived the change of government to Neville Wran's Government and reconstitution of the trust in 1978 and continued to serve until 1987 at the right hand of Patrick Darcy Hills as the deputy chairman of the Sydney Cricket Ground trust. Every Prime Minister from Chifley onwards was personally acquainted with Arthur Morris. It was the great honour of former Prime Minister Julia Gillard to ask Arthur to pen a note she could take to London to the Bedser twins on the occasion of their ninetieth birthday.

Arthur was always self-deprecating. Many people who like to enjoy the hospitality of the Sydney Cricket Ground trust might not have an encyclopaedic knowledge of cricket, but they enjoyed the hospitality and a day at the cricket nonetheless. Arthur had a store of stories. People would ask him, "You played cricket, Arthur. Did you know Bradman?" Arthur would simply reply, "I did." "Did you ever play with him?" "I did." A variation took this course: "You were in England in 1948, the same time as Bradman. What were you doing there?" "Playing cricket." "Who for?" "Australia."

He liked to tell, with a twinkle in his eye, the story where somebody would say to him, "Your career overlapped Bradman. Where were you when he played his final innings?" "I was there." "Did you manage to get to the ground?" "I did." "Were you watching when Bradman was out?" "I was." "You weren't playing, were you?" "I was." "What did you score?" "196." That is the most forgotten century in the history of test cricket. Arthur was a gentleman. He had many friends on both sides of politics—certainly on the Liberal side but also on the Labor side. He had warm friendships with Bob Hawke and John Howard. He served this country in war and at peace. For the first time since 1937 Arthur will miss the Sydney Cricket Ground test this coming summer. Our condolences go to his widow, Judith. May he rest in peace.

#### **REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS**

**Mr MIKE BAIRD:** I inform the House that today the Minister for Finance, Services and Property



will answers questions in the absence of the Treasurer.

## QUESTION TIME

*[Question time commenced at 2.32 p.m.]*

## STATE PRIORITIES

**Mr LUKE FOLEY:** My question is directed to the Deputy Premier. Did the Premier consult the Deputy Premier on the development and finalisation of the 30 Government priorities as published in "State Priorities"?

**Mr Brad Hazzard:** It's a ripper of a question.

**The SPEAKER:** Order! Perhaps the Minister for Family and Community Services could give the Deputy Premier a chance to answer.

**Mr TROY GRANT:** I am sorry, I am a little stunned. The answer is yes. In fact, the Premier consulted the entire Cabinet. Along with all my Cabinet colleagues, I fully support the Premier's priorities. These priorities set out an ambitious and important blueprint for the New South Wales Government to pursue. We have articulated to the community how we expect to be measured against some important issues and priorities, and we are prepared to be held to account for them, unlike members opposite. For 16 long years members opposite did everything behind closed doors. They did everything at the end of a telephone call directed by Sussex Street. That is unlike the approach taken by this Government, which said, "What do you want, New South Wales? Where do you want it and how do you want it? Here's the plan on how we will achieve it."

Here is our commitment and here is the result: cranes in the sky and services being delivered. All the investments and the wants of the New South Wales community that have been delivered over the past four years—they have been budgeted and planned for—are measurable under priorities set out by this Government. These priorities are ambitious by nature because New South Wales communities expect us to be ambitious on their behalf, to have the best government serving them and to ensure that New South Wales is the best State. Members opposite set out to divide and conquer the State by showing that some areas were more important than others. I am proud of the Premier's priorities because all of them are relevant to the entire State. We do not pick favourites and we understand that New South Wales stands for something greater than Newcastle, Sydney and Wollongong.

The number one priority is job creation; we have an ambitious target of 150,000 jobs. It does not say that they all have to come from a particular area. Indeed, we heard from the Treasurer last week about the amazing job creation that is happening in regional New South Wales, particularly in the south where a wonderful Parliamentary Secretary is ensuring that the concerns of that region are brought to this Chamber. So, yes, I was consulted. I was proud to be consulted because that is what we do in this Government. We work as a team; we use the expertise, knowledge and skill sets of all our members to help inform the direction the Government will take and then we tell the community what that will be and how we will do it.

I am pleased that the Premier's priorities give the community the opportunity to measure whether we have done what we said we would do. I am sure the people in the gallery have appreciated that over the past four years, and they will appreciate the opportunity clearly to hold the Government to account in the service of the people. Yes, I am proud to stand by the Premier's priorities. The Liberal-Nationals Government stands by the Premier's priorities because they will set up the State for a wonderful, prosperous, transformational future.

## NATIONAL DISABILITY INSURANCE SCHEME

**Mr RAY WILLIAMS:** My question is addressed to the Premier. How is the New South Wales Government helping people with disability, their families and their carers?

**Mr MIKE BAIRD:** I thank the member for Castle Hill for his great work in his electorate and across Western Sydney and for his interest in the National Disability Insurance Scheme [NDIS], which we are proud to announce today. Earlier today I was delighted to join the Prime Minister and the Victorian Premier to effectively bring to life the National Disability Insurance Scheme. The Government is proud to do that. Certainly, as we make that happen today, it is important to reflect on the lives that the NDIS will impact. We know the difference it will make; it will make a huge difference to those with a disability, their carers and their families. I do not think I have been more proud of a policy and I pay tribute to the Government and Cabinet who made a decision a few years ago to bring that to effect.

I pay tribute to the former Minister, the member for Bega, who had leadership of this issue for us. Indeed, when we were in opposition he clearly wanted those with a disability to have choices, to choose what services they wanted and to have the funding to match it. He was a tireless advocate for the NDIS, and he has brought it to effect. I also acknowledge Barry O'Farrell, who was the first Premier to sign up to the National Disability Insurance Scheme. At that time Cabinet decided that it was an expensive proposition but we were determined to ensure that we found the savings to match, so we have aligned our expenditure along the lines of the revenue we have in order to ensure that it is funded for the long term.

I also acknowledge former Prime Minister Julia Gillard and congratulate the Opposition on making this a bipartisan issue. Every member of Parliament believes we should be doing this and has supported the scheme. It is a good example of what can be achieved when politics are put to the side and we focus on critical issues. Julia Gillard led this and Barry O'Farrell was the first to sign it. I pay tribute to both of them, together with the current Minister for Disability Services, John Ajaka, who has played a huge role, as did John Della Bosca, a former member and advocate for this scheme.

I also pay tribute to the public service, which is often missed when we acknowledge the efforts put into such a scheme. All of us are proud that so many people in this Government, the Federal Government and other governments have worked hard to get to this day by understanding the difference it will make to the people who public servants serve. I congratulate every member of the New South Wales Public Service involved in this because a lot of work has gone into preparations for this day. What we have announced today will be rolled out in New South Wales between 1 July 2016 and 30 June 2018.

From 1 July 2016 the following regions will have access: Hunter, New England, southern New South Wales, Central Coast, North Sydney, south-western Sydney, Western Sydney and the Nepean and Blue Mountains. From 30 June 2018 the remaining regions will have access: northern New South Wales, the mid North Coast, Sydney, south-eastern Sydney, the Illawarra, Shoalhaven, Murrumbidgee, western New South Wales and Far West New South Wales. These locations align with the current disability and health service districts and reflect the whole-of-government focus New South Wales is taking on this important initiative.

I stress that this is a great day not for politicians but for those families impacted by disability on a daily basis. On the back of these reforms, more than 90,000 people with a disability will be assisted. By the time the whole service is rolled out there will be 140,000 who are assisted, so 50,000 additional people with a disability, their families and carers will have support. We are often asked why we go into public life. We do so because of days like today, and all sides of politics have a right to be proud. I say a heartfelt thank you to those who made the decisions and those who have done the work. Ultimately, those with a disability have the same right as every Australian to have control over the lives they choose to live. That is what this announcement is about and I am very proud of the work that has gone into it. The State and the country are the richer for it.

## STATE PRIORITIES

**Mr LUKE FOLEY:** My question is directed to the Deputy Premier and Leader of The Nationals. In light of his earlier answer, can the Leader of The Nationals explain why the new State priorities make no mention of agriculture, primary industries, rural affairs or regional development?

**The SPEAKER:** Order! Opposition members will come to order. I call the member for Canterbury to order for the first time. The Deputy Premier has the call.

**Mr TROY GRANT:** I thank the Leader of the Opposition for that Dorothy Dixer. I cannot believe the ignorance of those opposite. The member most far away from this place is simply 200 kilometres from this Chamber and the closest is 200 kilometres away. We understand regional New South Wales. These priorities are relevant to everything that occurs in regional New South Wales. Those opposite must think there are no jobs in regional New South Wales, as we are targeting the creation of 150,000 new jobs.

**The SPEAKER:** Order! Opposition members will come to order. The Leader of the Opposition asked the question; Opposition members should listen to the answer.

**Mr TROY GRANT:** Those opposite must think there is no infrastructure in regional New South Wales. They must think we sleep in swags and tents, which just shows the level of their ignorance. What concerns me is that those opposite think there is no domestic violence in regional New South Wales, the third of our Premier's priorities.

**The SPEAKER:** Order! The member for Port Stephens and the member for Rockdale will come to order and cease interjecting.

**Mr TROY GRANT:** Domestic violence is a regional issue of the highest priority being led by a wonderful Minister. Those ignorant opposite—

**The SPEAKER:** Order! Opposition members will come to order.

**Mr TROY GRANT:** Those opposite must think that we have no hospitals in regional New South Wales and that we rely on the Royal Flying Doctor Service, as some of our communities do. This Government has invested in infrastructure and services for regional New South Wales. Off the top of my head, we have new hospitals in Tamworth, Wagga Wagga, Port Macquarie, Lismore—

**Mr Michael Daley:** Point of order: My point of order is taken under Standing Order 129. I am not sure what question the Deputy Premier is answering, but it was about agriculture, primary industry and rural affairs—not mentioned, missing—

**The SPEAKER:** Order! The Deputy Premier is answering the question the Leader of the Opposition asked and has been relevant so far. The member for Maroubra will resume his seat. I call the member for Maroubra to order for the first time.

**Mr TROY GRANT:** That is an interesting point of order. The member for Maroubra has probably never been to regional New South Wales. I will get him a map.

**The SPEAKER:** Order! Members who continue to interject will leave question time early today.

**Mr TROY GRANT:** Those opposite must think that we have no kids in trouble or youth in the criminal justice system in regional New South Wales. We have too many of them locked up in detention centres and a hell of a lot of them live in regional New South Wales. That is why it is a priority to get those kids out of detention centres and back into the community where they belong.

**The SPEAKER:** Order! The member for Maroubra will come to order.

**Mr TROY GRANT:** We do not want any kid to be locked up if it is avoidable. They must think—

**Ms Linda Burney:** Point of order—

**The SPEAKER:** Order! I ruled on relevance earlier.

**Ms Linda Burney:** It is relevance.

**The SPEAKER:** Order! The member for Canterbury does not have a point of order. The member for Canterbury will resume her seat. The Deputy Premier is being relevant. I call the member for Canterbury to order for the second time.

**Mr TROY GRANT:** One of the priorities is to drive public sector diversity and double the number of women, Aboriginal and Torres Strait Islander people in senior leadership roles. Those opposite must think we have no Aboriginal people in regional New South Wales or that women, Aboriginal and Torres Strait Islander people have no capacity to be in leadership positions in New South Wales. They should be ashamed of themselves.

**The SPEAKER:** Order! The members for Rockdale, Kogarah and Port Stephens will cease interjecting.

**Mr TROY GRANT:** We are improving government services in regional New South Wales. My regional communities rely on government services more than most.

**The SPEAKER:** Order! The member for Maroubra should listen before taking points of order.

**Mr TROY GRANT:** These services are essential to meeting the needs of our communities and any improvement we can make has a long-term benefit for regional New South Wales.

**Mr Luke Foley:** Point of order—

**The SPEAKER:** Order! I have ruled on relevance. The Deputy Premier remains relevant.

**Mr Luke Foley:** That is not my point of order. I seek an extension of time for the Deputy Premier in the hope he will discover regional New South Wales.

**The SPEAKER:** I am sure the Deputy Premier will relish an extension of time. The members for Kogarah and Port Stephens will cease interjecting.

**Pursuant to standing order additional information provided.**

**Mr TROY GRANT:** I appreciate the extension of time. I am also the Minister for the Arts, and we often support investment in films. A lot of these films are shot in regional New South Wales. There will be a third sequel to the movie *Dumb and Dumber*, and I think I could get a starring role for the Leader of the Opposition. I remember now what Labor's regional priorities were. One of the illustrious members of the Labor Government had a regional priority.

**The SPEAKER:** Order! Members who have been called to order and continue to interject will be placed on three calls to order and may be removed from the Chamber.

**Mr TROY GRANT:** His name was Eddie Obeid.

**The SPEAKER:** Order! Opposition members will cease interjecting. The member for Maitland will come to order. I call the member for Port Stephens to order for the first time.

**Mr TROY GRANT:** What was that about?

**Mr Brad Hazzard:** It was not his coalmine, was it?

**Mr TROY GRANT:** Yes, a coalmine priority—an industry that the Labor Opposition apparently no longer supports.

**Mr Greg Warren:** Point of order—

**The SPEAKER:** Order! Government members will come to order. The member for Campbelltown has the right to be heard in silence.

**Mr Greg Warren:** My point of order is taken under Standing Order 129. Personal opinions are not required, particularly regarding past members. The Deputy Premier should stick to the issue at hand.

**The SPEAKER:** Order! I did not hear what the member said. Consequently, I will rule that is not a point of order.

**Mr TROY GRANT:** Can I have another extension?

**The SPEAKER:** Order! I am sure members have heard enough. I warn Opposition members that their behaviour will not be tolerated for the rest of question time. Nor will it be tolerated from Ministers or Government members. If they continue to interject, they too will be removed from the Chamber.

### **VOCATIONAL EDUCATION AND TRAINING**

**Mr MICHAEL JOHNSEN:** My question is addressed to the Minister for Regional Development, Minister for Skills, and Minister for Small Business. How is the Government investing in vocational education to help the people of New South Wales get the skills and jobs of the future?

**The SPEAKER:** Order! The Minister has the call. I call the member for Rockdale to order for the first time. I call the member for Londonderry to order for the first time. I call the member for Prospect to order for the first time. I call the member for Strathfield to order for the first time. They will cease interjecting. The Minister has not even started his response.

**Mr JOHN BARILARO:** Thank you, Madam Speaker.

**The SPEAKER:** Order! I call the member for Maitland to order for the first time. The member for Maitland will come to order or she will be removed from the Chamber. It is not funny; I am glad the member for Maitland finds something funny.

**Mr JOHN BARILARO:** Interjections have cost me 20 seconds already, Madam Speaker.

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

**Mr JOHN BARILARO:** I thank the member for Upper Hunter for asking a fantastic question. He is a member who recognises the importance of skilling up the workforce—

**The SPEAKER:** Order! I call the member for Prospect to order for the second time.

**Mr JOHN BARILARO:** —not only in regional New South Wales—

**The SPEAKER:** Order! I call the member for Maitland to order for the second time.

**Mr JOHN BARILARO:** —but throughout the whole of New South Wales. This Government recognises the importance of regional economies. We understand the potential in the Hunter. We are trying to ensure that we empower those in that region with the skill sets to meet the positive, competitive advantages that we see in the Hunter. We know that mining, defence, tourism, agriculture, energy and health are key areas in the Hunter and right across New South Wales. Hunter TAFE plays an important role, along with local government, community and industry, in developing the facilities—

**The SPEAKER:** Order! Opposition members will come to order. If the member for Strathfield and the member for Fairfield do not wish to be in the Chamber for question time, they do not have to be; they can just leave the Chamber.

**Ms Jodi McKay:** No; we want to be here.

**The SPEAKER:** Really? What for exactly? You are not listening to the Minister. The member for Strathfield will come to order. I did not invite her to answer rhetorical questions. The Minister has the call.

**Mr JOHN BARILARO:** Hunter TAFE is working with industry, local government and of course with students to make sure the Government is delivering the skills in a way that actually creates jobs. In 2012 the Government invested \$2.5 million in the Mining Skills Centre for a state-of-the-art electrotechnology facility. Recent investment has been made at Muswellbrook for expansion of the light automotive facility, which has doubled in size. We have the partnership initiatives in the Hunter area, supported by Regional Development Australia, Hunter, to boost employment. There is the excellent ME Program of RDA Hunter, in partnership with engineering company, Varley, and 26 Hunter region schools and 30 industry partners, a program designed to work with those students to take up the science, technology, engineering and mathematics subjects in high schools in the Hunter region to meet the opportunities within the region.

In the past five years, about 7,500 students have taken part in that program, which has seen Hunter students achieve above the State average in the subjects of science and maths. However, there is always a lot more to do when it comes to reskilling our community. If individuals in this State are changing their careers or changing their career paths, we will give them an opportunity to get the skills that enable them to change their careers. This morning I was out in the beautiful, fantastic electorate of Wyong. I am not sure why the member for Wyong comes into this place grumpy and upset every day. It is a beautiful electorate; the sun was shining.

**The SPEAKER:** Order! I call the member for Hornsby to order for the first time. The member for Kiama and the member for Hornsby will come to order.

**Mr JOHN BARILARO:** I was in Wyong this morning where I met with a couple of great small business people while having some fantastic cupcakes. I walked into Kiss My Cupcake and said, "I am the Small Business Minister."

**The SPEAKER:** Order! There are too many audible conversations in the Chamber. The Minister has the call. The member for Hornsby will come to order.

**Mr JOHN BARILARO:** This morning I had the opportunity to discuss issues with those small business people. I said, "How is the local member going?" and they said, "Who?" I said, "How is the local member for Wyong going?" and they said, "Who?" They asked, "Why has the local member, the shadow Minister, not asked a small business question?"

**The SPEAKER:** Order! The member for Maitland will come to order.

**Mr David Harris:** Point of order—

**The SPEAKER:** Order! The Minister will resume his seat. The member for Wyong will wait until certain Opposition members come to order. The member for Hornsby will come to order. He will cease interjecting. The member for Wyong has a point of order.

**Mr David Harris:** My point of order is taken under Standing Order 129, relevance. My weight problem is caused because I am always in Kiss My Cupcake; they know me very well.

**Mr JOHN BARILARO:** Don't get upset; I have brought some cupcakes back, just for the member.

**The SPEAKER:** Order! There is no point of order.

**Mr JOHN BARILARO:** Most importantly, in Wyong I went to the Wyong aged care facility to make a significant announcement about vocational education and training, and skilling up people in this State.

**The SPEAKER:** Order! The member for Bankstown will come to order. The member for Canterbury will come to order.

**Mr JOHN BARILARO:** This morning I announced that this Government will invest in opening up places for another 30,000 students in vocational education and training in this State. We are removing impediments.

**The SPEAKER:** Order! I call the member for Cessnock to order for the first time.

**Mr JOHN BARILARO:** Previously, a person who had a qualification may not have been eligible for subsidised training. I can tell the House today that the Government has announced that everybody in this State who is skilling up, changing careers, looking for opportunities—

**The SPEAKER:** Order! The member for Wyong will come to order.

**Mr JOHN BARILARO:** —as of 1 January will have the opportunity to get subsidised training.

**Pursuant to standing order additional information provided.**

**Mr JOHN BARILARO:** We estimate that this policy adjustment will enable an extra 30,000 students to enter the vocational education and training pathway. This will give those students coming from industries that are in decline an opportunity to reskill for the jobs of tomorrow. We are putting students first.

**The SPEAKER:** Order! I call the member for Wyong to order for the first time.

**Mr JOHN BARILARO:** In this State, funding follows the students. Funding in this State is about students having choices in opportunity.

**The SPEAKER:** Order! I call the member for Maitland to order for the third time. The member will cease interjecting.

**Mr JOHN BARILARO:** It was great that, while I was at that aged care facility, I met with a number of students who are training in a sector that has seen significant growth. On top of the announcement made about the National Disability Insurance Scheme, of another 2,000 positions in training to meet the workforce of the future, a number of students there who had started previous careers were now looking to the aged care sector as a sector that they want to be part of to support the most vulnerable in our

community. When we made this announcement this morning, many of them were very happy to hear that this Government is focused on making sure that we meet the skill needs of the future.

**The SPEAKER:** Order! The member for Wyong will come to order.

**Mr JOHN BARILARO:** Look at what we have done over the past couple of weeks. We have announced funding for students with disabilities not having to pay fees as from 1 January.

**The SPEAKER:** Order! The member for Cessnock will come to order.

**Mr JOHN BARILARO:** We have announced the pre-apprenticeship scheme, the try-before-you-buy for apprentices. Today we announced that the pre-qualification criteria will no longer operate, giving everybody the opportunity for training in this State. We are making sure that we are flexible; and we are doing that by listening.

**Ms Linda Burney:** Point of order—

**The SPEAKER:** Order! The member for Canterbury takes a point of order.

**Mr JOHN BARILARO:** As I have travelled across the State I have met with teachers—

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

**Ms Linda Burney:** To assist the Minister: You have also announced the sell-off of lots and lots of TAFE colleges.

**The SPEAKER:** Order! There is no point of order. The member for Canterbury will resume her seat.

**Mr JOHN BARILARO:** What we are doing with VET in New South Wales is putting a flexible system in place, one that empowers the student to make choices to get the training where they want and how they want. Off the back of a record VET budget, as a Government we are proud of the achievements and there is more to come.

## **STATE PRIORITIES**

**Mr LUKE FOLEY:** My question is directed to the Deputy Premier. In light of his earlier answers, will the Leader of The Nationals advise the House: Does the Government have any specific priorities for agriculture, primary industries, rural affairs and regional development? If so, what are they?

**Mr TROY GRANT:** I think we might have Dumb and Dumber 4 coming out. Yes, we do. During the election campaign I was very proud to sign with the NSW Farmers Association the very first memorandum of understanding that set out a whole list of priorities for the agricultural sector. In case the Leader of the Opposition was not watching or paying attention about anything rural, I will send him a copy.

**The SPEAKER:** Order! I call the member for Cessnock to order for the second time. I call the member for Keira to order for the first time. The member for Keira will cease interjecting.

**Mr TROY GRANT:** It is called the Native Vegetation Act—there is one; I have plenty more for him. In addition to the Premier's priorities, this Government developed the Agricultural Industry Action Plan, which has been in train and is working very well. It is actually bringing all the sectors together to make sure that agriculture in this State is driving ahead, being prosperous and taking advantage of the opportunities created by things like the free trade agreement that those opposite continue to oppose.



Another little issue in regional New South Wales—I am not sure it is part of the question—is that there was something those opposite called a policy in relation to our forest sector on the North Coast. I think their priority was to put a heap of koalas there and drive thousands of people out of forestry jobs—that is their priority.

**The SPEAKER:** Order! I call the member to Rockdale to order for the second time. Members will cease interjecting.

**Mr TROY GRANT:** However, our priority is that we have established a task force to go to the heart and soul and root causes of the problems in the forest industry that Bob Carr and that lot imposed on this State, locking up forests and putting people and communities out of prosperity. We are turning the tide on those failed policies, and that is already a priority for us. We already have a number of massive priorities in place and we are working through them.

**Mr Luke Foley:** You just cannot name them.

**Mr TROY GRANT:** I have just named three of them for you, you dope. Listen in.

**The SPEAKER:** Order! I call the member for Keira to order for the second time.

**Mr TROY GRANT:** I think it was last week that the Minister for Primary Industries got the biosecurity legislation through this House, which gives a whole new layer of protection to all regional communities and the industries they are in to make sure that our communities and, as a result, the whole State are protected to the highest level. There is another thing that is about primary—Luke, are you listening?

**The SPEAKER:** No, he is not.

**Mr TROY GRANT:** Are you interested? Hello, Luke. Earth to Luke.

**The SPEAKER:** Order! I ask the member for Canterbury to stop doing what she is doing; it could be offensive.

**Mr TROY GRANT:** The Leader of the Opposition asked the question; I thought he would show some respect and be interested in the answer.

**The SPEAKER:** Order! I warn Opposition members to cease interjecting. All Opposition members on calls to order are deemed to be on three calls to order.

**Mr TROY GRANT:** Those opposite ask me a question, about which they pretend to be concerned, but they pay no interest. Those opposite are a headline and a joke when it comes to regional New South Wales. They took their caravan of courage throughout regional New South Wales for the election campaign, determined to take away electorates that The Nationals represent in the Legislative Assembly. Their caravan of courage travelled far and wide, and made promises high and low, east and west. They suddenly got interested in regional New South Wales, and how many electorates did they win? Because there is one thing people in regional New South Wales can pick from a long way away, and that is a phony.

Those opposite were a caravan full of phonies. They did not take off one electorate. Every Nationals member who stood for re-election was returned to this place, because they had a continued investment over four years and delivered the things that regional New South Wales communities needed—highway road upgrades, hospital upgrades, reinvestment in education, a fair share for kids, a resource allocation model by the education Minister, and drought assistance—if the Leader of the Opposition is half interested. It is time he stepped up and actually got genuinely interested, because he is

nothing but a joke.

**The SPEAKER:** Order! Sometimes in this place when you ask a question you get the answer you deserve. I warn Opposition members that they will be ejected from the Chamber if they continue to interject. I remind Opposition members that those who have been called to order are deemed to be on three calls to order.

## **NATIONAL PARKS AND TOURISM**

**Mr LEE EVANS:** My question is addressed to the Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning. What is the Government doing to increase visitation and improve visitor experiences in national parks?

**Mr MARK SPEAKMAN:** I thank the member for Heathcote for his question—

**Mr Stephen Kamper:** What number is it?

**The SPEAKER:** Order! The member for Rockdale will remove himself from the Chamber for one hour.

*[Pursuant to sessional order the member for Rockdale left the Chamber at 3.05 p.m.]*

**Mr MARK SPEAKMAN:** —and for his ongoing interest in local national parks including the Royal National Park, the second oldest in the world; only Yellowstone National Park is older. The New South Wales Government is focused on service delivery and national parks provide a service like no other. Of course the primary purpose of national parks is to protect biodiversity, but they are also an opportunity for us to engage with nature in a sustainable manner.

**Dr Hugh McDermott:** Then why are you killing so many koalas?

**The SPEAKER:** Order! The member for Prospect will remove himself from the Chamber for one hour.

*[Pursuant to sessional order the member for Prospect left the Chamber at 3.05 p.m.]*

**Dr Hugh McDermott:** Everyone hates koalas.

**The SPEAKER:** Obviously the member for Prospect does not like national parks. Some people are interested; I am.

**Mr MARK SPEAKMAN:** Having contact with nature with an active lifestyle is a clear marker of mental and physical wellbeing. The evidence is in that those who engage with national parks are heartier, healthier and happier. Our record on national parks is a strong one. We want as many people as possible to enjoy what our parks have to offer. Greater visitation to our parks increases the resources that we can deliver to critical conservation work. That is why I am delighted to inform the House that our national parks are more popular than ever, with a record 39 million visits made to parks last year. That is up by almost four million visits in two years. It is great to see our visitors enjoying their experience with a 94 per cent satisfaction rate. The Government is helping people to be, as it were, one with nature. There is a lot of deep communing with the natural world going on behind me on this side of the House. You will see it all around you. We have the Premier, the planning Minister—

**Ms Prue Car:** I thought the Deputy Premier was against national parks.

**The SPEAKER:** Order! The member for Londonderry will remove herself from the Chamber for

one hour.

*[Pursuant to sessional order the member for Londonderry left the Chamber at 3.06 p.m.]*

**Mr MARK SPEAKMAN:** It is the Premier, the planning Minister and the transport Minister on their surfboards, at one, communing with the waves; it is the member for Coogee and his quest to remove each and every plastic bottle from each and every eastern beach; it is the member for Northern Tablelands harnessing the wind and the sun to power his community; and it is the Minister for Industry, Resources and Energy—

**The SPEAKER:** Order! The Leader of the Opposition will come to order.

**Mr MARK SPEAKMAN:** —with his permanent inner glow over our \$13 billion renewable energy pipeline. We are reaching levels of communion with nature unseen since the 1960s, just with better haircuts. With so many amazing parks to choose from, it is no surprise that more people are choosing to spend their spare time in a national park. I thank our rangers, our field officers and our tourism partners for their vital contribution to this great result. After the fires that ravaged the area in 2013, I am especially happy with the amazing visitation figures for the Blue Mountains.

There were almost 4.3 million visits to the Blue Mountains National Park in 2014, making it the State's most popular national park. People have banded together to support the Blue Mountains, boosting its local economy and putting money into cafes, restaurants and local shops. The New South Wales Government has played its part with a \$1.5 million upgrade to the Three Sisters walking track, one of the most popular walks in the country with more than 600,000 visitors annually. Working with the Aboriginal community and council, we have reconstructed pathways, installed new lookouts and improved safety, landscaping and visitor information.

In the electorate of Monaro, we have completed the Thredbo Valley mountain bike track. The 17-kilometre track links Thredbo and Crackenback resorts, and popular camping spots. We have been blown away that more than 12,000 trips have been taken since it opened, surpassing all expectations and boosting the alpine economy. In the electorate of Heathcote, we are upgrading the Royal Coast Track as part of our \$2.4 million Great Walks program. It is of world-class standard, making it another tourism drawcard.

**The SPEAKER:** Order! Opposition members will come to order.

**Mr MARK SPEAKMAN:** We partnered with Google to bring 1,100 kilometres of national park tracks, roads and waterways onto computers and mobile phones across the world. Panoramas allow visitors to research tracks to plan hikes and they can get a taste of our parks via Google Street View. After the positive reception of the parks mapped last year, we have mapped three further parks, bringing the tally to 25 parks across the State. In 2015 we announced a major upgrade to the National Parks and Wildlife Service website. We also announced that we are looking at a specialised mobile app for park visitors. This Government is focused on delivering key services. That is why it is protecting our environment and enriching our citizens lives through national parks.

#### **WILLIAMTOWN CONTAMINATED LAND**

**Ms KATE WASHINGTON:** My question is directed to the Minister for the Environment. Why was the Minister made aware of contamination issues at Williamtown only last month when the Environment Protection Authority was aware of these issues in 2012?

**Mr MARK SPEAKMAN:** I have previously answered a question about the extent of my knowledge and involvement. I have nothing to add to or detract from the answer I gave about my knowledge. I reassure members in this House and the citizens across New South Wales that everything

we do with contaminated land has one purpose only at the forefront; that is, public health and safety.

**The SPEAKER:** Order! It would help if the Leader of the Opposition did not interject.

**Mr MARK SPEAKMAN:** The issues at Williamstown must be seen in this context. NSW Health has advised that it is unclear whether the contaminants in question, perfluorooctane sulfonate [PFOS] and perfluorooctanoic acid [PFOA], cause adverse effects in human health. On the current evidence, the potential for adverse effects to human health cannot be excluded. NSW Health advises that studies of workers exposed to those chemicals have not consistently shown adverse health effects, although impact on blood cholesterol levels, thyroid function and liver size have been reported in some studies. NSW Health advises that mothers exposed to high levels of PFOA in drinking water did not have an increased risk of birth defects in their children. Approximately 30,000 chemicals are in use across Australia. For the vast majority of those, including PFOS and PFOA, very little is known about possible health effects in people. Studies in America have shown that almost everyone is exposed to low levels of PFOS and PFOA just by living in the modern world.

I am advised by the Environment Protection Authority [EPA] that although it became aware in early 2013 of some contamination in surface water and drain sediments off site near the Williamstown Royal Australian Air Force [RAAF] base, at the time no contamination had been detected in groundwater off site. I am further advised by the EPA that it appears that it was not made aware of any further contamination off site, for example in groundwater, until last month. The EPA advises me that in early 2013 it formed the view that, given the extent of sampling to date, the risk of exposure to human health from detected surface water and drain sediments contamination was low and did not warrant immediate notification, although it did warrant further investigation. As I said at the start, public health and safety are at the forefront of any actions we take. The second consideration is that members of the public have absolute confidence in our environmental regulation. We are putting public health and safety at the forefront.

As well as taking a precautionary approach to a risk that has been identified as low, we have announced an external and independent review into this matter. The first review will be led by the New South Wales Chief Scientist, Mary O'Kane, and that will advise the Government of the planned and ongoing management of the Williamstown RAAF base contamination. Under her leadership, the EPA, NSW Health, the Department of Primary Industries, the NSW Food Authority, Hunter Water and independent experts in contamination and public health will assess and confirm the nature of any potential risk of the contamination and what has to happen next. Today I announced a second review, which will be an independent external review by Professor Mark Taylor of Macquarie University. He will have a broader remit and will consider the EPA's implementation of the findings of the Auditor-General's 2014 report into managing contaminated sites.

The Auditor-General's report found that the EPA's prioritisation and assessment of sites was inadequate and that its monitoring and management of significantly contaminated sites need to improve. Since then, the EPA advises that it has implemented the majority of the Auditor-General's report on time and that it will also be implementing the remaining recommendations on time. I have announced this second report so that we can independently verify the implementation of the Auditor-General's recommendations to see whether there is further scope for improvement.

The terms of reference include reviewing the EPA's implementation of those findings, making any recommendations deemed appropriate regarding the EPA's management of contaminated sites, providing an interim report with any recommendations deemed appropriate regarding the EPA's past management of the Williamstown RAAF base by 30 November, and providing an interim report with any recommendations deemed appropriate regarding the EPA's past and future management of PFOS and PFOA contaminated sites, both known and unknown, by 31 January 2016. I am advised that the EPA will address questions regarding Williamstown RAAF base contamination at a public meeting organised by the Department of Defence at 6.00 p.m. tonight at Stockton RSL.

## LOCAL GOVERNMENT AMALGAMATIONS

**Mr ANDREW FRASER:** My question is addressed to the Minister for Local Government. How is the New South Wales Government ensuring that councils can deliver better services to the local community?

**Mr PAUL TOOLE:** I thank the member for Coffs Harbour for his question. I know that he has a strong interest in councils not only in his area but also across New South Wales. He wants councils to be strong so they can deliver better services for their communities across New South Wales. I welcome the people from the Western Region Academy of Sport and congratulate the academy on the wonderful work it does on behalf of the young talented athletes that attend the academy. The invaluable program supports talented athletes in country areas. The New South Wales Government has been working with local council since 2011. We want to ensure that councils are in a position to deliver better services to their communities. There are 152 councils in New South Wales, which are nearly twice as many as Victoria and twice as many as Queensland.

We have boundaries that were determined more than 100 years ago. We must ensure that we have strong, efficient councils that are able to deliver services and facilities that people deserve now and in the future. I have a great respect for all those men and women who serve in local government across New South Wales. After four years of consultation and research, and after four years of listening, we have realised that the system of 152 councils in New South Wales is not working as well as it should be. Communities deserve better. It is important that the New South Wales Government is strengthening councils in this State. We need councils to deliver better services and we need councils to deliver houses, jobs, and infrastructure that local communities need.

Sydney is the fastest growing capital city in Australia. Over the next 20 years an additional two million people will make Sydney their home. There are currently 41 councils in Sydney and each has its own local rules and regulations. Two-thirds of councils in New South Wales spend more than they earn. Most of the \$10 billion allocated for council budgets is spent on governance and administration each year. Councils have been asked to prepare a Fit for the Future proposal, responding to the needs of the independent panel, demonstrating how they will improve their performance. Some councils have done this in a spirit of open-mindedness and objectivity, and I commend them for their leadership. Those councils have identified savings—savings that mergers can achieve and savings that can be reinvested into better services for their communities.

Last week, the Labor-run council of Canterbury stated that a merger would see it becoming more efficient and that savings would be made. Savings can be passed back to its local community. That council has now started to see the benefits. Other councils, unfortunately, have devoted their energies and a significant amount of ratepayers' funds trying to convince the community that the sky will fall in if they extend their council boundaries. When Labor merged councils 11 years ago it offered councils no support in this State. Even so communities got on with the job and they saw some benefits. Average residential rates in half the councils that merged fell by about 23 per cent. Councils reinvested the savings in better services and local jobs. The number of jobs increased in merged councils by around 12 per cent.

It is disappointing that many councils have deprived their communities of the benefits of mergers and the significant funding provided by this Government to make the changes. This Government has made a record investment of up to \$1 billion in councils across this State. We must get past the thinking that the sky will fall in if councils merge as that sort of thinking will only leave communities worse off with second-class facilities and second-class services. Next month the independent tribunal will hand down its findings and give recommendations to the New South Wales Government following a review of all council submissions. I look forward to that report. The way forward is not simply about whether or not to merge; local government reform is about creating stronger councils and stronger communities through wide-ranging reforms. This Government is committed to delivering—

**Pursuant to standing order additional information provided.**

**Mr PAUL TOOLE:** The New South Wales Government is committed to delivering a modern local government system that meets the State's needs—local councils that will deliver better value for money, better services and better facilities for communities across this State.

#### **STUDENT TRANSPORT CONCESSIONS AND LIGHT RAIL**

**Mr JAMIE PARKER:** My question is directed to the Minister for Transport.

**The SPEAKER:** Order! I will wait until members come to order so that the member for Balmain can be heard in silence.

**Mr JAMIE PARKER:** What will the Government do to address the unfair system that currently provides free student travel to and from school by bus, ferry or train but requires students to pay to use the light rail service?

**Mr ANDREW CONSTANCE:** What a tremendous question from the member for Balmain—he is one of the greats. He was facing adversity during the election campaign but he stared down those opposite who are completely and utterly clueless when it comes to light rail and public transport. When the member for Balmain asked me a question about inner west light rail I was reminded that when this Government came to office the project was over budget by about \$63 million. Labor had already laid some track but then it had to pull it up. Labor excluded light rail from the MyZone fare ticketing. At the time the Minister for Transport was the member for Blacktown. As a number of light rail projects are occurring across this State, my agency is looking closely at how to start to roll out the School Student Transport Scheme [SSTS]. Given its enormous success in the inner west, that will form part of our consideration. This State is incredibly excited about light rail.

**The SPEAKER:** Order! I remind the member for Keira that he is on three calls to order.

**Mr ANDREW CONSTANCE:** I thank The Greens for their ongoing support in relation to CBD light rail. It is a great program. The Greens have read those serious reports relating to light rail. It was somewhat disappointing that before the election those opposite felt the need to support the CBD light rail project through their infrastructure plan which lacked a bit of detail, including any support for Parramatta light rail. A month after the election they decided that they would no longer support CBD light rail, so I do not know what is going on. Today those opposite revealed that they are strongly opposed to Newcastle light rail. Again I ask: What is going on? I refer to another statement relating to Newcastle light rail which is as follows:

We see merit in the light rail solution.

I am sure that members would be surprised to know that Kristina Keneally said that. The best thing about her statement was that at the time she went on and said, "I am now authorising the member for Newcastle"—who at that time was the present member for Strathfield—"and the Minister for Transport to get on with it." At that time the Minister for Transport was the member for Blacktown. Robbo's record on light rail is hit and miss. With respect to the inner west light rail project he put down some track but he then had to pull it back up. With respect to Newcastle light rail, he was instructed to go out and make it happen. I do not know what has gone on in the Labor Party in relation to light rail but I know that the current Leader of the Opposition—

**Mr Troy Grant:** He is on the backbench.

**Mr ANDREW CONSTANCE:** He is better placed on the backbench. The ongoing failure by the

Leader of the Opposition to support public transport in this State will only result in the Labor Party maintaining its archaic and Neolithic approach to public transport. Amongst those opposite the member for Strathfield and the member for Blacktown are willing to back light rail. The bottom line is that this State needs light rail. I thank the member for Balmain for his terrific question. He is the only person on the opposition benches who has asked a sensible question about public transport.

## **STATE INFRASTRUCTURE AND SERVICES**

**Mr GREG APLIN:** My question is addressed to the Minister for Finance, Services and Property. How is the New South Wales Government improving service delivery and driving the services economy?

**Mr DOMINIC PERROTTET:** I thank the member for Albury for the great work that he does for the people of Albury. After 16 dark and desperate years of debt, deficit and destruction the Baird-Grant Government has become the light on the hill when it comes to delivering the best services to the people of New South Wales.

**The SPEAKER:** Order! I warn members that their continued disruptive behaviour may result in their being removed from the Chamber for the rest of the day. The Minister has the call.

**Mr DOMINIC PERROTTET:** From hospitals to housing and from schools to Service NSW, and from tourism to transport, we have transformed services in this great State to make life easier for everyone. The Liberal-Nationals Coalition is the true party of fairness. We are the genuine party of opportunity. We are the real party of equality and we are the party of a fair go for everyone.

**Mr Rob Stokes:** And for the workers.

**Mr DOMINIC PERROTTET:** And we are the party for the worker. That is why the Government can deliver better services. Government members govern for everyone whereas Opposition members govern for the union movement.

**The SPEAKER:** Order! Members will come to order.

**Mr DOMINIC PERROTTET:** When it comes to services, this Government thinks about the customer and the New South Wales taxpayer and it puts them first. When it comes to services, Opposition members put the union movement first, which is why they ran services in this State into the ground. But today the Government announced that it is boosting the service economy in New South Wales by transforming the iconic sandstone buildings along Bridge Street into hotels so that their history and heritage can be enjoyed by everyone. The long-term lease to the private sector will result in a 240-room luxury hotel situated right in the middle of the Sydney central business district [CBD], just a short walk from Circular Quay. That project will complement the great work of the Minister for Trade, Tourism and Major Events in bringing investment to this State.

The project will provide a \$185 million boost to the economy. It will generate new visits from tourists interstate and overseas. It will create hundreds of new jobs, both in construction and in hospitality when the hotel opens. It will free up capital in avoided costs of taxpayers. It will ensure that the heritage of those buildings is preserved for future generations with rigorous conservation management plans endorsed by the Heritage Council. Importantly, it will open up those assets for everyone to enjoy. For too long the history and heritage of those buildings has been locked away from the public and jealously guarded by Labor and its union masters. For too long, we have kept back-office bureaucrats in prime CBD real estate in the middle of a property boom.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I remind Opposition members that those who have not been removed from the House are on three calls to order.

**Mr DOMINIC PERROTTET:** For too long we have kept burdening taxpayers with unnecessary maintenance costs, and for too long this great State has been held back by Labor's appalling management of the State's finances. But just as the Government fixed the trains, schools and hospitals, it is fixing those assets too. Twenty-five years ago a great former Premier, Nick Greiner, tried to do what this Government is doing now, but the Labor Opposition opposed him. Once again today's unions are standing in the way of progress. They are against tourism. They are against jobs. They are against heritage. Labor is against anything that will bring prosperity to New South Wales.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I remind the member for Hornsby that he is deemed to be on three calls to order.

**Mr DOMINIC PERROTTET:** Labor members are against it all because that is what their unions tell them to do. The union movement is the *Hotel California* of the Labor Party.

**Mr Paul Lynch:** Point of order: My point of order relates to Standing Order 59, tedious repetition. The Minister for Finance, Services and Property, Mr Perrottet, has been giving the same speech since his university days.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! There is no point of order. The member for Liverpool will resume his seat. I direct the member for Canterbury, who is already on three calls to order and who has been reminded of that on a number of occasions, to remove herself from the Chamber for a period of one hour.

*[Pursuant to sessional order the member for Canterbury left the Chamber at 3.34 p.m.]*

**Pursuant to standing order additional information provided.**

**Mr DOMINIC PERROTTET:** As the member for Kogarah knows, "You can check-out any time ... But you can never leave!" Labor members cannot make a decision without first running it past the unions. We know what happened to the member for Kogarah when he spoke out. As he ran for the door, they got him.

**Mr Clayton Barr:** Point of order—

**Mr Troy Grant:** Come on!

**Mr Clayton Barr:** I am waiting. The Deputy-Speaker is waiting and I am waiting for when members are ready, and when you are ready, we will do it.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Cessnock will resume his seat.

**Mr DOMINIC PERROTTET:** Opposition members want to turn Sydney's iconic buildings into re-education centres whereas Government members will transform those magnificent buildings into state-of-the-art hotels. Unlike Labor, this Government has revolutionised service delivery in this State because we are here to serve everyone in New South Wales, no matter who they are.

**Mr Troy Grant:** And no matter where they are.

**Mr DOMINIC PERROTTET:** And no matter where they are. That places the Government in stark contrast to New South Wales Labor, which always will put the unions first and everyone else last.

**Question time concluded at 3.36 p.m.**



## **PETITIONS**

**The Clerk announced that the following petitions signed by fewer than 500 persons were lodged for presentation:**

### **Elizabeth Bay Marina**

Petition calling for an open and transparent public tender process for development of the Elizabeth Bay Marina, received from **Mr Alex Greenwich**.

### **Edgecliff Railway Station and Interchange**

Petition requesting that the New South Wales Government upgrade the Edgecliff railway station and interchange to provide full access, received from **Mr Alex Greenwich**.

### **Inner-city Social Housing**

Petition requesting the retention and proper maintenance of inner-city public housing stock, received from **Mr Alex Greenwich**.

### **Millers Point, Dawes Point and The Rocks Public Housing**

Petition opposing the sale of public housing in Millers Point, Dawes Point and The Rocks, received from **Mr Alex Greenwich**.

### **Pet Shops**

Petition opposing the sale of animals in pet shops, received from **Mr Alex Greenwich**.

**The Clerk announced that the following petitions signed by more than 500 persons were lodged for presentation:**

### **Pymont-Ultimo Primary School**

Petition requesting the reinstatement of the Inner City Schools Working Party to decide on a site for a new primary school to meet the needs of a growing population of school-age children in the Pymont-Ultimo area, received from **Mr Alex Greenwich**.

### **Nursing Homes**

Petition requesting the Government to retain the legislative requirement of having a registered nurse on duty at all times and the appointment of a director of nursing to provide quality care in all nursing homes in New South Wales, received from **Mr Daryl Maguire**.

## **BUSINESS OF THE HOUSE**

### **Reordering of Business**

**Mr DAVID MEHAN** (The Entrance) [3.37 p.m.]: I move:

That General Business Notice of Motion (General Notice) No. 398 have precedence on Thursday 17 September 2015.

I have moved the motion because I have noted that what the Government has failed to say in this House

often is as instructive as what it does say. Nowhere was that contrast more apparent than in this House last week. At the same time as the Government introduced the Jobs for NSW Bill the Government allowed hundreds of State electricity workers to lose their jobs without a word being said.

**Mr Gareth Ward:** If you are looking for the Strangers Dining Room, it is to the right.

**Mr DAVID MEHAN:** Big mouth. At the same time that the Premier spoke about plans to create jobs, he said nothing about State employees who had just lost their jobs. On Tuesday Essential Energy announced that it would cut 700 jobs across regional and rural New South Wales and it named 10 workplaces that it would close. On Wednesday Ausgrid announced that it had cut 553 jobs from workplaces.

**Mr Jihad Dib:** Point of order: The member for The Entrance should be heard in silence.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for The Entrance will resume his speech.

**Mr DAVID MEHAN:** On Wednesday Ausgrid announced that it had cut 553 jobs from workplaces across Sydney, the Central Coast and the Hunter. On Thursday Endeavour Energy announced that it had cut 120 jobs from workplaces in Western Sydney, the Illawarra and the Hunter. It is remarkable that so many jobs are apparently now surplus to requirement when just a few months ago—

**Mr Gareth Ward:** Nice to see you wear your grandfather's suits.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I call the member for Kiama to order for the first time.

**Mr DAVID MEHAN:** —these workers were essential to rebuilding and to protecting the people of the State during and following the April storms. At that time all of these workers were needed to re-establish the electricity supply to thousands of homes across the Hunter and the Central Coast. You have said nothing about the loss of rural jobs, big mouth.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for The Entrance should direct his comments through the Chair.

**Mr DAVID MEHAN:** It is remarkable that so many jobs are apparently now surplus to requirements when only a few months ago these workers were essential. [*Time expired.*]

**Mr Gareth Ward:** Point of order: The standing orders require us to address strangers in the House. I have not seen the member for The Entrance before.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I place the member for Kiama on three calls to order. I remind Opposition members who have been reacting in an unacceptable manner that they are already on three calls to order.

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Industry, Resources and Energy) [3.41 p.m.]: We are always happy to oblige and assist. The member for The Entrance is new and is trying his best. However, I will give him some advice. Perhaps he should ask the Leader of the Opposition about his position on job losses in Ausgrid, because he is supporting that. The last thing we want to do is to embarrass the member for The Entrance and the Leader of the Opposition. We know things are a bit touchy at the moment with respect to leadership, but we are quite happy with the way things are.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The Minister for Industry, Resources and Energy will be heard in silence.

**Mr ANTHONY ROBERTS:** While we would be more than happy to ridicule the Opposition's position and its flip-flopping on this issue, which always ends up with Labor supporting job losses, this Government is about protecting these jobs and working towards a transition. There are 397 important motions on the *Business Paper* before this one. So we will see the member for The Entrance when the House has dealt with those motions. We will not support this motion.

**Question—That the motion be agreed to—put.**

**The House divided.**

**Ayes, 30**

Ms Aitchison	Mr Harris	Mr Minns
Mr Atalla	Ms Harrison	Mr Park
Mr Barr	Ms Haylen	Mr Parker
Ms Catley	Mr Hoenig	Ms T. F. Smith
Mr Chanthivong	Ms Hornery	Ms Watson
Mr Crakanthorp	Mr Kamper	Mr Zangari
Mr Daley	Ms Leong	
Mr Dib	Mr Lynch	
Ms Doyle	Ms McKay	<i>Tellers,</i>
Ms Finn	Mr Mehan	Mr Lalich
Mr Foley	Ms Mihailuk	Mr Warren

**Noes, 52**

Mr Anderson	Mr Grant	Mr Provest
Mr Aplin	Mr Gulaptis	Mr Roberts
Mr Ayres	Mr Hazzard	Mr Rowell
Mr Baird	Mr Henskens	Mr Sidoti
Mr Barilaro	Ms Hodgkinson	Mrs Skinner
Mr Brookes	Mr Humphries	Mr Speakman
Mr Conolly	Mr Johnsen	Mr Stokes
Mr Constance	Mr Kean	Mr Taylor
Mr Coure	Dr Lee	Mr Toole
Mr Crouch	Mr Maguire	Mr Tudehope
Mrs Davies	Mr Marshall	Ms Upton
Mr Dominello	Mr Notley-Smith	Mr Ward
Mr Elliott	Mr O'Dea	Mr Williams
Mr Evans	Mrs Pavey	Mrs Williams
Mr Fraser	Mr Perrottet	
Mr Gee	Ms Petinos	<i>Tellers,</i>
Ms Gibbons	Mr Piccoli	Mr Bromhead
Ms Goward	Mr Piper	Mr Patterson

**Pair**

Ms Hay

Ms Berejiklian

**Question resolved in the negative.**

**Motion negatived.**

## **BUSINESS OF THE HOUSE**

### **Suspension of Standing and Sessional Orders: Motions Accorded Priority**

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Industry, Resources and Energy) [3.46 p.m.]:  
I move:

That standing and sessional orders be suspended at this sitting to permit:

- (1) Both notices of motions to be accorded priority.
- (2) Both motions being moved and the question "That the motions be agreed to" being put.
- (3) Two replies being given.

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Industry, Resources and Energy) [3.49 p.m.]:  
This will allow for both motions to be moved and considered in cognate. The member for Holsworthy will move the motions. There will be allowance for two further Opposition speakers and one further Government speaker, with the Leader of the Opposition and member for Holsworthy in reply.

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

**Motion agreed to.**

## **BUSINESS OF THE HOUSE**

### **Suspension of Standing and Sessional Orders: Order of Business**

**Motion by the Hon. ANTHONY ROBERTS agreed to:**

That standing and sessional orders be suspended at this sitting to provide for the following routine of business after the conclusion of the motion accorded priority:

- (1) Government business;
- (2) private members' statements;
- (3) matter of public importance; and
- (4) the House to adjourn without motion moved at the conclusion of the matter of public importance.

## **NATIONAL DISABILITY INSURANCE SCHEME**

### **Motions Accorded Priority**

**Ms MELANIE GIBBONS** (Holsworthy) [3.52 p.m.]: I move:

That this House:

- (1) Notes that New South Wales was the first State to sign up to the National Disability Insurance Scheme (NDIS) in December 2012.
- (2) Welcomes today's signing of the NDIS Bilateral Agreement between the New South Wales and Commonwealth governments.
- (3) Recognises the full roll-out of the NDIS across New South Wales will support 140,000 people with disability, their families and carers.
- (4) Supports the New South Wales Government's plans to transform disability support in New South Wales, which will give people living with disability the best opportunity to stay in their own homes, participate in the community and have certainty about their future.

It is unusual to have both sides of the Chamber propose similar notices of motion. I am glad this is the case because the National Disability Insurance Scheme [NDIS] is such an important step for people with disability, and it is good when we join in doing the right thing. As I have mentioned many times in this place, my background is in working for a charity looking after people with disabilities. Technical Aid for the Disabled is about giving people opportunities to be more independent, and I am proud that that is exactly what the NDIS will do. The NDIS gives people the opportunity to make choices on their direction in life. I am excited about the direction that it is taking the disability sector and the support the Government is providing to people living with disability. The NDIS will make a huge difference.

I am proud of the work on the NDIS of the Minister for Disability Services in the other place and the former Minister for Disability Services, the Hon. Andrew Constance. Others who contributed were former Premier, the Hon. Barry O'Farrell, and Premier Baird, who signed the agreement for the next stage of the NDIS with the new Prime Minister, the Hon. Malcolm Turnbull. This was one of the first acts of the new Prime Minister, which shows what a difference this scheme will make to some of the most vulnerable people in our community. The NDIS gives people with disability control over their lives.

I am proud to be a part of a government that is making things happen to help people of New South Wales to have long, fulfilling and independent lives. I am proud that the Government had the foresight to sign up to the NDIS in 2011. I thank members of the Opposition for their work in setting up the framework. It is important that all sides of politics work together on this important scheme. The NDIS will be introduced in stages because it is a big change. It is a change we need to get right and it needs to be sustainable. Existing service users and new participants will enter the scheme progressively to ensure they are set up for success and supported during the transition. Importantly, existing Commonwealth and State-based services and supports will continue until eligible people start their plans with the NDIS.

In New South Wales the NDIS will be rolled out by district. When it commences in a district, priority will be given to people currently receiving support through the New South Wales Government specialist disability services system. The New South Wales trial in the Hunter local government area of Newcastle, Lake Macquarie and Maitland commenced on 1 July 2013, and it will see about 10,000 people with disability transition to the NDIS by 30 June 2016. Currently, in the Newcastle and Lake Macquarie local government areas of the Hunter trial site, around 5,000 people have already made access requests, which shows why this motion is so important. With so many people coming into the scheme in such a short time, it is important that there be a planned approach to how they access the scheme. This is to ensure that they are given the support they need to be able to access the scheme in a way that benefits their individual needs.

The majority of people currently receiving specialist disability supports will be able to access the NDIS in the first six months of each of the two-year rollout periods. This includes people who might be living in supported accommodation or accessing a community access service such as a day program or a

case management service. People who access the specialist disability services from time to time or for a short time each week will be able to access the NDIS throughout each of the two-year rollout periods. People receiving respite services or community care services will be supported to apply for access to the NDIS.

I am proud to say that in March this year the Minister and the Premier announced the rollout of the NDIS in the Nepean Blue Mountains area one year ahead of schedule. The agreement between New South Wales and the Commonwealth enables up to 2,000 children and young people aged from 0 to 17 in the Penrith, Hawkesbury, Blue Mountains and Lithgow local government areas to access the scheme from July 2015, bringing much needed certainty to the families and carers. This will make a huge difference and it is another step towards bringing individualism to people who need it most.

**The DEPUTY-SPEAKER (Mr Thomas George):** It is lovely to see Declan here again today. We really appreciate your being here, especially while this debate is in progress.

**Mr LUKE FOLEY** (Auburn—Leader of the Opposition) [3.58 p.m.]: I move:

That this House:

- (1) Congratulates the New South Wales and Commonwealth Governments who have today signed the NDIS Bilateral Agreement.
- (2) Notes this has been an important bipartisan effort.
- (3) Welcomes the support that this will provide people with disabilities and their carers throughout New South Wales.

I am delighted to join the member for Holsworthy in supporting the resolution standing in her name as well as advancing the resolution in my name. It is a good thing for people in this State and nation that both sides of politics are fully signed up to delivering the National Disability Insurance Scheme [NDIS]. Obviously, members on this side of the House are proud of the fact that the NDIS was developed by Bill Shorten and Julia Gillard. We will always be proud of that. However, in the interests of delivering the big reform, we want both sides of politics to be on board. Too many times in this nation's history Labor governments have delivered the big reforms, only for them to be rolled back by subsequent conservative governments. That will not happen with the NDIS.

I acknowledge that the O'Farrell Government acted in the interests of the disability community in this State, if I can put it that way, by signing up to an agreement with Prime Minister Gillard's Federal Labor Government to deliver the NDIS in New South Wales. I am happy to acknowledge the work of Barry O'Farrell, Andrew Constance and others. I am delighted that Labor and Liberal Premiers can today stand with a Liberal Prime Minister in the interests of guaranteeing people with disabilities, their families and their carers that this great reform will be delivered on the ground. The bilateral agreement is for the full rollout of the NDIS in New South Wales and Victoria. It was developed by the former Federal Labor Government to provide people with a disability greater choice and certainty by delivering individualised support packages.

When fully implemented, the NDIS promises to improve the supports received by more than 140,000 people with disabilities in our State. So today's announcement is welcome news for people with a disability, their families and their carers. The NDIS is a transformational social reform. It will provide people with a disability the choice and the certainty they deserve. I briefly turn to the key milestones in the development of the NDIS. In 2010, the former Federal Labor Government commissioned the Productivity Commission to undertake an inquiry into disability care and support. In July 2011, the Productivity Commission completed its inquiry, which found:

The current disability support system is underfunded, unfair, fragmented, and inefficient, and gives people with a disability little choice and no certainty of access to appropriate supports.

The Productivity Commission recommended the establishment of a National Disability Insurance Scheme to fund long-term, high-quality care and support for people with significant disabilities. In July 2012, the Council of Australian Governments agreed to proceed with the launch of the National Disability Insurance Scheme. In late 2012, Prime Minister Gillard and Premier O'Farrell signed an agreement to establish a scheme launch site in the Hunter, with statewide implementation to take place between 1 July 2016 and 1 July 2018. Of course, the relevant legislation to establish the National Disability Insurance Scheme passed the Commonwealth Parliament, under the Gillard Government, in 2013, and also passed the New South Wales Parliament in 2013. We welcome this reform. I congratulate our party's Federal leader, Bill Shorten, on his leadership in this area. It is right and proper that both sides of politics are signed up to this. This is about the dignity of people with disability, and the right of their carers and loved ones to have some security that the people they love who have a disability will have the care and the dignity they deserve.

**Mrs TANYA DAVIES** (Mulgoa—Parliamentary Secretary) [4.03 p.m.]: I am proud to be able to participate in this debate on the motions accorded priority on what is a milestone day in the history of not only New South Wales but also the wonderful country we call Australia. The significance of the signing of the bilateral agreement will be fully appreciated only in the months and years ahead as the system unfolds and touches individual communities, as it reaches into the homes of individual families, and as it impacts the lives of people with disabilities and their carers. It was a very proud moment when, as a member of the Liberal-Nationals Government, former Premier Barry O'Farrell signed up to the National Disability Insurance Scheme [NDIS]. New South Wales was the first State in Australia to do so, in December 2012. The scheme effects changes in the lives of thousands of people with a disability, their families and carers.

New South Wales continues to lead in this area. We continue to be at the forefront of effecting real change in the lives of these most vulnerable people. I was very proud that, just before the election in March this year, the Premier of New South Wales, Mike Baird, came out to Penrith to announce that the NDIS would be rolled out in the Nepean and Blue Mountains region one year ahead of schedule in recognition of the many people who desperately need this personalised assistance. It was a fantastic morning. We got to meet parents, particularly mums, of young children who have disabilities. It was a joy and a privilege to hear about the impact that this scheme would have on their lives, and the support that it would provide to them and their families.

The National Disability Insurance Agency opened a shopfront in Penrith on 1 July 2015, and it has a presence across the local government area. The New South Wales Government funded a community expo in Penrith in late July which was well attended and which enabled families to meet with more than 90 service providers beginning to assist in the education that they needed to commence this new system, how it would impact them, and how they could connect with it. We have identified that funding is available for community connectors, who will work one-on-one with families to assist them through this new scheme so that they can get from it the best that they can for people with disabilities and their families. New South Wales has \$8.6 million available for support packages in 2015-16, with the Commonwealth providing \$17.1 million, which is a total of \$25.8 million in this financial year alone. I commend both governments for continuing to deliver for the most vulnerable in our community.

**Ms TRISH DOYLE** (Blue Mountains) [4.06 p.m.]: I am pleased to support the essence of both motions. New South Wales Labor welcomes the signing of a bilateral agreement between the Commonwealth Government and the State Government for the full rollout of the National Disability Insurance Scheme [NDIS]. I give kudos to the Federal Labor Government for its fantastic work in providing a framework for this milestone, which was delivered today. It is essential that we provide those who have a disability, their families and their carers with greater choice and with individualised support packages. I look forward to the implementation of the scheme, its enhancement over time, and the

improvements that that will bring to people's lives.

As has been mentioned, in March this year the Baird Government announced that the NDIS would commence a year ahead of schedule in the Nepean and Blue Mountains area for children and young people aged under 18 years. I welcomed that announcement. I urge the Minister to respond to my requests for an urgent briefing so that I can respond in turn to the many concerned constituents in the Blue Mountains area who have raised a number of issues with me. I have spoken in this place before about some of those issues and some of the questions that families have. I would have liked to have attended the actual fanfare and the ceremony—if I had been invited—to celebrate the early rollout in the Nepean-Blue Mountains area.

**Mr Michael Daley:** Didn't the Government invite you?

**Ms TRISH DOYLE:** No. As I said, in supporting the essence of these two motions today it is very important that we work in a bipartisan way, and we keep the focus on people with disabilities and their families and carers.

**Mr Michael Daley:** An invitation would have been nice and bipartisan.

**Ms TRISH DOYLE:** Absolutely. Today I just wanted to add one of the questions that was put by many agencies and families in my electorate, and that was: Can the Minister please clarify the job security arrangement for current Ageing, Disability and Home Care [ADHC] staff? What will happen to those skilled workers into the future? I look forward to meeting with the Minister to discuss the questions.

**Mr GREG PIPER** (Lake Macquarie) [4.09 p.m.], by leave: I congratulate the Government not just on today's historic step in the signing of this agreement with the Commonwealth but also on its support for the National Disability Insurance Scheme [NDIS] and people with disabilities during its term in Government. I also acknowledge the Opposition in this place and, of course, particularly those who brought the possibility and who delivered the dream of many people that there would be some equality and quality of life for people with a disability across Australia, and that is the Gillard Government and people within the Commonwealth Labor Party. I acknowledge them for that.

I worked in this area for many years and I have many friends who still work in it. The NDIS will make a fundamental change to people's lives. Even though we meet and talk to these people, we cannot truly begin to imagine just how much it will change their lives. Many people with a disability may not even notice a great change in their lives because they have been receiving great care from their loved ones and carers who go above and beyond to make sure that their loved ones do get the absolute best care that is available, but somewhere along the way somebody is actually carrying a great burden. Often that is the families, and many of those families are those with ageing parents in particular.

Without wanting to bring any equivocation to my support for what the Government is doing, with the support of the Opposition, I mention those people who are harbouring concerns—valid concerns—about what might happen with the closure of large residentials. I note that Minister Ajaka is very sensitive to this issue and is working on it. We have to be mindful that we deliver sensitively in this space—that very small area of very high support needs—and look after those who are calling for the Government to remain as a provider of last resort. How the Government delivers in that space is yet to be determined. I thank and congratulate the Government and the Opposition on this historic step today.

**Ms MELANIE GIBBONS** (Holsworthy) [4.12 p.m.], in reply: I take this opportunity to reply, with the agreement of both sides of the House and on behalf of both sides of the House. I thank the Leader of the Opposition, the member for Mulgoa, the member for Blue Mountains and the member for Lake Macquarie for their contributions today. They and the rest of the Chamber have seen how exciting and important today was, particularly for this Government and this State, to sign the bilateral agreement regarding the National Disability Insurance Scheme [NDIS]. I particularly note all the hard work that has



gone into it by previous Ministers, Prime Ministers and current Ministers. It is lovely to have the former Minister for Disability Service, Andrew Constance, in the Chamber for the end of this debate. Every disability organisation continually tells me how hard he worked. They continually tell me to pass on their thanks to him for all the work he did as Minister and particularly for the work he did on the NDIS. I thank him for being in the Chamber today.

As I said, it was also wonderful to see the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism, the Hon. John Ajaka, along with his Victorian counterpart signing the bilateral agreement in Canberra with the Premier, Mike Baird, and the Prime Minister, Malcolm Turnbull. It is awesome because it means that this agreement will change the lives of thousands of people with a disability as well as provide positive changes for their families and their carers. It is expected that almost 460,000 Australian people and their families will be covered by the NDIS in New South Wales and Victoria alone. Negotiations on the bilateral agreements are continuing between the Commonwealth and other State and Territory governments, but I am sure they will see what we have done today, being the first to sign, and they will want to sign too.

On 1 July 2016, less than 12 months away, people living in south-western Sydney, Hunter New England, southern New South Wales, the Central Coast, northern Sydney, western Sydney and Nepean Blue Mountains will be able to access the NDIS. The following July the NDIS will be in place across the rest of New South Wales including northern New South Wales, the Mid North Coast, Sydney, south-eastern Sydney, Illawarra Shoalhaven, Murrumbidgee, western New South Wales and Far West New South Wales. New South Wales continues to lead from the front in disability reform and make a real difference to the lives of thousands of people with a disability, their families and, ultimately, the community.

The bilateral agreement will ensure that 140,000 people with a disability as well as their families and carers are supported and are provided with the best opportunity to stay in their own homes, participate in the community and have certainty about their own future—but, importantly, make their own decisions. Something that most of us take for granted will be available for these people from now on, and it is incredibly fulfilling to be able to do. Both our regional and rural communities will benefit from this rollout and New South Wales is well positioned for future rollouts of the NDIS.

**Question—That the motion of the member for Holsworthy and the motion of the member for Auburn be agreed to—put and resolved in the affirmative.**

**Motions agreed to.**

**TRANSPORT ADMINISTRATION AMENDMENT (CLOSURE OF RAILWAY LINE AT NEWCASTLE)  
BILL 2015**

**Second Reading**

**Debate resumed from an earlier hour.**

**Mr ANDREW CONSTANCE** (Bega—Minister for Transport and Infrastructure) [4.17 p.m.], in reply: I have one set of words that I wish to make clear in response to the debate that was had in this House earlier today about the Transport Administration Amendment (Closure of Railway Line at Newcastle) Bill 2015. Light rail will be built in Newcastle by this Government. I am making this point clear in response to those opposite who now have a fundamental question that they need to ask themselves individually, as local members and as members of the Australian Labor Party. That question is: Are you prepared to fall on the wrong side of history when it comes to the advent of public transport in Newcastle and the transformation of the city of Newcastle? It is a simple question: Are you prepared to fall on the wrong side of history?

Members opposite have an opportunity to vote with the Government on the bill, which facilitates the building of light rail, which will revitalise and transform Newcastle. I heard the debate about the National Disability Insurance Scheme [NDIS]. I know a little bit about the Hunter because I negotiated the NDIS for the Hunter. That community is saying clearly that it wants change. The community is saying to the State, "We need to change. Our city needs to be transformed. Our services need to be renewed." We need to build on the wonderful foundation of Newcastle to shore up prosperity for future generations, including opportunities for students and young people to secure jobs in this great city.

The light rail project facilitates the urban development that is required to transform Newcastle. Nobody is making any secret of this. I say to the people of Newcastle that it is time for change, despite those naysayers in this place today and those who were out the front of Parliament House yesterday. I am calling on the people of Newcastle to stand up and support this wonderful investment in light rail for their city. It will attract tourism and investment, and it will uplift the residential and commercial aspects of the city, which has undergone major structural change over the years. The city has lost thousands of jobs because of structural change. We are now entering a new period when Newcastle could become a terrific, smart city. When it is transformed it could reach those aspirations.

I say to members opposite: Let us forget the arguments of the past about light rail. It is easy to come into this place and talk about the processes that have occurred. I made the decision to implement light rail as the Minister for Transport and the Minister responsible for infrastructure across this State because it is time to get on with change. Regardless of the route, whether it is the hybrid route or the route down the existing corridor, I believe, based on section 99A of the Act, that we require legislation to close the rail line. We may well wait for the court to make its decision, which will provide an outcome either way, but I plead with members opposite to reflect on the opportunities that are ahead for the city of Newcastle and the wider Hunter. I understand it is a tough decision due to the positions that have been taken at various points in time on this issue.

When I spoke in question time and made reference to the former Premier of this State, who saw the merit in this proposal, I wanted to make the point that the former member for Newcastle also could see the merit. It comes down to the hope of the community and their aspirations for change, transformation and innovation that this city has ahead of it. I became particularly alarmed and concerned today when I heard that not only will members opposite not support the light rail project but that they also want to return to using heavy rail, which does not facilitate the change that is hoped for Newcastle. It worries me enormously. Many members made a contribution to this debate and I thank them for their contributions, but the bill is about certainty and getting on with change. The people in Newcastle will not believe this until it happens, but they want it; they are pleading for it. They want to see their young people employed.

One member opposite spoke about ice, unemployment, homelessness and all of the social challenges. This project is a key driver for change, but it cannot happen unless we look at what is needed to build it. The bottom line is that I had to close the rail line to build light rail. By building light rail, we change the city. We open up the waterfront. Heavy rail infrastructure stands in the way of doing that. Today I could not believe that I heard a plea for more level crossings, which create major safety issues. In the short time I have been Minister, Transport for NSW has given me advice about level crossings, but members opposite want more level crossings. I heard about the need for certainty from members opposite. This project provides certainty. It provides the opportunity to build what is required. In good conscience, I cannot allow this region and this city to continue to have the same old arguments, which have been had for decades.

I admire the member for Cessnock, but I was disappointed in him today. He recognised the decade of debate that has occurred, but that gets us nowhere. This State needs its second-largest city to thrive. The Hunter contributes some 14 per cent to the economy, but it should be contributing more. Socially, the dislocation as a result of structural changes within the economy has meant that many people have missed out for a long time. The investment that the university is making—with the support of this

Government—is about making that change. I heard from members opposite that the concept of truncation was sprung on the community, but it was part of a review of the environmental factors that were publicised in advance of the former Minister taking that step. It was not sprung on the community at the end of 2014, as was claimed.

I, more than anyone, want to see more transport options for a growing community. Planning and transport in this State have to work in an integrated way. I have said repeatedly in this House that planning must become a great customer of transport in the future. This project has a clear plan that involves the Wickham interchange. I again thank the member for Newcastle for outlining the concerns he has about its design. The interchange is not only about the new inner-city fleet that is being procured to deliver trains to help Sydney commuters; it is an interchange for the light rail as well as other modes of transport that will link up at the interchange.

I see this as a historic moment in terms of delivering change. I want those opposite to be part of it. I do not want them to fall on the wrong side of history. We see an incredible future for the Hunter and Newcastle. That is why we established the Hunter Infrastructure and Investment Fund in 2011. That is why we reserved \$273 million for the Hunter Growth Roads package, which is about the new bypass—the missing link. That is why we are funding the Newcastle University city campus. It is why we are building the new Maitland Hospital. The centrepiece of our plan for the Hunter relates to the Urban Transformation and Transport Program. That is why we have committed \$460 million to revitalise the city centre. Light rail is the centrepiece.

We know that the existing heavy rail line limits the opportunity for urban renewal of that great city. The wide, fenced-off corridor interrupts pedestrian flow. Overhead rail infrastructure in the corridor restricts the visual potential of the area. Light rail, on the other hand, encourages urban renewal. Pedestrians can walk over light rail. I have seen images of light rail around the world where turf has been between the tracks, making it part of an attractive public amenity. This is about introducing and expediting light rail. Those opposite know that the bill is being introduced to remove any of the uncertainty around the legal impediments, facilitating and enabling the Government to get on with it and deliver this vital rejuvenation project for Newcastle. Since the heavy rail line was truncated we have opened six pedestrian crossings, and I think it is fair to say—the member for Newcastle may beg to differ—that Novocastrians are experiencing the benefits of a city that is no longer cut off from the waterfront.

I am not prepared, as the Minister, to allow the legal proceedings to continue to bog us down. We are committed to this program of works and we have made it clear that we want to get on with it. I am not prepared to see the project incur additional months of costs and delays. I think the benefits are very obvious. The question now is whether those opposite are prepared to do what is right by the State, by the Hunter region and by the people of Newcastle. If members in this Chamber are already committed to a position, they have time, during the passage of this bill through the Legislative Council, to reflect. This is Newcastle's time for change. The question now rests with members opposite as to whether they are going to stand in the way or allow this great city to reach its full potential, delivering enormous opportunities for its residents, its future residents and people throughout the Hunter.

**Question—That this bill be now read a second time—put.**

**The House divided.**

**Ayes, 49**

Mr Anderson  
Mr Aplin  
Mr Ayres  
Mr Baird

Ms Goward  
Mr Gulaptis  
Mr Henskens  
Ms Hodgkinson

Mr Roberts  
Mr Rowell  
Mr Sidoti  
Mrs Skinner

Mr Barilaro  
Mr Brookes  
Mr Conolly  
Mr Constance  
Mr Coure  
Mr Crouch  
Mrs Davies  
Mr Dominello  
Mr Elliott  
Mr Evans  
Mr Fraser  
Mr Gee  
Ms Gibbons

Mr Humphries  
Mr Johnsen  
Mr Kean  
Dr Lee  
Mr Maguire  
Mr Marshall  
Mr Notley-Smith  
Mr O'Dea  
Mrs Pavey  
Mr Perrottet  
Ms Petinos  
Mr Piccoli  
Mr Provost

Mr Speakman  
Mr Stokes  
Mr Taylor  
Mr Toole  
Mr Tudehope  
Ms Upton  
Mr Ward  
Mr Williams  
Mrs Williams  
  
*Tellers,*  
Mr Bromhead  
Mr Patterson

### **Noes, 32**

Ms Aitchison  
Mr Barr  
Ms Burney  
Ms Car  
Ms Catley  
Mr Chanthivong  
Mr Crakanthorp  
Mr Daley  
Mr Dib  
Ms Doyle  
Ms Finn

Mr Greenwich  
Mr Harris  
Ms Harrison  
Ms Haylen  
Mr Hoenig  
Ms Hornery  
Mr Kamper  
Ms Leong  
Mr Lynch  
Ms McKay  
Mr Mehan

Ms Mihailuk  
Mr Minns  
Mr Park  
Mr Parker  
Mr Piper  
Ms T. F. Smith  
Ms Watson  
Mr Zangari  
*Tellers,*  
Mr Lalich  
Mr Warren

### **Pairs**

Ms Berejiklian  
Ms Hay  
Mr Hazzard

Mr Atalla  
Mr Grant  
Mr Foley

**Question resolved in the affirmative.**

**Motion agreed to.**

**Bill read a second time.**

### **Third Reading**

**Motion by Mr Andrew Constance agreed to:**

That this bill be now read a third time.

**Bill read a third time and transmitted to the Legislative Council with a message seeking its concurrence in the bill.**

**PROPERTY, STOCK AND BUSINESS AGENTS AMENDMENT (UNDERQUOTING PROHIBITION)  
BILL 2015**

**Second Reading**

**Debate resumed from 8 September 2015.**

**Mr GUY ZANGARI** (Fairfield) [4.42 p.m.]: The object of the Property, Stock and Business Agents Amendment (Underquoting Prohibition) Bill 2015 is to stamp out underquoting by tightening the regulation by which real estate agents need to abide. This legislation is focused on consumer protections and on ensuring that bad practices, which are currently having an impact on the real estate sector, are no longer in play. Sections 72 and 73 of the original legislation have been completely replaced to confer tougher regulation with regard to the underquoting of properties and advertisements. Presently in the property market, it is unfortunate that a number of real estate agents will underquote the value of a property by up to 30 per cent. This practice is known as "step-quoting". It has been discussed over the years and is a pretty standard tactic when properties are being placed on auction.

A large number of real estate agents anecdotally have admitted to such practices in polls and through research that has been conducted, citing this as the methodology that is practised in the industry in an attempt to attract more potential buyers. While regulation of the industry has remained in the hands of Fair Trading, it is worth noting that very little has been done over the years to curb such unscrupulous behaviour, which is so blatantly set on deceiving potential buyers and, quite often, the seller as well. There have been reports of properties selling for in excess of 50 per cent more than the quoted and advertised price, yet nothing has been done to stamp out such practices. That can only lead us to believe that NSW Fair Trading either has not had the resources to monitor and police this market, or simply has not been equipped to curb the flourishing cowboy mentality in today's real estate market.

Given that this legislation takes a firm stance against the underquoting of properties and the use of misleading or ambiguous advertisements for properties, we really have to hope that Fair Trading will be able to adequately police the sector. There has been discussion regarding Fair Trading being unable to take control in the past, and calls for the introduction of an ombudsman to closely monitor, deal with, and stamp out this cowboy-like behaviour. However, a real estate and property division finally has been added to Fair Trading with an assistant commissioner who will work on tackling this growing issue. With consumer protection in mind, it will be an offence for any real estate agents not only to underquote a property but also to use phrases like "offers above", "offers over", or stating they will accept offers of, for example, only "\$500,000-plus". This restraint will help to reduce the frustrations experienced by potential buyers, who budgeted for a \$500,000 property only to find out it is worth close to \$700,000 and is out of their ballpark.

Any real estate agents who are in breach of that practice will incur the maximum penalty of \$22,000 for the offence, with no requirement to prove that their intent was malicious or otherwise. This heavy-handed approach hopefully will put an end to the previously mentioned step-quoting practice and underquoting in the property market in general. Of course that is contingent upon the new division within Fair Trading being able to adequately monitor and police those practices. All being well, this legislation ultimately should deter real estate agents from continuing with such behaviours. This legislation also sets out that real estate agents must keep records of all quotations and offers, and they must accurately adjust the price of the property as any fluctuations occur in the market. The records must be kept whether or not the transactions occurred verbally or in writing. Any public advertisements that are available for the property should be continually amended to reflect the new sale price of the property, with online listings being removed or amended as soon as is practicable.

We all agree that tougher regulation is required to enhance consumer protection in the property market. I am sure many members of this House have encountered the problems that the proposed amendments aim to rectify. Although the New South Wales Labor Opposition does not oppose this

legislation, we emphasise the importance of NSW Fair Trading's role in making the proposed amendments effective. If Fair Trading's unit that is dedicated to policing this industry is ineffective, we will see little to no changes in the industry, with the unscrupulous dealings of many real estate agents throughout New South Wales continuing to wreak havoc on the market.

**Ms KATRINA HODGKINSON** (Cootamundra—Parliamentary Secretary) [4.47 p.m.]: I support the Property, Stock and Business Agents Amendment (Underquoting Prohibition) Bill 2015. This reform legislation will bring enhanced transparency and accountability to the residential property sector and will facilitate more effective compliance and enforcement activity by the regulator. I am advised that NSW Fair Trading received more than 213 complaints about alleged underquoting during the financial year ended June 2015. I understand that is more than four times the number of complaints received in the previous financial year. This also shows that underquoting in the real estate industry is a significant and growing concern for many people. Although the Property, Stock and Business Agents Act includes provisions that aim to deal with underquoting behaviour, it has become clear that more robust measures are required.

I must say that this does not apply to every real estate agency by any stretch of the imagination, but it is a significant problem with some, and changes must be made. Currently agents can be penalised only if they are found to have underquoted intentionally or recklessly. Furthermore, allegations of underquoting presently are difficult to investigate and prosecute because many communications about price to vendors and purchasers are verbal and there is no requirement for agents to keep any record of price information that is provided to prospective buyers. Another challenge is that witnesses can be unwilling to engage in legal proceedings brought against licensees by NSW Fair Trading. The factors I have outlined have significantly limited NSW Fair Trading's ability to undertake disciplinary actions against agents or to prosecute offences.

To address this, the proposed underquoting measures will strengthen the existing provisions and introduce strict liability. Establishing underquoting as a distinct offence with penalties will reinforce the seriousness of this issue for the real estate industry. The added penalty of forfeit of fees and commissions will mean that the total potential financial penalty for agents could be significant. This will prove to be a strong disincentive to engage in underquoting. Providing more accurate information regarding the value of a property or expected price range will make it easier for potential buyers realistically to assess whether they can afford the property. This will help people avoid incurring unnecessary costs for building inspections, reports or other professional advice.

Requiring agents to provide vendors with details of how a property valuation was determined will help limit the scope for an agent to exaggerate a property value solely to get the vendor's business. The proposed requirement to keep written records of all communications about price information will provide a means to ensure that the requirements are being met. The proposed measures have the potential to foster a more thorough property valuation process across the industry. So at the same time as the new laws will be providing more accurate and useful information to consumers, they will help promote trust in agents and enhance professional standards.

Consumers have every right to expect that they are operating in a fair and equitable marketplace. These new measures will not stop a property selling beyond its advertised price if competition for a property at an auction is strong, but they will help to create a fairer system for people who spend money on building and pest inspection reports—sometimes those moneys can be considerable—believing that a property is in their price range. These reforms are about sending a clear message to real estate agents that this practice not only cheats potential home buyers but also compromises the integrity of the real estate industry. I commend the bill to the House.

**Dr HUGH McDERMOTT** (Prospect) [4.51 p.m.]: I support the Property, Stock and Business Agents Amendment (Underquoting Prohibition) Bill 2015. For thousands of families around New South Wales, the biggest investment they will ever make is the family home. Home ownership is part of the Australian culture and it is a cornerstone of the New South Wales economy. The bill will apply to every

one of the millions of homes that will eventually change hands in New South Wales. If passed, it will iron out the creases that plague the New South Wales real estate industry; that needs to happen. It will hold real estate agents to account to ensure the highest standards of transparency and fairness for transactions that can involve millions of dollars per home.

The bill does this by introducing a mandate that agents provide evidence to support their selling price estimate, which will be stated in the agency agreement. Furthermore, this bill will ban advertisements that mislead potential homebuyers with words such as "offers above" and "offers over". Gone will be the days of deliberately undervaluing homes to lure in buyers who are not willing or able to spend more than what they planned. The regulator will also have the power to fine agents up to \$22,000 for breaches of this law. Finally, the regulator will have some teeth to make sure that the law is followed.

However, there is concern about the bill as it does little to provide resources to NSW Fair Trading to monitor and enforce these measures. The Baird Government must ensure that Fair Trading has the resources it needs to rigorously enforce the new regulations. I represent the electoral district of Prospect, an area that thousands of families such as my own have decided to call home. Many thousands of people are still looking to buy a home in Prospect and make the brave move to weather the challenges of high property values and a mortgage. The people of Western Sydney do not need misleading real estate agents.

These people who are misled are not professional real estate investors. They are not buying a home to make a profit; they are simply looking for a place to call home and to raise their family. They are making the biggest investment they will ever make and they will spend decades paying off a mortgage that is often valued at twice the worth of the house. We have a responsibility to protect these people. These people should not be ripped off. It is therefore essential that a strict liability upon real estate agents be introduced so that these rigorous, yet fair, new rules are properly enforced. The Government must not back down from this change. Those breaking the law and taking advantage of new home owners should not be able to escape the law.

Considering the value of properties and the enormous commissions that agents are set to gain, a \$22,000 penalty is fair, as is the forfeiture of any commissions or fees from such a sale. It is important in that regard that there be an easily accessible process for complainants to report agents who breach the new law. That is why I reiterate the need for the Government to ensure that Fair Trading is adequately resourced to be able to rigorously enforce the new provisions. I commend this bill to the House.

**Mr RON HOENIG** (Heffron) [4.54 p.m.]: I speak in debate on the Property, Stock and Business Agents Amendment (Underquoting Prohibition) Bill 2015 and endorse the remarks of the member for Fairfield, especially his reasons why the Opposition should oppose the bill. I also endorse most of the remarks that were made by the member for Prospect. The bill is an important consumer protection provision that will arm Fair Trading significantly to protect vendors of properties from not only unscrupulous real estate agents but also real estate agents who are tempted to underquote to generate an income. Contributors to this debate have not mentioned that matter. When a person engages a real estate agent for the purposes of selling his property a significant income is derived by way of commission to real estate agents.

I note that throughout most of my professional career, lawyers have been criticised for conveyancing charges that have either appeared on the scale or have undercut each other in relation to scale costs of conveyancing charges. But lawyers are a necessary part of the acquisition of property because, as the member for Prospect said, when somebody purchases a home the biggest investment they make in their lives is their property, and when they sell their home, whether or not to purchase another, it is usually the greatest sale they will ever make in their lives. Lawyers are necessary to protect purchases in respect of conveyancing law. There is also another protection. If a lawyer makes a mistake the lawyer is liable to his or her client for the error.

However, real estate agents' fees are vastly superior to lawyers' fees. In New South Wales the average commission charged by a real estate agent ranges from about 2 per cent to 2.5 per cent—that is the norm. On the sale of a property we could be talking about a fee that is payable to a real estate agent of some \$20,000 to \$25,000 for effecting that sale. There is great commercial motivation for the agent to effect the sale. If he is getting 2.5 per cent of the sale price, it is probably no skin off the real estate agent's nose whether he sells somebody's property for \$950,000 or \$900,000 if the property is difficult to sell. So it is the commercial pressure upon real estate agents—and not just the unscrupulous ones—that this bill seeks to address, and it does so very well.

That is apparent from the objects of the bill; that is, requiring the real estate agent to give a reasonable estimate of the likely selling price of a property and to provide evidence for the estimate to the vendor. The real estate agent simply cannot say, "On my best guesstimate because I know the market your property is worth \$880,000." The agent must provide to the vendor, his client, as part of the transaction the evidence or basis for his assessment. That important initiative is part of this bill. That will transform the relationship—I see the Minister nodding his head in agreement—between real estate agents and vendors.

As well as that, the bill provides that the estimate of the selling price remains a reasonable estimate—for example, if the property market changes, as it has very rapidly in Sydney until recently, the agent has to change property valuations. Another significant reform in this bill is prohibiting the publishing of advertisements giving a lower selling price than the estimated selling price, or the real estate agent communicating to a purchaser that the sale might be effected for under the estimated price. This might be a short bill but it will transform the property industry to the benefit of those consumers who are selling properties. I was in legal practice for some 30 years and have witnessed the slow transformation of consumer protection. It continues to improve and the property industry seems to be the last bastion to be tackled by the Government. This is a welcome addition to consumer protection.

Another major change effected in the bill relates to schedule 1 item [1] and a proposed amendment to section 51 relating to publishing false or misleading advertisements. It expands the definition to advertisements "disseminated by any means of a website, email or other electronic communication". In other words, the bill seeks to capture any attempt by an agent to circumvent the obligation that this amendment provides. It is far-reaching and should provide substantial protection. My only criticism of the bill relates to the penalties. It is one thing to provide a law and another thing to provide for consequences. The penalties in the bill are 200 penalty units and the member for Prospect indicated the maximum penalty is \$22,000. I ask the Minister to give consideration as to whether or not those penalties are sufficient.

If the sale of an average home generates an income for a real estate agent of \$20,000 to \$25,000 a penalty of \$22,000 may not be a sufficient deterrent to stop the sort of conduct this bill is addressing. I see the Minister is nodding his head in agreement so he is taking this issue on board. If an agent is struggling to sell a property for its estimated price, it may be worthwhile taking a risk if the maximum penalty is less than the commission. I respectfully suggest that it could be increased to 1,000 or 2,000 penalty units so that it is an effective deterrent. In my view, there should be a penalty of jail time, but that could be a step too far for a conservative government. This very good bill is a significant improvement to community protection and that is why it is not opposed by the Opposition. The member for Prospect commended the bill to the House. Subject to a revision of the penalty, I also commend the bill to the House.

**The DEPUTY-SPEAKER (Mr Thomas George):** I advise the House that I was a real estate agent for some 30 years and I can assure members that all real estate agents are quite good at operating their licensed premises and performing their duties. I recognise that there are a lot of good real estate agents throughout the State and I would not like people to think that every real estate agent does the things this bill is designed to stamp out.



**Mr JOHN SIDOTI** (Drummoyne—Parliamentary Secretary) [5.04 p.m.]: It gives me great pleasure to speak in support of the Property, Stock and Business Agents Amendment (Underquoting Prohibition) Bill 2015. This legislation is in response to the Government's election commitment in relation to the real estate practice of underquoting. This is in response to complaints from home buyers that they are being fooled into attending auctions because they believe they may be able to afford properties. The reforms in this legislation are designed to improve confidence among home buyers and to close any loopholes that agents may be exploiting. Underquoting occurs if an agent makes a written or verbal statement about a property's value in the course of advertising the property for sale that is less than the agent's true estimated selling price.

It is every Australian's dream to own a home and every person's right to do so. Home buyers have been turning up to auctions with the best of intentions having been informed by real estate agents of the estimated price of the property they are viewing. These home buyers have exercised their due diligence and have often invested in building reports and legal fees. They have been led to believe that they may be successful in purchasing their dream home. Instead, in some cases, properties have sold for up to 33.6 per cent higher than the estimate given to potential buyers. In July this year, one of Sydney's highest profile property firms was the subject of a wave of complaints about underquoting after sales at a number of auctions exceeded the price guide by up to 33 per cent.

After the passage of this legislation, that type of practice will not be able to continue. It provides the NSW Office of Fair Trading with the necessary powers to crack down on those agents who are lowering public confidence and the integrity of the entire industry. Existing provisions are in place which prohibit this practice, but because of the evidentiary requirements involved it is difficult to prosecute the offence. There has been no successful prosecution under the Act since its creation 13 years ago. Amendments to the Act will strengthen the powers of the Office of Fair Trading. It will do this by requiring agents to provide market evidence of the estimated selling price to the vendor. This information must be stated in the agency agreement. The estimated selling price must be based on reasonable grounds and must be updated during the sales campaign. Amendments will prohibit the use of phrases such as "offers above" or "offers over". They will also require that agents keep records of prices quoted on a property, verbally or in writing.

Stiff penalties will result, including fines of up to \$22,000 plus forfeiture of any commission or fees from the sale. The estimated selling price must be included in the agreement and must be based on evidence, which must be provided to the vendor when the agency agreement is entered into. This can be a single price or a price range, but if an agent uses a price range the upper end cannot exceed the lower end by more than 10 per cent. It will be illegal for agents to advertise or market a property for a price that is less than the lower price in the price range. As I said earlier, it will be illegal to advertise using phrases such as "offers over" or "offers above" or using the \$+ symbol. Because the primary aim of the bill is to prohibit the practice of underquoting to lure prospective purchasers, it will be permissible for the vendor to have the property advertised for a price above that detailed in the agency agreement. Further provisions require property advertisements that include a price that is not less than the estimated selling price from the vendor agreement.

To facilitate the penalties for underquoting, Fair Trading will be able to compare the price of the property in the agency agreement with that of any advertisement or one provided verbally to prospective clients. Because of this, agents will be required to keep written records of any verbal price estimates given to potential buyers or sellers, providing clear evidence of estimates offered. In instances where a property has been on the market for some time, it is possible that the selling price may change. In those instances, and if there are grounds for revising the selling price, the agent must notify the vendor and update the vendor-agency agreement. The bill further provides that agents will be required to update marketing material should a change in price and new agreement occur. This will guarantee that the estimated selling price remains accurate.

This legislation was drafted following extensive consultation with key industry stakeholders such

as the Real Estate Institute of Australia, the Estate Agents Cooperative and the Australian Livestock and Property Agents Association. These peak bodies will continue to be part of the consultation process as the Government examines ways to strengthen protections for buyers against rogue property agents and possible options to reduce duplication in the purchase of building and pest inspection reports. An important part of the reforms in this bill will be an extensive information and education campaign for both agents and consumers. I believe this legislation will go a long way toward improving confidence among homebuyers, and I congratulate the Minister for Innovation and Better Regulation on its introduction. I commend the bill to the House.

**Mr NICK LALICH** (Cabramatta) [5.10 p.m.]: The Property, Stock and Business Agents Amendment (Underquoting Prohibition) Bill 2015 is designed to abolish the practice of underquoting or "step-quoting" by real estate agents. Step-quoting has been a long-term issue that has disadvantaged homebuyers because they purchase a property that is worth a lot more than its originally quoted value. It is everyone's dream to own their own home, and today that dream has become costly. On average, it takes up to 30 years to pay off a mortgage, and doing so undoubtedly puts a significant strain on a family's budget. That pressure is being felt by families throughout my electorate of Cabramatta, where house prices are at around the \$700,000 mark. When payments are not met, families accrue significant debt and find themselves experiencing a great deal of distress and uncertainty.

The heart of this bill is aimed at protecting consumers. Consumers should never be deceived or ripped off. I have met a lot of constituents who are finding it increasingly difficult either to purchase a new home or to commit to repaying a mortgage. That is the norm not only in my electorate but also in many other electorates. This legislation will strengthen the existing regulation by omitting sections 72 and 73, which deal with underquoting and misleading and ambiguous advertisements. These changes will ensure that real estate agents comply by not underquoting the price of properties or using misleading or ambiguous advertisements. It will also be an offence for any real estate agent to use phrases such as "offers above", "offers over", or to state that they will accept offers that exceed a certain amount, such as "\$500,000-plus". This will alleviate the pressures to which a potential buyer may succumb; and a real estate agent found to have breached regulations will be required to pay a penalty. The maximum penalty that can be imposed is \$22,000.

I think the Minister has been in the Chamber listening to this debate. The Opposition hopes that that penalty will be increased considerably to make it obvious to real estate agents that it is not worth taking the risk. I call on the Government to assure prospective homebuyers that such practices by real estate agents are being monitored and will be acted upon. NSW Fair Trading needs to be properly resourced to ensure that real estate agents are being compliant by acting professionally and appropriately. The New South Wales Labor Opposition does not oppose this bill.

**Mr MARK COURE** (Oatley) [5.13 p.m.]: I commend the Minister for Innovation and Better Regulation, the Hon. Victor Dominello, for introducing this bill. On 7 March 2015, the Premier and the Minister for Fair Trading, in the other House, the Hon. Matthew Mason-Cox, announced that if re-elected the Government would crack down on underquoting by real estate agents in the residential property market. I strongly support the measures contained in the Property, Stock and Business Agents Amendment (Underquoting Prohibition) Bill 2015. The practice of underquoting is a matter of increasing concern for homebuyers, particularly people buying their first home. I speak from experience, having a couple of years ago bought a house and experienced firsthand the problems associated with underquoting by real estate agents.

It seems that every weekend we see another media report of auction results accompanied by concerns about underquoting. These reports state that properties have sold 20 per cent, 30 per cent or 50 per cent or more above the advertised price. I have experienced this firsthand in the property market in my own area. I point out that not all real estate agents underquote. Some people may attend an auction full of hope based on price information provided by agents, only to hear the very first bid exceed their maximum price. This is obviously a frustrating and disappointing experience, especially if it is not the first

time they have witnessed such an event. Some consumers and agents have claimed that the practice is rife. However, as I said, not every agent engages in it; it seems that only one or two do. I do not think it is fair to tar the whole industry with the same brush.

Due to historically low interest rates and very strong demand, the heated state of the New South Wales real estate market is creating record high prices for residential properties, and that is clearly evident in my electorate. That is particularly the case with auctions where the competitive atmosphere can result in a final selling price well above the original valuation and above what anyone could reasonably have expected. Anyone with experience in attending or conducting auctions has probably witnessed some pretty intense bidding for some properties. In this environment, high demand is rapidly pushing property sale prices upward rather than its being the result of any improper activity by agents. There is no doubt that there is substantial upward pressure on many New South Wales housing markets, particularly in metropolitan areas, including in my electorate.

While experienced real estate agents should be able to accurately predict the sale price of properties within their area, it should be acknowledged that they may still vary due to unforeseen circumstances. However, there are fairly strong indications that even with all these other factors in play some people are still being given price information that is simply not accurate. NSW Fair Trading has consulted with key industry stakeholders during the development of the amendments to clarify the intent and the impact of the new measures. After the measures have been implemented, NSW Fair Trading will continue to liaise and to communicate with industry stakeholders, such as the Real Estate Institute of NSW.

The provision of other information via the NSW Fair Trading website and publications, and the establishment of the underquoting hotline, will help to enhance public awareness and understanding of what constitutes underquoting. That will go a long way towards addressing concerns. I am advised that NSW Fair Trading received more than 213 complaints about alleged underquoting during the financial year ending June 2015. I understand this is more than four times the number of complaints received during the previous financial year. This shows that underquoting in the real estate industry is a significant and growing concern for many people across New South Wales.

Although the Property, Stock and Business Agents Act includes provisions that aim to deal with underquoting, it has become clear that more robust measures are needed; so I again congratulate the Minister on introducing this legislation. Agents can now be penalised only if they are found to have underquoted intentionally or recklessly. Furthermore, allegations of underquoting are difficult to investigate and to prosecute because many communications about price and price guides to vendors and purchasers are verbal. There is no requirement for agents to keep any records of the price information they provide to potential buyers. A further challenge is that witnesses can be unwilling to engage in legal proceedings brought against licensees by NSW Fair Trading.

These factors have significantly limited NSW Fair Trading's ability to undertake disciplinary action against agents or to prosecute offences. To address this, the proposed underquoting measures will strengthen the existing provisions and introduce strict liability. I congratulate the Minister and his department on this approach. Establishing underquoting as a distinct offence, with penalties that will reinforce the seriousness of this issue to real estate agents and hopefully go a long way towards addressing the issue. The provision of updated underquoting guidelines and other information will certainly help real estate agents to better understand their responsibilities towards vendors and to prospective purchasers. Agents will need to ensure that online listings are maintained and kept up to date and that price information remains relevant and accurate.

The guidelines will help to clarify when it would be appropriate to revise an estimated selling price and how agents would comply with record-keeping requirements. These guidelines will also provide information to help agents to fully appreciate what constitutes underquoting. As licensed professionals it is reasonable to expect that agents will know the applicable laws, regulations and acceptable best

practice. It is about raising the bar of this industry. These new laws, in combination with information tailored for prospective homebuyers, vendors and agents, will be a big step in the right direction. I have spoken to many potential first home buyers, real estate agents and vendors in my electorate and there appears to be a consensus that this legislation is good news for the property market. It is good news for NSW Fair Trading and for the real estate market in general. I thank the Minister for introducing this bill and commend it to the House.

**Mr VICTOR DOMINELLO** (Ryde—Minister for Innovation and Better Regulation) [5.21 p.m.], in reply: As members have heard, the purpose of the Property, Stock and Business Agents Amendment (Underquoting Prohibition) Bill 2015 is to introduce measures to better address underquoting in the real estate industry. The reforms in this bill will ensure that both vendors and potential home buyers are provided with greater and more accurate information. As the previous speaker indicated, there are a number of real estate agents in New South Wales. Based on information received from the Real Estate Institute of New South Wales, there are 2,800 registered agencies, and according to the NSW Fair Trading 2014 annual report there are approximately 50,000 real estate agents in New South Wales, and 6,000 alone were registered last year.

As the Deputy-Speaker indicated, most agents in New South Wales are doing a great job servicing vendors and ensuring that we have a vibrant real estate market. They do a lot of work in the heavy lifting that is associated with the various property auctions and sales that take place on a day-to-day basis. These laws are aimed at ensuring that we protect consumers from rogue agents. I make it clear that they are a small minority. In every profession—whether it be the law, the medical profession or any other field, where there are rogue elements—we need laws to protect consumers, and that is what this legislation will do. I thank the member for Fairfield, the member for Cootamundra, the member for Heffron, the member for Drummoyne, the member for Cabramatta, the member for Oatley and the member for Prospect for their contributions to the debate.

I will briefly comment on some of the issues members have raised. There seemed to be consensus about the penalties, and I will address that first. The penalties are more than the current \$22,000 maximum fine. In addition to the fine, the bill provides that an agent can lose or forfeit the commission or fees associated with a sale. As the member for Heffron said, if an agent is selling a multi-million dollar property, in addition to the \$22,000 fine, they could lose or forfeit the fee or commission associated with that sale, which, in itself, would be significant. In addition, disciplinary proceedings could also be launched. Therefore, an agent could lose their licence or have it suspended, which could mean a loss of entitlement to practise in the sector, which is a serious and significant deterrent. Therefore, in addition to the \$22,000 fine, there is the potential to lose a commission or an agent's licence. The Government believes that these are serious consequences for doing the wrong thing.

More generally speaking, members made comments about resourcing. I am proud to say that in the 167-odd days that I have been Minister the Government has already restructured parts of NSW Fair Trading to ensure that the real estate sector is given the priority that it deserves and to acknowledge the significant role that it plays in our economy. A real estate and property division has been established within NSW Fair Trading and it is headed by Assistant Commissioner Andrew Gavrielatos. The assistant commissioner is working hard with all stakeholders to ensure that we get the right tone and the right laws, and I congratulate him. I also congratulate and thank members of the working group—in particular, the Real Estate Institute of New South Wales, the Australian Livestock and Property Agents Association and the Estate Agents Co-operative—for the work that they have done in assisting in the development of this bill. I say with enormous gratitude that they have given a great deal of constructive feedback to ensure that this bill is in good order.

Before I conclude, I emphasise that this is essentially a bill designed to protect consumers against underquoting or, as it is more colloquially and usefully referred to, price-baiting. Price-baiting occurs when an agent and a vendor agree on a price for the sale of a property, yet they advertise or present a lower price to lure potential purchasers into the marketplace. That creates more heat at the auction, thereby

potentially raising the price of the property. On any measure it is misleading and deceptive conduct to agree on the price of a property but to advertise it at a significantly lower price to lure people in, knowing full well that that price would never have been acceptable to the vendor based on their written agreement. That is the practice that we are attempting to stamp out.

Like all good law—and I believe this is good law—it needs to be holistic and to look at the chronology of the standard operation of an auction. So, for example, what have we done to discourage underquoting? We are requiring agents to keep written records of any representations they make about advertised prices. That is a critical reform—and I will explain why it is critical in a moment. As the member for Heffron said, another important reform is that we are requiring agents to provide the basis upon which they value the property, and that is comparable sales in the local area. Again, that is an important structural reform that improves the capacity of and confidence in the system. Secondly, what should be done after a practice is addressed? We must clarify the liability.

In the past it has been very difficult to launch underquoting prosecutions because we need to prove mens rea—that is, intent—and that is very difficult. That is why no underquoting prosecution has been successful in the past 13 years. We have clarified the issue of liability. Now, if we can demonstrate that the agency agreement contains price X and there is a written representation below that then that pretty much establishes strict liability and therefore the offence is proven. We have ensured that practices are in place to require agents to keep written records of those representations that will assist in the prosecution of the case. Beyond that, we must strengthen the penalties, and that has been done. Whether it is to the practice, to the liability, to the prosecution or to the penalty, this is an important reform that has been well thought out after consultation with industry. It will add significant protections for consumers in our State.

In addition to thanking the various stakeholders, I thank the hardworking people from NSW Fair Trading; namely, Andrew Gavrielatos, Rhys Bollen, Warren McAllister, Gabbie Mangos, Michael Probert and Commissioner Rod Stowe. From my ministerial office, I thank Jane Standish, William Sparling and Matthew Dawson for doing a lot of hard work in getting in this reform through. I congratulate and thank the former Minister, Matthew Mason-Cox, who championed these reforms prior to the last election. I commend the bill to the House.

**Question—That this bill be now read a second time—put and resolved in the affirmative.**

**Motion agreed to.**

**Bill read a second time.**

### **Third Reading**

**Motion by Mr Victor Dominello agreed to:**

That this bill be now read a third time.

**Bill read a third time and transmitted to the Legislative Council with a message seeking its concurrence in the bill.**

### **INDEPENDENT COMMISSION AGAINST CORRUPTION AMENDMENT BILL 2015**

**Message received from the Legislative Council returning the bill without amendment.**

### **FAIR TRADING AMENDMENT (INFORMATION ABOUT COMPLAINTS) BILL 2015**

**Bill introduced on motion by Mr Victor Dominello, read a first time and printed.**

## Second Reading

**Mr VICTOR DOMINELLO** (Ryde—Minister for Innovation and Better Regulation) [5.31 p.m.]: I move:

That this bill be now read a second time.

The Government is pleased to introduce the Fair Trading Amendment (Information About Complaints) Bill 2015. This bill will amend the Fair Trading Act 1987 to allow the Commissioner for Fair Trading to publish information about complaints received by the commissioner. The bill allows for the publication of information about the identity of the persons or businesses about whom complaints have been made or about whom the greatest number of complaints have been received. Importantly, it does not allow the publication of the identity of the person who makes a complaint. The bill will enable the Commissioner for Fair Trading to establish a register containing information about traders who have been the subject of complaints to NSW Fair Trading.

The Fair Trading Act provides that one of the functions of the Commissioner for Fair Trading is to receive and deal with complaints relating to the supply of goods and services. NSW Fair Trading is the primary consumer regulator for New South Wales. It receives approximately 45,000 complaints each year and almost one million inquiries. When a consumer complaint is received, NSW Fair Trading staff contact the trader and attempt to negotiate a resolution that is acceptable to both parties. If a resolution is not achieved, the consumer may choose to take action in the NSW Civil and Administrative Tribunal. If conduct in breach of the law is identified, NSW Fair Trading may take enforcement action against the trader.

NSW Fair Trading has long kept an internal record of those traders who are the subject of the most complaints. However, this information has never been made available to the public. The open data policy of the New South Wales Government, which is in line with international trends towards open data, supports the release of government data sets wherever possible. In the digital economy, open data is a driver of economic growth and innovation. The data can be used to improve services, to inform the community about trends in the market, to create new business models and to devise innovative ways to help consumers gain better value in the marketplace. Events such as apps4nsw show the value of open data—app developers use government data and make it more accessible and useful for the community.

The impact of ratings websites such as Urbanspoon, Canstar, OpenAgent, TripAdvisor and many others shows how the power of data can change the marketplace and affect trader behaviour. Consumers now rely on such data when making decisions and have become experienced at deciding how much weight to give data from different sources. Complaint-handling bodies such as the Telecommunications Industry Ombudsman, the Commonwealth Financial Ombudsman Service, the Credit and Investments Ombudsman, and the Energy and Water Ombudsman NSW all make complaint data publicly available. Websites such as My School and MyHospitals share performance data about schools and hospitals.

In the United Kingdom, the Government's Consumer Empowerment Strategy requires government agencies to "free the complaint and performance data (in particular on individual businesses) they already own unless they have a good reason to do otherwise". Some United Kingdom regulators are required by law to make performance data publicly available. Release of complaint data is one means of so-called "reputational regulation" that is influencing business behaviour by means of public release of performance data. The data provides consumers with valuable information that can guide purchasing decisions and hold businesses to account. It also provides businesses with an incentive to improve their performance and the satisfaction of their customers.

In April 2015, the Telecommunications Industry Ombudsman noted that its agency's work in highlighting the causes of consumer complaints and working with the industry to improve services has

contributed to telecommunications providers improving their networks, plans and customer service. Together with better regulation aimed at ensuring consumers are treated fairly, the work of the Ombudsman contributed to four consecutive years of reduced complaint numbers. Research from the United Kingdom has also found that release of complaints and performance data is improving trader performance. For example, Ofcom, the communications regulator in the United Kingdom, found that following publication of complaints data the volume of complaints received about the worst performing businesses reduced over time. Ofgem, the gas and electricity market regulator in the United Kingdom, has noted that publication of performance data has contributed to a substantial fall in the number of energy disconnections.

The details of the design of the NSW Fair Trading complaints register, including how many businesses should be listed on it and what complaints details will be included, will be developed following a public consultation process. NSW Fair Trading has begun consulting with key industry and consumer groups and broader consultation, informed by a discussion paper, will take place between late September and October 2015. The discussion paper will outline the NSW Fair Trading complaints process and the protections against inclusion of vexatious complaints. The discussion paper will also receive feedback on a number of aspects of the design of the register, which will be taken into account in the register's development.

Before the register commences, NSW Fair Trading will work with traders and consumers to ensure that there is a good understanding of how it will work and what the data represents. NSW Fair Trading is also reviewing its complaints process to ensure that protections against vexatious complaints are operating as intended. It is noteworthy that key consumer advocates, including CHOICE, the NSW Customer Service Commissioner, the NSW Information and Privacy Commissioner, and the Consumer Action Law Centre, have expressed strong support for the register concept. The initiative is a first for a general consumer protection agency in this country and is one of the ways in which New South Wales is demonstrating leadership in the field of consumer protection.

The register will not only empower consumers but also provide raw material for innovations to improve the value obtained by consumers in the market and the products and services offered by traders. I thank the former Ministers for Fair Trading, the Hon. Matthew Mason-Cox, from the other place, and the Hon. Stuart Ayres for championing the idea of sharing complaints data. I thank the Commissioner for Fair Trading, Rod Stowe, and officers from NSW Fair Trading—Rhys Bollen, Gabbie Mangos, Diana Holy, Elyse Cain, David Saunders—and my policy director, Jane Standish, for their outstanding efforts in developing the bill. I commend the bill to the House.

**Debate adjourned on motion by Mr Guy Zangari and set down as an order of the day for a future day.**

## **IMPOUNDING AMENDMENT (UNATTENDED BOAT TRAILERS) BILL 2015**

### **Consideration in Detail**

#### **Consideration of the Legislative Council amendments.**

*Schedule of amendments referred to in message of 16 August 2015*

#### **No. 1 Govt no. 1 [c2015-074]**

Page 3, Schedule 1 [1] and [2], lines 2–14. Omit all words on those lines. Insert instead:

#### **[1] Section 15A**

Insert after section 15:

## 15A Impounding boat trailers

- (1) In this section:

**declared area** in relation to an impounding officer's area of operations, means the whole or any part of that area that is declared by the impounding authority that has appointed the officer, by order published in the Gazette, to be a declared area for the purposes of this section in relation to the officer.

**road** means a road within the meaning of the *Road Transport Act 2013* and includes a road related area within the meaning of that Act.

**Note.** The definition of **motor vehicle** in the Dictionary includes a boat trailer.

- (2) An impounding officer may impound a boat trailer in the officer's area of operations if the officer believes on reasonable grounds that the boat trailer is in a declared area and has not been moved for at least 28 days (or such other period as is specified by the regulations).
- (3) A boat trailer that is on a road is not moved for the purposes of this section if it is only moved along the same road and without passing an intersection with another road. An intersection with a road related area is to be disregarded for the purposes of this subsection unless it is related to a different road.
- (4) This section does not apply to a boat trailer that is parked on a road in accordance with an official resident's parking permit that applies to the boat trailer and is displayed on the boat trailer.
- (5) The power of an impounding officer to impound a boat trailer under this section is in addition to any power to impound the boat trailer under section 15.
- (6) Section 16 applies to the impounding of a boat trailer under this section and in such a case, the notice to the owner under section 16 (4) is to specify a period of not less than 15 days in which the boat trailer may be moved to avoid the impounding.
- (7) A boat trailer that may be impounded under this section is taken to have been left unattended for the purposes of this Act.

### No. 2 Govt no. 2 [c2015-074]

Page 3, Schedule 1 [4], proposed clause 8 of Schedule 1, line 22. Omit "15 (2)". Insert instead "15A (2)".

### No. 3 Govt no. 3 [c2015-074]

Page 3, Schedule 1 [7], lines 34–37. Omit all words on those lines.



**Mr PAUL TOOLE** (Bathurst—Minister for Local Government) [5.39 p.m.]: I move:

That the House agree to the Legislative Council amendments.

**Mr RON HOENIG** (Heffron) [5.40 p.m.]: In supporting the motion of the Minister for Local Government I draw the attention of the House to the fact that these are the amendments that I proposed in my speech in the second reading debate in this House. All the Tories on the other side of the House were screaming that I did not know what I was talking about. I stated that the Minister for Local Government should not have had carriage of the matter; rather, it should have been the Minister for Roads, Maritime and Freight who had carriage of it. I told this House what was wrong with the bill, but Government members screamed and interjected and said that I did not know what I was talking about.

Fortunately, the Minister for Roads, Maritime and Freight, who has a few clues, decided, when he read my speech in the second reading debate, that there was some substance to it. My contributions in this House on important matters rarely lack substance. This is a typical example of the stupidity of the Government. I clearly laid out what was wrong with the bill. It should never have left this House in the state it did. This really goes to the competency of this Government and the inability of Government members to listen to a genuine contribution to a debate.

**Mr GUY ZANGARI** (Fairfield) [5.42 p.m.]: On the eve of the biggest local government reforms in the history of the State, Minister Toole introduced the Impounding Amendment (Unattended Boat Trailers) Bill 2015. This bill was so shambolic that Minister Gay in the other place had to work with the New South Wales Labor Opposition to amend the bill. The member for Heffron made it very clear that he had put some amendments forward, which were slammed by the Government. What confidence can the people of New South Wales have in Minister Toole with this bill coming back from the upper House in its current form? Minister Gay has cleaned up the mess made by his Cabinet colleague Minister Toole.

These amendments have now come back to this place to haunt the Minister. The legislation has gone through a rewrite in the upper House, with a number of make-sense amendments being passed. The legislation was clearly a shambles, with various members of the Legislative Council noting that in their contributions to debate on the bill. The Government should have conducted adequate community and stakeholder consultation before ramming the legislation through this House for a vote when it was not even close to being ready. Minister Toole presented an unworkable bill to the House, and his colleagues stood up and proceeded to tell those on this side of the House that we had no idea what we were talking about when we expressed our concerns.

It just goes to show everyone in the Chamber the lengths that Government members will go to in order to make their point. The amendments passed in the upper House essentially represent a motion of no confidence in the same Minister who is running the chaotic Fit for the Future policy. I put on record that the New South Wales Labor Opposition supports the amendments and does not oppose the bill. The way in which this has happened, on the eve of the biggest local government reforms in this State, beggars belief.

**Mr PAUL TOOLE** (Bathurst—Minister for Local Government) [5.44 p.m.]: I am pleased to speak on the Impounding Amendment (Unattended Boat Trailers) Bill 2015, which has been returned with amendments from the Legislative Council. I recognise the support of Legislative Council members for the bill with the amendments moved by the Government, strongly led by the Minister for Roads, Maritime and Freight, the Hon. Duncan Gay. I thank members from both Houses for participating in debate on the important measures in the bill. The object of the bill is to provide local councils and other impounding authorities with more effective means of managing boat trailer parking on residential streets and roadways in the vicinity of our waterways.

This bill responds to legitimate and growing concerns that have been raised with the Government

by many local councils and residents about the negative impacts of boat trailer parking, particularly in high-density residential suburbs where on-street parking is at a premium and where boat trailers are being left on streets unattended for months on end. The Government has involved key stakeholders in the development of the bill. That consultation began with the Boat Trailer Working Group, which was established by Transport for NSW in 2012. The group included representatives from Woollahra Municipal Council and the City of Canada Bay—two councils particularly affected by problems caused by boat trailer parking.

The working group consulted extensively with councils in Sydney and other parts of New South Wales that are located near waterways that are popular with members of the community for boating activities. The Government listened to and considered the concerns of all stakeholders as expressed through the working group and since. It tailored the amendments to strike a harmonious balance between the interests of the boating community in being able to access and enjoy our stunning waterways and the interests of the residential communities who live adjacent to those waterways in preserving and enjoying the amenities of their immediate surrounds. The Government recognises that, if left unchecked, the problems associated with boat trailer parking on our residential streets will only continue to increase as boat ownership increases and residential densities increase.

This bill is simple and straightforward. It will provide councils and other impounding authorities with a last resort solution for the removal of boat trailers from those streets where parking is at a premium and where boat owners have been using those streets—at the expense of residents living on those streets—as long-term storage facilities. The Government has continued to consult with and listen to stakeholders since 2012, right up to the present time. This is reflected in the fact that the bill has been amended in the Legislative Council to take account of concerns raised recently by the boating community and impounding authorities. In essence, four amendments have been made by the Government in the Legislative Council. Rather than having the new scheme apply statewide, councils and other impounding authorities will have the ability to opt in. This gives councils greater flexibility to determine, in consultation with their communities, where in their areas the new scheme will operate.

Secondly, the period for which boat trailers that remain unmoved are considered to be unattended, and therefore subject to impounding, has been reduced from three months to 28 days. This will assist in the enforcement of the scheme and will promote greater turnover of boat trailer parking in problem areas. Thirdly, the bill now provides that in order for a boat trailer that is parked on a road to be considered to have been moved, the trailer must have been shifted from one road to another or, at least along the same road and past an intersection with another road. This again will promote greater turnover in boat trailer parking and will put beyond doubt that merely moving a boat trailer a metre or so will not enable a boat trailer owner to circumvent this new legislative scheme. Lastly, the bill has been amended so that where a boat trailer is parked on a road in accordance with an official resident's parking permit the boat trailer will be exempt from the new scheme.

This latter amendment gives councils that wish to implement the scheme in problem areas greater flexibility to make allowances for boat owners who actually reside in those areas to nevertheless park their boat trailers on the street, should particular circumstances permit. The Government has listened to concerns of the community with regard to boat trailer parking. This bill provides councils and other impounding authorities with an enforcement option to deal with the problem of long-term storage of boat trailers on streets in a manner that can be tailored to best suit the competing interests in their communities. I commend the bill to the House.

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

**Motion agreed to.**

**Legislative Council amendments agreed to.**

**Message sent to the Legislative Council advising it of the resolution.**

**RESIDENTIAL TENANCIES AND HOUSING LEGISLATION AMENDMENT (PUBLIC HOUSING—ANTISOCIAL BEHAVIOUR) BILL 2015**

**Second Reading**

**Debate resumed from 15 September 2015.**

**Mr JIHAD DIB** (Lakemba) [5.51 p.m.]: I begin my contribution to debate on the Residential Tenancies and Housing Legislation Amendment (Public Housing—Antisocial Behaviour) Bill 2015 by posing the question: Who does not reject antisocial behaviour in any community? Who would accept drug manufacture, sale or supply, storage of a firearm for which a licence or permit is not held, serious damage or injury by a tenant or other occupant when the violence involves grievous bodily harm, and who would accept show cause offences under the Bail Act 2013? Without doubt, behaviour of an illegal nature or that impinges on the safety and wellbeing of others is not acceptable. This bill addresses what I believe to be some of the concerns of people in social housing and tenants in general.

While Opposition members believe in the importance of maintaining safety and order, the Government's bill leaves a great deal of room for improvement and amendment. It is a delicate balancing act, but by adopting the right approach we can certainly strike the right balance. As I have mentioned, there is a need to keep people safe, especially in social housing. My concerns with this bill in its current form relate to the worrying potential for unintended consequences in its application and, more generally, its potential to make matters worse for some people. We have laws and regulations within the broader public housing framework to deal with issues that this bill seeks to address; but even if we think we do not have an adequate legal framework, has the Government really thought through this legislation?

The Government must understand what it takes to build communities and change the behaviour of individuals. A change of mindset and behaviour is the key to any long-term solution. In the electorate of Lakemba, public housing is a significant issue. According to the 2011 census there were 2,601 public housing dwellings in my electorate, which accounts for approximately 9.5 per cent of all occupied dwellings. That ranks the electorate of Lakemba as eighth out of 93 electorates surveyed for social housing use. But it is really the waiting lists that are staggering. Government figures for June 2014 indicate that there were 4,398 applicants across Canterbury-Bankstown, with a projected waiting time of 10 years; yet many people to whom I have spoken seem to suggest it is much longer than that. Indeed, only a few weeks ago I was visited by a constituent who has been on the list since 2002, and there is still no end in sight.

In addition, there are people who, for all sorts of reasons, are seeking transfers. Like many of my colleagues in this place, I believe that a disproportionate amount of our time and work is spent specifically resolving housing issues of some sort. The system is strained. It is in our communities and our electoral offices that we see the strain manifested by, for example, neighbours being at loggerheads, tempers flaring and communities needing help. Desperation leads to a sense of helplessness. People are grateful for what they have, but many of them live in dwellings that are in desperate need of upkeep. This point is highlighted on the Family and Community Services website that was updated at the beginning of August this year:

... the NSW social housing system faces many challenges – funding is decreasing, operating costs are rising and homes are ageing.

That statement sums up the situation well. My concern centres on how the legislation will be applied and the potential for unintended consequences. Which body will make nuanced decisions about how much of the antisocial behaviour is driven by mental health issues? Those suffering from mental health issues need other forms of support, such as refuges, treatment and assisted living. We must ensure that people

who are suffering from mental illnesses also are looked after, as the most vulnerable are the ones we most need to look after. Their being put onto the street is the simple solution. I ask members to consider this: Is there a risk that this legislation limits the discretion of the Civil and Administrative Tribunal to such an extent that we will see the unfair eviction of innocent bystanders? We should begin to think seriously about those matters.

Given the length of the waiting lists for new applicants and for those seeking to transfer, once a person is evicted, where would the transgressor and innocent bystanders in the family go? Will they go to Belmore Park, to the growing tent city? Will they go to Martin Place? Will they go just behind Parliament House? Will they go to crammed shelters? Will they go to the car parks? We must consider all of the possible scenarios because we have been entrusted with looking after those who are most in need. Simply moving problems to another place is not a solution. When I began working on this speech for the second reading debate, I reflected on dealing in my electorate office the day before with a constituent who was seeking to escape what he described as the antisocial behaviour of his public housing neighbours. Having been in and out of jail and recovering from substance abuse, he is no stranger to antisocial behaviour but he is trying to turn his life around. I acknowledge his good intention and encourage him to keep working at it. What will happen to him?

He is a person who wants to move but, understanding as I do the reality of waiting lists, I cannot envisage him being transferred to a different residence for a long time. I completely empathise with him. I understand how he feels, and I applaud him for his desire to make his life better, but it will be hard because transfers are nearly impossible to obtain. Investment is required. We must be tough, but the Government also must ensure that it provides a safety net. My experience as a former high school principal of a school that had to deal with its fair share of antisocial behaviour informs me that if we really want to change behaviour we have to be a lot more thoughtful and creative than simply applying one big stick. Every case is different. There must be consequences and an understanding of boundaries, but what makes our democracy so great is that we have boundaries within which we all live.

If we want a cohesive and self-regulated community, we must invest in more caseworkers to provide on-site support in public housing, mediation in public housing communities and help in building the capacity of individuals to better behave so they are able to negotiate conflict and resolve differences. We must adopt a whole-of-government approach to planned investment in public housing communities, education, and transport. This is the wraparound system of support that is so often spoken about. In Riverwood we can see how even a slight improvement in facilities can start a change for the better in entire communities. Now more than ever we need social housing, especially given the fact that currently housing affordability is a major topic of discussion. Being able to afford a home is becoming a dream. People do not seem to be able to afford houses anymore. The latest statistic I have suggests that it will take 14 years of saving for people to acquire a deposit for a home.

In our endeavours to address the problem of antisocial behaviour, let us seriously consider a wraparound solution. Clearly the Opposition will support this legislation, provided it is improved by acceptance of some of Labor's ideas, recommendations and amendments. The Opposition believes this legislation should protect innocent parties from termination orders by maintaining the discretion of the Civil and Administrative Tribunal not to terminate under certain circumstances. Mandatory termination should not apply when the antisocial behaviour is that of an innocent occupant. This legislation should ensure that innocent third parties who have no knowledge of antisocial behaviour are protected from being evicted through no fault of their own. We must consider how we protect a mother who is unaware that her child is dealing drugs from her property, or a child whose father is involved in criminal activity. Before making a termination order, the tribunal must be satisfied that a tenant has intentionally or recklessly caused or permitted an occupant's actions.

I have made it pretty clear that this bill has merit but more needs to be done to improve it. I foreshadow that the Opposition will move amendments. We look after the most vulnerable in the community. I am glad there is a bipartisan approach to that because it is incredibly important. I recognise

that social housing is a privilege. But we do not withdraw that privilege; we do not remove innocent people from social housing in times of need. Importantly, people expect safety, and an adequate level of support and living conditions. There are multiple issues in social housing and this is but one. Let us look at the whole picture and consider the ramifications for those who are either innocent victims of the proposals in this bill or suffering from mental health issues. A couple of weeks ago I attended an open day in Riverwood, which is known as an area with a large proportion of social housing.

But there have been some exciting programs, including a public-private partnership. I have known Riverwood for many, many years. The changes that have taken place there are phenomenal. When people are provided with good services and nice facilities, and when they feel a sense of belonging and ownership, the difference that makes is incredible. I joined one of the walking groups, whose members have been living there for years. They never walked together and did not know each other. We build communities when we invest in communities. We should always be conscious of that. Let us look at finding ways to create a balance between the sentiment of the bill and a just way in which the bill can be implemented.

**Mr BRUCE NOTLEY-SMITH** (Coogee) [6.01 p.m.]: I am pleased to support the proposal in the Residential Tenancies and Housing Legislation Amendment (Public Housing—Antisocial Behaviour) Bill 2015, which will allow people to live in a safe, secure and high-quality social housing environment. The bill gives the legislative underpinning for a most important social policy in this State: addressing antisocial behaviour in our social housing communities. Before the March election I had the pleasure of meeting with residents of Bronte in my electorate of Coogee with the then Minister for Family and Community Services, and we discussed the Baird Government's plans to combat this issue that was being faced in the broader community.

Careless and malicious damage to social housing properties costs the taxpayer millions of dollars every year. It is time that people who damage government-owned property were held accountable for the costs associated with their poor behaviour. The vast majority of tenants in New South Wales public housing respect and care for their property, and they should not have to tolerate the selfish actions of a few. Obliging the NSW Civil and Administrative Tribunal to accept the calculation of repair costs provided by the Department of Family and Community Services is a positive step that will ensure that the actual costs for repairing damage to social housing properties is charged back to the tenant, rather than the taxpayer having to foot the bill time and time again. Careless and malicious damage comes at a cost and in 2014 the cost of repairing tenant damage was \$11.3 million; the equivalent of 50 full-time staff were needed to deal with the problem. This equates to approximately \$14.9 million. This money could be better spent elsewhere.

Let us consider this scenario involving malicious property damage. A tenant from a property hands in their keys, notifies the client service officer that there is some damage to their home, and that they will pay for the repairs. But what the client service staff are confronted with is appalling. Rubbish is strewn across the front and back yards; furniture and rubbish is scattered throughout the property; the walls have been kicked in and are covered in graffiti and dirt; windows are smashed, as too are bedroom doors, kitchen cupboards and drawers, skirting boards and door frames; light fittings, power outlets and the smoke detector have been destroyed; and bathroom tiles, carpets, air vents and the stove have all been damaged. This picture is bleak, but it is not uncommon.

The money needed to repair these properties could be better spent elsewhere, such as redirected to loans to help people set up tenancies in the private rental market and provide assistance to help homeless people with temporary accommodation to get them off the streets and support them into more permanent accommodation, as well as other client service initiatives and community-building activities. This policy is not about punishing people who are victims of crime, such as domestic violence or break and enter; rather, it will target those who intentionally or carelessly damage their property or are the cause of antisocial and disruptive behaviour in social housing. A report from the Department of Justice in 2013 shows that New South Wales has experienced a significant fall in a number of major crimes. The

report also showed that this trend was not reflected on public housing estates, where a number of crime types were increasing.

For malicious damage there was a downward trend of 24 per cent across New South Wales between 2006 and 2012. However, for public housing estates there was a staggering increase of 35 per cent during that period. With nearly 60,000 households on the waiting list for housing assistance, it is only fair that those in public housing comply with the terms of the tenancy agreement and respect their property and their neighbours, just as other members and I do. We must ask ourselves whether people who intentionally damage their public housing have the right to live in these properties. At the minimum, we must expect that these people are compelled to repay every dollar spent on repairing the damage they have caused.

My grandparents lived in public housing in Kingsford. They were fantastic custodians of that property, as were all the other tenants in the blocks that made up that small estate. People appreciated that it was not a right but a privilege to be afforded to live in this public housing, and they looked after it like it was their own. Since becoming the member for Coogee I have visited many people living in public housing across my electorate. I have been impressed with how they have maintained their properties and the respect they afford their neighbours. I have been to places where I could eat off the floor because they were so spotlessly clean. These people realise that it is a great privilege. They treat these places like their own home and they afford their neighbours great respect and receive the same in return.

Requiring the NSW Civil and Administrative Tribunal to evict people is not new. Eviction from public housing has been available to Family and Community Services for many years. The bill simply lowers the threshold on the types of behaviour that will be tolerated in public housing, which is a scarce resource, and will ensure that those who do not afford it the respect it deserves, both in property and their neighbours, shall be moved along. Public housing is a scarce resource and I commend this policy, which aims to modify the behaviour of the small number of tenants who do the wrong thing, yet cost taxpayers and their neighbours greatly, both in money and distress. I commend the bill to the House.

**Ms PRUE CAR** (Londonderry) [6.08 p.m.]: I speak in debate on the Residential Tenancies and Housing Legislation Amendment (Public Housing—Antisocial Behaviour) Bill 2015. As has been said, the New South Wales Opposition will not oppose this bill. As a member of this place, I want to place on record my belief that people living in public housing deserve to feel safe in their communities. Of course, the vast majority of people living in public housing properties are model tenants. They are proud to live in New South Wales public housing. With record numbers of people on the ever-growing waiting list for public housing—I think it is over 120,000—this legislation, in general, is welcome. The shadow Minister has foreshadowed a number of necessary amendments and I look forward to those amendments being considered in the context of this legislation.

This bill will require the NSW Civil and Administrative Tribunal [NCAT] to automatically terminate a Housing agreement with a tenant or a joint occupier for certain so-called "one strike offences". The proposed legislation seeks to remove NCAT's discretion in the case of one strike offences and certain other offences unless the tribunal can be satisfied that exceptional circumstances prevent the termination order being issued. The bill also proposes to amend the Residential Tenancies Act 2010 to introduce a scheme for social housing providers to record strikes against tenants for certain breaches of their social housing tenancy. This proposed legislation would also introduce a scheme for social housing providers to record strikes against tenants for breaches of their social housing tenancy agreements due to certain serious offences and to seek a termination order on the basis of three strikes occurring within 12 months.

I have a number of concerns about this legislation and I reference the foreshadowed amendments. Mandatory termination should not apply where the antisocial behaviour is that of an occupant and not the tenant. This will ensure that innocent third parties with no knowledge of antisocial or criminal behaviour are protected from eviction through no fault of their own. For example, this would protect a mother who is the tenant of a NSW Housing property and may be unaware that her child is

dealing drugs from her property. I am glad to say the Opposition's foreshadowed amendments will in some way protect these innocent parties. We must ensure that the tribunal continues to have discretion not to terminate a social housing tenancy where the individual in question accused of antisocial behaviour is an occupant or joint occupant who has been charged with a one strike offence. We must ensure that the tribunal is satisfied that a tenant has intentionally or recklessly caused or permitted an occupant's actions.

The Opposition also believes in certain circumstances the tribunal should retain its discretion to ensure that vulnerable tenants, such as victims of domestic violence, children or the disabled, are protected from mandatory eviction from their social housing accommodation. It is not fair that the Government punishes law-abiding people who hold their tenancies because of the actions of an occupant. It is not fair that these people may be forced onto the street because of the potential effects of this legislation. We need to work with Housing tenants across the State, not to victimise and punish people. Having a place to live is a basic human right and it is not acceptable that this legislation, although generally well intentioned, may take away that right if the Opposition's foreshadowed amendments do not pass.

There is no denying that there are many issues facing Housing tenants in New South Wales and we often hear about these issues in this place. Some tenants live amongst those who are not obeying the law and honouring their responsibilities in their contract with the Government to have a public housing property. But the elephant in the Chamber cannot and should not be ignored. The waiting list for public housing in this State has gone past the point of no return. It is virtually impossible to get a public housing tenancy in New South Wales. The ever-growing waiting list has been spoken about by members on this side of the Chamber, but it is simply being ignored by this Government.

I used my inaugural address to this place to speak about issues facing public housing and social housing tenants in New South Wales, amongst other things. There are many communities in my electorate of Londonderry with high densities of social and public housing, and I am proud to represent those communities in this place. The Leader of the Opposition also used a recent speech to highlight a new way to tackle the ever-growing problems with social and public housing in New South Wales. He said:

Housing policy is about more than providing additional stock. It must be about the quality of that stock, its price, its proximity to employment opportunities and public services—its place in the urban fabric.

We need to seriously rethink public housing in this State because the State Government is failing hundreds of thousands of people every day. Issues in public housing include broken windows, no lighting, no carpet, no doors, rotting walls, leaks, caved-in roofs, plumbing and sewage leaks and vermin. These are stories I hear every day and, I would hazard a guess, that most other members with public and social housing in their electorates also hear every day. But, more importantly, these are not conditions that are acceptable for people to live in, yet they are happening on this Government's watch. That is why I am proud to support the Opposition's policy of transferring 20,000 existing public housing dwellings from the Government to community housing associations. Recently I met with one such community housing provider and I was blown away by the services on offer, including much-needed wraparound services for those with access issues.

These organisations are not businesses purely seeking to make a profit; they exist because they want to give people the dignity of having a place to live and a roof over their head. Moreover, the organisation I met was more than willing to accept properties and to start the management process. In fact, it was related to me that the biggest barrier to expansion for community housing providers is the inertia of State Government in refusing to hand over the titles of its properties. These organisations are ready to take up this challenge—a challenge that must be reimagined by government if we are to continue to be in the business of providing social housing. Whilst the Opposition supports this bill with

foreshadowed amendments, I encourage the Government to think a bit more about what it could be doing to improve the quality of public housing in this State because it is simply failing public housing tenants across New South Wales.

**Mr ANDREW FRASER** (Coffs Harbour—The Assistant-Speaker) [6.17 p.m.]: Last week I listened to the member for Blue Mountains speak against the Residential Tenancies and Housing Legislation Amendment (Public Housing—Antisocial Behaviour) Bill 2015. Other Labor members have said the Government stole the idea from the Labor platform. I would suggest that members opposite need to get their stories straight. They talk about amending this legislation but they need to understand—

**Mr Jihad Dib:** I will bring out the *Hansard*.

**Mr ANDREW FRASER:** Please bring out the *Hansard*. We have to understand that the responsibility we have as members of this Parliament is to the majority of Housing tenants who are good tenants and whose lives are being ruined by tenants who are breaking the law. I will give two examples. Last week I was walking up the mall in Coffs Harbour where I bumped into a 95-year-old lady and her 67-year-old daughter. I will not mention their names or give their addresses, but I will say that they live in a block of units backed by community housing. Between the units occupied by the mother and her daughter is a sleep-rough unit. The block of units is occupied by people who are well over the age of 65. The daughter told me, "My mother has never heard language and abuse and threats like she is coping from the sleep-rough unit fellow."

We made approaches to the community housing department, with which several complaints had been lodged, because both of these ladies had eyes that were bloodshot from lack of sleep and from fear due to the abuse from and physical threats made by this sleep-rough tenant. An eviction order was served, but the tenant was given a six-month stay on that order. As a result of the stay, these ladies and others have to live with this piece of dirt for another six months. Two older women own their own unit in a block of four strata title units, one of which is occupied by a community housing tenant. The language and other unacceptable behaviour of that tenant have resulted in a number of visits to the property by police.

Unfortunately, this man is Aboriginal. I say unfortunately because he is setting a very poor example for Aboriginal people in my community who are upstanding people. The language and threats he has levelled against these women have turned them both into nervous wrecks. They are not game to leave their units. They have installed cameras because of the threats of physical violence that they cop. He has been living there for nine months. Every time we get him before a tribunal he finds some other section of law that enables him to remain in the unit.

There are three other units in that complex. Those three units are owned by private people. They deserve the peace, quiet and enjoyment that the properties they own could otherwise provide. But this fellow, through the support he gets from legal aid and other channels, is still in his unit. He has visitors 24 hours a day. Other tenants believe he is dealing drugs. I heard the member for Strathfield today give an example of an ice addict who is living in a place that has only a milk crate in it. What do we do about that? We do what any other responsible local member would do: refer them to services that are readily available in the community and make sure they get the help they need. But, for God's sake, do not allow them to disrupt the lives of others living in their community.

I have great respect for the vast majority of Department of Housing tenants in my electorate. As the member for Drummoyne said this morning, both he and I push for more housing for our electorates. The waiting time for public housing in my electorate is 15 years. Deserving people who need housing cannot get it, and they are living in private rental premises subsidised by government. I have to say that the number of complaints I get on a regular basis about one tenant in a block of from four to 30 units who is creating hell and havoc for every other resident in the block demonstrates that we need this legislation. Rather than a rorting of the system through the Consumer, Trader and Tenancy Tribunal, through lawyers and other tenant associations, we need someone who will come down heavily on unacceptable tenants



and say, "You will go." I have heard the arguments and complaints made by others.

I heard one today of an ice-addicted husband who had two apprehended violence orders against him taken out by his wife and mother-in-law who had forced his wife away from our area and into western New South Wales. Yet he still lives in the Department of Housing unit. Yes, he is an ice addict. But a person with two apprehended violence orders and an assault charge against him should not be allowed to live in Department of Housing accommodation. He should be removed. In his case, he should have the appropriate referrals to the appropriate government agencies so that he can overcome his addiction. He has assaulted his wife and children on numerous occasions, both publicly and privately. As far as I am concerned, such tenants have shown the need for this legislation to be brought into this Parliament. It is to people like that fellow that we, as a Parliament and as leaders in our communities, must say, "You have no right to public housing." That is especially so when the waiting time for public housing is 15 years, as it is in my electorate.

Some of those opposite might say that is terrible. But I draw the attention of members to the speech that was made by the member for Blue Mountains. I say to newer members of this House who come in here with bleeding hearts and say, "Isn't this terrible?" that they should wait until they have been here for another couple of years and we will see whose side they come down on. Will they come down on the side of these people who do not deserve public housing, or will they come down on the side of the people who deserve it, who conduct their lives normally, and who are looking for peace, quiet and enjoyment in Department of Housing accommodation that they maintain, and in many cases they maintain the yards as well? I say support this legislation; give us the power to remove this scum, which is what they are, from government-sponsored housing, and give peace, quiet and enjoyment to the people who deserve it. I commend the bill to the House.

**Mr GUY ZANGARI** (Fairfield) [6.24 p.m.]: I contribute to debate on the Residential Tenancies and Housing Legislation Amendment (Public Housing—Antisocial Behaviour) Bill 2015 and note that the object of the bill is to implement some possible solutions towards dealing with the longstanding issue of disruptive and troublesome social housing tenants. Changes proposed by this legislation would amend the Residential Tenancies Act 2010 and the Housing Act 2001 whereby the NSW Civil and Administrative Tribunal—the tribunal—would be required to issue an automatic termination order for a breach of the social housing tenancy agreement. This would occur in the case where the tenant or an additional occupant is being charged with certain serious "one strike" offences while using the property for one of the following offences: drug manufacture, sale or supply; storing a firearm for which a licence or permit is not held; serious damage or injury by a tenant or other occupant and the violence involved grievous bodily harm; and a show cause offence under the Bail Act 2013.

Further, an automatic termination order would be issued should the tenant or an additional occupant be charged with one of the following offences and the tribunal is not satisfied that "exceptional circumstances" justify the termination order not being issued: serious damage or injury by a tenant or other occupant and the violence did not involve grievous bodily harm; premises being used unlawfully as a brothel; premises being used to produce, disseminate, or the tenant is found to be in possession of child abuse material; premises being used to facilitate organised car or boat rebirthing activities; and any other unlawful purpose and the use of the premises is sufficient to justify the termination.

As members of Parliament in our respective electorates, I am sure there are a number of us who have made representations on behalf of concerned residents regarding ongoing issues that their neighbourhood is facing with troublesome social housing neighbours. These are not individuals who are simply unpleasant to live next to. We are talking about individuals who have gone to extraordinary lengths to break the law and to make their neighbours' lives a living hell. This legislation moves towards removing such individuals from the social housing system to ensure that those who are constantly doing the wrong thing are not being fluffed up by the system. Enough is enough.

The primary scheme that this legislation will introduce is essentially a strike system—simple and

something everyone can understand. Similar schemes are already enforced in other parts of Australia, including Victoria, Queensland, Tasmania, Western Australia and the Northern Territory. On top of the previously mentioned one strike offences, measures are also in place for three strike offences. Strikes may be issued for offences when the tenant has breached his or her social housing tenancy agreement. When a strike has been recorded against a tenant, the tenant must be informed why the strike was recorded, and he or she must be advised of all existing strikes that have occurred against him or her within a 12-month time frame. Further, when strike notices are given to the tenants, they must also be informed of their right of appeal should they disagree with the strike notice.

When a case is seen by the tribunal, it must take into account a number of factors when determining whether it is appropriate to issue a termination notice to the tenant. This includes: the effect of the tenancy on neighbouring residents; the likelihood of neighbouring residents suffering adverse effects in the future if the tenancy is not terminated; the landlord's responsibility to other tenants; the history of the current tenancy and any prior social housing tenancy; and whether the tenant has previously been in breach of an order of the tribunal. Further, when considering the possibility of terminating a tenancy, the tribunal must take into account the neighbourhood impact statement. This is a summary of statements made by neighbouring residents, where the identity of all neighbours who make a complaint about a tenant would be kept anonymous, and the information would not be disclosed to the tenant in question without the consent of the complainant.

Those of us on this side of the House understand the necessity of introducing such legislation and the benefits it could bring in mitigating issues brought forward by negligent and criminally inclined social housing tenants who were previously much harder to remove. However, it is all too easy for tenants to have no knowledge of any illegal activities being conducted in their household and it is wrong for their tenancy to be at jeopardy as a result. As such, further amendments have been proposed by members on this side of the House. These proposals have been put forward as we believe a failsafe mechanism must be in place to protect innocent parties and vulnerable tenants from facing termination through no fault of their own.

It would be careless of those of us in this House to assume that every person in every household across this State has a thorough understanding of every event that occurs in his or her home. As such, we cannot penalise social housing tenants for failing to manage their home like a jail. It is simply unreasonable to expect tenants to monitor every activity that goes on in their home or potentially risk losing their tenancy—that is sheer lunacy. The essence of this legislation is solid and the New South Wales Labor Opposition does not oppose this bill. However, we strongly urge the Government to adopt our proposed amendments. We need to ensure that the innocent and vulnerable within the social housing system are not worse off and victimised as a result of changes to this legislation.

**Debate adjourned on motion by Mr Chris Patterson and set down as an order of the day for a future day.**

**Pursuant to resolution private members' statements proceeded with.**

## **PRIVATE MEMBERS' STATEMENTS**

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### **AFFORDABLE HOUSING**

**Mr GREG WARREN** (Campbelltown) [6.31 p.m.]: Recently I had the pleasure of meeting with Peter Walsh from the Sydney Alliance to discuss affordable housing in the Campbelltown region. The Sydney Alliance is currently pursuing a policy of inclusionary zoning to make affordable housing a reality. Every member in this Chamber knows that we are experiencing a property bubble in Sydney and that house prices are increasing more and more each day. Many constituents, including Mr Walsh, have raised concerns with me regarding the affordability of housing in Campbelltown and our region. It is clear

that something needs to be done to ensure that housing remains affordable in this period of growth in the property market.

In his meeting with me, Mr Walsh was representing the Sydney Alliance, which has proposed that to reform Sydney's housing affordability we must look at using the policy of inclusionary zoning. Inclusionary zoning is the policy of requiring developers to provide a quantity of affordable housing dwellings for those with low to moderate incomes in any new development as a condition of their development consent. This policy is already in place and is being used successfully in Pyrmont, Green Square and other areas around Sydney, so there is no reason why we cannot expand it to other parts of Sydney, where suitable. This policy is gaining support and momentum, with the Committee for Sydney recommending the adoption of inclusionary zoning in its housing policy paper, "A City for All"—a recommendation that has the support of several developers including PAYCE Consolidated and Lend Lease. This policy would not only allow for affordable housing provisions to be in place; it would also allow the community to share in the profits of the housing boom that we are experiencing in Sydney.

The Sydney Alliance believes many in our community are being left behind when it comes to affordable housing. Whilst inclusionary zoning will not entirely fix the problem, it can easily form part of a substantial and wide-ranging housing policy to see prices decrease for those with lower incomes. It is simply not fair to ask those who can pay the least to be burdened with these high costs for housing when others are making enormous profits. By putting these policies in place we could go a long way towards ensuring that housing becomes more affordable for young families and new home owners. Real policy leadership is needed to ensure that we do not further push working people and others out of the property market and potentially into public housing and expanding the rental market. Buying a house in Sydney should not be as unattainable for future generations as it is currently predicted to be. The Victorian State Government has committed to trialling inclusionary zoning in an effort to make housing more affordable, so I see no reason that we cannot do the same in New South Wales.

This policy will require the Government and local councils to come on board and to work together to ensure that urban developments have a suitable amount of affordable housing options available. With a substantial amount of the business community on board already and groups such as the Sydney Alliance and Committee for Sydney leading the charge, we can have substantial support in place to trial this to ensure better outcomes for new home owners. In 1990 the average house in Sydney was under \$200,000. Today, the median house price in Sydney has just tipped over \$1 million. In the electorate of Campbelltown it is around \$650,000. In the same period in which house prices have risen by five times, wages have only doubled. It is very clear that without action this issue will only get worse as time goes by.

In New South Wales there are almost 30,000 homeless people—that figure has increased by 20 per cent in the past 10 years. Forty-two per cent of all homeless people in New South Wales are under the age of 24. Youth homelessness restricts educational opportunities and as a result leads to higher unemployment in the longer term. For 28 per cent of those currently experiencing homelessness, the primary factor causing them to be homeless is the lack of availability of suitable and affordable housing options. More disturbingly, 31 per cent of homelessness is caused by domestic violence and relationship issues. This is also something that we as representatives must address.

I want to be part of a State and a country in which my two boys can grow up, go to school, get a job and buy a home. That is the great Australian dream that many of us in this place enjoy. It has been achievable for every generation of Australians so far. Unless we do something to address it, it will not be achievable for the next generation. I am not prepared to sit by and do nothing while the idea of home ownership slips further and further out of reach for current and future generations of Australians. I implore other members to join me, to stand up and to give our communities a fair go. Quite simply, it is an option that we cannot walk past and I feel we must explore it further.

**COOGEE CHAMBER OF COMMERCE**

**Mr BRUCE NOTLEY-SMITH** (Coogee) [6.36 p.m.]: I bring to the attention of the House the fantastic work being done by the Coogee Chamber of Commerce in engaging local businesses and contributing to the prosperity of the local economy, ensuring that Coogee remains a vibrant, friendly destination of choice for many visitors from right across the globe. Coogee has been known as a tourist attraction for more than 120 years. In my lifetime it has never reached the heights it did from the turn of the twentieth century until the 1930s. The coming of the tram in the late nineteenth century opened up Coogee to the rest of Sydney.

But there are a few people within the chamber of commerce who are working diligently to ensure not only that Coogee is a place that is attractive to those who reside there—and who would want to live anywhere else?—but also the rest of Sydney can enjoy the sights and sounds that Coogee offers. Last Friday night I attended the Taste of Coogee Gala Ball. Taste of Coogee has been running for a few years now. This year's event will take place this Sunday. Producers of fine foods and fine wines assemble on the Coogee beachfront and for a small fee people are able to sample this great culinary experience on the shores of a fantastic and beautiful beach.

This event has been painstakingly put together by the Coogee Chamber of Commerce, which has championed it for the past few years. The support of local councillor Brendan Roberts of east ward has helped obtain the support of the council to make the event the success it is. I will refer to a few people in the chamber who have done an exceptional job not only for the Taste of Coogee but also for a number of years. There are the stalwarts of the chamber, Maurice Mountain and Julie Lynch—they have been there for years and years—and they have ensured that the chamber remains relevant and strong and that it has a presence.

There have been some newcomers over the past few years who have injected some life into the Coogee Chamber of Commerce. I pay tribute to Bernadette Summers. Coogee locals would know about the annual Coogee Family Fun Day that has been happening for 20 years. It has raised hundreds of thousands of dollars for the Sydney Children's Hospital at Randwick. Bernadette has a team that continues to put this event together every year. She and Brenton McHatton—known locally as BJ—are two inspirations behind the Taste of Coogee, which will take place this Sunday. BJ owned the Sauce Bar and Grill in Coogee, but now owns the Little Jack Horner Cafe. He and Bernadette have put the Taste of Coogee on the calendar of annual events in Coogee.

The launch of the event occurred last Friday night with the gala ball. The master of ceremonies was Roy Billing, OAM, who is a great local personality. He has featured in many movies and television programs that we all love. The Taste of Coogee event and gala ball raises money for the Prince of Wales Hospital Foundation Richie Benaud Fund for Cancer Patients. The ball was attended by Mayor of Randwick Ted Sang; former test cricketer Alan Turner—a Randwick Boys High School graduate—Len Pascoe, a former Australian cricketer; Geoff Lawson, also a former Australian cricketer; Associate Professor Michael Jackson, the Director of Radiation Oncology at the Prince of Wales Hospital; Councillor Brendan Roberts; and Waverley Councillor Angela Burrell. I thank the organisers—Bernadette Summers, Brenton McHatton, Aidan Reynolds, Vanessa McCarthy, and Louise Kwok and Wendy Farrow from the Prince of Wales Hospital Foundation. It was a fantastic night. I encourage all members to visit Coogee this weekend because it will be another fantastic event.

### **FOSTER CARE WEEK**

**Mr ADAM MARSHALL** (Northern Tablelands) [6.41 p.m.]: Foster carers play an invaluable role in communities across this State. Foster Care Week is a great opportunity to shine a spotlight on carers in our communities who generally remain anonymous. Carers open their hearts and their doors at all times of the day and night for the most vulnerable in our society. Carers do not turn away from children who sometimes carry with them the awful scars from another life—those who may have profound health problems, those without families of their own, or those who have never known what it is like to be cared for and loved. Foster care is coordinated through non-government agencies. On Sunday I had the

pleasure of joining the crew at the Challenge Children's Services in Armidale for a Foster Care Week Family Fun Day. It was an honour to spend time with the staff, the wonderful carers and the foster children for an hour of fun in a jumping castle, face painting, and eating cake and all things we should not be eating.

Renee Smoother and William Wain from Challenge Children's Services made me feel welcome, as they do all clients and foster children. I could see that they have a terrific relationship with the carers and, most importantly, with the children. It is a credit to that service that they have created such a success since the responsibilities were shifted to them in 2012. I also had the fortune to run into friends of mine, Leonie and Paul Lomas, who, together with their daughter Sammi, have been involved in foster care for a long time. It was a pleasure to again meet Wade, who is an 11-year-old in their care. Wade does not speak, is confined to a wheelchair and has a terminal condition. The love and attention that Paul and Leonie show towards Wade is terrific. I have met Wade a number of times and I can see that he now knows love and happiness. It is difficult to not have your heart warmed by that experience. I acknowledge the success of Ministers in this Government who have overseen the transition of out-of-home care and fostering from the Department of Family and Community Services to the non-government sector. It has been a success in the Northern Tablelands electorate.

Foundations Care is another foster care support service in the Northern Tablelands. In October 2013, Minister Goward travelled to Armidale to officially open its office. To celebrate Foster Care Week, Kylie and the team at Foundations Care have organised the launch of a book by Australian author Naomi Hunter tomorrow night in Armidale. Her first picture book, *A Secret Safe to Tell*, is a storybook for children and adults alike about a journey to safety after sexual abuse. As we know, it is a difficult subject but one that should be shared to empower our children and their carers. Foundations Care is also taking the message to the community and asking whether they can make a difference. In words borrowed, foster carers are "ordinary people doing extraordinary things". Carers come from all walks of life. They can be single or married couples, same-sex couples, and childless couples of all ages and from all cultural backgrounds.

One special foster carer from my electorate is the indefatigable Jules Campbell. She is a powerhouse of energy with a heart as big as Australia beating in her chest. She has been a dedicated foster carer for some time. She is also a successful businesswoman who has a love for all things Disneyland. I believe she has visited at least a dozen times. It was inevitable that her love of Disneyland and her caring heart would collide. She came up with the idea of a trip to Disneyland for foster children from Armidale. Many thought it was a great idea, including me. Jules turned up at my electorate office asking for help to gain permission for the foster kids to travel to Disneyland, some of whom have never been on a plane let alone overseas.

Initially the Department of Family and Community Services made it difficult, but Jules and her supporters persevered. I am pleased to say that on 9 October I have been invited to Armidale Airport to wave them off on their adventure to Disneyland. Jules' dream of bringing happiness and joy to those foster children has come true. They will have an experience of a lifetime. I congratulate Jules on her terrific effort and I congratulate and thank all foster carers in the Northern Tablelands electorate. The message is: When children are at risk, we do not turn a blind eye; we report it. I encourage people to become foster carers, to lend a helping hand and to acknowledge all those involved. Congratulations and thank you to all foster carers.

**Mr DARYL MAGUIRE** (Wagga Wagga—Parliamentary Secretary) [6.46 p.m.]: I congratulate the member for Northern Tablelands on drawing the attention of the House to this important issue. On behalf of all members of Parliament, I thank all foster carers across New South Wales. There are 17,000 children in care. Foster carers, in partnership with non-government organisations and government agencies, are providing homes, care and a future for these young people. I encourage all members to get involved in the Foster Care Week events that are occurring in their electorates. It is important that we continue to embrace those children and provide for their future.

## HARMONY IN DIVERGENCE EXHIBITION

**Mr MARK COURE** (Oatley) [6.47 p.m.]: Last week I had the pleasure of attending the opening of the Harmony in Divergence Exhibition in the Oatley electorate. I congratulate Hurstville City Council and, in particular, outgoing mayor Councillor Con Hindi and Councillor Nancy Liu, as well as the Hurstville Museum and Gallery for organising and curating the exhibition. This unique exhibition showcases the artwork of members of the Zhongshan Fine Artists' Association. It is a good example of traditional and modern painting. The exhibition was well attended by members of the local community and others from across the State. It is a great way for the New South Wales community to witness the huge impact and cultural significance of Chinese artists in our beautiful State. It was a great way to bring into focus the ever-growing relationship between Australia and China. I was born and bred in the Oatley electorate and I have seen Hurstville change over the past 37 years, and it has been a change for the better.

The Chinese community has contributed greatly, not only to my local community and the suburb of Hurstville but also to the great State of New South Wales for many years—ever since diplomatic relations between our two great countries were first established. Since the major economic reforms of 1978, when modern China emerged, the Chinese community has been contributing across our State. The Chinese people were amongst the earliest migrants to Australia, and the 400,000 people of Chinese heritage in this State represent the largest community speaking a language other than English.

Our valuable and long-standing friendship with the Chinese community continues to evolve and grow. Only last year, I had the privilege of celebrating the thirty-fifth anniversary of New South Wales sister-state relationship with Guangdong Province. We welcomed the Governor of Guangdong, His Excellency Zhu Xiaodan to Sydney. In fact, I recall that he addressed this Parliament. Those celebrations marked the strength of the friendship between the two States over the past 40 years. The friendship between New South Wales and Guangdong was first established by former Premier the late Neville Wran. New South Wales is thrilled to welcome an increasing number of visitors, delegations and artists from China year on year. I hope that we can encourage more Australians to visit China and to experience firsthand the beauty of Chinese art, culture, language and food.

**Mr DARYL MAGUIRE** (Wagga Wagga—Parliamentary Secretary) [6.51 p.m.]: I thank the member for Oatley for drawing this matter to the attention of the House. The member for Oatley is a champion when it comes to promoting the relationship between China and New South Wales, Australia and, particularly, his community. It is fantastic that the Zhongshan Fine Artists' Association has brought these displays and we welcome the partnership that we enjoy with Guangdong Province. Through the hard work of the Asia-Pacific Friendship Group—of which the member for Oatley is the very proud secretary—we continue to promote that relationship. I commend the member for Oatley for the hard work that he is doing. I commend all Australian Chinese people in our community, who contribute so much. We are blessed to have such a relationship, which other countries would envy.

## BANKSTOWN PUBLIC SCHOOL CENTENARY

**Ms TANIA MIHAILUK** (Bankstown) [6.52 p.m.]: On Saturday 12 September I had the pleasure of attending Bankstown Public School's official centenary celebrations. Other dignitaries in attendance included Councillor Linda Downey, the Mayor of Bankstown; the Hon. Jason Clare, Federal member for Blaxland; Uncle Harry Allie; Jan Green, the director of Public Schools NSW in our region; and Betty Stirton, a former student of the school. Many former principals attended, including Mr Earl Collier, Mr Tony Ray and Mr Greg Mason, and the current principal, Mr Terry Spratt, and many current and former staff and students. I particularly acknowledge the school leaders Leyla Alameddine and Kevin Nguyen, who helped to officiate with Graham Penn. It was a fantastic day and I was delighted to be part of the celebrations.

Terry Spratt, the school's current principal, delivered the official address, and we all had the

pleasure of officially opening the centenary gardens and touring the delightful exhibition, which showcased a series of photos and school memorabilia across 100 years. The school also prepared a booklet titled "A Good Name Grows"—the title reflects the school's motto—which depicts the school's growth over the past 100 years and the role it has had in teaching thousands of school students and in shaping Bankstown as a community. I take this opportunity to acknowledge Mr Graham Penn, Kate Parry and Rita Perri for preparing the school booklet. In particular, I pay tribute to Bankstown Sports Club for its support in the printing of the booklet. Bankstown Public School was officially opened on 19 May 1915 by Mr J. Dawson, MA, Chief Inspector of Schools. By the end of the year the initial enrolment of 261 had risen to 369 pupils. On Tuesday 11 April 1916, an article in the *Sydney Morning Herald* reported:

A new building has been recently opened at Bankstown Public School. It is a two-storied brick building containing 10 classrooms, each having accommodation for 50 children. Adjoining each classroom there is a room for hats and cloaks. The classrooms are divided by accordion partitions, so that they may be opened to create an assembly room if required.

The school grew from strength to strength, and by 1922 the school had just over 1,000 students. In 1923, a separate Primary Girls' Department was formed and by the early 1940s the school's enrolment had grown to over 2,000. The school played a significant role during the Second World War and a former pupil, Mr Lawrence Cook, recalled the war years at Bankstown Public School. He said:

Singapore had fallen and air raid drills were practised. An old brake drum was struck with a piece of iron rod. This was our alarm. Demonstrations were given at school, particularly on incendiary bombs and how they could continue burning even under water. Volunteers, parents and pupils were called to dig air raid shelters in the paddock next to the school .... No sooner had these slit trenches been dug, Sydney received 11 inches of rain in a couple of days which flooded them. Eventually, timber roofs, walls and floors were put in place and the trenches remained until the war ended.

In 1949 a competition was held to find a school motto. A badge was designed and adopted in 1950 along with the school motto "A good name grows". There is no doubt that the school exemplifies its motto. It was not until the 1960s that separate Bankstown girls' and Bankstown boys' high schools were built. Until then school students learnt in separate classes. Many students reminisced about what it was like when they walked side by side but learnt in separate classes. The school song, which was written in the 1970s, has been retained and is sung at every school assembly. I was delighted to hear, yet again, the wonderful words, which I will recite so that they are on record here:

This school is your school,  
This school is my school,  
Out from the playground  
To the inside classrooms,  
Our friendly natures and our good manners,  
This school is made by you and me.

I congratulate this wonderful school on the role that it has played in shaping Bankstown as a community, in teaching thousands of students, particularly in the later schools, and in supporting students from a range of emerging and refugee communities. Bankstown is a welcome zone and this school has welcomed thousands of students from across the globe. I congratulate the current principal, staff and teachers and I look forward to working with them and watching the school flourish, as it has over the past 100 years.

#### **CENTRAL WEST AUSTRALIAN FOOTBALL LEAGUE PREMIERSHIP**

**Mr ANDREW GEE** (Orange—Parliamentary Secretary) [6.57 p.m.]: I draw the attention of members to the Orange Tigers AFL team which last weekend took out the 2015 Central West Australian

Football League premiership against the Bathurst Bushrangers. It was a memorable third straight premiership for the Tigers—that is a repeat. Members will remember the match report that I gave in this place last year. That was the second straight win; now we have the hat-trick, the memorable three-peat, with the Tigers claiming their third premiership.

**Mr Jai Rowell:** Go the Tigers!

**Mr ANDREW GEE:** I acknowledge the member for Wollondilly and his support for the Tigers. The score was 10.11 (71) to 10.8 (68). The game was won by Andrew Nelson in the dying moments of a game that will be long remembered. They will be talking about this match for years to come. It was a nail-biting grand final. With four minutes to play and his team trailing by 11 points, Tim Barry, one of the Tigers' classiest and most experienced players, stampeded over a Bushranger defender and won a holding-the-ball free kick. He booted a goal to bring the Tigers within one goal. With a contested mark and a calm kick, Andrew Nelson broke the Bushrangers' hearts at Bloomfield Oval in the dying moments of the game.

The Tigers winning points were scored in the final minute, which meant that the Bushrangers needed only to hold on for one more minute to end their losing streak. However, it was not to be. Andrew Nelson of the Tigers ensured that they emerged victorious. It should be said that the Bushrangers offered a staunch defence for most of the match and blanketed the Tigers forwards. Dale Hunter from the Tigers pulled back a badly needed major for Orange when Bathurst threatened to get away, but Orange came home strongly—hitting targets and taking their time while the game hung in the balance.

Tim Barry continued to dominate throughout the match. There was controversy, which threatened to overshadow what was an absorbing contest, when a 50 metre penalty gave Orange a shot from close range and it missed. However, a couple of kicks brought Bathurst temporary respite before Andrew Nelson's brilliant mark-winning goal brought the crowd to its feet. I acknowledge those great Orange Tigers: Tom Aggett, Tim Barry, Brady Bennett, Josh Bubnich, Dale Cameron, Logan Crimp, Matt Dippolito, Damien Englart, Simon Ewin, Zachary Forostenko, Pierce Frecklington, Benjamin Humphris, Dale Hunter, Steven Johnson, Simon Kay, Mitchell McKenna, Andrew Nelson, Christopher Rothnie, Daniel Sadler, David Ternes, Luke Thorley, Leigh Turner and Jeremy Tuson. I also acknowledge the super coach, Nathan Pearce, for his wonderful efforts.

I also acknowledge the Tigers board, and I mention in particular my good friend the president of the Orange Tigers, Luke Whitton, who lives and breathes the club. I thank him for putting so much effort into organising the event. I congratulate him on his support for Australian Football League [AFL] in the Central West and in particular for the Tigers club. They could not have won the grand final without him. He loves his club. I also acknowledge the club's vice-president, Ben Cullis; the secretary, Matthew Tabbernor; the treasurer, Nicole Pearce, the media and communications officer, Kassie Ings; and the fundraising coordinator, Kellie Tom. On the day the national anthem was sung by Amber Cashel, and I congratulate her. I also point out that the first women's grand final match was held on that day. I congratulate all the clubs for supporting the women's competition as well.

I also acknowledge the Bathurst Bushrangers, who were valiant players. To lose in the final minutes of the game is always heartbreaking. However, the Bushrangers always showed plenty of spirit and fight and certainly were worthy adversaries. They will be back, bigger and better, next year. I commend them for producing a game that was so worthy of a grand final. I know that the Orange Tigers celebrated their achievement, as well they should. Three premierships in a row is quite an achievement. I know how much hard work and training the team invested in those victories. I am sure everyone in this House acknowledges that the Orange Tigers is an extraordinary team and an extraordinary club.

**Mr Jai Rowell:** Athletes of the highest calibre.

**Mr ANDREW GEE:** They are. The member for Wollondilly is correct. I acknowledge all the



players in the Central West competition for their contribution to sport in our area. It is a wonderful competition and long may it continue. Congratulations to the Orange Tigers on a third straight premiership win!

### **ASSYRIAN GENOCIDE 100TH ANNIVERSARY**

**Mr GUY ZANGARI** (Fairfield) [7.02 p.m.]: On 7 August 2015 I stood alongside members of the Assyrian Universal Alliance, various community leaders and members of the Assyrian community to commemorate the 100th anniversary of the Assyrian Genocide. From the travesties beginning in 1915, some sources estimate that 750,000 Christian Assyrians were massacred by the Ottoman Empire's forces in an attempt to eradicate the Christian minorities. This sheer number of victims is difficult to comprehend. Hundreds of thousands of Assyrians were slain for their religious beliefs. The Assyrian nation was possibly at the brink of extinction and their chances were dwindling as every waking hour passed. However horrendous those times were, there were many brave men who fought for their brothers and sisters. One such man was a foreigner who did his utmost for the Assyrians who were being persecuted all those years ago.

Lieutenant General Sir Stanley George Savage used all the means at his disposal to protect the Assyrian refugees against the perpetual onslaught of the Ottoman forces. As a 28-year-old captain serving in the specially assembled allied unit nicknamed Dunsterforce, he was second in command of a supply column assigned to resupply the Assyrians fighting in Persia. Sir Stanley Savage is only one example of the many courageous individuals who put their lives on the line while fighting for the Assyrian refugees throughout the conflict. However, it is worth noting that, as a result of his actions and contributions, Lieutenant General Sir Stanley George Savage was awarded the highest Assyrian medallion and declared a hero.

Sadly, even the courage, heroism and bravery of these men could not stop the inevitable outcome as the Ottoman Empire's forces pushed towards their goal of complete eradication of the Christians from their region. Unfortunately, they came far too close to achieving that goal. These were acts that some people try to sugar-coat and talk down as acts of war, but such acts have a more specific definition—one that cannot be feigned or ignored. Those were the murderess acts of a group committing genocide. The night at Mar Narsai College Hall where the commemoration occurred was a solemn occasion. Many of us know the history and the importance of reflecting on the facts and ensuring that we never forget them. We will never forget the tragic loss of lives throughout the now Turkish provinces of Hakkari, Sirmak, Mardin, and the now Iranian province of Urmia.

The world learns from the lessons of its past. This is a most unfortunate part of history that I pray never recurs. Assyrians across the globe unite each year to commemorate those who were lost and to remember the tragedies that occurred. We continue teaching our current generations, and will continue with the generations to come, about the cruel fate their predecessors faced in times of unrest, hardship, war and discrimination. I am proud to be a part of a Parliament and a community that not only acknowledges and recognises the atrocities that occurred to the Assyrian people but also commends the Assyrian Universal Alliance [AUA] on its phenomenal contributions to further the cause of Assyrians not only locally but also across the globe.

The AUA are stalwarts of peace and harmony and have taken giant leaps forward towards the call for an autonomous Assyrian province in Northern Iraq. They have taken to the steps of the Australian Parliament in Canberra to champion the cause for the Assyrian people. We can always count on them to be on the front foot when their people are in need. I am honoured to be a part of their community. It fills me with great pride to know that in the beating heart of my electorate there resides an amazing community advocacy group called the Assyrian Universal Alliance.

### **GRAFFITI REMOVAL DAY**

**Mr ADAM CROUCH** (Terrigal) [7.07 p.m.]: On 18 October we will recognise Graffiti Removal Day. At the urging of the Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing, Troy Grant, Graffiti Removal Day is fast becoming an incredibly successful annual event. But it should not be a one-day event; graffiti removal should be an everyday occurrence. It will take action by our local communities to make that a reality. Communities across the country are fed up with graffiti. It is a blight on our communities. It can ruin a retail town centre in the space of weeks and cause despair to homeowners, who see their properties ruined in only minutes by antisocial thugs.

It is unacceptable that the New South Wales Government must spend over \$100 million a year to clean up this ugly blight on our communities. Last year on Graffiti Removal Day, approximately 2,000 volunteers removed 21,000 square metres of graffiti from 275 sites across New South Wales, thereby saving the State Government and property owners more than \$1.5 million in clean-up bills. We have a graffiti problem on the Central Coast, as do many coastal communities that experience antisocial behaviour of this kind. From road signs to the surfaces of roundabouts, road infrastructure has become a graffiti target. By not cleaning it up immediately, the impression is given that nobody cares, and eventually graffiti increases to the point of giving an area the appearance of the beginnings of a ghetto. Unfortunately, we see that daily in my local community.

After any weekend, we can open our retail stores on a Monday morning to find that our windows and entrances have been covered in spray-painted graffiti slogans. Eighty-two year old Mrs Cookson can step out the front door of her cottage in Woy Woy to find her front fence covered in spray-painted graffiti nonsense. A 93-year-old retired pensioner, Bob from Kincumber—who works in his vegie patch each morning—may find offensive language sprayed in red permanent paint on his green boundary fence. He has no way of having it removed unless he pays for it himself, and so it remains there for months on end. Gosford City Council puts its cost to clean up graffiti conservatively at \$100,000 a year. The council must employ five cleaners whose job is to blast off the graffiti or to paint over the offending nonsense. It is a full-time job that becomes an added cost to ratepayers, and those funds could be spent on more important maintenance. It is simply an unacceptable blight on our society.

Let us not be blinded by graffiti. It is not public art, it is not clever and it is not lawful. Removing graffiti from only the Sydney train network cost taxpayers \$34 million in the past financial year, up from \$30 million the previous year, and that is just trains. This money could have and should have been spent on maintaining our local roads. It costs the State Government and the people of New South Wales millions of dollars each year to clean up our public spaces when this simply should not be happening at all. There has to be a solution to this ongoing problem. The community is simply fed up and wants solutions.

However, some communities are winning the battle through determination and endurance. One such community is that of the Great Lakes, which is located about 320 kilometres north of Sydney with a population of about 34,000. Today there is little graffiti in the region because Great Lakes Council took a proactive approach with its graffiti buster. To begin with, Great Lakes had a proactive council and proactive community working together to eradicate graffiti, and that has been the main ingredient in winning the war. The graffiti buster started off with a utility painted with "Graffiti Buster" over it so it was clearly visible in the community. The first vehicle was sponsored by a motor dealership and today the latest utility was purchased by council and fitted out for the one-off cost of \$34,000, with an annual running cost of \$3,000. The cost of chemicals and cleaning products is just \$2,000 per year.

It is important for a community to have a sense of ownership with this program. It increases the community's responsibility to maintain its local area, local recreational parks, beachfronts and skate parks. In conjunction with its program, Great Lakes Council also offers a reward of up to \$1,000 for the arrest leading up to a conviction of offenders. A key factor to the success of the graffiti program has been the ongoing relationship with the graffiti buster and the local youth. Important points to remember in combating graffiti are to remove it within 24 hours, otherwise we are sending a message that it is acceptable when it is not, and partially removing graffiti or painting over it in a different colour is

ineffective.

We must remember to phone the local police and report graffiti as it is a crime. To acknowledge the good work of the Deputy Premier on clean up graffiti day, I will now speak with our local council to encourage it to put in place and expand on the principals of Great Lakes Council and the Graffiti Buster. We encourage our local communities on the Central Coast to be more aware of the consequence of doing nothing with graffiti. We must take action to put in place strategies to combat graffiti once and for all.

**Private members' stated concluded.**

**Pursuant to resolution matter of public importance proceeded with.**

## **NATIONAL CHILD PROTECTION WEEK**

### **Matter of Public Importance**

**Ms TANIA MIHAILUK** (Bankstown) [7.13 p.m.]: I am delighted to draw the attention of members to a matter of public importance: National Child Protection Week, which was celebrated across Australia from 12 to 18 September. Traditionally, National Child Protection Week is launched on Father's Day every year by the National Association for Prevention of Child Abuse and Neglect [NAPCAN]. NAPCAN was founded in 1987 by Rosemary Sinclair, AM, and Christine Stewart, OAM, with the sole purpose of protecting children and highlighting the need to support the safety and wellbeing of children in a holistic manner. The foundation is a not-for-profit organisation with a board of directors. NAPCAN works closely with all levels of government, business and many non-government organisations.

The NAPCAN board has several directors who are passionate about ensuring that the wellbeing of children and young people is always at the forefront of people's minds not only in government but also in business and in the community. National Child Protection Week was an opportunity to think of the different mottos that NAPCAN has enlisted over the years. This year the theme was "Protecting children is everyone's business". As I highlighted in my introduction, it is important to remind ourselves that protecting children is the responsibility of the community. NAPCAN works with the Australian Federal Police and a range of organisations to highlight the need for research and training and to remind people to work with health professionals, teachers, volunteer groups and the wider community on what we can do to develop a range of programs, including safety programs and mandatory reporting programs, as well as National Child Protection Week. It also highlights the work that NAPCAN does throughout the year on a range of programs.

NAPCAN works throughout Australia, not only in New South Wales but also in the Northern Territory, where it does significant work with Aboriginal and Indigenous communities. It also works closely with schools and local government. In recent years NAPCAN has started to work with various local governments across Australia to host a range of events, including barbeques and festivals. For example, Bankstown Children's Festival always coincides with National Child Protection Week. That festival is a wonderful opportunity to remind our community of the need to support children and provide them with an understanding of how they can talk to their teachers and different health professionals, and who to go to if they have concerns.

For example, Bankstown Children's Festival provides an opportunity for the local police, the State Emergency Service and healthcare professionals—for example, Bankstown Women's Healthcare and Bankstown health centre—to reach out to families and children to let them know that services are available to assist children and young people during this week. This week is also Foster Care Week. It is fitting that those two events coincide. It reminds us of the importance of thinking about children in foster care who need government protection, particularly when it relates to support and necessary funding resources.

**Mr JAI ROWELL** (Wollondilly) [7.18 p.m.]: I support the matter of public importance brought to the House by the member for Bankstown. National Child Protection Week is held annually to raise awareness of child abuse and neglect and how it can be stamped out. More than 30,000 children are abused or neglected every year in Australia—a number that is staggering and unacceptable in our communities. One child abused or neglected is one child too many. This awareness campaign is now in its twenty-fifth year and has been successful in continuing to improve the safety and wellbeing of our children.

The New South Wales Government is committed to the safety and protection of all young people in New South Wales, and has commenced a reform agenda, and to this end has strengthened the child protection system. A program in that strengthening of the system is called the Safe Home for Life Program, and with an investment of \$500 million over four years represents a significant commitment in this area. It is the next step towards a more inclusive child protection system that streamlines how the New South Wales Government and non-government agencies can work together and places it at the centre of decision-making.

Legislative amendments and practice initiatives have been put into place, including parent capacity orders, parent responsibility contracts and family group conferencing, to name a few. At the heart of these important reforms is the promotion of good parenting, providing a safe and stable home for children and young people in care, and creating a child-focused system. Wherever possible, we want children to be able to remain safely at home with their family, and these reforms prioritise working with families to achieve this goal.

Sadly, there will be some families where this program does not work. However, our fantastic caseworkers are there to assist and will implement other solutions. The reforms offer a range of options for permanency, including new guardianship provisions and open adoption. It is vital that government and non-government agencies work together in the best interests of the child. That is exactly what is occurring, and I take this opportunity to thank those organisations that are on the front line each and every day supporting our young people, our families and our carers. Our children are our future and we must nurture all of them to enable them to have a safe and happy environment to live in and have every opportunity to succeed in life.

I turn to a significant event held last weekend—Walk 4 William—which is an important example of raising community awareness of child safety generally. Drove of people from across New South Wales took part in the walk. I participated in our local walk in Tahmoor and was heartened to see so many caring people in our community dressed in red to provide the community with more information about little William Tyrrell's disappearance with the aim of finding him and bringing him home to his family where he belongs. I take this opportunity to thank the Wollondilly community, which held events, and I also acknowledge some of my fellow walkers, namely, Sharon, Fritz and Jackson Wurm; Stan Cichocki; Simone Harland; Donna; Tarshar Shortland; Tracey Watkins; and my wife, Belinda. Walk 4 William events were held not only in New South Wales but also throughout Australia and even as far afield as Japan and the United Kingdom.

William's family visited us in Parliament House this week: It was a sobering reminder of the trauma caused by such heinous actions. As the Deputy Premier said in this Chamber yesterday, we will walk and stand by William's family to bring him home. Returning to the matter of public importance, it is important to note that prevention is a key priority for the Government, along with having the strongest and most responsive child protection system in place in New South Wales. We all have a responsibility to ensure our children and young people are able to live safely and grow into healthy adults. I take this opportunity to acknowledge in particular the fantastic work that organisations such as Bravehearts and the National Association for Prevention of Child Abuse and Neglect [NAPCAN] are doing within the child protection system.

NAPCAN works hard to support and encourage changes in individual and community behaviour to stop child abuse and neglect before it starts by using a range of strategies, including promoting quality child abuse prevention research, advocating for child-safe policies and strategies, coordinating National Child Protection Week, promoting the play-your-part strategy, demonstrating good practice, and supporting the safety and wellbeing of children and young people. Bravehearts is no stranger to this place and is supported by all sides of politics, forever working tirelessly to educate, empower and protect Australian kids from sexual assault. I again thank the member for Bankstown for bringing this matter of public importance to this House. I thank all those involved in promoting National Child Protection Week and encourage all members of this House and our communities to participate and help create awareness.

**Mr GUY ZANGARI** (Fairfield) [7.23 p.m.]: This year marks the twenty-fifth anniversary of National Child Protection Week. As a former schoolteacher, year coordinator, and being a father of four beautiful children, I share the sentiments expressed by my colleagues the member for Bankstown and the member for Wollondilly. As a society we must remain ever vigilant and be on the lookout to protect our children from the dangers of the world not only for one week of the year but throughout the year—this is a 24/7 job. There is no doubt that children are incredibly vulnerable and they need our protection.

It is wonderful to know that each year communities, government and non-government organisations, across Australia band together to promote National Child Protection Week. Throughout the week, thousands of events take place that aim to remind us of our obligations to protect the most vulnerable in our society—children. The message we need to get across is quite clear: We have no tolerance for children being neglected, abused or sexually assaulted. We have a responsibility to encourage and support the victims of these heinous acts, and help the children understand that they are not alone and that help is out there. This message may seem obvious to most; however, it is a message that is not talked about unless an incident comes to light.

I firmly believe in the National Child Protection Week message that child protection is everyone's business. The safety and wellbeing of children is obviously of paramount importance in every community. However, it is an unfortunate and incredibly complex problem to resolve. I take this opportunity to commend the number of organisations that make protecting children their business seven days a week all year round. Their job is incredibly difficult and quite often heartbreaking, but their role is pivotal across the nation. I thank all these organisations for their ongoing commitment to the cause.

As parliamentarians it is our job to do all we can for our constituents. I thank my colleague the member for Bankstown for bringing this important matter of public importance to the House today. This week, 12 to 18 September, is Where's William? Week. During the week we met William Tyrrell's parents in this place. It was one of the most gut-wrenching meetings that any of us has been a part of. In light of this being National Child Protection Week, let us do everything we can to make sure that William is returned home. His parents want to know what has happened to him. Let us work hard to ensure that all children in the great State of New South Wales have our love and ultimate support.

**Ms TANIA MIHAILUK** (Bankstown) [7.26 p.m.], in reply: I thank the member for Wollondilly and the member for Fairfield for their contributions to this debate. They spoke passionately about the need to protect children and the work they undertake in their electorates. I pay tribute to the member for Wollondilly for being part of the Walk 4 William event in his electorate and I acknowledge his work in supporting that rally. The member for Fairfield attended the event in Parliament House with the opportunity to meet William Tyrrell's parents. We support his parents during this difficult time. National Child Protection Week and Where's William? Week remind us how important it is that parliamentarians always take the opportunity to appropriately resource our organisations, emergency services providers, social workers and schools to give our children the necessary support.

I remind members it is also a time to reflect on the efficiency of our child protection legislation and whether loopholes exist in the child protection system in New South Wales and, if so, how we can fix those loopholes. Today I introduced into this House a new bill to protect children from serious offenders.

The focus of the bill is on providing protection for children from parents who have been convicted of murdering or seriously harming their children. This legislation will give the department and the Minister the power to automatically remove children from dangerous parents and to restrain parents with such convictions from residing with their children. This legislation is currently being debated in South Australia and is likely to be passed. I hope that in the coming months my bill will be passed in this House with bipartisan support. When it comes to child protection, all sides of politics should work together on legislative instruments.

**Discussion concluded.**

**The House adjourned, pursuant to resolution, at 7.29 p.m. until  
Thursday 17 September 2015 at 10.00 a.m.**

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