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## LEGISLATIVE ASSEMBLY

Thursday 15 October 2015

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### ABSENCE OF THE SPEAKER

**The Clerk** announced the absence of the Speaker.

**The Deputy-Speaker (The Hon. Thomas George)**, in the absence of the Speaker, took the chair at 10.00 a.m.

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

### GOVERNOR'S SPEECH: ADDRESS-IN-REPLY

#### Presentation

*The House proceeded to Government House at 10.03 a.m., there to present to the Governor its Address-in-Reply to the Speech His Excellency had been pleased to make to both Houses of Parliament on opening the session.*

*The House returned at 11.30 a.m.*

**The Assistant-Speaker (Mr Andrew Fraser)** reported that the Address-in-Reply to the Governor's Speech had been presented, and that His Excellency had been pleased to give thereto the following answer:

Government House  
Sydney, 15 October 2015

The Honourable the Speaker  
and Honourable Members of the  
Legislative Assembly of New South Wales

It gives me much pleasure to receive your Address, representing the progress of the Government following the Opening of the 56th Session of the New South Wales Parliament on 5th May 2015.

Twelve months have passed since my appointment as 38th Governor of New South Wales.

It has been my earnest endeavour to strengthen the links between the Crown and the Parliament and the people of New South Wales.

My wife and I have expended our energies fully and willingly in the interests of this State, and trust that we shall be able to fulfil our part in the years ahead.

I welcome this opportunity of greeting Members of the Legislative Assembly today, and assure you of my continued close co-operation with you and of my utmost consideration of all matters which you may bring forward.

DAVID HURLEY  
Governor

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

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

**RESIDENTIAL TENANCIES AND HOUSING LEGISLATION AMENDMENT (PUBLIC  
HOUSING—ANTISOCIAL BEHAVIOUR) 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.**

**Pursuant to resolution General Business Notices of Motions (for Bills) proceeded with.**

**LIMITATION AMENDMENT (CHILD ABUSE CIVIL ACTIONS) BILL 2015**

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

**Second Reading**

**Mr PAUL LYNCH** (Liverpool) [11.34 a.m.]: I move:

That this bill be now read a second time.

I have pleasure in introducing the Limitation Amendment (Child Abuse Civil Actions) Bill 2015 on behalf of the Labor Opposition. The object of the bill is to amend the Limitation Act 1969. The proposed amendment will remove any limitation period applying under the legislation to an action or a cause of action for damages that relates to death or personal injury resulting from child abuse. This bill flows directly from the work of the Royal Commission into Institutional Responses to Child Sexual Abuse. The commission recently released a redress and civil litigation report. Recommendations 85, 86 and 87 flowing from that report are as follows:

85. State and territory governments should introduce legislation to remove any limitation period that applies to a claim for damages brought by a person where that claim is founded on the personal injury of the person resulting from sexual abuse of the person in an institutional context when the person is or was a child.
86. State and territory governments should ensure that the limitation period is removed with retrospective effect and regardless of whether or not a claim was subject to a limitation period in the past.
87. State and territory governments should expressly preserve the relevant courts' existing jurisdictions and powers so that any jurisdiction or power to stay proceedings is not affected by the removal of the limitation period.

Those recommendations relate to the substantive provisions contained in this bill. As to the timing of the bill, I draw the House's attention to recommendation 88, which states:

State and territory governments should implement these recommendations to remove limitation periods as soon as possible, even if that requires that they be implemented before our recommendations in relation to the duty of institutions and identifying a proper defendant are implemented.

Victoria has already legislated in relation to these issues. The Victorian legislation has removed completely the limitation period for actions for personal injury resulting from physical or sexual abuse of a minor. The judicial discretion to stay or dismiss proceedings because of unfairness due to delay is retained. That model is retained in this bill. The royal commission report recommends a consistent national approach. By adopting that proposal and being consistent with Victoria, this bill assists national consistency. In this jurisdiction such expeditious action has not been matched by government. The current Government released a discussion paper on limitation period changes earlier this year. Submissions were due by 10 March. The submissions have not been published and nothing further has been heard of the proposal. There is, of course, no need to await further reports or further consideration by the royal commission. That is made clear by recommendation 88 of the report, which I have quoted. The royal commission recommends action without delay.

Moreover, while the royal commission very sensibly recommends a national redress scheme, the proposed scheme is not intended to compensate survivors on a common law basis. The royal commission does not recommend the abolition of the common law system, although it does propose a deed of release arrangement that would preclude a common law claim upon acceptance of an amount under the redress scheme. In turn, it seems that is conditional upon there being a national redress scheme of the quantum recommended by the commission. However, all this still leaves in place the potential for common law claims for damages. That being the case, there is no need and no benefit in delaying the adoption of proposals such as those in this bill. Limitation periods are a characteristic feature of common law systems that allow actions for damages. There are a plethora of limitation periods in our legal system, together with a plethora of exceptions.

The October 2014 Lawcover Schedule of Limitation Periods in Civil Matters in New South Wales, for example, runs to 27 pages and to seven pages for personal injury. Common law claims for personal injuries are divided into different categories depending upon the date that the cause of action arose. There are various extensions available, including where the claimant is a minor. The public policy behind limitation periods is obvious. There is merit in having matters dealt with expeditiously, not just for defendants but also for the legal system as a whole. There is clearly an advantage for the defendant to know what its potential liabilities are reasonably soon, rather than waiting many years. And of course, at a very practical level, the effluxion of time may impose significant difficulties on defendants through problems in locating a witness or in their recollection, and in the natural disappearance of documentary evidence.

There is a number of reasons to justify limitation periods. There are benefits to resolving civil proceedings as near as possible to the time of the alleged injuries. It avoids what might otherwise be problems with evidence and avoids the difficulties of deciding cases well after the events concerned occurred. Limitation periods provide certainty to defendants and insurers. On the other hand, there is the reality that many survivors of institutional childhood abuse simply are unable to disclose until many years later. The royal commission report refers specifically to cases in New South Wales where claims could not be pursued because of limitation periods, or could be pursued but only after lengthy, time-consuming and expensive litigation. The report referred to cases arising out of the Parramatta Training School for Girls, the Institute for Girls at Hay and Bethcar Children's House. The report also referred to the case of John Ellis. The royal commission report also cites significant stakeholder support for the recommendations it eventually made, which are included in this bill.

There is a number of very real problems with limitation periods for the survivors of child sexual abuse. Often a large amount of time and effort is expended arguing about the limitation period and whether it should be extended. That happens, in particular, because the victims of child sexual assault not unusually take very long periods to disclose what has occurred. That is now so widely known and so widely accepted as to not need detailed elaboration. It also suggests that the system of limitation periods and extensions that currently exists has developed without much thought about these types of circumstances. They would more typically have developed in the context of a whole range of other types

of claims. As one survivor told to the royal commission, "the current limitations regime is designed for someone tripping over in Kmart, not for victims of child sexual abuse."

As the royal commission report noted, limitation periods are "a significant, sometimes insurmountable barrier to survivors pursuing civil litigation." As a practical matter, there now seems to be a far lesser reliance by defendants in this jurisdiction on pleading limitation periods than previously. The Government has made some announcements about its attitude on this, and practitioners to whom I have spoken confirm that some non-government bodies are highly unlikely now to rely upon these types of rules. So, while in practical terms this bill will not necessarily affect an avalanche of cases, it nonetheless is important, not just as a matter of principle but because of its impact upon those cases where the statute of limitations may indeed be pleaded. In the past, there have clearly been cases where the limitation period has been vigorously pleaded by defendants, whether appropriate or not. That includes by the State, as the case of Bethcar Children's House, which was studied by the royal commission, makes clear.

Whether the provisions are relied upon should not of course simply depend upon the policy of a defendant; they should be settled as a matter of law. This bill will retain the jurisdiction of the court to stay or dismiss proceedings where the delay to meet a fair trial is just not possible. The provisions of the bill are themselves quite straightforward. Item [1] of schedule 1 proposes a new section 6A to the Limitation Act that excludes from the statute of limitation regimes actions for common law damages for personal injury or death resulting from physical or sexual abuse of a person while a minor. Consistent with the Victorian legislation, this is not limited to an institutional setting. In practical terms, it is hard to see common law claims not limited to that setting.

New section 6A (3), in accordance with the royal commission recommendations, expressly preserves the jurisdictions of courts to summarily dismiss or permanently stay proceedings where the lapse of time would prevent a fair trial. The new part 3 makes clear that the provisions apply even if there have been judgements previously given on the limitation period issue. The provisions are of course retrospective. The commission report noted that the evidence available does not indicate that that is likely to have a significant impact on insurance or reinsurance. In any event, the provision is a response to the very great injustice done to survivors and, as the report notes, defendants' interests can be protected by utilising proper redress approaches. This bill is a matter of justice. I commend it to the House.

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

## **WORKERS COMPENSATION AMENDMENT (LUMP SUM COMPENSATION) BILL 2015**

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

### **Second Reading**

**Mr PAUL LYNCH** (Liverpool) [11.43 a.m.]: I move:

That this bill be now read a second time.

I have the pleasure of introducing the Workers Compensation Amendment (Lump Sum Compensation) Bill 2015 on behalf of the Labor Opposition. I note that joint responsibility for this bill lies with me and the member for Cessnock, in his capacity as the shadow Minister for Finance, Services and Property. The essence of this bill is to overturn the consequences of a decision in the New South Wales Court of Appeal in *Cram Fluid Power Proprietary Limited v Green* [2015] NSWCA 250. The bill's object is to amend the Workers Compensation Act 1987 to enable one particular group of workers to make more than one claim for lump sum compensation for permanent impairment in respect of a work injury.

The Cram Fluid Power decision restricted the making of claims for lump sum compensation

pursuant to section 66 of the Act to one claim in respect of the permanent impairment flowing from a work-related injury. Cram Fluid held that that restriction extended to a claim for deterioration of an injury where a claim for lump sum compensation had been made before 19 June 2012—the date on which the relevant statutory provisions had commenced. That clearly had a retrospective element. This bill reverses that decision and allows a worker who made a claim for lump sum compensation prior to 19 June 2012 to make a further claim for lump sum compensation.

The arguments justifying this bill are powerful. Most obviously, the bill seeks to restore the commonly understood position in the sector, as revealed, for example, in the decision of the president of the Workers Compensation Commission in relation to Mr Green's claim. Equally, if this was the broadly understood position there should be no significant implications in relation to funding. That seems to be the position of the Government, at least as presented by the Minister in his answer to supplementary questions during estimates hearings. If this is not the case then not to support the bill simply allows someone or something to make a windfall gain at the expense of injured workers. The bill should also be supported because to do otherwise would be to unconscionably support a retrospective legislative impact. The bill should also be supported because it is fair.

Workers who will be affected are typically those who are injured at work and uncontroversially lodge a claim, including a claim for section 66 lump sum compensation for a whole of person impairment. Their condition subsequently requires them to come to surgery, most typically several years later. The surgery will typically leave the worker with a substantially greater whole person impairment, and usually even greater unemployability. That greater impairment will often be quite substantial. For workers in such situations not to be compensated for their eventual actual impairment seems entirely wrong granted this category is entitled to such lump sum compensation. The bill is necessary because it seems clear that there will be no appeal from the Cram Fluid decision to the High Court. The appeal would be funded only by the WorkCover Independent Review Office [WIRO], and it has indicated that it will not fund it.

The Government, through its Minister during the estimates committee, indicated that it will not amend the law in response to this decision. Curiously, the Minister said that this is how the Government wanted the law to operate, notwithstanding that that is clearly not how it had been implemented. The issues involved become much more real when the factual background of such cases is understood and appreciated. In the Cram Fluid case the injured worker, Michael Green, was employed as a maintenance fitter by Cram Fluid Power Proprietary Limited. On 24 May 2005 when he was crouching down to lift parts off a hose assembly he injured his lower back. He made his claim within six months, as required. There was no dispute as to this or to payment. In December 2010 he made a section 66 claim for lump sum compensation. He claimed 7 per cent whole person impairment in respect of the injury to his lumbar spine. The claim was resolved within a fortnight by agreement. The claim amount was \$8,750, representing 7 per cent permanent impairment.

Subsequent to this his condition deteriorated, as it often will in such cases. He underwent spinal surgery in September 2012. His permanent impairment was now assessed at 22 per cent. That is a not an uncommon history. In October 2013 he made a claim for further compensation under section 66 for 22 per cent whole person impairment, less credit of the 7 per cent compensated already. He also claimed compensation for pain and suffering under section 67 of the Act. The workers compensation insurer, Allianz, disputed liability for any further section 66 payment. Mr Green's entitlement to this further section 66 claim was upheld by an arbitrator in the Workers Compensation Commission. On appeal, the President of the Workers Compensation Commission confirmed the arbitrator's approach.

As well as finding that the 2012 amendments to section 66 did not apply to Mr Green's claim, the president also found that if the new section 66 (1A) applied in the present case, it only applied prospectively to claims for lump sum compensation made after June 2012—that is, Mr Green's subsequent lump sum claim was his one post June 2012 claim. An appeal on these points was then made to the Court of Appeal. In the Court of Appeal Acting Chief Justice Beazley and appeal judges Emmett and Gleeson all found in favour of the appellant, the main judgement being by the latter of these

three. The bill is designed to overcome the consequences of that decision. The provisions of the bill are very simple and provide for appropriate amendments to schedule 6 of the Act and the regulation. This is a bill of simple fairness and justice, and I commend it to the House.

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

**Pursuant to resolution General Business Notices of Motions (General Notices) proceeded with.**

### **TAMWORTH RURAL REFERRAL HOSPITAL REDEVELOPMENT**

**Mr KEVIN ANDERSON** (Tamworth) [11.50 a.m.]: I move:

That this House:

- (1) Commends the Government for delivering the long-awaited \$211 million redevelopment of Tamworth Rural Referral Hospital.
- (2) Notes the new hospital provides a central hub for medical, surgical and other specialties in the region.
- (3) Congratulates the executive team at the Tamworth Rural Referral Hospital on their excellent and dedicated work throughout the redevelopment.
- (4) Acknowledges this upgrade is part of the Government's record \$10 billion capital works program for hospitals and health services in New South Wales.

This is a significant time. The Government has now delivered the long-awaited \$211 million redevelopment of Tamworth Rural Referral Hospital. My community has been crying out for this state-of-the-art facility for many years. Until 2011 the former Labor Government paraded a host of health Ministers around the Tamworth electorate who promised consistently to fund and upgrade the hospital. The result was zero investment. There were plenty of promises and plenty of heartbreak. In the lead-up to the 2011 election then shadow Minister for Health and now Minister for Health, the Hon. Jillian Skinner, promised that if elected we would deliver this hospital. She sat down with then Federal Minister for Health and Ageing, Nicola Roxon, to broker the deal.

On 4 May 2011, during the first sitting week of the Fifty-fifth Parliament, I joined Minister Skinner at Tamworth in the company of the then Federal Minister for Health and Ageing to announce that we had the money to kick off the \$211 million redevelopment of Tamworth hospital. It was a significant day and the Government has delivered on its commitment. The outpatient and acute services have been completed. I have toured the new hospital when under patient load and seen what a wonderful job the staff are doing in caring for the people of the New England and the Tamworth electorate. I congratulate the executive team at the Tamworth Rural Referral Hospital on their excellent and dedicated work throughout the redevelopment. Obviously during construction there was extensive disruption and upheaval but the staff, under the guidance of Brad Hanson and Ricky Bradbury, continued to keep the health service operating. There was significant community and stakeholder advisory consultation. Indeed, at every opportunity the community was kept updated.

A little more work still needs to be done. What is next? The redevelopment of the Bruderlin Wing to facilitate ambulatory care and outpatient service will continue as part of the final work on the old hospital. This hospital is a hub for medical, surgical and other specialties in the region. The new facilities will include additional medical, surgical and inpatient beds, a day surgery unit, a paediatrics unit, renal dialysis, oral health, a cardiac catheterisation laboratory, medical imaging and nuclear medicine, and a



new helipad for the Westpac rescue helicopter. The staff are so grateful that such a facility is available not only for them to work in but also to the community of regional New South Wales. This upgrade is part of the Government's record \$10 billion capital works program for hospitals and health services in New South Wales—not only in Tamworth but also in Wagga Wagga, Forbes, the Tweed, Parkes, Byron Bay, Bowral, Bega, Goulburn and Dubbo. We are seeing an enormous investment in health facilities that were left rundown for so many years under Labor.

As I said earlier, the former Labor Government promised to upgrade health facilities across the State but failed to do so. It took this Government, under Jillian Skinner, to release the funds and provide state-of-the-art facilities. Those facilities will help to improve patient outcomes, but in the health service the goodwill of our doctors and nurses is often called upon and we must provide good working environments for them. The new hospital complements the \$41 million New England North West Regional Cancer Centre, which was completed in recent years and is operated by NSW Health. That facility is at capacity. An additional 30 car spaces were provided to give patients greater access to cancer services at the hospital. I am very proud of this facility but, as I have said, there is still work to be done. I am also proud of the executive team, doctors, nurses and administration staff who worked—at times under stress—to keep this facility operating during the construction phase. I thank the New South Wales Government for having faith in our people and for making sure that we have the very best, state-of-the-art facilities in regional New South Wales.

**Mr RON HOENIG** (Heffron) [11.57 a.m.]: The Tories have the hide to congratulate themselves about this redevelopment when they have such a sorry performance record regarding Tamworth Rural Referral Hospital. I did not hear the member for Tamworth say how much Federal funding was provided to Tamworth hospital. So I did a Google search on my iPhone as he was speaking and found an announcement by then Federal member Tony Windsor about funding for the hospital, which was reported in the local paper. Somebody should thank Tony Windsor, who was formerly a member of this House, for using his position to persuade the Government when he was a member of Federal Parliament. Somebody should thank the Federal Labor Government for committing funds to the Tamworth region. The Labor Party has always been concerned about the regions of New South Wales and of Australia.

I concur with the member's comments about the hardworking staff at Tamworth hospital. But if one wants to know how well the Tories have managed Tamworth hospital one has only to recall that Tamworth hospital has consistently had longer waiting times than hospitals elsewhere in the State, as well as others in the New England region. In June this year it was reported that urgent patients, who might be suffering moderate blood loss or dehydration, were being forced to wait two hours for medical treatment. Emergency patients with chest pain or severe burns were waiting an extra 15 minutes for treatment compared with last year. The wonderful staff at Tamworth hospital were so concerned about their inability to treat the people of New England that they took industrial action to force some sort of concession from the Government to staff the hospital properly. The member for Tamworth told us about the \$211 million redevelopment of Tamworth hospital. But there is no point spending money on a building if a sufficient number of medical staff are not employed to care for patients. The Government has not done that. Every time I hear the Tories talk about how wonderful they are for spending money on a particular hospital—

**Mr Kevin Anderson:** Point of order: I mentioned the Federal Government's contribution through the then Minister for Health and Ageing, Nicola Roxon. The member for Heffron was not listening, as usual. He was too busy googling his research. I am not sure that the member for Heffron should call Government members "Tories". He is in the wrong Parliament. I ask that the member for Heffron be brought back to the leave of the motion.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** On the first part of the point of order, I remind the member for Tamworth that he has an opportunity to speak in reply in this debate. He can respond to comments made by the member for Heffron then. On the second part of the point of order, I remind the member for Heffron to address or refer to members by their correct title.

**Mr RON HOENIG:** I will. The New South Wales Liberals and Nationals remind me of the eighth episode of the television program *Yes Minister*, entitled "The Compassionate Society". Jim Hacker discovered that a hospital called St Edward's Hospital had been constructed. It had 500 administrators and no patients. Advisers told the Minister that it was the most efficient hospital in the United Kingdom because there were no patients. This Government takes a similar approach. It thinks that spending \$211 million will rectify all problems. The Government has not indicated how much of that was provided by the Federal Government. It has not thanked Tony Windsor for the contribution. The wonderful staff at the Tamworth Hospital had to take industrial action to protect the people of New England. The arbitration process recommended an increase of 10 staff in the emergency ward. The response from the Health bureaucrats and the Minister was to increase the number of staff by only four. That temporary arrangement is in place.

The NSW Nurses and Midwives' Association is under huge pressure. The Government builds buildings but does not want to provide the right number of medical staff. Instead of negotiating an outcome and trying to fly below the radar, Government members congratulate themselves in the Parliament of New South Wales. They make no reference to their failures. A good local member would have spoken in praise of the wonderful staff and talked about the great pressure that they work under on a daily basis because of the failure of the Government to properly fund and resource the hospital. Why should the Nurses and Midwives' Association have to go to the Industrial Relations Commission to protect the health of patients in New England? Why do the Minister and the area health service not respect and honour the decision of the Industrial Relations Commission? The Tories have a hide to move this motion. [Time expired.]

**Mr DARYL MAGUIRE** (Wagga Wagga—Parliamentary Secretary) [12.04 p.m.]: For the benefit of a new member in this place, the member for Heffron, I will correct the record. I was a member of Parliament when Bob Carr and his array of health Ministers made announcements about new hospitals to be built in Tamworth, Dubbo, Wagga Wagga and other places. The member for Heffron referred to an episode of the famous television program *Yes Minister*. We saw a similar episode here, under the Carr Government, when there were lots of plans, but no hospitals were built in regional New South Wales. The member for Heffron referred to an increase in resources. More than 3,500 full-time nurses have been employed in hospitals across New South Wales since the Liberal-Nationals came to government. We have a record Health budget of \$22 billion.

Hospitals across the region that the member for Tamworth mentioned are being refurbished or rebuilt. Resources are being provided. The member for Heffron is wrong to suggest otherwise. In the Murrumbidgee area alone 374 more nurses and allied health workers have been employed. They are additional resources. The announcement made by the then Federal Minister for Health and Ageing, Nicola Roxon, and Minister Jillian Skinner, was made after the Liberal-Nationals were elected to government in 2011. Many people would like to take credit for that. The agreement was between the State and Federal Ministers. The State Government put money on the table and, to her credit, Nicola Roxon did the same. Nothing happened to Tamworth Hospital until the current member for Tamworth was elected to take that seat. Others may claim that they had an input; that is untrue.

The Liberal-Nationals Government are delivering hospitals in Tamworth, Dubbo, Parkes, Forbes, Bega, Port Macquarie, Lismore and Wagga Wagga. The Government has already built a new hospital in Lockhart, a new Multi Purpose Service, in conjunction with the Federal Government. In addition, hospitals in the city, too numerous to name, have been refurbished. There is record investment in health. Communities are welcoming the refurbishment of their hospitals. My community in Wagga Wagga certainly welcomes the \$282.1 million hospital. Stage three is almost complete. The hospital will open in January. Patients will decamp from the old hospital and it will be demolished. Stage four will then be built, at a cost of \$170 million. The total investment is \$450 million.

In Tamworth, \$211 million is being spent on the hospital. The Government is also investing in

hospitals in Dubbo and the other towns I mentioned. I know staff are excited. There are always teething problems. Wherever there are new building and construction sites there are issues to deal with. The Minister for Health is addressing, and will address, those issues in a professional way. There is no better Minister than our Minister for Health, who has delivered on the Government's promises. The member for Heffron googled on his iPhone and used the carefully researched information he found. When one compares the current health statistics with those of the former Labor Government, one sees that this Government is performing far better.

The statistics have improved dramatically under this Government. Hospitals are treating more patients, and waiting times have been reduced. The Government is putting in place better services that meet the needs of patients, not those of the Labor Party and the unions. If I were a member of a union I would rip up my membership and demand my money back. The claim is made that unions represent the people. In the Murrumbidgee, of 3,600 full-time employees—and 4,500 employees in total—there are 25 paid-up union members. That is hardly representative of the majority of workers.

**Mr RAY WILLIAMS** (Castle Hill—Parliamentary Secretary) [12.08 p.m.]: As the third member of the Government to speak on this motion, I am proud to join my esteemed colleague from Tamworth to talk about the much-needed investment in Tamworth Hospital. I am shocked that only one Opposition member bothered to speak in the debate. The member for Heffron has not remained in the Chamber for the whole debate. He has followed the example of the Opposition spokesman for Health, who cannot be relied upon to spend an hour in the Chamber in question time. Opposition members pop into the Chamber, make inaccurate comments, try to rewrite history and then leave.

I stand in esteemed company. I do not just mean the member for Tamworth. As I look around the Chamber I see the Assistant-Speaker, Mr Andrew Fraser, the representative for the wonderful rural area of Coffs Harbour. I see also the member for Tweed, the member for Barwon, the member for Upper Hunter and the member for Terrigal. The member for Terrigal has informed me of the \$360 million investment in the refurbishment of Gosford Hospital. Lend Lease has this week been announced as the contractor for that work.

New South Wales has never seen investment like the investment the Liberal-Nationals Government has made. Rather than going through each one and outlining the exact amounts, I will encapsulate them in one sentence: \$10 billion worth of capital improvements have been, will be and are currently underway. That is \$10 billion over the Liberal-Nationals Government two terms in office since 2011. I do not have to remind people of the great shame brought upon the former Labor Government because of its failure to implement appropriate health services in the regions; country members know that only too well. Certainly no-one fought harder than the member for Wagga Wagga. He has stood in this Chamber many times arguing for health services for his rural community. There is probably no other greater service requirement for communities than health services, especially for country people.

It is easy for me because I live at Rouse Hill where the wonderful private Hills Hospital is only a two-minute wander down the road; I can trot across to Blacktown Hospital, in which this Government has invested more than \$300 million; Westmead Hospital, in which the Government has invested \$1 billion, is only 25 minutes down the road; or I can duck up to Hawkesbury Hospital. My constituents and I are spoilt for health services. The member for Swansea does not have far to trot from the golden sands and shores of Swansea to John Hunter Hospital. But people in the regions have to travel hundreds and hundreds of kilometres to access health services, and when they do they deserve to access appropriate services and have the resources provided for them.

During our two terms in office not only have we invested \$10 billion into hospitals across the State, but also we have added 4,000 nurses to that investment. When you go to a hospital and a nurse is there to hold your hand, guide you, comfort you and assure you that you will get the appropriate health services it means everything, especially to the elderly and vulnerable. Nobody has invested as this Government has invested in capital expenditure and health. It makes me very proud to stand beside my

colleagues this morning and highlight that fact for the people of New South Wales.

**Mr ADAM MARSHALL** (Northern Tablelands) [12.12 p.m.]: It gives me a great deal of pleasure to stand in this House this morning to not only support the motion of my colleague the member for Tamworth in acknowledging the huge investment in improving health infrastructure in the Tamworth electorate—the \$211 million rebuild of Tamworth Hospital—but also, more broadly, to back up the comments made by the member for Castle Hill, who spoke about this Government's record investment in health infrastructure across the State. As I have said in this House, and I say it again: At the conclusion of this term of Parliament, after eight years of Liberal-Nationals Government in this State, the Government will have completed or will have begun 70 rural and regional hospital redevelopments—70 hospitals have been completely redeveloped or are in the process of being reconstructed.

Contrast that with the previous 16 years of Labor when fewer than five hospitals were redeveloped. That contrast in commitment to rural and regional health infrastructure is displayed again this morning because no-one from the other side of the House wants to speak about health infrastructure investment in rural New South Wales. The redevelopment of the Tamworth Hospital has had an amazing impact on health care in that area. At the same time, the New England north-west region has received an investment of \$60 million for redevelopment of the Armidale Rural Referral Hospital, and that work will commence very early next year.

Inverell District Hospital in the Northern Tablelands will have \$30 million spent on its redevelopment, and clinical planning for that redevelopment is well underway. Following that, clinical services planning for the redevelopment of the Moree District Hospital will get underway. In the New England north-west part of the State, in the electorates of Tamworth and the Northern Tablelands, Tamworth Hospital will receive funding of \$211 million, Armidale Rural Referral Hospital will receive \$60 million and Inverell District Hospital will receive \$30 million. That is hot on the heels of a brand new hospital at Narrabri, and I acknowledge the member for Barwon who is in the Chamber, which received funding of in the order of \$30 million.

**Mr Kevin Humphries:** It was \$42 million.

**Mr ADAM MARSHALL:** The Government invested \$42 million to redevelop the hospital at Narrabri. In the next few years I am very hopeful that I will be able to stand in this place and praise the Government again for spending significant dollars on redeveloping the Moree District Hospital. The redevelopments and upgrades do not stop at Tamworth; they are ongoing across rural and regional areas in this great State. The Minister for Health has been a great health Minister for people living in rural and regional New South Wales. By the end of this term of government, 70 hospitals will be in the process of redevelopment or will have been redevelopment completely—a tremendous record and investment in health infrastructure the likes of which country people have never seen. I acknowledge the efforts of the member for Tamworth in securing that redevelopment for his community and I acknowledge the support of all the communities of the Northern Tablelands in securing investments in Armidale Hospital and Inverell Hospital. I cannot wait for the soil to be turned on those projects. For the Moree community, good news is not far away.

**Mrs MELINDA PAVEY** (Oxley) [12.16 p.m.]: I pay tribute to my Nationals colleague and the amazing member for Tamworth for his energy and drive over many years to ensure that this dream has become a reality—the \$211 million redevelopment of Tamworth Hospital. The member for Tamworth, along with the rest of his community, has achieved amazing things by being engaged and by advocating for nearly two decades—two decades of fighting to get a hospital that Tamworth needs and deserves. We are now at the end of making that dream a reality. Importantly, it is not just about Tamworth; it is about all regional hospitals in New South Wales. Some 4½ years ago the Government changed from a city-centric government under the Labor administration to a Government that gives equal credit to regional New South Wales. This Coalition Government has revolutionised health service delivery in regional New South Wales.

It is a bit like the Lucky Starr song *I've Been Everywhere*: the Tweed, Taree, Coffs Harbour, Lismore, Macksville, Kempsey, Port Macquarie, Griffith, Tamworth, Wagga Wagga, Bega, and multi-purpose services at Gulgong and Peak Hill. This Government has revolutionised health delivery throughout regional New South Wales because it cares about country New South Wales. We do not care only about Tamworth; we care about all communities. I acknowledge the member for Tweed, who has been fighting very hard for health services in his region. There are amazing hospitals in the Tweed, some of the busiest hospitals in rural and regional New South Wales. In fact, the Tweed emergency department, if I am correct, is only second to Tamworth in terms of being busy.

**Mr Geoff Provest:** Correct.

**Mrs MELINDA PAVEY:** It is even busier than Coffs Harbour, Port Macquarie or Lismore. Tweed is one of the major hospitals that services both Queenslanders and New South Welshmen. That in itself has its challenges, as the member for Tweed has pointed out to me on many occasions. But there is a new dawn coming for Tweed with a continuing upgrade of that hospital and another major upgrade planned. Through his passionate work and with the cooperation of the Minister for Health, the member for Tweed has been able to achieve great outcomes. I also acknowledge in the Chamber the member for Barwon, who has been instrumental in achieving many of those changes in regional health as the first Minister for Mental Health in New South Wales and as a member representing one of the regions. He is very important to the delivery of health services to major regional centres.

Some 15 or 16 years ago radiotherapy services could not be accessed outside the Sydney central business district [CBD]. Wagga Wagga was the first city to have its own radiotherapy equipment and achieved that goal by fundraising. Other cities across regional New South Wales now have their own radiotherapy centres. There are new centres from Albury to Wagga Wagga, Coffs Harbour, Port Macquarie, Lismore, Bega and on to the Shoalhaven. We now have the extraordinary situation that 95 per cent of the New South Wales population is within 100 kilometres of a radiotherapy service. The Tamworth Cancer Centre is a stand-out for the delivery of treatment to the people of the north-west, whether they come down from Moree, across from Yaralla or up from Wagga Wagga. The Tamworth Cancer Centre gives patients from that great region the opportunity to access treatment in a way that is less disruptive to their lives. I congratulate the member for Tamworth on moving this worthy motion, which serves to remind everyone that they now have a Government that cares for the whole of New South Wales.

**Mr ADAM CROUCH** (Terrigal) [12.20 p.m.], by leave: I had not planned on speaking to the motion, but after hearing the member for Tamworth I could not leave this place without doing so. In 2011 almost half of the hospitals in New South Wales were more than 50 years old. Labor's failure to invest in hospital infrastructure meant that the Government had to play catch-up. As the member for Terrigal, I have seen firsthand the allocation of \$368 million for the redevelopment of Gosford Hospital. Only this week it was announced that Lend Lease had been appointed to begin that work. In my inaugural speech I said that I had a personal link to Gosford Hospital: My wife recently graduated as a registered nurse and started her first placement at Gosford Hospital in the Medical 2 [M2] cancer ward. The outstanding staff at Gosford Hospital are second to none.

Former patients at Gosford Hospital or the associated cancer clinic agree that staff are outstanding, but wonders why they have been forced to work in a second-rate, hodgepodge, patched-up hospital that the former Labor Government failed to fix. I am privileged to be able to say to the nurses and doctors at Gosford Hospital: The Government will deliver the hospital you deserve on the Central Coast; it will deliver a state-of-the-art facility over the next 3½ years that you can be proud of. The hospital will care for the growing and ageing population of the Central Coast. In the next four years work will be done at the following hospitals: Westmead, Prince of Wales, Blacktown, St George, Hornsby Ku-ring-gai, Lismore, Wagga Wagga Base, Coffs Harbour, Dubbo, Goulburn, Byron Central, Sutherland, Mudgee, Armidale, Bowral, the beautiful Tweed, Broken Hill, Inverell, Manning, Cooma, Port Macquarie and Ryde. This is a

record that the Government can be proud. This is a Government that is delivering for the people of New South Wales.

**Ms Sonia Hornery:** Point of order: I ask that you draw the member back to the leave of the motion, which is the Tamworth Rural Referral Hospital redevelopment.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! The member has been relevant and I have noted that Opposition members have not bothered to speak to the motion.

**Mr ADAM CROUCH:** Finally, an Opposition member has joined us in the Chamber this morning. Opposition members are embarrassed by their failure. The upgrade of Tamworth Hospital is part of the Government's record \$10 billion capital works program for hospitals and health services across New South Wales. This is a proud moment for the Government as it stands by its commitments and delivers for the people of New South Wales. Gosford may not be Tamworth, but it can be seen that we are delivering on state-of-the-art hospital facilities for all the people of New South Wales. Whether we are called Tories or not, we can be proud of what we are delivering for the health system in this State. The Minister for Health should be praised for her tireless efforts over the past four years. She is an outstanding health Minister and long may she reign as the health Minister of New South Wales. We are all better off with her in that role.

**Mr KEVIN HUMPHRIES** (Barwon) [12.24 p.m.], by leave: I support the member for Tamworth on his fine motion. I could not sit here without making a contribution because my father was born in the Tamworth Hospital, I was born in that hospital and my two oldest sons were also born there. The one thing we all had in common—apart from our surname—was the green tiles in the maternity ward. They were there when my father was born and they were still there when my two oldest sons were born there. Nothing had changed. When I was a paper boy in Tamworth the same tiles were on the Post Office Hotel. When people entered that maternity unit they did not know whether they were walking into the front bar of the Post Office Hotel or into the maternity unit. It is disgraceful that the mothers of Tamworth had such a birthing experience. Tamworth finally has a redevelopment that reflects the level of service that country people expect.

The Barwon electorate—the largest in the State by far—does not have a base hospital or a referral hospital. The western part of the State has always had to rely on the Tamworth Base Hospital, and central New South Wales has relied on Dubbo Base Hospital. Broken Hill, which I represent, has an interstate agreement with an Adelaide hospital, so a lot of patients are transferred interstate and not east. Tamworth plays a vital role in providing service to the north-west and western part of the State. When the Coalition was in Opposition, I remember seeing the member for Tamworth standing outside that hospital on many occasions, pleading with the Labor Government and working diligently to keep Tamworth on the radar as a referral hospital. His vision was that it would be an upgraded centre for the western region and would service our area. The member for Tamworth left no stone unturned, not just in the Tamworth electorate but also in the electorate of Barwon, which benefitted from his work.

I acknowledge Michael DiRienzo, the chief executive officer [CEO] of the Hunter New England Health Service. When the amalgamation of the health service districts was discussed I felt that New England should be separate, but I was wrong. There has been value in Tamworth and the New England continuing to be connected to the Hunter. We now have a referral system all the way from Lightning Ridge, to Moree, to Tamworth and through to John Hunter Hospital. It is the only health district that has a referral system from one bush nurse all the way through to a tertiary hospital. It has paid dividends and the level of care has been significantly advanced. Our area relies on Tamworth.

The member for Northern Tablelands said that more than 70 hospitals are being redeveloped in our area. The redevelopment of Tamworth Hospital is a tribute to the Liberal-Nationals Coalition in making sure that our communities get the services they deserve. I look forward to the completion of the Coolah Hospital, the Cobar Hospital redevelopment and the \$30 million redevelopment of Broken Hill

Hospital. I congratulate the member for Tamworth on his good work in keeping the dream alive and delivering on it.

**Mr KEVIN ANDERSON** (Tamworth) [12.28 p.m.], in reply: I thank my colleagues representing the electorates of Wagga Wagga, Castle Hill, Northern Tablelands, Oxley, Terrigal and Barwon for their support for this motion. I suggest to the member for Heffron who has just been advised of this Government's commitment to building a better region that he should get on board. This Government is building better health infrastructure so that our doctors, nurses and other staff who work in our health facilities have the best at their fingertips in areas of which they are proud and which provide the best services. Assistant-Speaker Fraser has been a strong advocate for Coffs Harbour Hospital and for health services. I pay tribute to all those members across this State who have fought hard for health services.

The \$10 billion capital investment in health infrastructure across New South Wales has not come about by accident. This Government said it would do whatever was needed to help build infrastructure and to help doctors, nurses and staff across New South Wales. The Tamworth Rural Referral Hospital has been upgraded but work will go ahead with the redevelopment of the Bruderlin building's lower ground and upper ground levels into ambulatory care or outpatient clinics; minor refurbishment of the top level to house the medical 2 and surgical 2 orthopaedic wards; refurbishment and expansion of the building housing the diabetes centre to create a new oral health service; minor refurbishment of the historic 1883 building in keeping with heritage requirements; conversion of former wards 8, 9 and 10 into office space; and the provision of additional car parking spaces.

We are proud to have secured a \$2 million commitment for the upgrading of Gunnedah hospital. An enormous amount of work has been carried out to upgrade the emergency department, the ambulance bay and the clinics at the front of the hospital but the centre of the hospital also needs to be upgraded. I am pleased that our excellent Minister for Health is upgrading those facilities. The Government and the Minister for Health are working with front-line nurses, doctors and clinicians to provide them with the facilities that they deserve. I am grateful that this motion, which was given precedence over other business, has the full support of this Government. Important work is being done across regional New South Wales. I thank the Minister for Health for her continued commitment not only to health infrastructure capital works but also to the staff who do a magnificent job in our hospitals, health facilities and multipurpose centres right across this great State.

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

**Motion agreed to.**

#### **LAKE MACQUARIE ELECTORATE AIR POLLUTION**

**Mr GREG PIPER** (Lake Macquarie) [12.33 p.m.]: I move:

That this House:

- (1) Notes that new National Pollution Inventory data shows air pollution from New South Wales mines has doubled in the past five years and that coal-fired power stations and coal terminals also recorded increases in emissions.
- (2) Notes that the Lake Macquarie electorate has five operational mines, fallout from two coal-fired power stations and a coal preparation plant, and its road and rail system carries hundreds of coal trucks and numerous coal trains every day.
- (3) Calls on the Minister for the Environment to allay residents' fears about pollution in southern and western Lake Macquarie, and establish in the immediate area an independent ambient air pollution monitor, operated by the Environment Protection

Authority to provide reliable and more frequent data on air quality in the area.

I take this opportunity to raise the issue of air quality in Lake Macquarie. This is an ongoing issue in my electorate about which I have spoken in this House on a number of occasions. I have also had regular discussions with the office of the current environment Minister and his immediate predecessors, and the Environment Protection Authority [EPA]. I acknowledge in the Chamber the member for Charlestown, the mayor of Lake Macquarie. The local government area of Lake Macquarie, which encompasses my electorate, has been historically and continues to be a key coalmining area, with five operational mines, two coal-fired power stations, and a coal preparation plant at Teralba. It experiences hundreds of coal truck movements every day, in addition to numerous coal trains that pass through the area with uncovered wagons, in some cases within 100 metres of homes and schools.

Just this week the Planning Assessment Commission approved the Mandalong Mine Southern Extension project, ensuring that coal-related activity will be part of our community for years to come. As a result of this and other industrial activity, air pollution and its potential health impacts are matters of legitimate and immediate concern to my constituents. Figures recorded by the National Pollutant Inventory, a Federal Government internet database, consistently show Lake Macquarie has among the State's highest emissions of nitrogen oxides, sulphur dioxides and particulate matter—pollutants considered to pose significant health risks. Recent data shows air pollution from New South Wales mines has doubled in the past five years and collective emissions from coal-fired power stations have also increased.

I acknowledge that there have been some improvements in the quantity of PM10 and PM2.5 emissions over the past five years by the power stations that operate in and near my electorate, Eraring and Vales Point. But there is still, by any measure, a significant quantity of pollutants from those operations and others, and yet we have no independent method of measuring them in real time. Eraring alone emitted 440,000 kilograms of PM10s and 225,000 kilograms of PM2.5s in 2013-14. A Lake Macquarie City Council submission to a Federal environment department review in 2014 estimated the health costs to the city from air pollution at between \$95 million and \$205 million per year—alarming figures, indeed, given that they relate mainly to premature mortality and aggravation of cardiovascular and respiratory disease.

I know that Doctors for the Environment Australia is also concerned about air quality issues in the Hunter generally and that a group of 28 doctors recently wrote to environment and health Ministers expressing concerns about air quality in the region and its effects on health. Dr Ben Ewald, a spokesman for the group, has indicated its support for an independent air quality monitor in Lake Macquarie. In 2013 I described to the House the concerns of constituents from Fassifern and Toronto in my electorate, who live along the railway line and who told me about the dust that regularly coats their outdoor furniture and rooftops. One resident who lives about 500 metres from the rail line said he filters coaldust from the top of his fish tank every morning.

At about that time, the Newcastle-based Coal Terminal Action Group released a dust signature study, which was featured on the ABC program *Catalyst*. It found that dust pollution levels increased by up to 13 times as coal trains pass through Hunter suburbs, and those elevated levels remained evident for up to four minutes after a train had passed. While there were differing opinions on the veracity of that independently funded study, the issue of airborne coal dust from trains is a real concern for people in my electorate, where schools at Argenton, Cardiff, Fassifern, Awaba, Toronto and Morisset, among others, are situated close to the railway line.

I have argued consistently that an independent air quality monitor should be located on the western side of the lake. Emissions in Lake Macquarie are measured by more than 20 industry monitors but there is no independent ambient air quality monitor operated by the Environment Protection Authority in the electorate. The closest are in Wyong and Newcastle. This means there is no reliable baseline information on air quality in Lake Macquarie and residents cannot access the hourly information on



pollutants and particulates that is available online to residents of neighbouring Newcastle, from data recorded by EPA monitors in that area.

In addition, Lake Macquarie has been overlooked for inclusion in a number of recent initiatives to further investigate air quality in the lower Hunter, including the Lower Hunter particle characterisation study, the Hunter dust deposition study and the Newcastle Local Air Quality Monitoring Network. I have met with departmental officials and they always politely acknowledge my concerns, but when these studies come up, Lake Macquarie is invariably ignored—a glaring omission, given the level of industrial and coal-related activity in the area.

I acknowledge that the Minister wrote to me in July regarding my concerns about air quality monitoring in Lake Macquarie and that he and his staff have spoken with me on the issue several times since. I appreciate their interest. The Minister has indicated to me, as has the EPA, that air shed modelling of the region that will be produced from data collection being undertaken as part of the Lower Hunter particle characterisation study will provide information about air pollution in the Lake Macquarie area. This is not all about complaint; I welcome the fact that over the past month or so the EPA website has been updated and some two years of data on ambient air quality for Lake Macquarie from industry monitors has been published under the heading, "Lake Macquarie-Wyong".

That is finally providing some recognition for the area, which perhaps could have come about a little earlier. It is hoped that deploying a small number of ambient air monitors, especially for particulates, over a 12-month period would confirm the accuracy of industry-gathered data or direct our attention to any anomalies. Either way, it would be a good outcome for residents within the vicinity of coal industry activity in the area. I have reasonably frequent communication with, for example, Centennial Coal. It is quite supportive of my proposal. We know that coal is important to Lake Macquarie; however, I call on the Government to give priority to local health issues and get to the truth about industry air quality monitoring in our area.

**Mr MICHAEL JOHNSEN** (Upper Hunter) [12.40 p.m.]: The motion of the member for Lake Macquarie will be supported with amendments. Therefore, I move:

That the motion be amended by leaving out paragraphs (1) and (3) with a view to inserting instead:

- "(1) Notes that new National Pollution Inventory data shows some types of air pollution from New South Wales mines have increased in the past five years and that coal-fired power stations and coal terminals contribute to those emissions.
- (3) Welcomes the Government's commitment to conduct a review of air quality monitoring in New South Wales, which will focus on the Government's ambient air quality network and the industry-funded, government-operated air quality monitoring networks, including those operating in the Upper Hunter and Newcastle local government areas. The review will specifically consider air quality in Lake Macquarie, combining the research results and modelling of the Lower Hunter Particle Characterisation Study and the currently available air quality monitoring data collected by industries in the Lake Macquarie local government area."

I acknowledge the longstanding interest of member for Lake Macquarie in air quality and his commitment to environment protection in his electorate. The member has a strong working relationship with the Environment Protection Authority [EPA] and chairs its Lake Macquarie Lead Community Reference Group. The group enables the community to engage directly with government and experts on issues related to potential lead and lead slag contamination in the suburbs of Boolaroo, Argenton and Speers Point. Air quality in the Hunter Valley is a priority for the Government and the Hunter community. The New South Wales Government is absolutely committed to providing the community with reliable information on

air quality in their region.

The Office of Environment and Heritage [OEH] operates a comprehensive air quality monitoring network with 43 stations across New South Wales. The network provides valuable and detailed information on air quality that is available on the web and updated every hour of every day. The Government has placed particular emphasis on air quality in the Hunter Valley and surrounds. The Government has established an industry-funded and government-operated network of 14 air quality monitoring stations in the Upper Hunter. Building off that successful model the Government also opened the industry-funded Newcastle Local Air Quality Monitoring Network in August 2014, with three new air quality monitoring stations at Mayfield, Stockton and Carrington. Those networks complement the three existing air quality monitors operated by OEH at Newcastle, Beresfield and Wallsend. In addition, in December 2012 the Government delivered on a commitment to establish air quality monitoring on the Central Coast by opening a new station at Wyong.

The New South Wales Government monitoring stations are not the only monitors operating in the area. There is also an extensive network of monitors operated and maintained by various industries throughout the region. In the Lake Macquarie local government area alone there are more than 20 industry-operated monitors. The Government has ensured that the data that industry is required to collect through environment protection licences is made available by those industries on the web. Taken together the stations provide a wealth of information on air quality in the Lake Macquarie region.

The Government is also delivering world-class research into particle pollution in the Hunter Valley. The Lower Hunter particle characterisation study is on track to be completed in early 2016. That study will provide detailed information on the sources of particle pollution in the region and their contributions to overall particle levels in the Lower Hunter region. Valuable and detailed information on particle pollution in the Lake Macquarie region will be provided through the modelling component of the study. The study will provide important insights into air quality in the region and inform strategies to provide the best long-term reductions in particulate pollution for the greatest health benefit. The Lower Hunter study builds on the successful collaboration between OEH, CSIRO and the Australian Nuclear Science and Technology Organisation that delivered the Upper Hunter fine particle characterisation study.

The Upper Hunter study provided definitive evidence on major sources contributing to fine particle pollution in Muswellbrook and Singleton. It increased our knowledge of air quality and it enables the EPA to work with the community to better target emissions reduction and improve air quality in the region. The combination of long-term government-funded air quality monitoring, industry-funded monitoring and sophisticated air quality research provides a robust evidence base to inform actions to improve air quality. That evidence enables the Government to design targeted, cost-effective policies and programs to improve air quality and ensures that the people of New South Wales are getting the best value from the Government's investment in air quality management. However, we need to ensure that we continually assess that our monitoring programs are remaining effective.

I can advise the House that the Minister for Environment and Heritage has committed to a review of the principles and requirements of air quality monitoring in New South Wales. The Environment Protection Authority and the Office of Environment and Heritage will conduct the review. It will focus on the Government's ambient air quality network and the industry-funded, government-operated air quality monitoring networks in the Upper Hunter and Newcastle local areas. The review will test whether current New South Wales Government monitoring is meeting the priorities of the Government and the objectives of the National Environment Protection Measure for Ambient Air Quality.

The review will also assess if the government-operated networks are meeting the needs of the community. The review will ask the question: How does the Government ensure that the people of New South Wales get the best available information on the quality of the air where they live? The review will be guided by a technical advisory panel that will include a representative from the Office of the Chief

Scientist and Engineer, experts from the fields of air quality and environmental health research, an air quality monitoring practitioner from another State, and an expert in community engagement. The review will be completed by mid-2016 and the findings made publicly available. The New South Wales Government takes the issue of air quality very seriously and it has acted to protect the environment and the health of residents. The Government looks forward to working with the member for Lake Macquarie to address the concerns of his constituents about air quality in their electorate.

**Ms JODIE HARRISON** (Charlestown) [12.47 p.m.]: I support the excellent motion moved by the member for Lake Macquarie calling for an independent ambient air pollution monitor in Lake Macquarie. Air pollutant emissions for the city of Lake Macquarie are ranked among the highest in the New South Wales greater metropolitan region. Significant emissions sources in the city include two coal-fired power stations, at Eraring, and Vales Point; 11 mining operations, including quarries and coalmining with related operations such as mineral washing, handling, and rail and road coal transport infrastructure; and a high dependence on motor vehicles.

Air quality in Lake Macquarie is also likely to be affected by emissions sources from surrounding areas including coal-fired power stations, coalmines, coal transport and handling facilities, road, air and sea transportation, as well as agricultural activities. But even though the city has those significant pollution emission sources there is no public ambient air quality monitoring station in the city. The ambient air quality is unknown and is in fact inferred from surrounding areas. It is inferred largely from the monitoring stations in the city of Newcastle at Wallsend, Newcastle and Beresfield, one monitoring station commissioned in Wyong in late 2012, and monitoring at premises that are licensed under the Protection of the Environment Operations Act 1997.

What we know from this inferred information is that the air in the Lake Macquarie local government area has the third-highest level of oxides of nitrogen experienced across the New South Wales metropolitan region—emissions which can irritate eyes, nose, throat and lungs; possibly leading to coughing, shortness of breath, tiredness and nausea, as well as respiratory tract and lung disease. The Lake Macquarie local government area has the third-highest level of sulphur dioxide, which irritates the nose, throat, and airways and can cause coughing, wheezing and shortness of breath; and it is obviously particularly problematic for people with asthma or similar conditions. The Lake Macquarie local government area has the fourth-highest level of particulate matter 10 microns in diameter or less and the fifth-highest level of particulate matter 2.5 microns in diameter or less.

I mentioned earlier the monitoring station commissioned in Wyong shire in late 2012. When it was commissioned it seemed that it was also intended to monitor ground-level pollution relevant to the City of Lake Macquarie. But the City of Lake Macquarie has a complex airshed. It has the body of water known as Lake Macquarie, which is one of the largest coastal saltwater lagoons in Australia. It has the Watagan Mountain range and over 30 kilometres of coastline. As well as that, large parts of the city are prone to temperature inversions in winter. Lake Macquarie Council has commissioned air quality modelling, which shows the predicted extent of pollutant movement throughout the city.

In one round of modelling where extensive ground level pollution was observed around Eraring power station, as well as a mining cluster in Teralba, pollutant movement was not predicted to cross to the location of the Wyong monitoring station. This shows that the Wyong air quality monitoring station may not be adequately assessing ambient ground-level air pollution levels in the City of Lake Macquarie as it was intended to do. It is not doing what it was thought it would do—that is, to allow for air quality monitoring of an area which is known to have some of the highest air pollutant emissions in the greater metropolitan region. These pollutants cause irritation of the eyes, respiratory tract and lungs and increased rates of asthma and respiratory tract and lung diseases. For those reasons, and to ensure the health of the good people of my city, I support the excellent motion moved by the member for Lake Macquarie.

**Mr ADAM CROUCH** (Terrigal) [12.51 p.m.]: The motion moved by the member for Lake

Macquarie is supported by the Government, with the amendments moved by my colleague the member for Upper Hunter to the first and the third dot points. I acknowledge the great work done by the member for Lake Macquarie, his longstanding interest in air quality and his commitment to resolving environmental protection issues in his electorate. I also acknowledge the contribution made in this debate by the member for Charlestown. Air quality in the Hunter Valley is a priority for the Government and the Hunter community. The New South Wales Government is committed to providing the community with information on air quality in its region.

Since April 2011 the New South Wales Government has delivered many key actions to improve our understanding of air quality in New South Wales. These actions include expanding New South Wales air quality monitoring by, first, completing the 14-station Upper Hunter Air Quality Monitoring Network; secondly, establishing new monitoring stations at Wyong and Camden as outlined previously, with Wyong activated in 2012; thirdly, commissioning the Newcastle Local Air Quality Monitoring Network, opening new monitoring stations at Mayfield, Carrington and Stockton; and adding additional PM2.5 monitors to the network at Newcastle, Rozelle, Prospect, Kembla Grange, Albion Park South and Tamworth. This brings the New South Wales air quality monitoring network to a total of 43 stations across the State. Of these stations 21 are located in the Hunter Valley and Central Coast.

In addition to expanded monitoring, the Government has delivered additional detailed research into particle pollution in the Hunter region. The Government completed the Upper Hunter fine particle characterisation study which provided new insights into fine particle sources impacting on air quality in Singleton and Muswellbrook. Complementing this study, the Government is also delivering the Lower Hunter particle characterisation study, which will provide definitive evidence on major sources contributing to fine particle pollution in the region. Importantly, this study will also provide valuable information on air quality in the Lake Macquarie region.

This combination of long-term government-funded air quality monitoring, industry-funded monitoring and air quality research provides a robust evidence base to inform actions to improve air quality. This evidence enables the Government to design targeted, cost-effective policies and programs to improve air quality and ensures that the people of New South Wales are getting the best value from the Government's investment in air quality management. However, we need to ensure that we continually assess that our monitoring programs remain effective.

I am pleased that the Minister has committed to a review of the principles and requirements of air quality monitoring in New South Wales. This review will be conducted by the Environment Protection Authority and the Office of Environment and Heritage, as outlined by the member for Upper Hunter. This work will focus on the Government's ambient air quality network, and the industry-funded, government-operated air quality monitoring networks in the Upper Hunter and Newcastle local areas. The review will test whether current New South Wales Government monitoring is meeting the priorities of the Government and the objectives of the National Environment Protection (Ambient Air Quality) Measure.

The review will also assess whether the government-operated networks are meeting the needs of the community. The review will be guided by a technical advisory panel that will include: a representative from the Office of the Chief Scientist and Engineer, experts from the fields of air quality and environmental health research, an air quality monitoring practitioner from another State and an expert in community engagement. The review will be completed by mid-2016 and the findings made publicly available. The New South Wales Government takes the issue of air quality very seriously. We have acted to protect the environment and the health of New South Wales residents. The Government looks forward to continuing work with the member for Lake Macquarie to address the concerns that his constituents have about air quality in their electorate.

**Ms SONIA HORNERY** (Wallsend) [12.55 p.m.]: The New South Wales Government opened a new air-quality monitoring station at Wyong in December 2012. According to the *Newcastle Herald*, it measures oxides of nitrogen, carbon monoxide, particles PM10 and PM2.5, and sulphur dioxide. The

Environment Protection Authority considered air quality recorded at the Wyong station to be "broadly representative" of the wider region. That may be true, but a number of factors may influence air pollution outside the immediate Wyong area for which the station cannot account.

In September 2014 the *Newcastle Herald* reported that a Federal Government environment department report estimated annual health costs of air pollution in Australia at \$11.1 billion to \$24.3 billion—"solely as a result of mortality". Lake Macquarie City Council predicted that the costs of air pollution in the area amounted to a figure between \$95 million and \$205 million. It is no wonder that residents of Lake Macquarie, including along the south-western edge of my electorate, are deeply concerned. I thank the member for Lake Macquarie for moving this worthy motion and I in support it.

The kind of environmental monitoring that the member is calling for really should be part and parcel of mining developments—it should be an ongoing commitment on the part of mining companies and the Government to ensure that mining activities do not have deleterious effects on the surrounding population. That alone should be enough to justify the carriage of this motion. The ongoing concerns of Lake Macquarie residents, including my constituents in Cardiff and Glendale, should be enough to justify the carriage of this motion. As always, however, there is the economic dimension to be considered. Of course, mining is a huge part of the Hunter economy and that is not going to change any time soon.

This motion would not impact on mining or stymie development; it would require an ongoing and active commitment on the part of stakeholders to ensure that communities are kept safe and healthy. It would seem to me, given the annual health costs of air pollution, that establishing an independent air pollution monitor in Lake Macquarie would even be a good cost-saving exercise for the Government. Ensuring that air pollution in Lake Macquarie stays within acceptable limits will help prevent hospitalisations and save the State a great deal of money. Given that the Premier is relying on an expected upward trend in the costs of healthcare provision to underline his argument calling for an increase to the GST, one would expect that this Government would jump at the chance to have fewer health costs and save money for our community.

**Mr GREG PIPER** (Lake Macquarie) [12.59 p.m.], in reply: I thank the members for the electorates of Upper Hunter, Charlestown, Terrigal and Wallsend for their contributions to this important debate. I note that the Minister for the Environment is at the table, and I thank him for being here. As I said earlier, I have raised this matter with the Minister and his predecessors. My motion is not necessarily the be-all and end-all of this matter, nor does it best articulate all the concerns of local residents. In this Chamber today we have had quite a bit of discussion about knocks, mocks, socks and particulates—in particular PM10s and PM2.5s. I acknowledge the staff of the Minister who have engaged with me about this issue. I note that Mr Barry Buffier of the NSW Environment Protection Authority is adamant this matter does not fall within his area of responsibility but rather within the portfolio of Environment and Heritage. I accept that. I am happy for the appropriate government department to step up and take responsibility for what is being sought in this motion.

No member wants to see their local community impacted by poor air quality. I appreciate the comments of the member for Upper Hunter and the member for Terrigal, but the member for Charlestown and the member for Wallsend are well aware of the physical and demographic characteristics of the area. Deploying a small number of ambient air monitors, particularly for particulates over a 12-month period, would hopefully confirm the accuracy of industry-gathered data or direct our attention to any anomalies that might show up. Either way, it would be a good outcome for residents within the vicinity of coal industry activity in the area.

With this motion I am calling on the Government to give priority consideration to extending the network of the NSW Environment Protection Authority air quality monitors in the lower Hunter to Lake Macquarie. Given the historic and ongoing level of coal-related activity, I cannot see how the Government could think that is unreasonable. I appreciate the Government's engagement with me, but I cannot accept the amendment because it does not go far enough. I had hoped the Government might say that rather

than deploying a full-time monitoring process, it would run one for a fixed period.

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

**The House divided.**

**Ayes, 40**

Mr Anderson	Ms Goward	Mr Sidoti
Mr Aplin	Mr Gulaptis	Mrs Skinner
Mr Ayres	Mr Henskens	Mr Speakman
Mr Baird	Ms Hodgkinson	Mr Taylor
Ms Berejiklian	Mr Johnsen	Mr Toole
Mr Brookes	Mr Maguire	Mr Tudehope
Mr Conolly	Mr Marshall	Ms Upton
Mr Crouch	Mr Notley-Smith	Mr Ward
Mrs Davies	Mr O'Dea	Mr Williams
Mr Dominello	Mrs Pavey	Mrs Williams
Mr Elliott	Ms Petinos	
Mr Evans	Mr Provest	<i>Tellers,</i>
Mr Fraser	Mr Roberts	Mr Bromhead
Mr Gee	Mr Rowell	Mr Patterson

**Noes, 35**

Ms Aitchison	Ms Harrison	Mr Piper
Mr Atalla	Ms Hay	Mr Robertson
Mr Barr	Mr Hoenig	Ms K. Smith
Ms Burney	Ms Hornery	Ms T. F. Smith
Ms Car	Mr Kamper	Ms Washington
Ms Catley	Ms Leong	Ms Watson
Mr Chanthivong	Mr Lynch	Mr Zangari
Mr Crakanthorp	Dr McDermott	
Mr Daley	Mr Mehan	
Mr Dib	Ms Mihailuk	
Ms Doyle	Mr Minns	<i>Tellers,</i>
Mr Greenwich	Mr Park	Mr Lalich
Mr Harris	Mr Parker	Mr Warren

**Pair**

Mr Piccoli

Mr Foley

**Question resolved in the affirmative.**

**Amendment agreed to.**

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

**Motion as amended agreed to.**

**Pursuant to sessional order Orders of the Day (Committee Reports) proceeded with.**

## **PUBLIC ACCOUNTS COMMITTEE**

### **Report: Report on the Parliamentary Budget Office 2015 Post-Election Report**

**Question—That the House take note of the report—proposed.**

**Mr BRUCE NOTLEY-SMITH** (Coogee) [1.14 p.m.]: The work of the Parliamentary Budget Office [PBO] has become an integral part of the conduct of State general elections. The PBO has greatly assisted in the past two elections by providing costings of election policies in response to requests by parliamentary leaders. In doing so, the PBO has increased transparency and public accountability by giving additional assurance to voters about the cost of announced policies and providing independent and informed advice to the major parties. The Parliamentary Budget Officer Act 2010 requires that the Parliamentary Budget Office submit a report to the Public Accounts Committee soon after State general elections. This ensures accountability of the PBO to Parliament. It provides the means for the office to report on its operational arrangements and the effectiveness of its interactions with the major parties.

The committee received and tabled the Parliamentary Budget Office report in June this year, before distributing it to the major parties and key government agencies for their comments and feedback. This subsequent report of the Public Accounts Committee is the committee's first report tabled in the Fifty-sixth Parliament and represents a continuation of its examination of the work of the PBO. Although the Parliamentary Budget Office reports to the committee, there is currently no direct requirement for the Government to consider its recommendations. The committee therefore considers it necessary to advocate on behalf of the Parliamentary Budget Office. It is important that the recommendations and work of the previous PBO are heeded by the Government and that measures are taken to improve the capacity of the Parliamentary Budget Office to assist in the conduct of future New South Wales elections.

The committee notes that the Parliamentary Budget Office was generally satisfied with the process of costing policies and reporting on the aggregate impact of those policies on budget impact statements. The PBO reported that costings were reliable, accurate and produced within the required time frames. Both parties made extensive use of the PBO to cost different options, helping them to choose the most cost-effective policies to put to voters. The Parliamentary Budget Office concluded that its processes were successful and enhanced the State's reputation for transparency and good governance.

The PBO made a number of recommendations, highlighting areas that require continued improvement. Broadly, the office recommended that: sections of the Parliamentary Budget Officer Act 2010 be amended to further clarify its operations and to promote better practice; parliamentary leaders be encouraged to submit earlier costings to enable more comprehensive scrutiny; improvements be made to the response times of government agencies in meeting information requests; and the Parliamentary Budget Officer Act 2010 be amended to require the disclosure of decisions taken between the half-yearly budget update and the caretaker period. After reviewing the report and considering additional feedback, the committee agreed to endorse all recommendations made in the "Report on the Parliamentary Budget Office 2015 Post-election Report". The recommendations aim to further ensure that the costed policies deliver optimal outcomes in the most cost-effective way. The committee now seeks a formal response from the New South Wales Government to the Parliamentary Budget Office recommendations, findings and observations.

The committee thanks the Parliamentary Budget Officer, Mr Stephen Bartos, and his team for their excellent work. Both the Government and the Opposition appreciated the quality and timeliness of

advice received throughout the election campaign. I thank my fellow members of the Public Accounts Committee and the committee staff for their valued contributions and assistance in reviewing the work of the Parliamentary Budget Office. In particular, I thank Bjarne Nordin for his wise counsel. The committee looks forward to the Government's response to the recommendations in the Parliamentary Budget Office report.

**Mr MARK TAYLOR** (Seven Hills) [1.18 p.m.]: As deputy chairperson of the Public Accounts Committee, I commend this report to the House. The Parliamentary Budget Office [PBO] plays an indispensable role in promoting transparency in this place. It is a crucial resource for all sides of politics. The independence and integrity of the Parliamentary Budget Office sets a fine example for everyone in this place in their standards of work. This is the first time that the Public Accounts Committee has examined the operations of the PBO and, as such, the committee determined that it would table the PBO report and make it more generally available. The committee provided important insight into the report's conclusion when it stated:

While there is a requirement for the Parliamentary Budget Officer (PBO) to submit its report to the Public Accounts Committee, there is currently no formal accountability process for the NSW Government to consider or respond to its recommendations.

The Committee is of the view that the recommendations, findings and observations of the PBO warrant consideration by the NSW Government, which should examine how the role and operation of the PBO could be strengthened for future NSW general elections.

The Committee endorses the recommendations of the PBO and calls on the NSW Government to implement these. The Committee also notes the other findings and observations of the PBO, which provide the basis for further consultation with relevant NSW Government agencies. This would result in either policy decisions or administrative changes to aid and improve the capacity of the PBO to undertake its role.

The PBO's report was well received by New South Wales government agencies, and this speaks to the great work of Mr Bartos and his staff. The PBO's post-election report has been roundly endorsed and this place is more accountable as a result of its work. It is extraordinarily important that as members of this place we recognise organisations like the PBO that promote the type of honesty and accountability that the public expect of us. Whilst many outside this place sometimes lament a loss of credibility in politics, it is organisations like the PBO that give strength to the view that everyone in this place shares: that politics is a force for good. I commend the report to the House.

**Mr MICHAEL DALEY** (Maroubra) [1.21 p.m.]: In contributing to this take-note debate I join Government members in congratulating and thanking the Parliamentary Budget Office [PBO], and particularly the Parliamentary Budget Officer, Stephen Bartos, for their work during the election campaign. The PBO was established as a permanent office by the former Government before the March 2011 election. It was most unfortunate that this Government, under former Premier Barry O'Farrell, sought to change the nature of the PBO. Members of the Federal Parliament of every political colour say that a permanent PBO is a very valuable resource. Members can use it to have their ideas costed and tested and to have the claims of the Government, the Opposition, the crossbench, The Greens and Independents subject to the rigours of government. A permanent Parliamentary Budget Office can test the veracity of costings, valuations and the like at all times of the year.

The member for Seven Hills mentioned accountability, transparency and furthering confidence in democracy. It was a real blow to those principles when then Premier O'Farrell confined the PBO in this place to testing only the costings of the two parliamentary leaders and only at election time. This place would benefit from its re-establishment as a permanent office. I understand that governments of the day do not like those sorts of mechanisms and Oppositions do. But if one takes the long-term view that those sorts of principles are extremely important—and they are; transparency and accountability are of the



utmost importance—I firmly believe all the information that is held by a government, unless it is strictly Cabinet-in-confidence, should be released publicly.

Ultimately it goes to the bedrock of taxation payments, and that information is owned by the citizens of New South Wales. Information should be withheld from the public only rarely and, without being overtly political, this Government is not sharing information. For example, as recently as this morning the Treasurer refused once again to outline the cost of the Government's appeal against the Australian Energy Regulator's ruling. It is a simple cost, but the Treasurer, the Minister for Finance and the Minister for Industry, Energy and Resources have all refused to answer the question. That is why a Parliamentary Budget Office is needed. I note that during the election campaign the Opposition submitted to the PBO every single one of the policies it announced.

The Government submitted only 38 of its more than 100 promises and instead relied on advice from its departments. That is in contravention of the legislation and certainly not within the spirit of it. I believe members of the Public Accounts Committee as it is currently constituted, and even those who served on the previous committee, know in their hearts that the PBO does a good job and that we should continue to work together to further transparency and accountability in this Parliament for the long-term interests of the people of New South Wales.

**Question—That the House take note of the report—put and resolved in the affirmative.**

**Report noted.**

#### **LEGISLATION REVIEW COMMITTEE**

##### **Report: Legislation Review Digest No. 7/56**

**Question—That the House take note of the report—proposed.**

**Mr MICHAEL JOHNSEN** (Upper Hunter) [1.25 p.m.]: I thank members for the opportunity to comment on the seventh digest of the Fifty-sixth Parliament prepared by the Legislation Review Committee. A total of three bills were introduced in the sitting week commencing 15 September and the committee commented on all of them. The committee made further comments on a number of regulations published during September. With regard to the committee's functions with respect to regulations, I remind the House that under section 9 of the Legislation Review Act the committee is to consider all regulations whilst they are subject to disallowance. During September numerous principal statutory rules were made and a number of these prompted comment by the committee. They included the Adoption Regulation 2015, the Children (Detention Centres) Regulation 2015, the Drug Misuse and Trafficking Amendment (Methylamphetamine) Regulation 2015, the Electricity (Consumer Safety) Regulation 2015 and the Public Health Amendment (Contact Tracing) Regulation 2015.

I turn now to the first bill considered by the committee, the Fair Trading Amendment (Information about Complaints) Bill 2015. This bill gives the Commissioner for Fair Trading the power to publish information about complaints received by the commissioner. Such information will include the identity of the persons or businesses and the number of complaints that have been made. The publication of information extends to complaints made before the commencement of the bill. The committee commented that publishing such information may impact upon an individual's right to privacy. The committee also commented on the retrospective application of the bill. The committee noted that when introducing the bill the Minister stated that the complaints register has the support of the NSW Information and Privacy Commissioner and that a discussion paper seeking options for the introduction of a complaints register was released recently. As such, the committee made no further comments on this issue.

The second bill considered by the committee was the Limitation Amendment (Child Abuse) Bill

2015. This is a private member's bill that was introduced in the other place. The bill seeks to remove any limitation period applying under the Act to a cause of action for damages that relate to death or personal injury resulting from child abuse. The bill has retrospective application, and the committee will always be concerned when legislation operates retrospectively. However, given that the provisions of the bill are for the benefit of victims and survivors of child abuse, the committee made no further comments.

The third bill reviewed by the committee was the Local Government Amendment (Councillor Misconduct and Poor Performance) Bill 2015. This bill is aimed at addressing councillor misconduct and poor performance. The bill introduces provisions that disqualify a person from holding civic office if they have been suspended for misconduct. The bill provides that any suspensions occurring before the commencement of the Act will count towards the ability to disqualify a person. The committee noted this retrospective application. However, it concluded that the objectives of the bill of improving the behaviour standards of people elected by their communities outweighed any adverse impact upon an individual's rights.

The bill also provides that, in certain circumstances, a departmental report can be prepared detailing a councillor's misconduct without any requirement for an investigation. One circumstance in which this can occur is when the departmental chief executive considers it appropriate to do so. The committee commented on the wide discretion available for the preparation of a departmental report and referred to Parliament the question of whether this makes a right, liberty or obligation unduly dependent upon insufficiently defined administrative powers. The committee also commented that the bill removes the right of appeal to the NSW Civil and Administrative Tribunal against disciplinary action comprising counselling or reprimanding a councillor.

The committee considered that removing this avenue of appeal may make a right unduly dependent upon a non-reviewable decision. That concludes my remarks on this week's digest. I remind members that the digest is a good resource for members who wish to participate in legislative debates. The committee staff work hard to ensure each bill is reviewed and reported on within days of its introduction. I pass on my thanks and appreciation to the committee staff. I commend the digest to the House.

**Mr DAVID MEHAN** (The Entrance) [1.30 p.m.]: On behalf of the Labor Opposition, and as a member of the Legislation Review Committee, I will add a few comments to this debate. On behalf of the committee I thank the staff, who do a great job supporting the committee from week to week. The Chair has already reported that the committee has commented on all the legislation brought before the House in the past week. The committee made its comments against the five criteria set out in the Act by which it is required to scrutinise each bill that comes before this House. The comments are generally for the information of the House and provide guidance to those who will be drafting legislation as to whether the legislation will comply with the requirements of the Legislation Review Act. The comments are useful from that point of view.

The committee likes to exercise a higher purpose. From time to time the committee will refer to Parliament a question on an item in a bill. Arising from its meeting this week—and mentioned in the latest digest—the committee referred two questions to Parliament on the Local Government Amendment (Councillor Misconduct and Poor Performance) Bill 2015. The committee noted the wide discretion given to the departmental Chief Executive to arrange for a departmental report to be prepared without an investigation, in particular whenever the departmental Chief Executive considers it appropriate to do so. The committee referred to Parliament the question of whether this makes a right, liberty or obligation unduly dependent upon insufficiently defined administrative powers. The committee also noted that the Local Government Amendment (Councillor Misconduct and Poor Performance) Bill sought to remove a right of appeal against certain types of disciplinary action. The committee referred to Parliament the question of whether the provision made a right, liberty or obligation unduly dependent upon a non-reviewable decision.

If the committee is to have any useful purpose, when it refers matters to Parliament for consideration, at the very least it would be good manners for the Minister, in his reply, to refer squarely to the comments made by the committee and address those matters in the reply. It would be appropriate for the House more generally to address the committee's comments, but at the very least it would be good manners for the Minister to squarely address the matters referred to the Parliament. The Minister did not do that yesterday in his reply. The House should perhaps give some thought to this matter when considering the reports of the committee and the important work that the committee does in reviewing legislation.

**Question—That the House take note of the report—put and resolved in the affirmative.**

**Report noted.**

*[Temporary Speaker (Ms Melanie Gibbons) left the chair at 1.34 p.m. The House resumed at 2.15 p.m.]*

## **VISITORS**

**The SPEAKER:** Order! I extend a warm welcome to the student leaders, teachers and parents from Eastwood Primary School, St Anthony's Primary School, Truscott Street Primary School, Ermington Primary School, Epping Boys High School and Marist College Eastwood in the gallery today. They are here as guests of the Minister for Innovation and Better Regulation and member for Ryde.

## **BUSINESS OF THE HOUSE**

### **Notices of Motions**

**Government Business Notices of Motions (for Bills) given.**

## **QUESTION TIME**

*[Question time commenced at 2.18 p.m.]*

## **WESTERN SYDNEY TAFE**

**Mr LUKE FOLEY:** My question is directed to the Premier. With double-digit youth unemployment across Western Sydney, will the Government reverse its decision to sack 70 teachers from Western Sydney TAFE?

**Mr MIKE BAIRD:** I thank the Leader of the Opposition for his question. I know that there is a focus—and it is unusual because the people of the State will notice that, all of a sudden, the Opposition has moved off the socialist objective and started, for some reason—

**Mr Michael Daley:** That's a strong opening.

**Mr MIKE BAIRD:** I know the member is against it as well. Those opposite are focused on the TAFE sector. What the Government is accomplishing in the TAFE sector and the VET sector, more broadly, is something of which we are very proud. Why do we need a strong VET sector? We need a strong VET sector because it provides a pathway for our kids into education and into employment. We are happy to do that across a range of measures.

**Mr John Robertson:** Point of order: My point of order is Standing Order 129, relevance. The question is specific; it is about job losses at Western Sydney TAFE.

**The SPEAKER:** Order! I am sure the Premier will get around to it.

**Mr MIKE BAIRD:** It is interesting that with the emergence of the Sensibles and the neo-Terrigals, all of a sudden the member for Blacktown is back in the game. He has started appearing—he is back in the game. Welcome back, Robbo.

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

**Mr MIKE BAIRD:** The important point on the TAFE sector—I know those opposite are focusing on it and putting around mistruths and trying to create scare campaigns.

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

**Ms Prue Car:** Point of order—

**The SPEAKER:** Order! It is early for a point of order; I just ruled on relevance. Does the member have a new point of order?

**Ms Prue Car:** It is the same—Standing Order 129.

**The SPEAKER:** Order! The member will resume her seat. I call the member for Londonderry to order for the second time.

**Mr MIKE BAIRD:** I do not know if those opposite want an answer. We are determined to support the VET sector—and we are doing that—ensuring we deliver it in a way that provides the most opportunities for the most students in this State. What those opposite do not understand is that—

**The SPEAKER:** Order! I call the member for Londonderry to order for the third time.

**Mr MIKE BAIRD:** —as we find savings across the sector, we are investing those back into the sector to provide more opportunities for students. That is what the Government is doing. Those opposite complain about contestability, but have forgotten to tell people that it was their policy in the lead-up to the election. The Opposition had a policy of 30 per cent contestability.

**The SPEAKER:** Order! The member for Londonderry will remove herself from the Chamber for the rest of question time. If interjections continue, more members will follow her. Members will cease interjecting and shouting at the Premier.

*[Pursuant to sessional order the member for Londonderry left the Chamber at 2.21 p.m.]*

**Mr MIKE BAIRD:** The Government is committed to the VET sector and is thankful for the work across all our TAFEs in the State, including Western Sydney, and we are determined to provide—

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

**Mr Edmond Atalla:** Point of order: My point of order relates to Standing Order 129, relevance. Premier, Mount Druitt TAFE is losing—

**The SPEAKER:** Order! There is no point of order. The member for Mount Druitt will resume his seat.

**Mr Edmond Atalla:** —the paint and panel workshop next year.

**The SPEAKER:** Order! I call the member for Mount Druitt to order for the first time. The member for Mount Druitt will resume his seat.

**Mr Edmond Atalla:** What will the Premier do about it?

**The SPEAKER:** Order! The member for Mount Druitt will resume his seat. I call the member for Mount Druitt to order for the second time. I call the member for Mount Druitt to order for the third time.

**Mr MIKE BAIRD:** That was good. I quite like that.

**The SPEAKER:** Order! I asked the member for Mount Druitt to resume his seat no fewer than three times. He is now on three calls to order. If the Speaker asks a member to resume their seat I expect them to do so. Do not argue with me. That is about the worst thing you could do, as older members could attest. This is a really poor start, with so many students in the gallery. I call the Leader of the Opposition to order for the first time. I call the member for Blacktown to order for the second time. I call the member for Blacktown to order for the third time.

**Mr MIKE BAIRD:** I thank the member for Mount Druitt for this contribution. We are committed to the VET sector and will do all we can to support that sector which will provide more jobs for our kids.

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

### **STATE ECONOMY**

**Mr GREG APLIN:** My question is addressed to the Premier. How is the New South Wales economy driving employment growth, providing confidence to the private sector and consumers across the State?

**Mr MIKE BAIRD:** This is a great question from a great member from a great regional city. He is determined to lead jobs growth in his city and across the State, and that is exactly what is being done in New South Wales. Those opposite have talked about the need for skills that will help drive jobs, so we will continue to do exactly what we are doing in New South Wales. Recently a great set of results was published which the Opposition missed because it was not focused on it. I think everyone in this Chamber would have noticed that New South Wales is the most optimistic State in the nation. There are lots of optimists on this side of the Chamber and not so many on the other side, and lots of optimists across New South Wales.

**Dr Hugh McDermott:** Point of order—

**The SPEAKER:** Order! I am surprised the member for Prospect is taking a point of order because very few members of the Opposition have been listening to the Premier.

**Dr Hugh McDermott:** My point of order is under Standing Order No. 73. The Premier is saying that members of the Opposition have no optimism, but we do.

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

**Mr MIKE BAIRD:** Watch out, the member for Prospect is also in town. We have Robbo and the member for Prospect here. The unemployment figures have been published and the good news is that New South Wales at 5.9 per cent is the lowest in the nation, which is great news for the people of New South Wales, as we continue to drive jobs in this State. The Standard & Poor's credit rating praised the New South Wales Government for very strong financial management under our Treasurer. I am sure the shadow Treasurer gave her a big tick.

**The SPEAKER:** Order! I call the member for Maroubra to order for the first time. He will cease interjecting.

**Mr MIKE BAIRD:** Since this Government came to office 250,000 jobs have been created in New South Wales.

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

**Mr MIKE BAIRD:** We actually believe in the people of New South Wales. We believe in our businesses across the State and that to employ people and invest in growth from good policy leads to that sort of outcome.

**The SPEAKER:** Order! I call the member for Prospect to order for the second time. The member for Prospect will remove himself from the Chamber for the remainder of question time.

*[Pursuant to sessional order the member for Prospect left the Chamber at 2.26 p.m.]*

**Mr MIKE BAIRD:** The member for Rockdale is really one of us as he believes in good policy which helps to drive jobs. We are interested in renewing and investing in more jobs to go to every single part of New South Wales and the great news for this Chamber, and indeed this State, is that the people of New South Wales will benefit from a bill that has gone through the House that will enable that to happen. Unfortunately, as we are about revitalising the city of Newcastle—connecting the wonderful harbour to the beautiful beaches; an unbelievable opportunity—the member for Newcastle is against it. He said in this Chamber he wants fewer jobs and less investment in Newcastle. I do not understand why.

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

**Mr MIKE BAIRD:** Members, hands up if you want more investment, more jobs and more employment. The Greens want it. Everyone wants it. Just Crackers does not want it.

**The SPEAKER:** Order! Members are setting an extremely poor example for school students who are in the gallery. They will witness many more members being asked to leave the Chamber, and I apologise to them for that. It is not normally like this—just every second day. The behaviour of the member for Balmain is unlike him. He is the teacher's pet.

**Mr MIKE BAIRD:** I welcome the school students to the Chamber. I will share with them what people in Newcastle are saying. Gary said, "Finally something good is coming to Newcastle". Sam said, "This is a great day for Newcastle—victory."

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

**Mr MIKE BAIRD:** Bill said, "I've never been more proud to be a Novocastrian".

**The SPEAKER:** Order! All members who are on one or two calls are deemed to be on three calls to order.

**Mr MIKE BAIRD:** And good old Russ said, "Hooray! Finally sanity has prevailed."

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

**Mr MIKE BAIRD:** While we are getting on with investing and revitalising the great city of Newcastle we are also doing it across New South Wales.

**The SPEAKER:** Order! I place the member for Bankstown on three calls to order.

**Mr MIKE BAIRD:** That is what the people of this State want to see.

**The SPEAKER:** Order! The member for Newcastle will remove himself from the Chamber until the end of question time.

*[Pursuant to sessional order the member for Newcastle left the Chamber at 2.29 p.m.]*

**Mr MIKE BAIRD:** They want to see more jobs and see less of the member for Newcastle.

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

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

**Mr MIKE BAIRD:** It is only appropriate that I finish this off. I am sorry to see the member for Newcastle go, but the great news is that we have got the good one here. She is the good member for Newcastle who actually backed in light rail and investment. That is exactly what the people of Newcastle want. It is not too late. The member for Strathfield can go back to being the member for Newcastle. That is what people want.

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

**Mr MIKE BAIRD:** We are proud to be delivering more jobs and investment across New South Wales. It is another great result under the stewardship of our Treasurer, Gladys Berejiklian.

**The SPEAKER:** Order! I call the member for Port Stephens to order for the second time. She will cease interjecting.

**Mr MIKE BAIRD:** Good results, good numbers and good jobs are what this Government continues to deliver for the people of New South Wales.

### **SOCIAL HOUSING**

**Ms TANIA MIHAILUK:** My question is directed to the Minister for Social Housing. Given that he has direct ministerial responsibility for increasing the stock of social housing across the State, why has he opposed additional social housing in his own backyard?

**The SPEAKER:** Order! Members will come to order. The Minister has the call.

**Mr BRAD HAZZARD:** What a great question. Let me explain something for the students in the gallery. In New South Wales we have 60,000 people on a waiting list for social housing.

**Mr Edmond Atalla:** Point of order: The Minister should address his comments through the Chair.

**The SPEAKER:** Order! I uphold the point of order. The Minister will address his comments through the Chair. The Deputy Premier will come to order.

**Mr BRAD HAZZARD:** Every year for the 16 years that the Labor Party was in government we lost 900 social houses.

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

**Mr BRAD HAZZARD:** That was because members opposite were so incompetent that eventually they got booted out of the place. In the meantime, nearly 10,000 social houses had been sold off. Now the member stands up as the shadow Minister and suggests that we are doing less than them. That is

impossible. What a total hypocrite.

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

**Mr BRAD HAZZARD:** This Government is committed to making sure that it rights the wrongs of the Labor Party.

**Ms Linda Burney:** Point of order—

**Mr BRAD HAZZARD:** The member for Canterbury—no, I won't say it.

**Mr Luke Foley:** Go on. Say it, Brad. You know you want to.

**Mr BRAD HAZZARD:** Actually I would like to say a few things about the Leader of the Opposition, but there is nothing worth saying.

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

**Ms Linda Burney:** The question was specifically about the Minister's electorate and his direct ministerial responsibilities.

**The SPEAKER:** Order! I uphold the point of order. The Minister will return to the leave of the question.

**Mr BRAD HAZZARD:** I was working my way up to it; I just wanted to set the scene so that those in the gallery could understand the hypocrisy in the question from the Labor Party. This Government has indicated publicly that it is very committed to increasing social housing.

**The SPEAKER:** Order! I remind the member for Bankstown that she is on three calls to order. I remind all members who have been called to order that they are deemed to be on three calls to order.

**Mr BRAD HAZZARD:** The Premier signed a memorandum of understanding with Infrastructure Partnerships and the NSW Council of Social Service [NCOSS] and has indicated that we are committed to building \$1 billion worth of social housing. We are doing everything possible to build more social housing and trying to right the wrongs that were wrought upon those waiting for public housing. Having said that, as we go about building affordable housing we also have to comply with the planning laws of this State. The member for Bankstown may know about the State Environmental Planning Policy [SEPP]. Although during my period as planning Minister I doubt very much if there was a single person on the other side who knew the first thing about planning.

**The SPEAKER:** Order! The member for Maroubra will come to order. I remind him that he is on three calls.

**Mr BRAD HAZZARD:** That includes the Leader of the Opposition, who arrived as a Johnny-come-lately and indicated a paucity of knowledge about planning issues.

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

**Mr BRAD HAZZARD:** The issue is simply that in every area where we are building affordable housing we have to comply with the planning laws under the Environmental Planning and Assessment Act.

**The SPEAKER:** Order! The member for Canterbury will come to order. I remind the member for



Charlestown that she is on three calls to order.

**Mr BRAD HAZZARD:** The affordable housing SEPP contains certain requirements, one of which is regular transport. It requires that there should be at least one public transport service every hour. I think Opposition members are talking about Cromer, but who knows. In that area the issue from the local residents—

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

**Mr BRAD HAZZARD:** Quite rightly, local residents have raised issues as to whether or not the particular site complies with the affordable housing SEPP.

**The SPEAKER:** Order! I again remind the member for Bankstown that she is on three calls to order.

**Mr BRAD HAZZARD:** On behalf of my constituents I wrote that letter and I would do it again today. That is because it is proper that we comply with the planning laws as we go about delivering the affordable housing SEPP. Unfortunately, members opposite got rid of 10,000 social houses. What a bunch of hypocrites.

## REGIONAL JOBS

**Mr ANDREW FRASER:** My question is addressed to the Deputy Premier. How is the New South Wales Government assisting jobs growth in regional economies?

**Mr TROY GRANT:** I thank the member for Coffs Harbour for his question.

**Ms Noreen Hay:** You wrote it.

**The SPEAKER:** Order! I call the member for Wollongong to order for the first time. Members who have only recently been called to order for the first time are now deemed to be on three calls to order. I remind all members who have been called to order that they are now deemed to be on three calls to order.

**Mr TROY GRANT:** For the kids in the gallery, that over there is what is called the naughty corner in a school classroom.

**The SPEAKER:** Order! The member for Keira will remove himself from the Chamber until the end of question time.

*[Pursuant to sessional order the member for Keira left the Chamber at 2.36 p.m.]*

**Mr TROY GRANT:** The member for Coffs Harbour is enjoying many new jobs in his region. On the mid North Coast a boom of more than 7,000 jobs has been created in the past year. Yesterday in this place the member for Oxley, which is the neighbouring electorate, spoke about the boom in jobs across the mid North Coast and underpinned why the mid North Coast is one of the State's strongest regional areas for job gains. That has only been achieved through hard work and decades of dedications by members of The Nationals North Coast team. I congratulate every one of them who persevered against 16 years of incompetence and neglect on the North Coast.

In only five years, in partnership with the Federal Government, we are pumping billions of dollars into the Pacific Highway. That has created thousands of jobs along that corridor on the coast. The member for Coffs Harbour has been an instrumental leader in advocating for that investment. The reason for his passion is that the lack of investment by members opposite costs lives. We are dealing with that

issue through this investment. I am enormously proud to be the leader of The Nationals representing regional New South Wales and the wonderful communities along the North Coast with my great team. There is no better time to be doing that than when the New South Wales regional economy is leading the nation. Our regions are worth \$138 billion, and confidence is continuing to increase.

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

**Mr TROY GRANT:** That confidence has been built on the back of the wonderful infrastructure program that the Government has delivered not only on the North Coast but also in Sydney and the rest of New South Wales. This is a Government focused on delivering better infrastructure and better services throughout regional and rural communities. I congratulate the Minister for Regional Development on the contribution he is making in this area. He is passionate. He is working hard to make his contribution to increasing the population and job opportunities in regional New South Wales. I take this opportunity to offer him my congratulations on behalf of the New South Wales Nationals' family on the arrival of Sophia Grace Barilaro, who was born yesterday. I am very humbled to be her godfather, and I welcome her as the newest member of The Nationals. I am looking forward to telling her parents about that arrangement as soon as I get back on the phone.

An additional 30,000 jobs were created in regional New South Wales in the past year alone. I thank the Premier, the Treasurer and the like for their leadership and the Jobs for NSW Bill 2015. This is a policy and legislative base opposed by those opposite. They oppose the creation of jobs in a focused and dedicated way. This bill will deliver real job creation opportunities. This side of the Chamber has brought forward legislation with a policy foundation and a structure to create jobs. All those opposite said they do not want jobs for regional New South Wales and voted against the bill. We are proud of our achievements. This jobs bill will definitely deliver for the communities of regional and rural New South Wales.

**The SPEAKER:** Order! The member for Lakemba can leave the Chamber if he is not interested in hearing from the Minister. It is his choice. The member for Maitland will come to order; she has been so good up until now that she has not even been called to order.

**Mr TROY GRANT:** The schoolchildren in the gallery today, and those kids in regional New South Wales, know that their parents want a lot for them.

**The SPEAKER:** Order! There are too many audible conversations in the Chamber.

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

**Mr TROY GRANT:** One of the most important things that parents want for their kids, particularly parents in regional New South Wales, is a bright future; and that future has to be associated with a job. We on this side of the Chamber are intent on creating those jobs of the future for the students in the gallery today and kids across New South Wales. The latest figures from the Australian Bureau of Statistics show that our regions are the strongest in the country, which is something we are very proud of. They will continue to benefit from growth as we continue to invest, which is absolutely our intention.

One example of this is the renewal of the 30-year-old XPT fleet with faster, safer and more reliable trains. I cannot overstate the importance of tourism to regional New South Wales. I congratulate the Minister for Trade, Tourism and Major Events on his strong support for regional tourism and the investment that continues to flow in the regions. The good Minister is investing \$110 million in the Regional Tourism Infrastructure Fund for critical visitor economic infrastructure, such as regional airports and cruise terminals. We are on track to double overnight visitor stays and expenditure by 2021. We are doing more to support our regions so they can do business and create wealth to support the community.

We have fast-tracked the duplication of the Pacific Highway, as I alluded to earlier. We are

investing to support initiatives that will create jobs, drive economic growth and deliver services for the sons and daughters of regional New South Wales—something they were long denied by those opposite when they were in government. We are absolutely focused on delivering prosperity for the regions. There is only one way they will get the support they need—that is, via the continued representation by and dedication from this Government and its representatives who care about them and who do not ignore them as those opposite did when in government.

**The SPEAKER:** Order! The member for Wyong will come to order. The member for Rockdale will come to order. The member for Wollongong is on her final warning. The member for Maitland will come to order. An Opposition member is waiting to ask his question.

## **AFFORDABLE HOUSING**

**Mr EDMOND ATALLA:** My question is directed to the Minister for Social Housing. Does the Minister maintain his view, expressed in debate on the State's planning laws, that enshrining affordable housing provisions is an act of class war?

**Mr BRAD HAZZARD:** I congratulate the member for Mount Druitt on actually reading the *Hansard*.

**The SPEAKER:** Order! I cannot hear the Minister. Members will come to order. The member for Mount Druitt will come to order.

**Mr BRAD HAZZARD:** Affordable housing is a challenge for the Government. When we came to government 4½ years ago the greatest challenge we had at that time was to simply get new housing. At the time I became the Minister for Planning the instructions I had were to get this State moving. There were half a dozen Ministers, including the Treasurer who is now the Premier, who sat down with us—

**The SPEAKER:** Order! The member for Maroubra will come to order. He is on his last warning.

**Mr BRAD HAZZARD:** They sat down with us over three years and we actually did get housing going. That is why we now have more housing being produced, and of course a succession of wonderful planning Ministers has continued that task. With the Treasurer's support, we have actually achieved more housing in this State—the highest numbers in five decades. As a result of having more housing coming online, we are able to focus on the affordability of housing; and we have been doing so. As more housing comes online, the great aim is to ensure that housing becomes more affordable at all levels. In addition, we are now looking at ensuring that we have more of what is classified as affordable housing in the more formal sense.

There are two issues here: the affordability of housing more broadly and affordable housing—in the sense of trying to ensure that, in accordance with the affordable housing State Environmental Planning Policy [SEPP] and other concepts around affordable housing, we look at all prospects of getting affordable housing. The answer to the question from the member for Mount Druitt is that, as a Government we have managed to bring us to a point where more housing is being produced than was produced in the past five decades. It is now time to look at every aspect of how to achieve affordable housing. I thank the member for Mount Druitt for his interest in housing today. As I said in answer to an earlier question, we have to achieve more affordable housing across this State but particularly in Sydney, Newcastle and Wollongong.

**Mr Luke Foley:** Nowhere near him.

**Mr BRAD HAZZARD:** It is interesting that the Leader of the Opposition just interjected. The one person who has actually done more to damage affordable housing in this State and getting housing underway is this Leader of the Opposition. He became the shadow Minister for Planning about five weeks

before we introduced legislation into Parliament that we had been working on for three years. Every month I had been to see the then Labor Party leader. He was reasonable and fair in this regard. The shadow Minister was involved in those processes as well. Not once, as we went through the process of getting to legislation that would work—legislation that would actually achieve new planning, more affordable housing and more housing generally—was there any opposition raised by any member of the Labor Party.

This fellow who claims to be the Leader of the Opposition is actually now proclaiming that he thinks we should have higher levels of density. Yet only 18 months ago he stopped the planning legislation that would have brought together councils across the State to work on this. He is a hypocrite and he is incompetent. For him to interject now on affordable housing indicates that he is not only not prepared to ensure that we get more housing but also not prepared to ensure that we get more affordable housing. I can assure the member for Mount Druitt that this Government will continue to reverse the horror of what occurred under 16 years of Labor Government. We will try to ensure that we actually get more housing in this State. We have achieved a lot already. Only three weeks ago an announcement was made about the Ivanhoe estate at Macquarie Park, where there will be a doubling of social housing.

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

**Mr BRAD HAZZARD:** It will include approximately 128 affordable housing units, and of course there will be 600 private housing units. The member for Maroubra is about to take a point of order. I am sure he is going to take one of his normal points of order, which goes nowhere. Those here today will soon see that it goes nowhere.

**Mr Michael Daley:** Point of order: My point of order relates to Standing Order 129, relevance. The question was specifically about enshrining social housing provisions in law. We have not yet heard about that and there are 30 seconds left.

**The SPEAKER:** Order! There is no point of order. The Minister has been relevant to the question he was asked.

**Mr Chris Minns:** They are giving you the wrap up.

**The SPEAKER:** Order! The Minister does not need the help of the member for Kogarah.

**Mr BRAD HAZZARD:** The member was reminding me of a very pertinent point that shows the incompetence of the Leader of the Opposition. I am not going into that today. I will keep it for another day.

### **HEALTH CAPITAL WORKS PROGRAM**

**Dr GEOFF LEE:** Madam Speaker—

**The SPEAKER:** Order! The member for Maroubra has had his last warning. Members will come to order.

**Dr GEOFF LEE:** I address my question to the Minister for Health, Jillian the Builder. How will Western Sydney benefit from the Government's health capital works program?

**Mr Paul Lynch:** Point of order: My point of order relates to standing order No. 75. "Jillian the Builder" is not the Minister's correct title.

**The SPEAKER:** Order! It is not the Minister's correct title, but I will accept a bit of frivolity at this stage. The member for Maitland will come to order. The member for Campbelltown will resume his seat.

**Mrs JILLIAN SKINNER:** I find the ill humour and bitterness of those opposite extraordinary. I thank the member for his question. There can be no better example of this Government's investment in health and the upgrading of hospitals than the major redevelopment of Westmead Hospital. Last week the Premier, the member for Parramatta and the member for Seven Hills joined me in announcing the concept design for the \$900 million redevelopment of Westmead Hospital. Stage one will include an acute services building. It will combine the emergency department, the intensive care unit, operating theatres and ward spaces for adults and children, as well as a new front entrance to the facility. It is a brilliant concept. I thank everyone involved, including NSW Health, the Western Sydney Local Health District, and the 2,500 clinicians who have engaged in discussions as to how this will proceed.

Westmead Hospital is only one example of this Government's investment in health capital works programs in Western Sydney. For example, Blacktown Mount Druitt Hospital received funding of \$312 million last term and \$400 million this term, which makes a total of \$712 million. That hospital has been transformed, with stage one nearing completion. Campbelltown Hospital has been allocated a total of \$433 million, and stage two has been announced for this term. The stage one development of Hornsby hospital—which was one of our first hospitals—has really transformed how its services are provided. Funding of \$200 million has been allocated for the next stage of Hornsby hospital's redevelopment, which makes a total investment of \$320 million. St George Hospital has been allocated \$307 million this term, which makes a total investment of \$348 million. Sutherland Hospital has been allocated total funding of \$73 million.

Regional hospitals have also received investment for health capital works programs. Bega hospital has received funding of \$187 million. The work at that hospital is nearing completion; it is almost ready to open. Last week I visited Byron Bay. The fabulous \$88 million hospital at Byron Bay is nearing completion. I take this opportunity to thank the local member for her comments about that wonderful hospital. Interestingly, 60 per cent of the people working there are locals and 10 per cent of that workforce is Aboriginal. I am very proud of those statistics. Dubbo hospital has been allocated total funding of \$241 million. Funding has also been allocated for the Lismore, Tweed, Forbes and Parkes hospitals. Money has been allocated to Shellharbour Hospital this term and Tamworth hospital has been opened.

**Mrs Melinda Pavey:** Kempsey is being handed over this week.

**Mrs JILLIAN SKINNER:** Kempsey is a very interesting one. In addition to local jobs involved in building those facilities, we are also employing people to work in them. I refer in particular to nurses. We are using the nursing hours per patient day agreement—the award signed up by Labor that we have honoured. Since I have been the Minister for Health we have 4,200 full-time equivalent additional nurses on the payroll. Some 49,000 nurses are now employed in our hospitals. As a matter of interest, of that number almost 400 have been employed in the Western Sydney Local Health District. We have also employed 1,800 additional doctors. This year 980 intern positions have been filled. We have had more nurse graduates and more paramedics.

In fact, since I have been the Minister for Health we have had an increase of 270 paramedics—not the nonsense Labor goes on about. In the context of investment and infrastructure I draw the attention of members to an article in the *Sydney Morning Herald* today under the title "First spinal implant fitted in human". I am very proud of this. I urge members to read the article. The Government invested in this Saluda implant through the Medical Devices Fund and yesterday it was implanted into a human for the first time. I have no doubt that this will be bigger than the cochlear implant.

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

**The SPEAKER:** Order! I thought Opposition members would be interested in this, but apparently they are not. The nature of the interjections and the noise in the Chamber generally is disrespectful.

**Mrs JILLIAN SKINNER:** Clinical trials were required before the commercialisation of this device.

People came to see me about this when I was the shadow Minister for Health. They told me at that time that they would have to take this fantastic product overseas. As I have said, the Government invested in the Saluda implant through the Medical Devices Fund. The device has now gone through 100 clinical trials in the United States and Australia, and it has come through with flying colours. The patient who had this device implanted yesterday said to the media today that his pain, which he had suffered for years, has gone from a level eight—with 10 being the most serious—to a level of two overnight. This product has immense implications for people around the world. I am very proud that the New South Wales Government has made this possible and that this product has been kept in Australia.

### **DUBBO SOCIAL HOUSING RESIDENTS**

**Ms LINDA BURNEY:** I direct my question to the Minister for Family and Community Services, and Minister for Social Housing. What was the reason for a targeted letter being sent to social housing residents in Dubbo ahead of the Aboriginal football knockout weekend, warning them that their visitors could get out of hand and they should call the police?

**Mr BRAD HAZZARD:** I thank the member for her question. I am aware of the letter because I was also somewhat surprised when I saw it. The letter was sent out by the regional office. Departmental officers have told me that a big event was going on in town—

**Ms Linda Burney:** With Aboriginal people.

**The SPEAKER:** Order! I remind the member for Canterbury that she is on three calls to order. The Minister is answering the question.

**Mr BRAD HAZZARD:** The member for Canterbury should not play the race card with me. The member well knows my attitude to this. I would ask her not to suggest that. The member for Canterbury would not tell anyone privately or publically that I am in that space. As I said, I was surprised when I saw the letter. The explanation from departmental officers was simply that they were trying to ensure that people understood that a big event was going on in town and they were trying to head off any difficulties that may have existed for social housing tenants. I agree that one line of that letter—and I have not seen the letter for a week or so now—looked as if it was directed to the local Aboriginal population. I considered that completely unacceptable and I made that point to the department.

I recollect that similar issues occurred when the member for Canterbury was a Minister, and she took steps to ensure that the department understood the sensitivity of those issues. No member in this place would condone activities by our public servants that could be construed in that way. The officers were well intentioned, but they got it wrong. We have to support our public servants. They are on the frontline, trying to do what the Government, the Opposition and the Parliament expect of them. They may not have done it as well as they could have done on this occasion, but they work hard. We should back our public servants.

**The SPEAKER:** Order! I draw the attention of members to the presence in the gallery of Greg Kelly, a former Deputy Serjeant-at-Arms. I welcome him back.

### **LOCAL GOVERNMENT SERVICES**

**Mr BRUCE NOTLEY-SMITH:** My question is addressed to the Minister for Local Government. How is the Government working with councils to deliver the best facilities, the best services and the best value for rates that our communities deserve?

**The SPEAKER:** Order! The member for Cessnock will come to order if he does not want to leave the Chamber.

**Mr PAUL TOOLE:** That is a question from a member who cares about having strong councils in his electorate. The member for Coogee is a former mayor and councillor. He understands that a strong council leads to a strong community. The member for Coogee wants to see the best services, facilities and value for money for the ratepayers in his electorate. This week the Premier and I spoke at the Local Government NSW Annual Conference. We reiterated the need for reform in local government. Evidence over the past four years has indicated the need to improve the financial sustainability of councils in New South Wales. Two-thirds of councils do not have enough revenue to meet expenses. There are 152 councils in New South Wales—twice as many as there are in Victoria and Queensland.

Some council boundaries were drawn up more than 100 years ago. The current system of local government is not working as well as it should. The Opposition ignored it and put it in the too-hard basket for far too long. The Government is reforming local government and strengthening councils across the State. Communities deserve the best services, facilities and value for money. I commend the councils that have shown leadership by embracing change. Those councils have seen the Fit for the Future reform package as an opportunity to achieve a shared vision for stronger councils and communities. Warringah, Waverley, Randwick, Boorowa, Cootamundra, Harden and Young councils have shown leadership by indicating where efficiencies and savings can be made. Those savings can be handed back to ratepayers. That means better services, better facilities and value for money.

Unfortunately, some councils have spent hundreds of thousands of dollars of ratepayers' money on trying to convince their community that the sky will fall if the council boundary changes. As a former mayor of a council that experienced a merger, I can tell members that the community benefited. The merger resulted in additional funding for new facilities and services, and enlivened the community. Over the next 20 years an extra two million people will make Sydney their home. The system of local government is archaic. We must provide houses and jobs, and plan for the future. That is why the Government is fixing the funding problems affecting councils in New South Wales. This week the Government announced a new State borrowing facility, to be managed by TCorp. It is ready to go. This is good news for councils and people across the State. Councils will be able to borrow at a lower interest rate to build the infrastructure that communities need: roads, footpaths, bridges, playgrounds, parks and gardens. These are the things that communities have asked for and have been waiting for.

**The SPEAKER:** Order! The member for Kogarah is on his final warning.

**Mr PAUL TOOLE:** TCorp will offer advice to those councils that need assistance with long-term financial planning. The Government has a vision for a strong system of local government that is professional, flexible and community-based. The Government has a vision for a system of local government that willingly embraces new ideas, works with neighbours and works in partnership with the State to deliver better services and facilities for the people of New South Wales. Councils and their communities will pay the price of inaction. Four years of research, consultation and review have confirmed the need for change. It is time to make that happen. Let us take the opportunity to strengthen local government and local communities, and let us do it together.

### **SHARK MITIGATION TECHNOLOGIES**

**Ms TAMARA SMITH:** My question is directed to the Premier. Will the Government consider trialling ecologically sound, non-lethal shark mitigation technologies on the North Coast?

**Mr MIKE BAIRD:** The Government does not agree with many of The Greens' policies. We do not agree on WestConnex and local government reform, but there are some sensible members of The Greens in this House. They are the real Sensibles.

**The SPEAKER:** Order! They do not interject. They do not misbehave. They are not rude and disrespectful like the rest of the members.

**Mr MIKE BAIRD:** The Greens stand by their beliefs and they have policies to reflect that. It is no wonder that they are growing while the Labor Party is not. Labor members have no idea who they are or what they stand for. They are against public transport. No-one can understand what the Labor Party is doing.

**Mr Guy Zangari:** Point of order: My point of order is taken under Standing Order No. 129. The question was about sharks.

**The SPEAKER:** Order! The Premier was making introductory remarks. Do not argue with me. The Premier has the call.

**Mr MIKE BAIRD:** We know that the Government is in trouble when the shadow Minister who says nothing is on his feet.

**The SPEAKER:** Order! The member for Fairfield will remove himself from the Chamber until the conclusion of question time.

*[Pursuant to sessional order the member for Fairfield left the Chamber at 3.07 p.m.]*

**Mr MIKE BAIRD:** I acknowledge the member's question and the difficulty that sharks are causing up and down the coast, but particularly on the Far North Coast. It is a difficult time for the families who have experienced tragedy. It is difficult for businesses and tourism. It has affected people's confidence. The Government understands that. I pay tribute to the affected communities and to the Minister, who is determined to make a difference. He has brought together experts in the field. Around the world, people have noted his leadership in tackling this problem. The Government is proud that he is taking the appropriate action.

Many positive measures were put forward at that summit that could help us along our coastline. I can assure the House that the Minister is finalising his recommendations following the summit. Importantly, before the end of the month, we will announce measures that we will be taking. It is a good news story because of the amount of work that is being done and the options that are there to ensure we do more to protect our coast, which we will do. We will do more to protect our coast and, obviously, in that balance we need to do everything we can to protect human life, which is our focus. We understand that new technologies have benefits in that they help to ensure that the knock-on impacts to marine life are minimised. That is the balance we are looking at achieving but our focus is on protecting life. We clearly have to do that by utilising the measures that are coming forward and we will be proud to make announcements in relation to this before the end of the month.

## **JOBS GROWTH**

**Mr KEVIN CONOLLY:** My question is addressed to the Minister for Industry, Resources and Energy. How are the Government's policies driving strong jobs growth across New South Wales?

**Mr ANTHONY ROBERTS:** I thank the member for his important question and acknowledge and pay tribute to his hard work in promoting jobs in his electorate and around New South Wales. This Government is securing the jobs of today and helping others create the jobs of tomorrow. Under our great Premier we are providing businesses with the confidence to invest and we are creating the environment that will enable workers and talent to flourish. This Government is determined to drive jobs growth, which is why Jobs for NSW is such a game-changer.

We have provided Jobs for NSW with funding of \$190 million over four years, and it is led by one of the most highly regarded business leaders in the nation, and indeed the world, David Thodey. What a fantastic State we have when we have leaders of the calibre of David Thodey putting up their hands to give back to the people of New South Wales. We have also helped industry establish knowledge hubs in



five key economic sectors—medical technology, energy innovation, digital creative, financial services, and transport and logistics. These hubs are driving a culture change as industry, business and researchers explore new ways to collaborate and drive innovation.

Recently I was excited officially to open Stone and Chalk, a home for 41 start-up companies. These outstanding innovators have the potential to turn a brilliant idea into the products and services of tomorrow. They have the courage to take a risk, push the envelope and turn one job into hundreds, if not thousands. Their potential is unlimited and this Government is backing them all the way. New industries are developing which were once only the stuff of science fiction. For instance, in June 2015 a report from the Committee for the Economic Development of Australia stated that up to 40 per cent of Australian jobs—jobs occupied by more than five million people—have a high probability of being replaced by computers within the next 10 to 20 years. The same report shows that if government and industry work together to plan for the future of our economy and our workforce we should have nothing to fear from this change. The report concludes:

In today's globalised economy there is no choice to resist technological advances without forfeiting prosperity.

The Baird-Grant Government is determined to embrace this change and disruption as an opportunity and not a threat. How many of us when growing up had watches that simply told the time?

[Interruption]

One has got to be able to read the time first but I will come back to that. The next generation is using watches that not only tell the time; they check one's heartbeat, answer phone calls and keep one's social media channels buzzing. We have come a long way from the economic vandalism of Labor when, in April 2009, the *Sydney Morning Herald* reported that workers in New South Wales were losing jobs at the rate of 500 a day and that the New South Wales unemployment rate was the worst in Australia. Under Premier Baird we are leading the nation on every economic indicator. Under the great Deputy Premier Grant, rural and regional New South Wales is thriving. Last month the Australian Bureau of Statistics reported that an additional 30,400 jobs were created in regional New South Wales over the past 12 months to August.

I put on the record again that under Jobs for NSW at least 30 per cent of the body's funds will be allocated to regional and rural New South Wales. Under Minister Constance we are embarking on the greatest transport infrastructure program this State has ever seen. Never before have we seen so many cranes on the skyline and men and women in high-vis clothing—not just in Sydney but across rural and regional New South Wales. Our Treasurer today announced that New South Wales has recorded the lowest unemployment rate of any State and that around 123,000 jobs were created in New South Wales through the year to September, accounting for more than half of the jobs added nationally.

**Mr Brad Hazzard:** How many?

**Mr ANTHONY ROBERTS:** Around 123,000 jobs.

**Mr Brad Hazzard:** That's incredible.

**Mr ANTHONY ROBERTS:** It is incredible. Minister Dominello is slashing red tape from businesses and driving innovation. Minister Ayres is successfully promoting New South Wales overseas not only as the best place to holiday but also as the number one investment destination. Minister Perrottet has delivered the long-term lease and redevelopment of the iconic sandstone buildings, right in the heart of Sydney's tourism and financial hub.

[Interruption]

We will get to Brad.

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

**Mr ANTHONY ROBERTS:** Minister Perrottet's delivery means around 240 jobs during the hotel's construction and around 110 new full-time hospitality jobs when the hotel opens, giving a \$185 million boost to the New South Wales economy over the next 20 years. Under Minister Barilaro, who cannot be here today, there is no greater State for a thriving small business economy. We are doing such a good job that more and more job opportunities will be hitting the marketplace. But, to be fair, we cannot take all the credit. We will deliver another 150,000 jobs for the people of New South Wales, but the members on the other side are starting to lift their game a bit. I understand that they are going to contribute one additional new job for the people of New South Wales—the job description will appear in the newspaper as "Leader of the New South Wales Opposition".

We all know that Opposition members are already jockeying and they have the phone calls going, but we know who the front-running candidate for that job is—the dynamic member for Maroubra. We should not forget about the member for Blacktown. He has been a bit upbeat; he is training and I have to say that he is looking good, but the member for Maroubra is a sensible man and he would be a sensible choice which, of course, excludes him immediately from being the leader of the New South Wales Labor Party. Our vision for the economic future of this great State involves promoting traditional jobs and embracing change and all the opportunities it presents. I am inspired by our vision for this State.

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

**Mr ANTHONY ROBERTS:** I am confident we are laying the best possible foundations to create the bright future that the people of this State deserve. Let me turn to Minister Hazzard. [*Time expired.*]

**Question time concluded at 3.18 p.m.**

## **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 at this sitting to provide for the following routine of business after the conclusion of the discussion on the 10,000 signature petition:

- (1) Government business.
- (2) Community recognition statements.
- (3) Private members' statements.
- (4) The House to adjourn without motion moved.

## **PETITIONS**

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

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

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

#### **Pet Shops**

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

#### **Plastic Bags Ban**

Petition calling on the Government to introduce legislation to ban single-use lightweight plastic bags at retail points of sale in New South Wales to reduce waste and environmental degradation, received from **Mr Alex Greenwich**.

**The Clerk announced that the following petition signed by more than 500 persons was 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 Jamie Parker**.

**The Clerk announced that the following Minister had lodged a response to a petition signed by more than 500 persons:**

The Hon. Jillian Skinner—Nursing Homes—lodged 9 September 2015 (Mr Geoff Provest)

#### **MINING AND PETROLEUM LEGISLATION AMENDMENT (GRANT OF COAL AND PETROLEUM PROSPECTING TITLES) BILL 2015**

#### **MINING AND PETROLEUM LEGISLATION AMENDMENT (HARMONISATION) BILL 2015**

#### **MINING AND PETROLEUM LEGISLATION AMENDMENT (LAND ACCESS ARBITRATION) BILL 2015**

#### **PROTECTION OF THE ENVIRONMENT OPERATIONS AMENDMENT (ENFORCEMENT OF GAS AND OTHER PETROLEUM LEGISLATION) BILL 2015**

#### **WORK HEALTH AND SAFETY (MINES AND PETROLEUM) LEGISLATION AMENDMENT (HARMONISATION) BILL 2015**

**Bills introduced on motion by Mr Anthony Roberts, read a first time and printed.**

#### **Second Reading**

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Industry, Resources and Energy) [3.21 p.m.]:  
I move:

That these bills be now read a second time.

For too long, this State allowed an outdated and inefficient approach to allocating our resources, compliance and enforcement in the resources industry, and to the industry's interaction with the community. This has directly contributed to the loss of attractiveness of New South Wales as a preferred destination for resources investment, resulting in job losses and other associated benefits. It is clear that we need development of resources to provide jobs in regional areas, royalties to help pay for schools and

hospitals for everyone in New South Wales, and secure, affordable energy to grow New South Wales. Most importantly, this outdated regulatory framework has seen a loss of community confidence in the industry. As opposition to the resources sector has grown, the regulatory regime has become overlapping and complex.

These bills are about overhauling the regulatory framework. We are rewriting the regulatory framework for where and how areas for coal and petroleum will be explored safely and competitively and to how land access agreements are negotiated. These bills ensure a fair, transparent and balanced approach to land use. It is vital that we strike a balance, to move New South Wales into the future and to support regional development, exports and royalties. These bills are built on over two years of evidence-based investigation and analysis and, most importantly, consultation.

In 2013 the Government commissioned the Chief Scientist and Engineer, Professor O'Kane, to undertake an independent review of coal seam gas. Professor O'Kane found that the technical challenges and risks posed by the coal seam gas industry can, in general, be managed. However, she noted that this management needs to occur within a clear, revised legislative framework. The framework needs to be supported by an effective and transparent reporting and compliance regime, and by drawing on appropriate expert advice. The NSW Gas Plan provided a comprehensive response in implementing these recommendations and setting out a path for the safe and sustainable development of an onshore gas industry.

The bills mark a major milestone in delivering the regulatory framework recommended by the Chief Scientist and Engineer. Within just 12 months the Government has implemented 15 of 17 actions committed under the NSW Gas Plan and is well progressed on delivering against the Chief Scientist's recommendations. The bills before the House deliver on core themes in the NSW Gas Plan, notably gas exploration on our terms, and strong and certain regulation. The bills are being introduced together because they deliver an interlinked framework, each element dependent on the others to be effective. The new regulatory framework will take our resources industries responsibly and sustainably into the future. The five bills will implement recommendations from government and independent reviews that involved substantial consultation and opportunities for stakeholder input.

I remind the House of the work that has been done to date. First, the Chief Scientist and Engineer's final report of the Independent Review of Coal Seam Gas Activities in New South Wales drew on information from a large number of experts from around the world and extensive consultation took place with independent academic experts, national and international government agencies, the natural gas industry and service companies, wider industry, landholder groups and the broader community. The independently chaired Coal Exploration Steering Group looked at how best to reduce opportunities and incentives for corruption in the State's management of coal resources in response to recommendations by ICAC. The group undertook targeted workshops and public consultation on a new strategic release framework for coal exploration licences. In 2014 Mr Bret Walker, SC, undertook an examination of the land access arbitration framework. This review involved extensive consultation with landholders and industry.

The bills also support the Improved Management of Exploration Regulation [IMER]. IMER is a complete overhaul of New South Wales exploration regulation, with new streamlined rules across all types of exploration activities. IMER was developed through an extensive industry consultation process. It is now time to consider each of the bills in more detail. I turn, first, to the Mining and Petroleum Legislation Amendment (Grant of Coal and Petroleum Prospecting Titles) Bill. The bill resets coal and gas exploration in New South Wales on our terms, in line with the recommendations of the Independent Commission Against Corruption [ICAC] and the NSW Chief Scientist and Engineer, the Strategic Statement on New South Wales Coal, and the commitments made by the Coal Exploration Steering Group and in the NSW Gas Plan. It will offer greater transparency and restore confidence in the New South Wales coal and gas exploration sectors through the use of strategic release and competitive allocation of exploration licences.

Previously, gas exploration licences were awarded on a first in, first served basis. There was no transparency. Gas licences were handed out with no minimum standards required of applicants, resulting in 60 per cent of the State being covered by coal seam gas licences and applications. This Government has already taken action to reduce that 60 per cent to just 8.5 per cent of the State. This has been achieved through the highly successful petroleum exploration licence [PEL] buy-back scheme, resulting in 16 PELs being bought back and cancelled. In addition, legislation made in 2014 saw existing licence applications expunged. This action has allowed us to reset the framework for future gas and coal exploration in New South Wales. We will decide where gas and coal exploration takes place and who may explore there.

We are ensuring that our resources will be managed with strict requirements to meet the highest levels of financial and technical standards, underpinned by highly transparent processes. The bill makes the entire State a controlled release area for coal and petroleum. This means that coal and petroleum companies will not be able to apply for a title without the Government having first decided where and when it wishes to release areas for exploration. The bill includes controls around this process. Ahead of releasing areas for exploration the Government will undertake assessments of environmental, social and economic issues.

The bill also sets out that coal and petroleum prospecting titles must be allocated competitively. For public transparency, the bill requires the gazettal of a notice inviting applications for a released exploration area. Applications following an invitation are subject to the same information requirements as other titles, but the invitation can stipulate additional information. The notice will also set out the competitive selection process to be followed. Price will only be one of the factors considered in this process. Commitment to exploration and work programs will also be a factor, giving the Government the tools to set a fit for purpose process for any strategic release.

Both financial and technical capability will be required to be considered, ensuring that only the best operators can obtain exploration licences. To inform any decision to release areas for exploration, an interagency advisory body will be established to provide advice to the Minister. The Advisory Body for Strategic Release will be independently chaired. The advisory body will consider an assessment of likely resources, a preliminary regional issues assessment, and stakeholder input to the regional issues assessment. The issues assessment will ensure that social, environmental and economic issues are considered upfront, before the Government releases an area for exploration. There will also be a streamlined competitive process for operational allocations. As ICAC recognised, there are limited circumstances where it makes sense for an existing coal operation to be able to acquire an exploration licence for adjacent land. This might be to support existing operations, for an addition to an existing mine, to extend the life of a mine, or to develop a better mine design. However these operational allocations will be capped.

The bill also provides that applications may be refused if there is enough interest from other parties to justify a competitive selection process. Draft operational allocation guidelines that set out how this limited process will operate in practice have been released for public comment. The possibility for operational allocations only applies to coal. In 2014 the Petroleum (Onshore) Amendment (NSW Gas Plan) Act expunged petroleum exploration licences and special prospecting authority applications. At the time, the Government made a commitment to those applicants who had their applications expunged. This bill confirms that commitment. Those applicants will have the first right to apply where new titles are released in the relevant area.

The bill also makes provision for Crown pre-competitive licences. These licences allow the Government to undertake limited exploration activities to build the Government's geological data and support assessment of future areas for release. The new strategic release framework implements recommendations of the Independent Commission Against Corruption and the Coal Exploration Steering Group that allocation of titles should be transparent and competitive. The bill also implements the New

South Wales Government's commitment under the NSW Gas Plan to develop a new strategic release framework for gas, ensuring stakeholder issues are identified upfront in the process. From now on, New South Wales will have strategic, controlled release of areas for coal and petroleum exploration. And we will have a transparent, competitive selection process for exploration titles over new areas for both of these resources. This Government is very clear that the development of the coal and gas industries in New South Wales will, from now on, be on its terms.

The Mining and Petroleum Legislation Amendment (Land Access Arbitration) Bill 2015 is aimed at improving the balance between landholders and titleholders for access to land for exploration and production activities. The bill does three main things. It clarifies the rights of landholders, it provides a framework for the fair resolution of land access disputes, and it modernises provisions relating to title boundaries. The Petroleum (Onshore) Act 1991 already provides that exploration titleholders must have an access arrangement in place with landholders before commencing exploration activities. The bill provides that, for the first time, access arrangements must be in place between titleholders and landholders prior to commencement of petroleum production. As part of this, the bill makes it clear that landholders have a right to compensation for production activities, and it will be mandatory for compensation to be negotiated as part of the access arrangement.

The bill provides that separate land access codes may be developed for petroleum exploration and production and minerals exploration. These codes are to provide general guidance as to the process for land access negotiations and conduct while accessing land to undertake activities. These codes may also set out mandatory minimum requirements to be included in land access arrangements, whether privately reached between the parties or arbitrated. These amendments will provide greater clarity to landholders about their rights and responsibilities in relation to petroleum exploration and production. Most land access arrangements at exploration are successfully negotiated between the landholders and titleholders without third party intervention. However, sometimes disputes arise and parties may need assistance to reach an agreement.

The second group of amendments sets out a detailed framework for the fair resolution of land access disputes. In 2014 the Government commissioned Mr Brett Walker, SC, to undertake an independent examination of the land access arbitration framework under the Mining Act and the Petroleum (Onshore) Act. The Government sought recommendations from Mr Walker on the governance arrangements for appointments of arbitrators, best practice arbitration processes, and the roles and responsibilities of the parties to an arbitration. Mr Walker found that the fundamentals for arbitration are sound. However, he said that improvements were needed to address weaknesses relating to transparency, accountability and consistency. Mr Walker made 31 recommendations, which the Government substantially endorsed. Implementation of these recommendations, referred to as the Walker recommendations, is an action under the NSW Gas Plan.

Key amendments to the arbitration framework to implement the Walker recommendations include: an obligation on both parties to negotiate in good faith; establishing a requirement and process for mediation as a first step in resolving land access disputes; providing a framework for payment of costs of dispute resolution; clarifying the definition of significant improvements, to assist parties' negotiating arrangements; and establishing a more robust and transparent framework for appointing an arbitration panel. Addressing these amendments in more detail, parties are now required to enter into mediation if their own negotiations are unsuccessful. This provides parties with a further opportunity to reach their own settlement before a more determinative process is triggered. They proceed to arbitration only when neither negotiation nor mediation has been successful.

Parties to mediation and arbitration now have an express right to legal representation, and the arbitrator has an express right to undertake a site inspection, either as part of mediation or arbitration. Parties are obliged to act in good faith throughout this process. Landholders' reasonable costs incurred in the negotiation, mediation and arbitration of access arrangements will be met by titleholders. To avoid these costs becoming uncontrollable, they will be capped. Titleholders will also be required to meet the

reasonable costs of landholder participation in Land and Environment Court proceedings. Particular attention is to be drawn to the amendments proposed in relation to "significant improvements". Disputes over significant improvements are recognised as one of the reasons that arbitrations over land access occur.

The bill amends the definition of "a significant improvement" in both Acts by replacing the existing, exhaustive list of features with non-prescriptive, non-exhaustive criteria. The legislation builds on the existing right of a party to take a significant improvement matter to the Land and Environment Court for determination. A party can consider whether or not to apply to the court to take the entire access arrangement to the court to be determined, if an arrangement has not otherwise been reached. Amendments will be made to the Mining Act to establish a more robust and transparent framework that the Government must follow in its appointment of arbitrators to the Arbitration Panel. Measures introduced include: the establishment of rigorous selection criteria; the imposition of a limit on a single term of appointment, which will be set at three years; and the disclosure of potential conflicts of interest and bias by panel arbitrators.

The department can also impose requirements for ongoing training for, and assessment of, panel arbitrators. The Government will also be required to maintain a publicly available register of the details of each member of the Arbitration Panel. This will build public and stakeholder confidence that the appointment process is fair and at arm's length. It will also ensure that the arbitrators retained on this panel are of the highest calibre. All arbitrated arrangements, whether arbitrated privately or through the Arbitration Panel, will be published. This will greatly improve public transparency and will promote a greater understanding of, and confidence in, the process of reaching an access arrangement and the matters that are negotiated. The improved dispute resolution framework will be supported by arbitration procedures, which will be publicly available.

These amendments are designed to help level the playing field between landholders and titleholders in reaching access arrangements and ensure that parties, particularly landholders, can more confidently participate and engage in the negotiation and arbitration of land access arrangements. The third and final group of reforms introduced by the land access bill includes amendments to bring the provisions relating to gas title boundaries in New South Wales in line with government policy. The bill seeks to rationalise the land under petroleum exploration licence by providing that petroleum exploration licence areas that currently overlap with national parks will be extinguished and decision-makers will have an express power to renew an exploration licence over an area of land that is smaller than the area applied for.

The amendments will clarify that boundaries of titles may be drawn in "free-form" and are not restricted to rectangular blocks. This will provide flexibility for boundaries to be drawn around natural features in the land, to better reflect the actual area where activities are undertaken. In addition, this clarification ensures that titles that overlay national parks can be redrawn to excise national parks from the title areas. These measures will ensure both that the coverage of gas exploration licences across New South Wales is reduced while key environmental areas remain protected.

The bill also streamlines processes for undertaking seismic exploration activity on public roads. In addition, the bill extends landholder immunity to ensure landholders are not liable for injuries sustained by third parties entering onto land in relation to exploration or production activities under the authority of other legislation. The bill addresses actual and perceived imbalances in power, knowledge and experience between participants in the negotiation of access arrangements. It provides greater guidance around key areas of conflict, facilitating efficient resolution of disputes. It also provides additional protections to landholders in these processes.

In relation to the Mining and Petroleum Legislation Amendment (Harmonisation) Bill 2015, the Chief Scientist and Engineer made an important recommendation in her review—that is, that onshore subsurface resources in New South Wales should be regulated under a single Act. As a first step towards

this goal, the Government will today bring the Mining Act and the Petroleum (Onshore) Act into much closer alignment. While the proposed changes are extensive, they will not impose an additional administrative burden on industry. In many cases they will streamline existing administrative arrangements. Importantly, they will provide greater legal certainty around current industry practices. The amendments relate particularly to two important regulatory areas: the administration of titles, and compliance and enforcement. Let us consider first the administration of titles.

The bill sets out consistent requirements for the administration of exploration, assessment and production titles across all resources types. These include guidance as to the grounds for determination of applications for grant, renewal or transfer of titles. This will ensure that industry and the community are aware of the standards that must be met for an application to be granted. The standards will include the new minimum technical, financial and work program standards and the applicant's compliance history. The bill consolidates powers to impose conditions on titles into one section. The legislation will now list seven categories of conditions. These categories align with the objects of the Act and include protection of the environment, rehabilitation of land and water, ensuring public safety, compliance, administration, and community relations. Conditions may be imposed by regulation or on a title instrument.

The bill also provides for codes of practice to be prescribed by regulation and for compliance with such codes to become a condition of every title. There will be a transition period before codes of practice are prescribed in this way. Conditions may be varied during the life of a title, which will support implementation of the Improved Management of Exploration Regulation. To ensure the process is fair, the legislation requires consultation with titleholders before varying conditions. Conditions imposed by regulation can be changed only following a public exhibition and consultation process.

A key amendment is the introduction in the bill of a statutory requirement for a titleholder to obtain an "activity approval" to undertake exploration activities that are not exempt development under the planning framework. This has previously been a condition of exploration licences. However, the bill makes the process of applying for and determining activity approvals more transparent. An activity approval may be subject to its own terms. A breach of an activity approval will be subject to compliance action proportionate to the breach. These amendments will be introduced into both the Mining Act and the Petroleum (Onshore) Act and will establish consistent, clear and transparent requirements for titles applications and assessments.

Currently, the two Acts have considerably different compliance and enforcement powers. The bill will harmonise these provisions and deliver on the Gas Plan commitment for best practice regulation of the industry. The amendments include penalty infringement notices for a wider range of offences, enhanced direction powers, a new prohibition notice for illegal exploration and mining activities, and the introduction of enforceable undertakings. These changes mean that compliance action can be proportional to the scale of the offence and the circumstances of each case. The new legislative framework will provide industry with incentives to adopt best practices in line with the principles of risk-based regulation.

The Petroleum (Onshore) Act currently has limited inspectors' powers. The inspectors' powers in the Mining Act are modelled on those of the Protection of the Environment Operations Act. The bill therefore provides for these more robust powers to be included in the Petroleum (Onshore) Act, so aligning the two Acts. With these new powers, inspectors working under either Act will be able to use the new information-sharing provisions to gather sufficient information from other agencies to support compliance action. A further amendment will enable this Government to support, through legislation, another commitment under the gas plan: provisions to facilitate the establishment of a Community Benefits Fund framework.

We recognise that communities can be impacted by gas development, often beyond the impact of the development site itself. Communities who host gas exploration and production should also enjoy benefits in line with the economic contribution the project will make to the State. Fund contributions will



come from both gas companies and this Government. It will provide for local projects in communities where gas exploration and production occur. The legislation will facilitate establishment of the Community Benefits Fund framework, and the details will be spelled out in the Petroleum (Onshore) Regulation. The legislation will also include a regulation-making power to provide for beneficial use of gas extracted during exploration activities. This will be strictly limited, and will ensure precious resources are not wasted through flaring.

Continuing with the theme of harmonisation, I turn now to the fourth bill, the Work Health and Safety (Mines and Petroleum) Legislation Amendment (Harmonisation) Bill 2015. The petroleum sector is currently subject to the broad requirements of the Work Health and Safety Act 2011. Specific petroleum safety regulation relies on the 1992 schedule of Onshore Petroleum Exploration and Production Safety Requirements. The schedule is dated and does not include the framework of broader duties and proactive regulatory oversight of the Work Health and Safety (Mines) Act framework. Today we align regulation of safety for the petroleum industry in New South Wales with the work health and safety framework that already applies across the rest of the resources sector. Accordingly, the Work Health and Safety (Mines) Act 2013 will become the Work Health and Safety (Mines and Petroleum) Act.

The Work Health and Safety (Mines) Act 2013 provides a robust framework for mine safety. It is based on a modern risk-based and outcomes-focused regulatory system. This modern approach has reduced both red tape and the regulatory burden on the industry. The bill extends this framework to the onshore petroleum industry. In doing so, it raises the standards of work health and safety for onshore petroleum operations to be consistent with the minerals sector. Crucially, it makes provision for risk controls for the specific risks of the petroleum industry. As well, the bill makes other amendments to ensure that the Work Health and Safety (Mines) Act operates as intended.

Importantly, the bill completes the harmonisation of the work health and safety legislative framework for the resources sector. The bill clarifies the places and activities to which the Work Health and Safety (Mines) Act applies or does not apply for petroleum sites and operations. The bill also addresses activities carried out at a site adjoining a mine or petroleum site or at a site in the vicinity. It ensures that these activities will be covered by the legislation only when they are carried out in connection with mining or petroleum activities at the mine or petroleum site. Currently, regulation of petroleum work health and safety is targeted at the petroleum titleholder. This ignores the fact that petroleum sites are typically managed and controlled by other entities. From now, the duties framework will also apply to the petroleum operator, workers, contractors and occupiers of work premises.

The Work Health and Safety (Mines) Act imposes a duty to give notice to the regulator of notifiable incidents. This duty is to be extended to petroleum operations. Further amendments will also make quite clear when a person is required to give written notice of a notifiable incident. Further amendments include petroleum in the boards of inquiry of all matters that may affect work health and safety. The provisions in the Work Health and Safety (Mines) Act on statutory bodies will be extended to ensure that relevant and appropriate statutory bodies apply to petroleum—for example, the Mining Competence Board.

I referred earlier to amendments to clarify provisions relating to the definition of "regulator". The first of these will ensure that the Department of Industry, SafeWork NSW and those appointed under the Work Health and Safety (Mines) Act and the Work Health and Safety Act 2011 all have jurisdiction in any workplace in New South Wales. This change will negate any potential challenges on technical grounds to the jurisdiction of the Department of Industry and SafeWork NSW in regulating work health and safety.

The second amendment in this group clarifies the activities and places to which the Work Health and Safety (Mines) Act applies. A definition of "local site" will identify those places that are applicable and within the jurisdiction of the Work Health and Safety (Mines) Act. As well, the definition of mining and petroleum operations and activities will include activities connected to mining, activities prescribed by regulation, and activities specified by the responsible Minister. All government officials appointed under

the Work Health and Safety (Mines and Petroleum) Act will have the power to reopen or release a preserved incident site. Currently, only an inspector can do so. The amendment will enable other appropriate officials to release a preserved site and reduce any unnecessary regulatory burden.

"Incident site" has also been defined to remove any ambiguity as these provisions will apply to petroleum sites as well as mines. The bill also provides for the regulator to appoint a consultant employed by a public authority—not just an officer or an employee—as a government official. This appointment might be to the position of inspector, mine safety officer or investigator. The provision will allow for a person with particular expertise to be employed for a specific purpose, and potentially for a specified amount of time. It is a proud moment to be able to complete the health and safety regulatory framework for all New South Wales onshore resources industries. The amendments in the Work Health and Safety (Mines and Petroleum) Legislation Amendment (Harmonisation) Bill will harmonise the regulatory approach to safety across all our resources sectors.

The bill will further ensure that the safety legislation operates as intended and will contribute greatly to the protection of the health and safety of people working in the industry. Lastly, I turn to the Protection of the Environment Operations Amendment (Enforcement of Gas and Other Petroleum Legislation) Bill 2015. This bill makes it clear that this Government will ensure that there is effective and transparent regulatory oversight of gas activities across New South Wales. The NSW Gas Plan accepted all 16 recommendations of the Chief Scientist and Engineer. A key feature of the NSW Gas Plan was to announce the NSW Environment Protection Authority [EPA] as the lead regulator for compliance and enforcement of all gas exploration and production activities in the State.

All gas activities are currently subject to environment protection licences issued by the EPA, which impose strict site-specific controls that are legally enforceable. This bill provides additional statutory powers for the EPA to undertake compliance with and enforcement of all conditions of consent, except with respect to work health and safety. This includes all approvals issued by other agencies to the gas industry. The report of the Chief Scientist and Engineer is clear that the risks of gas development can be managed effectively with the right regulation and through the separation of the process for allocation of rights from the regulation of the activities undertaken, and that a single independent regulator should undertake that role.

On 1 July 2015 the EPA became responsible for compliance and enforcement of all conditions of approvals for gas activities in New South Wales, excluding work health and safety issues. These conditions form the strict controls with which industry must comply. Currently, to undertake its expanded role the EPA is operating under delegations and authorisations provided by the other relevant agencies. The EPA is also working closely with these consent authorities to regulate all gas activities. However, in order to fully empower the EPA in its new role, statutory provisions must be provided. Therefore, this bill is an important amendment to the Protection of the Environment Operations [POEO] Act that will provide the EPA as the lead regulator of gas activities with appropriate statutory powers to effectively regulate those activities.

The bill will provide a clear and transparent framework for all stakeholders. Having the EPA lead compliance with and enforcement of gas activities in New South Wales provides individuals and communities with one place to go to report potential pollution incidents and breaches of title, regulations or law. As lead regulator, the EPA will lead all communications on regulatory action in relation to a gas activity, including investigations, findings and regulatory outcomes. For any non-work health and safety issues, the EPA will make an independent determination of the appropriate regulatory response for any noncompliance, ensuring a streamlined and consistent approach to regulating gas activities. Having the EPA make an independent regulatory decision delivers another of the recommendations of the NSW Chief Scientist and Engineer by separating the approval authority from the regulatory authority.

The bill will, however, allow the EPA to seamlessly undertake regulatory actions for enforcement and compliance under other gas-related legislation. This will provide greater regulatory clarity for industry

and the community, consistent with the NSW Gas Plan. The bill allows the EPA to exercise the powers outlined in chapter 7 of the POEO Act. These powers allow the EPA to conduct investigations and apply relevant provisions to the broader petroleum industry. The bill extends the EPA's existing powers to cover compliance and enforcement of petroleum activities that are broader than the EPA's traditional environmental focus. No new powers are proposed. Chapter 7 investigation powers are a well-understood framework currently used by the EPA for investigating POEO Act related matters. Applying these powers to all gas activities is a sensible and practical approach for the effective regulation of the gas extraction industry.

Continuing with the seamless regulation of gas activities, the bill also includes a provision that applies part 8.2 of the POEO Act, which deals with proceedings for offences and penalty notices, to petroleum offences. The bill also applies part 8.3 of the POEO Act, which deals with court orders in connection with offences, to petroleum offences. Essentially, this regime allows the EPA to commence proceedings for petroleum offences under the POEO Act, as well as allowing the EPA to issue penalty notices. However, the amount of any penalty notice is set by the parent legislation and is not set by this bill. The bill does not change the existing penalty amounts in the POEO Act or other Acts. Applying a well-established legislative framework will allow the EPA to continue to undertake high-quality compliance and enforcement activities in a seamless and efficient manner.

The bill also extends the use of enforceable undertakings as a regulatory tool for the regulation of all gas activities. When a breach of the Act occurs, a number of options are available to the EPA, including prosecution, penalty notices and formal warnings. Another option is an enforceable undertaking, which provides a flexible administrative action where there has been a serious breach of legislation. Under the POEO Act, the EPA is able to accept a written undertaking by a company or individual to take action to deal with an actual or potential breach. The EPA's ability to accept enforceable undertakings enhances its enforcement capability for achieving environmental improvements, which are enforceable through the NSW Land and Environment Court. The EPA may also accept an undertaking to carry out a restorative justice activity in a community. This amendment will therefore allow the EPA to have a civil action tool option available when regulating gas activities.

The bill also extends other provisions of the POEO Act to encompass the gas industry. The provisions include: the use of environment protection notices under chapter 4 of the POEO Act; the use of mandatory environmental audit powers under chapter 6 of the POEO Act where the EPA reasonably suspects a petroleum offence has been committed and that the offence has caused, is causing or is likely to cause harm to the environment—or where the EPA reasonably suspects a petroleum activity is not being carried out in accordance with good environmental and engineering practice and any applicable work program to which it is subject—appeal rights that will be available to proponents aggrieved by any decision consistent with current appeal processes; and the use of voluntary audit provisions under chapter 6 of the POEO Act for a company that wishes to undertake a voluntary audit in order to assess in detail a particular aspect of its operation.

This bill applies to pre-existing petroleum authorities—that is, those issued prior to 1 July 2015. This allows for any existing conditions in force prior to 1 July 2015 to be regulated effectively by the EPA and delivers the Government's commitment to establish a single lead regulator. This ensures that companies and the community have a one-stop shop in relation to compliance and enforcement matters for the gas industry. The EPA is leading the development of a compliance statement that will set out how the new regulatory framework is to be implemented. The compliance statement will sit with the memorandum of understanding that stipulates how government agencies will work together in this regard, and the EPA's Compliance Policy and Prosecution Guidelines.

The Government recognises that there are currently inconsistencies between conditions in existing petroleum authorities, and a review will be commenced to resolve this issue so that both the industry and the community can have clarity and confidence in the relationship between the activity approval and the regulatory controls that are in place. This bill also facilitates the exchange of information

between the agencies for the administration of gas approvals. It reiterates the process and importance of government agencies working collaboratively, ensuring relevant information is shared amongst agencies and inter-government assistance is provided where appropriate.

By way of conclusion, this bill is an important amendment that confirms and enables the EPA's role as lead regulator for all gas activities across New South Wales. The EPA is already the primary environmental regulator for New South Wales, protecting the environment by regulating activities that could have an impact on the health of the New South Wales environment and its people. The EPA is an accountable, modern and credible regulator with powers under the POEO Act that are well established, clear and transparent. By applying the POEO Act powers to all relevant gas-related legislation, it will allow the EPA to continue to function as a credible regulator and ensure proper regulation of the gas industry.

In conclusion, the five bills introduced today mark a major shift in the regulation of the resources industry in New South Wales. It is a shift towards a consistent framework across resources. It is a shift towards certainty, clarity and transparency. And it is a shift towards balancing the rights and obligations of all partners in the development of New South Wales resources, including landholders, the community, the industry and government. These five bills work together to set out a new framework for operating in New South Wales, from the strategic assessment and allocation of areas for exploration through to fair negotiations with landholders and ensuring compliance with higher operating standards.

These bills are the culmination of intense efforts by this Government to deliver on its commitments to the people of New South Wales. In less than a year since the NSW Gas Plan was released we have delivered on 15 of our 17 commitments. We have fully delivered on our commitments to implement the legislative reform aspects of the Walker report. We have made substantial progress in implementing our commitments on the report of the Chief Scientist and Engineer. We have delivered our commitments in relation to the Independent Commission Against Corruption [ICAC] report. These bills will place New South Wales at the forefront of the regulation of resources development, encouraging a sustainable industry that will deliver secure, affordable energy for households and industries across the State. I commend the bills to the House.

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

## **BUSINESS OF THE HOUSE**

### **Suspension of Standing and Sessional Orders: Bills**

**Mr ANTHONY ROBERTS** (Lane Cove—Minister for Industry, Resources and Energy) [4.00 p.m.]:  
I move:

That standing and sessional orders be suspended to permit the resumption of the adjourned debate on Tuesday 20 October 2015, and passage through all remaining stages at that or any subsequent sitting, of the Mining and Petroleum Legislation Amendment (Grant of Coal and Petroleum Prospecting Titles) Bill 2015 and cognate bills.

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

**The House divided.**

**Ayes, 41**

Mr Anderson  
Mr Aplin

Ms Gibbons  
Ms Goward

Mr Provest  
Mr Roberts

Mr Ayres  
Ms Berejiklian  
Mr Brookes  
Mr Conolly  
Mr Constance  
Mr Crouch  
Mrs Davies  
Mr Elliott  
Mr Evans  
Mr Fraser  
Mr Gee  
Mr George

Mr Gulaptis  
Mr Hazzard  
Mr Henskens  
Ms Hodgkinson  
Mr Johnsen  
Dr Lee  
Mr Maguire  
Mr Notley-Smith  
Mr O'Dea  
Mr Perrottet  
Ms Petinos  
Mr Piccoli

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

**Noes, 36**

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

Ms Harrison  
Ms Hay  
Ms Haylen  
Mr Hoenig  
Mr Kamper  
Ms Leong  
Mr Lynch  
Dr McDermott  
Ms McKay  
Mr Mehan  
Ms Mihailuk  
Mr Minns  
Mr Park

Mr Parker  
Mr Piper  
Mr Robertson  
Ms K. Smith  
Ms T. F. Smith  
Ms Washington  
Ms Watson  
Mr Zangari  
  
*Tellers,*  
Mr Lalich  
Mr Warren

**Pair**

Mr Baird

Mr Foley

**Question resolved in the affirmative.**

**Motion agreed to.**

**RESIDENTIAL TENANCIES AND HOUSING LEGISLATION AMENDMENT (PUBLIC  
HOUSING—ANTISOCIAL BEHAVIOUR) BILL 2015**

**Consideration in Detail**

**Consideration of the Legislative Council amendments**

*Schedule of amendments referred to in message of 14 October 2015*

**No. 1 CDP no. 1 [c2015-084D]**

Page 5, Schedule 1 [8], proposed section 154D (1), line 34. Omit "The". Insert instead

"Subject to subsection (3), the".

**No. 2 CDP no. 2 [c2015-084D]**

Page 6, Schedule 1 [8], proposed section 154D (2), lines 7–9. Omit all words on those lines.

**No. 3 CDP no. 3 [c2015-084D]**

Page 6, Schedule 1 [8], proposed section 154D (3), lines 10–13. Omit all words on those lines. Insert instead "Subject to subsection (3), the Tribunal must make a termination order on the application of a landlord if".

**No. 4 CDP no. 4 [c2015-084D]**

Page 6, Schedule 1 [8], proposed section 154D. Insert after line 39:

(3) However:

- (a) subsection (1) (a) does not apply if the application for the termination order is based on an act of a person who although not a tenant is occupying or jointly occupying the residential premises and not on an act of the tenant, and
- (b) subsections (1) and (2) do not apply if the Tribunal is satisfied that the termination order would be likely to result in undue hardship being suffered by a child, a person in whose favour an apprehended violence order could be made or a person suffering from a disability within the meaning of the *Anti-Discrimination Act 1977* who is occupying or jointly occupying the social housing premises, and
- (c) subsection (2) does not apply if the tenant satisfies the Tribunal that there are other exceptional circumstances that justify the order not being made.

**No. 5 CDP no. 5 [c2015-084D]**

Page 7, schedule 1 [8], proposed section 154D (5), line 6. Omit "decides not to make a termination order under". Insert instead "does not make a termination order as a consequence of".

**Mr BRAD HAZZARD** (Wakehurst—Minister for Family and Community Services, and Minister for Social Housing) [4.08 p.m.]: I move:

That the House agree to the Legislative Council amendments.

In the Legislative Council the Government received amendments to the Residential Tenancies and Housing Legislation Amendment (Public Housing—Antisocial Behaviour) Bill 2015 from Reverend the Hon. Fred Nile on behalf of the Christian Democratic Party. The Christian Democratic Party sought to retain some discretion in the decisions made by the NSW Civil and Administrative Tribunal in instances where the difficult behaviour of a resident has an impact on other residents. The Government's intention was always to introduce amendments to this bill that would have the effect of making it better for public housing tenants.

Tenants have long expressed their concern about antisocial behaviour in public housing. Through this bill, the Government has responded to that concern. Deciding where to draw the line in the removal of a tenant and those who reside with the tenant is difficult, despite the fact that the tenant is creating a challenging environment for other tenants. The overall intent of this bill can be achieved through the amendments moved by the Christian Democratic Party. The amendments ensure that the tribunal retains the discretion not to terminate a tenancy in certain circumstances, as set out in new section 154D of the bill.

If the amendments are accepted, automatic termination of a tenancy by the tribunal would not apply to some types of serious illegal behaviour involving the use of premises for illegal purposes where the behaviour is perpetrated by a person who is not the tenant and the tribunal is satisfied that the tenant did not know or could not have reasonably known about the act, was not complicit in the act and did not fail to take reasonable steps to prevent or report the act. The level of discretion that the Christian Democratic Party has asked for does not overly diminish the intent of the Government. It simply means that in certain instances the tribunal will have more discretion—for example, where the tribunal is asked to terminate a tenancy and that would result in undue hardship to a child, a person in whose favour an apprehended violence order could be made or a person suffering from a disability. That is a reasonable compromise in trying to achieve a better outcome for the majority of public housing tenants.

I thank Reverend the Hon. Fred Nile. He is always helpful and supportive of discussions to achieve better legislation. Reverend the Hon. Fred Nile originally proposed a number of amendments but settled on those that he considered to be critical. The Government acknowledges the good intent of Reverend the Hon. Fred Nile. The outcome of his amendments is in the interests of the majority of tenants in the public housing estate in New South Wales. Following discussion with Reverend the Hon. Fred Nile, the Government accepts and supports the amendments moved on behalf of the Christian Democratic Party. The Government trusts that the Residential Tenancies and Housing Legislation Amendment (Public Housing—Antisocial Behaviour) Bill 2015 will make a difference for the majority of public housing tenants. There are approximately 140,000 public housing tenants in the State. Hopefully, this legislation will make even better the lives of those tenants residing in housing provided by the Government and the taxpayers of New South Wales.

**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.**

## **BUDGET ESTIMATES AND RELATED PAPERS**

### **Financial Year 2015-16**

**Debate resumed from 17 September 2015.**

**Mr DAVID HARRIS** (Wyang) [4.15 p.m.]: In the first part of my speech in reply to the budget I outlined the history of the electorate of Wyong between 2007 and 2011, when I was the member, and between 2011 and 2015, when the electorate changed hands. I compared the number of infrastructure projects in the electorate during my time as the local member with the smaller number under the member who succeeded me. Today I will speak about measures in the budget and some of the commitments that were made in the election campaign. As someone who lives, works and participates in a number of activities in the electorate, I see that the area is developing rapidly and needs infrastructure to ensure that people can access services and facilities. During the election, Labor campaigned hard for much-needed

facilities in the electorate of Wyong, in recognition of the number of people moving into the area.

A key project was the redevelopment of Wyong Hospital. Labor made a \$200 million commitment to that and was pleased that the Government subsequently matched that commitment. Wyong Hospital serves a large community. It has a symbiotic relationship with Gosford Hospital. Not every service is available at each hospital, but a wide range of services is offered by the two hospitals. The maternity ward at Wyong Hospital operates under a midwifery model. With the population increase in the area, that facility needs upgrading to offer all birthing services. It needs obstetricians and nurses. Under the midwifery model, only low-risk births can take place at Wyong Hospital. Any patients experiencing complications or difficult births have to be transferred to Gosford Hospital. Clearly, as the population of Wyong shire grows, the services at Wyong Hospital need to be upgraded to ensure that it has a full birthing facility.

Also very high on the priority list is a paediatric ward at Wyong Hospital. Currently, Wyong Hospital has an ambulatory paediatric care model, which is world's best practice and does a fantastic job. The children have only short stays in the ward; if they have serious problems they go to Gosford or Westmead hospitals. The model is based on children being treated at home based on research that shows that children recover more quickly if they are cared for at home rather than in hospital. As the area grows and more strain is put on Gosford Hospital, Wyong will need a paediatric ward. We welcome the Government matching the Labor Party's election commitment of \$200 million; however, it was disappointing that in this budget there was no money at all for Wyong Hospital. There was money in the budget for Gosford Hospital—about 10 per cent of the \$386 million needed for its upgrade—but nothing for Wyong.

I have been told by medical staff that it is critical that both hospitals are upgraded together so that the services that are currently shared across the two hospitals can continue. I hope that in the next budget the Government will come up with the first round of funding for the redevelopment of Wyong Hospital, which would involve moving the car park from its current location in front of the hospital to a new location so that the new building at Wyong Hospital can be located near the car park. It is pleasing that the Government has made a commitment, but we are yet to see any funds in the 2015-16 budget.

One area that I am having terrible trouble convincing the Government is important, even though the local community understands its importance, is the need for a new high school at Warnervale. During the election campaign the Labor Party committed \$44 million for a new high school at Warnervale, which is in the growth area where all the new suburbs are. Subsequent to the election, six new housing estates are being built and more than 20,000 new houses have been approved. Unfortunately, the Government keeps telling the community that they do not need a new high school. We are saying that high schools are not built instantly; it takes several years to plan, and construction might not commence for five years. But if planning is not started now it will be 10 or 15 years before the area has the high school it needs.

The nearby Wadalba Community School, which is a K to 12 school, is bursting at the seams with about 1,400 students. I met with the former principal of MacKillop Catholic College, which is located in the area, who pleaded with me to convince the Government that the area needs another public high school because the high school is overflowing. Another high school is being built at Lake Munmorah, which I am told will house year 8 or year 9 students in demountables. The Catholic system can see the growth in the area and they understand that facilities need to be built to match that growth.

Lakes Anglican Grammar is also upgrading and building bigger facilities because it also sees the need to cater for growth in the area. The only people who do not see the need for these facilities, for some reason, is the New South Wales Government and the education Minister. They say that enrolments can be shifted across existing schools. But that would mean children would be put onto buses and forced to travel long distances to their public high school, which I do not believe is acceptable. Labor made a commitment of \$44 million for a high school at Warnervale and I hope that the Government listens to the community and matches that commitment in the future.



Labor committed \$15 million to an upgrade of Wyong Technology High School, which is the second oldest high school on the Central Coast—Gosford High School is the oldest. Wyong Technology High School is a wonderful school with a great principal and great staff. Its students are very keen, but their facilities are 1950s standard. When I was the local member previously we were able to get a technology centre and a few other things built, but the school needs a major upgrade. I was pleased to visit the high school recently and have a look at its aquaculture area, which has had an upgrade, but in its science labs the Bunsen burners do not work, the benches are old, they do not have interactive whiteboards and the teachers are forced to use overhead projectors instead of the latest technology and older apparatus. It is a bit of an enigma. Under the Government's program of upgrading the front of schools, Wyong Technology High School will get a slight upgrade, but it definitely needs new science labs.

Still in the education field, Labor committed \$2 million to upgrade the administration block at Tacoma Public School, which is one of the schools that are taking the overflow from new housing estates. It has a demountable administration block that leaks every time it rains. The school has excellent educational programs, great staff and great kids, but the first thing that visitors have to do is go into this old rusted-out demountable. It is not a great welcome when a school is trying to sell itself and tell people how good it is. Only \$2 million is needed to upgrade that facility. It would make a massive difference to that school and I hope that the Government puts it on its list of upgrades in the future, as it is essential for a growing community.

It was good to see the Government match our commitment of \$45 million to build the Warnervale link road. Pacific Highway goes through Wyong, then there is a roundabout and the Pacific Highway takes a big right-hand turn in a suburb called Watanobbi. For a long time we have been lobbying for a road that goes straight ahead, follows the railway line and joins with Sparks Road, which is the other major road that comes off the freeway. Currently, people have to travel around the Pacific Highway and go up Minnesota Road. Whilst that road has been upgraded by Wyong Shire Council, it adds quite a distance to the trip for people going from Wyong to the freeway. Labor made a commitment of \$45 million for the link road.

In this budget I am not sure what the Government's commitment is, but it did commit \$500,000 for planning so I hope that means it is on the Government's agenda and that it will go ahead with it. Wyong council will also make a contribution towards the building of that link road. The link road will open up a lot of industrial land that currently is inaccessible; it will be a great boost for jobs in the Wyong electorate and in the greater Wyong shire. It is very well located on the railway line and it is very close to the freeway, which, obviously, is very attractive to business. When constructed, this road will provide access to that site and people will be able to build there.

Another important consideration during the election campaign was the maintenance of parks in the area. We have some very good public parks around the Wyong electorate but there are two in particular that we think work well. One park is the Wallarah Point Peace Park at Gorokan, which is used by people for birthday parties and weddings. It is one of the most picturesque places near Toukley. The park has an art gallery, a fish co-op and a boat ramp. But it is becoming very run-down, so the Labor Party committed \$500,000 to the park. Unfortunately, the Government did not match that commitment, but I hope it is something the Government will consider. It is great to have these massive infrastructure projects, but if the local facilities and parks that people use every day are not looked after then the community suffers.

It is important that the Government delivers on its other commitments. The Government made a commitment to a brand-new ambulance station at Wyong and Toukley. Both ambulance stations are well overdue; the staff have been working in terrible conditions for a long time. The stations have had minor upgrades and improvements—a few things have been done—but I welcome the news about new ambulance stations at Wyong and Toukley. Unfortunately, in the budget there was no money for them.

We are still waiting to see the money for the \$9.1 million commitment. It was the Government's first commitment, but it is missing from the budget. The Wyong electorate is growing so quickly that it has placed strain on local roads. The Pacific Highway runs through the township of Wyong and causes a major pinch point. On any given day there are traffic jams of two to three kilometres, not caused by an accident but by traffic lights in the middle of the town.

The Government has made a commitment to planning funding. However, a new bridge has to be built and several intersections upgraded, and some of that work could start now without having to spend a huge amount of money. I ask the Government to consider bringing forward funds to start to upgrade the intersection at North Road. The Wyong Grove school is situated on North Road and a new Aldi store is being built in the vicinity. Residents are hoping that the Wyong Grove school will be kept in community hands because the Government is trying to sell it off. North Road is important to the local economy and to the local people who use it to travel through the electorate. I ask the Government to upgrade that road sooner rather than later. [*Quorum called for.*]

[*The bells having been rung and a quorum having formed, business resumed.*]

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

**Pursuant to sessional order discussion on petition signed by 10,000 or more persons proceeded with.**

## **LICENSED PREMISES TRADING RESTRICTIONS**

### **Discussion on Petition Signed by 10,000 or More Persons**

**Mr KEVIN ANDERSON** (Tamworth) [4.32 p.m.]: I thank the thousands who signed the petition to remove the 10.00 p.m. takeaway liquor sales restriction from all hotels in New South Wales. I note in the gallery the former Senior Vice President and life member of the Australian Hotels Association [AHA], Mr Bevan Douglas, the Director of Liquor and Policing for the AHA, Mr John Green, and the Policy and Research Officer for the AHA, Mr Chris Gatfield. The petition presented to the House proposes the removal of the 10.00 p.m. restriction on takeaway liquor sales for all hotels in New South Wales.

The restriction was introduced in February 2014 together with a broader package of alcohol-related reforms. It forms a key part of the strong and decisive action the Government has taken to reduce alcohol-related violence and to improve the safety and amenity of communities across the State. The Government acknowledges that the restriction has required some licenced premises to modify their operations and some patrons to change their purchasing behaviour. However, these changes were firmly targeted towards harmful late-night impulse purchases, pre-loading and the heavy binge-drinking culture that exists in some parts of the community, especially late at night.

The restriction strikes a balance between these aims and allowing reasonable access for people to purchase alcohol before going out or when socialising at home. We have to remain reasonable and rational when considering this issue. The 10.00 p.m. restriction is not stopping people from purchasing the essentials of life late at night, such as bread and milk. It simply requires people to plan to buy takeaway alcohol before 10.00 p.m. if they intend to have a drink. In Sydney that is reasonable, but it is a different environment in regional New South Wales. Many of the measures introduced in 2014 were aimed at the violent hotspots of the Sydney central business district [CBD] and Kings Cross. However, it would be naive to suggest that these are the only areas where alcohol is a problem.

The Government has a comprehensive review and evaluation program in place for the measures introduced to combat alcohol-related violence, and the 10.00 p.m. takeaway liquor sales restriction is being reviewed in two stages as part of this program. The first stage has been underway since 31 July

2015 and focuses on the impact of the restrictions in regional New South Wales in recognition of the particular needs of rural and remote communities. By that, I mean that the issues are different in regional New South Wales. Many shift workers and other workers do not work by the clock. The local hotels, pubs and clubs provide a service for farmers, truck drivers, miners and shift workers. It is difficult for them to access services when they are working late at night. They may work until 8 or 9 o'clock at night and often have to travel a considerable distance to their local town. I am talking about small towns of 1,000 people or less, where the local hotel or pub provides an important service. By the time workers pack up, they do not have time to get into town before the restrictions apply.

**Mr Adam Marshall:** Cropper Creek.

**Mr KEVIN ANDERSON:** Cropper Creek is an example, as the member for Northern Tablelands points out. I note the member for Orange is in the Chamber. Thirty country pubs have closed in the past year. We know that country pubs provide an important service to smaller communities across regional New South Wales, even in the Tamworth electorate. I welcome the Government's move to look at this restriction in the first stage of the review, which has been underway since the middle of July. The second stage will be progressed in early 2016. A broad range of community and industry stakeholders are being consulted as part of this review process to ensure a balanced approach that is informed by firsthand experience. Common sense must play a part in this. Regional New South Wales is not Kings Cross. We must ensure that this review takes that into consideration and we encourage those who have a role to play in the industry in regional New South Wales to ensure that their voices are heard. I again thank the three visitors in the gallery, Bevan Douglas, John Green and Chris Gatfield, for being here this afternoon and for their interest in this matter.

**Ms JODI McKAY** (Strathfield) [4.37 p.m.]: I am pleased to take part in the discussion on this petition. I congratulate the member for Tamworth on bringing this petition before the House. Garnering 10,000 signatures is not easy and I congratulate the member opposite and those who signed the petition. I note it is signed by the patrons of the Imperial Hotel at Bombala. This is an important issue, both in metropolitan areas and in rural and regional areas. I note the member's comments that there are two separate issues for discussion. Related issues are those of alcohol-related violence and antisocial behaviour, which are of concern across New South Wales.

A lockout was implemented by the Government in February 2014. The member opposite has gone through what that meant, but part of it included a restriction on takeaway liquor sales. There was the 1.30 a.m. lockout, minimum sentences for a fatal one-punch attack, free buses and increased on-the-spot fines for antisocial behaviour. The package was introduced and the Opposition supported it. According to the Government, the restrictions on takeaway alcohol sales were designed to reduce alcohol-related violence. Those restrictions apply to all liquor stores, hotels, registered clubs and other venues that are licenced to sell takeaway liquor. The member for Tamworth mentioned the review process. It is important to note that no transparent process has been undertaken by the Government in relation to this issue. I wish to talk about the review, as it is my understanding that the Premier indicated its findings would be handed down in February.

There is confusion about this review. In January the Baird Government revealed it would conduct a review in June 2015 using new data from the New South Wales Bureau of Crime Statistics and Research. At that time the office of the Deputy Premier told Fairfax media that the Government would review the laws in June 2015. In August when he spoke on 2GB radio the Deputy Premier said he was not sure where those reports had come from. The Premier then stepped in and confirmed there would be a statutory review in February 2016 and that no laws would be changed in the interim. Questions were asked about the confusion between the Minister for Justice and Police and the Premier, and we have still not got to the bottom of that. Today we were told that the review on the 10.00 p.m. restrictions on takeaway sales was underway. Apparently the Government indicated there would be a review to investigate the nature and extent of any positive or negative impacts on the restrictions, including financial impacts on venues authorised to sell takeaway liquor.

The problem is that very little detail beyond that has been provided to the community—for instance, on the website I cannot find the terms of reference for the review. Also not published are the terms of reference, the commencement time, the cost of the review, who is conducting the review and their level of expertise, and what research has been done to gather evidence for the review to consider. There is no explanation of the methodology that is being employed. There is no transparency and we do not know who has been consulted. Has the Ambulance Service of NSW or the NSW Police Force been consulted? Is crime data being reviewed and health data being analysed? These are the types of issues that the Government must be upfront about. We have heard that it is a two-stage review and I acknowledge the issues are important to rural and regional areas and to metropolitan areas. It is important to know what the review is about. I ask the member for Tamworth to provide more information.

The Opposition is concerned about the way in which the review is being conducted; it is deficient in many respects. If rural and regional New South Wales is to achieve the outcome it wants, details of the review must be made public to provide more clarity. It is important for communities to know about the review. I thank the member for Tamworth for presenting this petition to the House. I have raised issues of concern to the Opposition and most likely to the community, given that this petition garnered so many signatures. I appreciate having been given an opportunity to speak in this debate.

**Mr ANDREW GEE** (Orange—Parliamentary Secretary) [4.42 p.m.]: I make a brief contribution to debate and thank all the signatories to the petition for their energy in presenting it to this House. I also thank the member for Tamworth for his interest in this topic. This restriction was introduced in February 2014 with a broader package of alcohol-related reforms. It forms a key part of the strong and decisive action the Government has taken to reduce alcohol-related violence and improve the safety and amenity of communities across the State. Alcohol-related violence has been a problem in the Orange electorate; there was a need to take action to bring it under control.

The restriction seeks to strike a balance between the aims of tackling harmful late-night impulse purchasing and pre-loading and challenging the heavy binge-drinking culture that exists in some parts of the community, especially at night. There are competing aims. Obviously some people want to buy liquor after 10.00 p.m. We have to remain reasonable and rational when considering this issue. The 10.00 p.m. restriction requires people to plan to buy takeaway alcohol before 10.00 p.m. if they intend to have a drink. The Government has a comprehensive review and evaluation program in place for the measures introduced to combat alcohol-related violence, and the 10.00 p.m. takeaway liquor sales restriction is being reviewed in two stages as part of this program.

As the member for Tamworth said, the first stage, which has been underway since 31 July 2015, focuses on the impact of the restriction in regional New South Wales, in recognition of the needs of rural and remote communities. The second stage will be progressed in early 2016. A broad range of community and industry stakeholders are being consulted as part of the review process to ensure a balanced approach that is informed by firsthand experience of the restriction. An important consultation period is occurring.

We must support our responsible hoteliers. Orange has a number of them, one of which is Kelly's Rugby Hotel, a three-generation family owned hotel established in 1922. The current licensee is Bill Kelly junior, who follows in the footsteps of his father, Bill Kelly senior, and his grandmother, Mary Jane Kelly. He is assisted by his brother, Mark Kelly, and sister Melissa Inglert and was assisted by his sister Sue Webster until she retired. Kelly's Rugby Hotel started out as a simple bar and accommodation, set up by Mary Jane and her three young children. Her youngest son, Bill Kelly, left school at the age of 14 to assist his mother in the everyday running of this iconic hotel in Orange. In the past 20 years Kelly's Rugby Hotel has expanded into a medium-size business, employing approximately 40 people, with a drive-through bottle shop. Bill Kelly has been an important part of the Orange Liquor Accord. I thank the Kelly family and members of the Orange Liquor Accord for their assistance.

**Ms PRUE CAR** (Londonderry) [4.45 p.m.]: The petition we are debating today is seeking to amend the Liquor Amendment Act 2014 to allow affected hotels to provide takeaway bottle sales past 10.00 p.m. Together with the member for Strathfield, who led for the Opposition in this debate, I thank the member for Tamworth for presenting this petition. In February 2014 the Government introduced a statewide 10.00 p.m. restriction on takeaway liquor sales as part of its response to alcohol-related violence in Kings Cross and the Sydney central business district. The restriction on takeaway alcohol sales was designed to reduce alcohol-related violence. The restriction applies to all liquor stores, hotels, registered clubs and other venues that are licensed to sell takeaway liquor in New South Wales. Subsequently the Government initiated a review to:

Investigate the nature and extent of any positive or negative impacts of the restriction, including financial impacts on venues authorised to sell takeaway liquor.

It must be noted that the Government has never explained why this review is being conducted, in particular, separately to the review of the antiviolenace laws. It is peculiar that a separate review is even judged to be necessary. On that basis the Opposition is concerned about the lack of transparency in this review process. For example, the Government has not published the terms of reference for the review. It has not disclosed when the review commenced or its cost. It has not stated who is conducting the review or established their level of expertise. It has not stated what research is being done to gather evidence for the review to consider and it has not referred to the methodologies that are being employed. Moreover, the Government received only seven submissions from stakeholders, which demonstrates the poor level of consultation.

The Government should be transparent and disclose what effort it is making to consult with health, community, local government and business interests. Otherwise we are simply having a review for the sake of it. The Opposition calls on the Minister to publish immediately the terms of reference for the inquiry. The Minister should also make a clear statement about how the review is being conducted. Finally, the Minister should give a clear guarantee that the report will be made public to ensure that this is not another secret report that we will never see. The Opposition will consider the issue of the 10.00 p.m. restriction on alcohol sales and the comments of all stakeholders after the review has been completed and made public.

**Discussion concluded.**

**Pursuant to resolution community recognition statements proceeded with.**

## **COMMUNITY RECOGNITION STATEMENTS**

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### **GLEN INNES NATURAL RESOURCES ADVISORY COMMITTEE**

**Mr ADAM MARSHALL** (Northern Tablelands) [4.49 p.m.]: I recognise the board and staff of the Glen Innes Natural Resources Advisory Committee [GLENRAC], which was formed in 1989. It provides effective management and coordination of the productive environmental and social resource base of the Glen Innes district by working with landholders and government and non-government agencies at all levels. Recently I attended its annual general meeting. I congratulate chairman Jim Benton, deputy chair John Bavea, secretary Jeff Lowien and treasurer Sam Baker on their re-election and superb leadership of GLENRAC. I also acknowledge the outstanding and dedicated staff—Kylie Falconer, Lucy Faithfull, Tanya Weir, Pam Benton and Jennie Coldham—and all the great programs that they run.

In the past five years GLENRAC has achieved a hell of a lot and established an enviable reputation for efficient delivery of biodiversity, vegetation improvement projects and community education seminars. To illustrate this, GLENRAC has secured more than \$2 million in State and Federal grants in the past five years, delivered \$471,000 worth of riparian projects, conducted weed control over 1,122

hectares, conducted almost 90 community education events, and planted more than 27,000 seedlings. GLENRAC also took out the community group category at the 2015 New South Wales Landcare Awards and will be represented when the national awards are judged. Well done to the leadership team and the staff of GLENRAC.

### **ANTI-POVERTY WEEK**

**Mr JIHAD DIB** (Lakemba) [4.50 p.m.]: I mark the significance of Anti-Poverty Week. First, I commend non-government organisations across the State, especially those in my electorate of Lakemba, who work every day to improve the quality of life for people doing it tough. The Australian Council of Social Services [ACOSS] notes:

In a country that prides itself on its egalitarian traditions, the reality of income and wealth inequality in Australia comes as a shock to many.

Having looked at the statistics, I am shocked. According to ACOSS, about 2.5 million Australians, or 13.9 per cent of the population, are living below the poverty line. That includes more than 603,000 kids. The rate of poverty in New South Wales is 14.6 per cent; it is 15 per cent in Sydney. I note that one-third of those living below the poverty line come from households where wages are the main source of income. This, sadly, is an emerging phenomenon—the working poor. The research is clear, and it is clear to me that poverty and inequality undermine cohesion and social harmony. I call on all members of this House to commit to reducing the number of people, especially marginalised women and children, living in poverty.

### **STATE WORKING DOG CHAMPIONSHIPS**

**Mr CHRISTOPHER GULAPTIS** (Clarence—Parliamentary Secretary) [4.51 p.m.]: I congratulate Robert Johnston of Tatham, who recently won all four categories at the State Working Dog Championships. Robert's dog, Shady Acres Pattie, was named Dog of the Year, as well as Open Dog of the Year, while Pattie's pup, Zac, took out the Maiden/Novice Dog of the Year. This is a huge achievement and it is testament to Robert's skill as a dog trainer and also his knowledge and ability to read cattle.

### **STRATHFIELD CROQUET CLUB**

**Ms JODI McKAY** (Strathfield) [4.52 p.m.]: I bring to the attention of the House the contribution that the Strathfield Croquet Club makes to the community of Strathfield. The Strathfield Croquet Club was officially established in 1904 and moved to its current location at 50 Redmyre Road on 29 May 1947. The Firth family assisted with the construction of a clubhouse to honour their mother, Clara Ruth Firth, who was a committed club member. She was the New South Wales Champion of Champions in 1937 and became the club secretary the following year.

I am honoured to be the patron of this beautiful club and commend the executive and membership for their almost 70 years of play. In particular, I thank president and club captain Ann Shaddick for her leadership of the club; John Creelman, vice president; Susan Howland, secretary; Marlene Smith, assistant secretary; Rod Rimes, treasurer; and publicity officer Ruth Bridger. An organisation such as this does not operate without a dedicated executive. I sincerely thank them for continuing to operate an important club in my community—a club that is part of the proud history of Strathfield.

### **BRIGHT STAR EMPLOYMENT SERVICE AWARD RECIPIENT**

**Mr ANDREW GEE** (Orange—Parliamentary Secretary) [4.53 p.m.]: I draw to the attention of the House the work of Aprel Biles from Forbes. Aprel Biles has been nationally recognised for the work she

does in supporting local job seekers into employment. Aprel was named the second-only winner of the Bright Star Award at the prestigious National Employment Services Awards for Excellence on the Gold Coast recently. The Bright Star Award honours the efforts of young people working as employment consultants while also assisting their communities. As the sole recruitment consultant at the Forbes Sureway Employment and Training office, Aprel has the opportunity to help up to 160 people.

Aprel first started working at Sureway, Forbes, in 2008 as an Indigenous trainee, and since 2012 she has been working as a recruitment consultant. Aprel was nominated for the award by her area manager, Craig Ryan. Judges praised the fact that Aprel is never fazed by the employment hurdles that some rural communities face, including a lack of community transport and lower literacy and numeracy rates in the electorate. The community of the Orange electorate congratulates Aprel on this outstanding achievement. We are sure that there will be many more to come.

### **AFRICAN WOMEN'S DINNER DANCE**

**Ms JULIA FINN** (Granville) [4.54 p.m.]: Last Saturday I attended the tenth annual African women's dinner dance. It was a fantastic evening, which brought women together from across Sydney to celebrate and to reconnect with friends and make new ones. Rosemary Kariuki-Fyfe does an amazing job as the organiser of this event every year. In her day job, Rosemary is an ethnic community liaison officer with the NSW Police Force, but in her spare time Rosemary is devoted to supporting the community with her infectious energy, big smile and amazing organisational skills. Rosemary is supported by a great committee of women from across the African continent. They contribute to the success of the dinner dance every year. Kwame Nkrumah's vision of Pan-African unity certainly lives on among Sydney's African women. The inspiring guest speaker, Sharon Orapeleng, Secretary of the Federation of African Community Councils in Australia, uplifted everyone. The fashion show was gorgeous and vibrant. We cut the birthday cake then everyone hit the dance floor. As always, it was a great night. I am looking forward to the eleventh dinner dance.

### **KU-RING-GAI HISTORICAL SOCIETY**

**Mr ALISTER HENSKENS** (Ku-ring-gai) [4.55 p.m.]: Tucked away behind a hedge on a residential roundabout in leafy Wahroonga in my electorate of Ku-ring-gai is the scene of a significant chapter in Australia's history. Recently I joined members of the Ku-ring-gai Historical Society who were seated on a grass verge beneath Australian and Welsh flags. Jo Harris, Vicki Williams, Patrick Dodd, Margot Wood, Neil Falconer and Lorraine Henshaw were there to mark the anniversary of the first ever wireless message to Australia—the first step in addressing the nation's tyranny of distance. The message was sent on 22 September 1918 by Prime Minister Billy Hughes from the Marconi transmission station near faraway Carnarvon, North Wales, to an aerial in New South Wales at the property, in Wahroonga, of AWA founder Ernest Fisk. The electronic message read in part:

I have just returned from a visit to the Battlefields where the glorious valour and dash of the Australian troops saved Amiens and forced back the legions of the enemy.

It was a significant moment in our history, thankfully kept alive each year by the Ku-ring-gai Historical Society.

### **FAIRFIELD YOUTH AND COMMUNITY CENTRE**

**Mr GUY ZANGARI** (Fairfield) [4.56 p.m.]: On Friday 9 October 2015 I had the great pleasure of attending the official opening of the Fairfield Youth and Community Centre. The opening was well attended, with community and business leaders, police, residents and local, State and Federal representatives present on the day. This project had been a work in progress for many years, but the centre has finally been opened. The Fairfield Youth and Community Centre includes a wide variety of services which cater to the needs of our local Fairfield and wider community. Congratulations to everyone

involved; the wait was certainly worth it.

#### **SEVEN HILLS PUBLIC SCHOOL**

**Mr MARK TAYLOR** (Seven Hills) [4.57 p.m.]: The measure of a community's success can be determined by the opportunities that it affords to its young. Seven Hills Public School is a great government school providing many great opportunities, both academic and extracurricular, to students. Recently I had an opportunity to visit Seven Hills Public School and it was an absolute pleasure to speak about many things, including local heroes. I take this opportunity to thank principal Renai Diamond and school captains Samira Wang and Vivienne Kassir for having me at their assembly. It was a great pleasure to acknowledge Jan Brooks for her 20 years of experience in education. By any definition, Ms Brooks really is a local hero. Her work at the school is tireless. On the theme of local heroes, teachers should be recognised. The time they spend on children each day is more than many people can imagine. Principals like Renai and staff like Jan typify what a local hero really is. I am sure that school captains Samira and Vivienne, as well as all the students, will go on to make great contributions to our community, thanks to their teachers.

#### **NORTHERN LAKES REGIONAL BUSINESS CHAMBER AWARDS 2015**

**Ms YASMIN CATLEY** (Swansea) [4.58 p.m.]: I congratulate the Northern Lakes Regional Business Chamber on its very successful 2015 Annual Business Awards held over the weekend at Halekulani Bowling Club. The annual event gives local businesses in my electorate a wonderful chance to reflect on why they are in business and what they are trying to achieve in the community and to take stock of their major achievements over the past 12 months. To all nominees and winners at the annual awards I say congratulations. It is their efforts that grow our economy, enliven and diversify our region and keep people in good jobs.

I advise the House that Wiseberry Heritage Real Estate was announced as Business of the Year on the night. I congratulate principal agent Darin Butcher and his team on that fantastic achievement. I am also pleased to advise that businesses from the Swansea electorate were particularly well represented at the awards, with Doyalson Animal Hospital and San Remo Eyecare Plus amongst the overall winners in a number of categories. I say well done to them. To president Robyn Earley, vice-president Trish Williams, treasurer Leeana Mirko and business coordinator Maree Hands-Booth I say thank you.

#### **CANCER COUNCIL NSW—HUNTER CENTRAL COAST REGION**

**Mr ADAM CROUCH** (Terrigal) [4.59 p.m.]: I congratulate the team at Cancer Council NSW—Hunter Central Coast Region and their manager, Sarah Russell, for passing the milestone of raising \$3 million in their fight to find a cure for cancer. Last weekend more than 1,400 participants walked in the Relay for Life over a two-day event at Mingara on the Central Coast. Those wonderful people raised \$249,000 over the weekend, with more to come through the online fundraising page that is open for another month. Fifteen cancer survivors and their families walked the opening lap hand in hand, proudly knowing they had fought the battle of their lives and won. We wish them well in their endeavours and thank Cancer Council NSW for its grand achievement.

#### **LAUREL LAMBERT, 2015 NSW CARERS AWARD RECIPIENT**

**Ms JODIE HARRISON** (Charlestown) [5.00 p.m.]: I acknowledge the tremendous work of my constituent Laurel Lambert, who was recently presented with a 2015 NSW Carers Award. Laurel is guardian to several disabled people, including a young achiever who has cerebral palsy, an intellectual disability, epilepsy and a hearing impairment; her 90-year-old sister; her 85-year-old sister-in-law, who has dementia; and her nephew, who has a bipolar condition. After an almost two-year journey, Laurel is also successfully assisting Natalie Howland and her daughter Peta Lambert in becoming the first people



with an intellectual disability to obtain a mortgage and purchase a unit. It is just down the road from my electoral office in Charlestown. Now retired from paid employment, Laurel continues to serve through her executive roles on several boards of management. Laurel is an inspiring woman and a worthy recipient of a Carers Award. I commend her for her achievement.

### **DAVIDSON ELECTORATE MAYORAL ELECTIONS**

**Mr JONATHAN O'DEA** (Davidson—Parliamentary Secretary) [5.01 p.m.]: I am sure all members in this place who have been representatives within local government appreciate the substantial commitment of those who serve as councillors in our local communities. I recognise the recent election of the new Mayor of Ku-ring-gai, Cheryl Szatow, and the new deputy mayor, David Ossip. I also recognise the substantial contributions of outgoing Mayor Jennifer Anderson and outgoing Deputy Mayor Chantelle Fornari-Orsmond.

At Warringah and Willoughby councils the popularly elected mayors, Michael Regan and Gail Giles-Gidney respectively, continue in their roles. However, new deputy mayors have been elected. The new Deputy Mayor of Warringah is Roslyn Harrison, replacing Jose Menano-Pires, and in Willoughby Michelle Sloane has replaced Tony Mustaca. On behalf of the broader community I thank them all for their valuable service. Finally, I congratulate General Manager Rick Hart, Mayor Michael Regan and all staff at Warringah Council on receiving the AR Bluett Memorial Award—local government's most prestigious and highest accolade—at this week's local government conference.

### **MARY MAC'S PLACE, WOY WOY**

**Ms KATHY SMITH** (Gosford) [5.02 p.m.]: Mary Mac's Place in Woy Woy offers cooked lunches for the needy in my electorate. All meals are prepared, cooked and served by volunteers. It also offers shower and laundry facilities at no cost to the user. Mary Mac's was established in 1992. Since that time demand for the service has grown and in 2015 often 100 meals must be served each day. Local supermarkets donate the majority of the ingredients for the meals and the inventiveness of the people in charge of cooking knows no bounds. The daily menu is decided very last minute. We must applaud all who work there for the nutritious and satisfying lunches that they provide to a very grateful section of our community who, through no fault of their own, happen to be down on their luck. On behalf of the community in my electorate I say a huge thank you to everyone at Mary Mac's Place.

### **TRIBUTE TO TERRY BELL**

**Mrs LESLIE WILLIAMS** (Port Macquarie—Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) [5.03 p.m.]: Retiring firefighter Terry Bell has been Laurieton's well-known and ever-present firefighter for the past 34 years, but he can now relax into a well-deserved retirement with the grateful thanks of the Camden Haven community. Mr Bell joined the Laurieton Voluntary Fire Brigade in 1981 and will leave the Fire and Rescue NSW Laurieton brigade in 2015. He is also well known for his help away from home. He has attended major incidents and joined strike force teams for fire, storm and flood disasters across New South Wales. At his recent farewell tribute the Laurieton brigade members showed their great appreciation for his dependability and mateship through a handmade presentation plaque adorned with medals and iconic symbols of the fireman's kit. I thank Terry most sincerely and wish him a long and enjoyable retirement.

### **PARKS COMMUNITY NETWORK INC.**

**Dr HUGH McDERMOTT** (Prospect) [5.04 p.m.]: I commend the Parks Community Network Inc., a fantastic organisation based in the Prospect electorate that I am proud to represent. The Parks Community Network Inc. was established 21 years ago with the vision of alleviating hardship and need through direct benevolent programs in our community. Currently, it is engaged with local stakeholders to provide services in communities in Western Sydney for those suffering from poverty, distress, destitution,

misfortune, loneliness and helplessness. The network also provides support and practical help to people in crisis and to disadvantaged communities, individuals and families through the development and coordination of community programs. I especially congratulate 2015-16 board members Jiajun Ding, Janet Youil, Jacqueline Harborne, Nalim Ram, Janet Thorley, Peggy Borwn and Fayez Nour. I also acknowledge the amazing work done in our community by volunteers Mathew Dillon, Sandra Fraser, Lubna Imran, Bin Hui Wang, Amira Isaa and Tatijana Colevska.

### **BOWRAL PUBLIC SCHOOL REGIONAL CRICKET TRIALS**

**Mr JAI ROWELL** (Wollondilly) [5.05 p.m.]: I congratulate Warwick Preston aged 12, Sam Maurice aged 12 and Oscar Murton aged 11 at Bowral Public School on their participation in several sessions of selection trials for the South Coast Regional Cricket Team. Following the trials, Warwick has now been selected on the South Coast Regional Cricket Team. The students gained valuable experience and skills from the sessions. Bowral Public School certainly has a succession of cricketers going through its ranks with its top cricketer for 2010, Lauren Cheattle, who is now aged 17, playing for the women's Australia A cricket team. Congratulations must go to the school on its great work in nurturing its students' sporting prowess.

### **VALE STREET CENTRE, KATOOMBA**

**Ms TRISH DOYLE** (Blue Mountains) [5.06 p.m.]: During Mental Health Month I pay tribute to the Vale Street Centre in Katoomba for its wonderful work. The centre provides a social and recreational service for people living with or recovering from mental illnesses. Formed under the auspices of the Katoomba Neighbourhood Centre, the Vale Street Centre provides a range of activities including yoga and meditation, arts and crafts, a writers' group and living skills courses. On a practical level, Vale Street provides essential services for free that at-risk members of our community often struggle to access. They include broadband internet, laundry facilities and a kitchen space. Run by staff in conjunction with participants, the Vale Street project helps to build resilience in people. Bren Sherring, the centre coordinator, does an excellent job of providing vital services to our community. On behalf of the Blue Mountains electorate I congratulate her team and thank them for their efforts to build and strengthen mental wellbeing.

### **NSW LANDCARE AWARDS 2015**

**Mr GARETH WARD** (Kiama—Parliamentary Secretary) [5.07 p.m.]: I congratulate the winners of the NSW Landcare Awards for 2015, in particular Dr William Piggott from Berry Landcare, who was awarded the Australian Government Individual Landcarer Award, and Mr Andrew Britton from Small Farms Landcare, South Coast NSW, who was awarded the Australian Government Landcare Facilitator or Coordinator Award. Local Landcare groups across the State are committed to excellence and innovation in sustainable agricultural practices and environmental restoration and protection. The work they do, particularly in my electorate, is invaluable. It is wonderful to see them being recognised with these awards. Landcare groups are essential to the environmental sustainability of our region and I will continue to support them in any way I can. Too often the work of our local volunteers goes unrecognised, so I am very pleased to put their achievements on record in this House today. Once again, I congratulate Dr Piggott and Mr Britton on the outstanding work they have done and will continue to do for our community.

### **TUGGERAH UNITED FOOTBALL CLUB**

**Mr DAVID HARRIS** (Wyong) [5.08 p.m.]: I acknowledge Tuggerah United Football Club in my electorate of Wyong. On Sunday the club held its annual presentation day at the soccer fields at the Mariners Centre of Excellence, which I attended. It was great to meet players ranging from the under 5s Starfish team to the under 16s grand finalists and listen to their stories about the soccer season. I congratulate all award recipients from the mighty Tuggerah Demons. As President of the Central Coast

Men of Football charity, it was great to see the excellent work and enthusiasm of our local clubs.

The issue of the club needing new home fields after losing its grounds to the Mariners Centre of Excellence was raised with me on the day. I will work as hard as I can to find the club at least two fields to use as its home ground in upcoming seasons. I thank the committee for its work under the leadership of President Dave Wells, who is retiring. I also thank all coaches, managers and volunteers for their great work in creating a fantastic and successful soccer club on the Central Coast.

**Community recognition statements concluded.**

**Pursuant to sessional order private members' statements proceeded with.**

## **PRIVATE MEMBERS' STATEMENTS**

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### **FRANGIPANE AVENUE, LIVERPOOL, DEVELOPMENT APPLICATION**

**Mr PAUL LYNCH** (Liverpool) [5.10 p.m.]: I advise the House of a matter of considerable concern to constituents of mine, especially those who reside in and around Frangipane Avenue, Liverpool. Recently the Liverpool Council advised residents that it will consider development application No. 820-2015 in relation to 15 and 17 Frangipane Avenue, Liverpool. The development involves demolition of the existing dwelling and construction of a five-storey residential flats building. To say that that is a shock to residents is an understatement. The street and the area generally are characterised by buildings of one storey or, at most, two storeys. No resident ever thought they would have to contemplate a five-storey building next door.

Residents in that area do not generally oppose development, per se; they just think that five storeys is too extreme. One constituent expressed the practical concerns as being as follows: a shadow being cast by the morning sun on 11 and 13 Frangipane Avenue; a shadow being cast in the afternoon on 19 and 21 Frangipane Avenue; increased traffic in a cul-de-sac street; increased garbage collection and associated noise and disturbances; privacy of properties; and a precedent being set for Murphy Avenue, if this development application is approved. In summary, the residents and I take the view that this is an absurd overdevelopment in a cul-de-sac that is entirely inconsistent with the existing streetscape. The council's previous treatment of this street has been appalling. The council has given the owner of a BP service station everything he demanded—to the significant detriment of the street's residents.

Of course, that legitimised an overuse of the street by vehicles, which include heavy vehicles accessing the rear of the service station in Frangipane Avenue and using the street as a rat run to access Hoxton Park Road. Ironically, the fact that the street already has too much traffic for its size and that heavy traffic recently increased are powerful arguments against approving a five-storey flats building. The addition of a five-storey building to the handful of already existing houses should not happen. A number of objections have been made to the proposed development. A number of residents are concerned that the council letter of notification, which is dated 22 September and arrived in letterboxes on 24 September, allows residents only six working days to obtain advice about what some residents describe as "this horrible construction". One resident expressed concerns relating to the development in this way:

Frangipane is called an avenue but is in fact a cul-de-sac situated as the last street off Flowerdale Road before reaching Hoxton Park Road. This means traffic from both roads access the service station located on Hoxton Park Road via this tiny cul-de-sac. The council has been previously made fully aware of the unfair congestion, especially of heavy vehicle traffic, which at one stage brought down an electricity pole risking people's lives and property.

Frangipane Avenue does not even have footpaths necessitating walking on the road as the grass

is too uneven and dangerous to walk on.

Frangipane Avenue also does not have adequate street lighting to make it safe and that also necessitates walking on the road.

Given the dimensions of the street, the limited and reasonably sized existing dwellings, the proposed development would not suit the streetscape in any way; on the contrary, it would be incongruous and excessive.

The development would definitely be casting a shadow and limiting the little light that reaches my house and others.

This resident also made this point:

The key opposition to this proposal is the untenable traffic situation that would be created in this already congested little cul-de-sac. To fully understand how critical the traffic situation is, it is impossible for two cars to leave or arrive at their homes at the same time as it would most likely cause a traffic collision again putting lives at risk. Therefore how could council be contemplating adding residences of such high density in an already difficult to get into and out of little cul-de-sac?

The resident also emphasises the absurdity of the parking and traffic issues. The proposal has basement parking. However, it seems clear that there will not be adequate onsite parking, which means there will be more parking on the street. That promises chaos and gridlock. Traffic and parking only barely work now: With the addition of a five-storey building, it will not work at all. The residents do not support a five-storey building of flats on the site. It is the wrong development for the site. The residents are right—the council should not approve the development. The councillors on Liverpool City Council have a pretty appalling reputation for being madly pro developer. Whatever developers want they get. The end result is chaos and inappropriate overdevelopment, which the council has approved in the Liverpool central business district. That chaos should not extend to Frangipane Avenue. The council should stop worrying about its developer mates and start worrying about residents. Another objector states:

Frangipane Avenue is a quiet, narrow cul-de-sac with 12 houses plus the two that will be supposedly demolished for this project.

From a traffic flow point of view, the street is congested during school zone times as it has a close proximity to Liverpool West Public School located opposite Frangipane Avenue in Flowerdale Road.

The street also is used as a rat run from Flowerdale Road through to Hoxton Park Road, with traffic cutting through the BP Service Station, as well as the service way on the corner of Frangipane Avenue and Flowerdale Road.

A five storey development in the cul-de-sac of Frangipane Avenue will add dozens of cars to our already congested street, as well as visiting cars to the complex.

We have children in the street who walk with their mothers to and from school on the roadway as there are no concreted footpaths. We already have cars racing down the street using it as a rat run. The people who have purchased the properties to be demolished live at the end of the street, and I often see cars speeding down our short street to those properties. Adding this five-storey apartment complex will only add to the frequency of this occurrence.

The development should not be approved.

## NORTH COAST INSTITUTE OF TAFE NSW

**Mr CHRISTOPHER GULAPTIS** (Clarence—Parliamentary Secretary) [5.14 p.m.]: I recognise the extraordinary work that the North Coast Institute of TAFE NSW has performed over the past few years in delivering high-quality education services to students across the breadth of the North Coast. In particular, I congratulate the institute's director, Elizabeth McGregor, and her dedicated management team and staff who have been responsible for transforming North Coast TAFE into the best vocational and education trainer on the North Coast and one of the best in New South Wales.

I get sick and tired of Labor and The Greens talking down TAFE in our community when they have absolutely no idea how effective North Coast TAFE is in delivering vocational education and training [VET] services; how innovative North Coast TAFE is in implementing new training programs; how efficient it is; and how well regarded it is by students, industry and the community at large. The fact is that North Coast TAFE has record enrolments this year. To Labor and The Greens I say: Do not come around scaremongering and talking down TAFE in my community when you do not have a clue how good it is.

North Coast TAFE has embraced the policy changes introduced by the Liberal-Nationals Government and has produced remarkable results. It has worked hard to build strategic partnerships, to develop innovative training programs, to implement an enhanced customer relations system and to work with industry and communities. This has resulted in record TAFE enrolments on the North Coast. I emphasise "record TAFE enrolments". North Coast TAFE has a very successful online learning platform that allows students to study remotely. It is successful because it provides what students want. Students want to study when and where it is convenient for them to do so. Employers want their apprentices to study in the workplace.

The Clarence electorate covers approximately 13,500 kilometres, which is about the size of the Sydney Basin, and has a population of 65,000, which is about 1.5 per cent of the population of Sydney. The Clarence electorate does not have TAFE facilities in every one of its 50 towns and there is very limited public transport. For those reasons, online learning is fundamental to delivering education services in regional New South Wales. I say this to Labor and The Greens: TAFE is not about bricks and mortar but about delivering education outcomes. Demand for online courses has continued to grow and TAFE now offers 70 courses and skill sets.

By far one of the best innovative training programs I have ever seen are the civil construction certificate courses that have been implemented by the North Coast Institute off the back of the Pacific Highway upgrade. The North Coast Institute has demonstrated how flexible it is by partnering with Roads and Maritime Services [RMS], industry and the community to deliver, in an area with traditionally high unemployment, more relevant training and real job prospects. The training program is based on the North Coast Institute's strategic priority of using mobile facilities in the field to deliver an agile training program.

Refurbished shipping containers can be transported and reconfigured, based on specific training requirements, to enable the North Coast Institute to expand its reach, promote better community and industry integration and allow the institute to better meet fluctuations in enrolment and geographic demand. The program has grown to more than 600 enrolments across the North Coast Institute's footprint, with a large number of existing workers learning on the job and a large number of job seekers learning in real-life settings. Of those 600, 180 have been apprentices and trainees connected with the Pacific Highway upgrade, 174 have been civil construction trainees and six have been civil construction apprentices. Thirty-seven of those students are Aboriginal trainees. That is a great example of a training institution taking advantage of the New South Wales Government's massive investment in infrastructure on the North Coast to make people job-ready.

The North Coast Institute's strategic partnerships also extend to health where it has partnered with the Joint Health Education Facility at Port Macquarie. Next year the North Coast Institute will offer a range of allied health courses that are specifically aimed at Aboriginal and Torres Strait Islander health

care. The Clarence electorate has a large Indigenous population. The North Coast Institute is responding to its community by delivering VET courses where there is real need. The first group of students is expected to graduate in 2016. They have enhanced their skills and knowledge to deliver culturally appropriate services to their communities. I cannot speak more highly of the incredibly dedicated and motivated team at the North Coast Institute that has set the bar so high as to make it the leading vocational education and training provider in New South Wales. Congratulations to Elizabeth McGregor and her wonderful and committed team.

## **PENRITH CITY LOCAL BUSINESS AWARDS**

**Mrs TANYA DAVIES** (Mulgoa—Parliamentary Secretary) [5.19 p.m.]: On 7 October 2015 the 2015 Penrith City Local Business Awards were held in the pavilion at Penrith Panthers club. The pavilion was packed, with almost 800 people gathered to celebrate the finalists and winners of the hotly contested local business awards. In attendance was the newly elected Mayor of Penrith, Councillor Karen McKeoun, the Federal member for Lindsay, Fiona Scott, and the local member for Penrith. The local business awards acknowledge outstanding local businesses and those who go above and beyond to provide an exceptional customer service experience and high-quality products and services. During the past 30 years the local business awards trophy has been a powerful symbol and an award to which local businesses aspire.

The gala presentation evening is a special occasion for everyone, as our community pauses to acknowledge the extraordinary service that business owners and staff provide to our community. Building and running a successful business is hard work. It often requires early rises, working late and on weekends, giving to others, repairing equipment, designing, fixing and building, and much more. Everyone at the awards night should feel special and pleased with their achievements because it takes an outstanding level of consistent and friendly service not only to be nominated in a category but also to qualify as a finalist. For the 2015 local business awards more than 13,000 nominations were received from hundreds of businesses.

The awards have 30 categories, and I congratulate all the finalists and winners. I will highlight a few special winners. Duck In, which is owned by Marie Chitos, won the award in the Antiques, Art Craft and Gifts category. I first met the Chitos family in 2011 when I attended the Penrith Valley Primary School's public speaking competition. In 2011 their son, Thomas Chitos, took out second place in the year 5 category. In 2013 the year 4 winner was their daughter, Alice Chitos. Both students attended Orchard Hills Public School. The Chitos family is accomplished and is always in pursuit of achievement as a family.

Kingswood Smash won the award in the Automotive Services category. Kristie Pate accepted the trophy on behalf of her company. Kingswood Smash is an iconic business in our local community that has been operating for decades. The winner in the Butcher and Delicatessen category was Deli Delights of Penrith. When Scott Hogan received the award he commented that this was the second consecutive year that the company had received the same award. That says a great deal about the quality and consistency of the service that Scott and his team provide to the community. In the Childcare Services category Little Zaks Academy at Jordan Springs took out the award, despite operating for only 10 months. Shaun Nolan and his team at Penrith Jewellery Workshop took out the award in the Jewellery Store category.

In the New Business category the Creative Fringe, owned and operated by Debbie O'Connor, who is a constituent of Mulgoa, took out the award. I was on stage to announce the winner of that award and I was incredibly proud to give her a hug and to hand her the trophy. The award in the Pet Care category was taken out by Orchard Hills Veterinary Hospital in my electorate. I thank Camille Brandt for representing her fine team. In the Real Estate category Elders Real Estate, which has offices in Penrith and Wallacia, won the award. I congratulate the company, which operates in my electorate—well done. I thank and acknowledge the sponsors of the awards, without which they could not continue.

TrueLocal is a major sponsor, and the support sponsors are Nepean Village, Centro Lennox, Wayne and Ann Willmington from Vintage FM, and Gina Field from Nepean Regional Security. At the time Gina was wearing two hats as she is also president of the Penrith Valley Chamber of Commerce, which is a support sponsor of the event. It was a fantastic night and there was a great sense of relief and achievement. The business representatives in the room were finalists in their category. Nearly 800 people celebrated the fact that they have great businesses and provide a great deal of employment and support to Penrith. Congratulations to everyone.

### **TRIBUTE TO CURTIS CHENG**

**Dr HUGH McDERMOTT** (Prospect) [5.24 p.m.]: Two weeks ago Curtis Cheng, a civilian employee of the NSW Police Force, was murdered outside his place of work. Mr Cheng was greatly loved by his family and was a well-known and respected figure at the NSW Police Headquarters in Parramatta. He was born in Hong Kong and later moved to the United Kingdom, where he was a student at the University of Bath. After graduating as an esteemed student in economics, he moved back to his home town of Hong Kong as a lecturer in economics—a field he was deeply passionate about. After finishing work as a lecturer, he decided to move to Australia. He was regarded as a financial expert and was a member of CPA Australia for 36 years. In 1997 he began work with the NSW Police Force, and continued to work there until his death.

Mr Cheng was married to Selina, with whom he raised two children, Alpha and Zilvia. It is especially tragic that the perfect life of Mr Cheng, surrounded by a loving family with grown-up children and only a year away from retirement, was cut short so tragically. He died for no good reason. My thoughts and prayers are with him, his family, friends and colleagues. After watching the harrowing video footage that emerged of that fateful day, I was struck by the courage of the special constables at Police Headquarters in Parramatta. It is clear that the special constables put their own lives at serious risk in attempting to protect the community and their colleagues. I commend those special constables for their actions on that fateful day.

The work of the New South Wales police is vital to the safety of our community and we must always remember and acknowledge the sacrifices that officers make to preserve our way of life. I especially acknowledge the tireless work of civilian police employees and special constables. I have had the privilege of meeting, and have as friends, many who live in Prospect, and I commend them for their work and dedication. A number of these civilian employees knew Mr Cheng personally and are deeply distraught at the loss of a colleague. I can only imagine what they feel when they look towards his now empty desk in the office. The Prospect electorate is particularly important for civilian employees of the NSW Police Force. The command centre of the Crime Scene Services Branch, led by Superintendent Mark Sweeney, is based in the suburb of Pemulwuy and many of its employees live locally in the surrounding suburbs. Within the NSW Police Force, it is known as "Pemulwuy Labs".

The laboratories conduct forensic imagery, fingerprinting and document examination, and are the home of the Crime Scene Logistics Unit. About 200 police and civilians are employed there. The hundreds of employees at the Crime Scene Services Branch headquarters dedicate their careers to finding justice for victims of crime and, on occasion, those falsely accused of committing a crime. Without the work of civilian employees and special constables, the New South Wales police would not be able to work effectively and maintain the highly regarded reputation that the NSW Police Force has both domestically and in international law enforcement. The people of New South Wales, particularly the people of Prospect, are thankful for their service.

**Dr GEOFF LEE** (Parramatta—Parliamentary Secretary) [5.29 p.m.]: I add to the comments of the member for Prospect, and I pay tribute to Curtis Cheng and his family—his wife and children—and their friends. The incident two weeks ago was terrible. Last night we held a vigil outside the Police Headquarters at Parramatta. Members from both sides of politics and multicultural community leaders came together to pay tribute to Curtis Cheng and his 17 years of service, and to the hardworking police.

Terrorist incidents such as this will not be tolerated in our community. We must stand together to solve hideous crimes such as the murder of Curtis Cheng. Our community will not be divided by such acts.

### **TRIBUTE TO DICK MANWARRING**

**Mrs SHELLEY HANCOCK** (South Coast—The Speaker) [5.30 p.m.]: It is with much pleasure that I pay tribute to one of the great stalwarts of the South Coast community, Mr Dick Manwarring. For the past eight years Dick has been running the Code C fundraising evening at the St Georges Basin Country Club. It is great fun—I do not think I have missed one yet. Indeed, it is a fantastic coming together of the central Shoalhaven community for a really worthy cause. The next Code C fundraising evening is to be held this Saturday 17 October 2015. Dick Manwarring would have us believe this would not happen without the team around him but, as is the case with many other stalwarts in our communities, it would not happen without him and his beautiful wife, Joan.

Over the years Dick and Joan have become very close friends of mine. I first got to know Dick when his daughter was diagnosed with cancer. Sadly, he has since lost his daughter to cancer. During that time he faced some real difficulties at Shoalhaven hospital and we spoke many times about some of the problems he was having regarding his daughter. Dick moved to the South Coast area in about 1982 and he is now an institution in the central Shoalhaven community. Everyone knows Dick and Joan Manwarring. Dick is a life member of the St Georges Basin Junior Rugby League Club, and has served as a director of the St Georges Basin Country Club. It is through this role that he has assisted so many other sporting clubs in the area. He is also famed for his sensational tomatoes, which he generously shares around the region and gives away seedlings for others to grow.

But Dick is so much more than that. Community minded people like Dick are the heart of regional areas such as mine. All members will know people like Dick in their electorates. People such as Dick gladly sacrifice their free time and lifestyle to raise money for others. Dick found a new and more personal cause to focus his efforts on when he and his wife lost their daughter to cancer at the age of 43. Cancer is an insidious disease that has an awful impact on patients and their families. My daughter was diagnosed with cancer at the age of 22. Nothing worse can happen to a mother. Thankfully, so much can be done to treat cancer and my daughter now has two children. I have a family comprising eight beautiful grandchildren.

What Dick has achieved is truly remarkable. So far he has raised about \$220,000—he is hoping to reach the \$250,000 mark this Saturday night. Dick has attracted sponsors from all around my electorate and there are fantastic raffle and auction prizes to be won. It is a night to behold. Transport tends to be an issue in the central Shoalhaven area. We now have a brand-new cancer bus thanks to the efforts of Dick Manwarring. He has not only had the bus adapted for those with disabilities or mobility problems but also has ensured sufficient money for the running and maintenance of the bus and now has a host of volunteers who drive cancer patients to Nowra.

**Mr Andrew Fraser:** Is he moving to Coffs Harbour?

**Mrs SHELLEY HANCOCK:** No, he is not moving to Coffs Harbour. Before we had the Shoalhaven Cancer Care Centre at Nowra cancer patients had to travel to Wollongong for treatment. However, it still takes 40 minutes to travel from central Shoalhaven to Nowra. This has been a remarkable effort and Dick Manwarring has been behind everything. The cancer clinicians from Wollongong also attend each Code C fundraising evening and talk to the audience. The mayor of Shoalhaven and the Federal member also come along. It is a brilliant night and we are all very proud to be part of it. I cannot think of another community minded person quite like Dick. In fact, a couple of years ago I nominated him for a Shoalhaven Citizen of the Year award. I think he was highly commended; he should have won. I wish Dick well and I look forward to seeing him at the wonderful event on Saturday night.

### **WOOLGOOLGA CURRYFEST**



**Mr ANDREW FRASER** (Coffs Harbour—The Assistant-Speaker) [5.35 p.m.]: A fortnight ago I had the pleasure of attending the tenth annual Woolgoolga Curryfest.

**Dr Geoff Lee:** It is famous.

**Mr ANDREW FRASER:** It is famous. It is normally held in April—

**Dr Geoff Lee:** They got the months mixed up?

**Mr ANDREW FRASER:** They decided that as it had rained so much in April the event would be held in September this year. However, the weather in Coffs Harbour was true to form and it rained early that day. It was still a highly successful day. More than 10,000 attended the festival. Coffs Harbour is home to the largest Sikh community outside metropolitan New South Wales, if not the largest Sikh community in New South Wales.

**Dr Geoff Lee:** Outside Blacktown.

**Mr ANDREW FRASER:** Probably outside Blacktown, if not bigger. Sikhs are not only great community members but also great horticulturists. They have grown bananas in the area for many year and they are now growing blueberries and raspberries. Indeed, the local blueberry cooperative, which has many Australian Indian members, was a sponsor of the festival. The Woolgoolga and Northern Beaches Chamber of Commerce basically ran the festival. I compliment acting president Charlie Nalder and his fine team on their hard work in ensuring it was such a successful day. The event manager, Tegan Ewart, did a fantastic job on the day. Councillor John Arkan, Mayor Denise Knight and the local Federal member, the Hon. Luke Hartsuyker, also attended. Councillor John Arkan, who is an Australian-born Sikh, has a great knack of putting on an Indian accent while wobbling his head from side to side. He insisted that I be fitted with a turban. Post the opening of the Curryfest I spent time wandering around sampling the fantastic food.

**Dr Geoff Lee:** Samosas?

**Mr ANDREW FRASER:** They have everything from samosas to every type of curry—from the hottest vindaloo to a mild butter chicken. The food is absolutely fantastic but one has to be careful not to order too much. By the time you get around—

**Dr Geoff Lee:** Naan bread?

**Mr ANDREW FRASER:** The garlic naan bread was absolutely magnificent. You can also get chai tea and mango lassi. I compliment everyone who was involved in this festival, including the Lions club and the local service clubs. I also thank the Minister for Trade, Tourism and Major Events, and Destination NSW for sponsoring the event. As I have said, the festival has been running for 10 years. It is always extremely well attended and I hope it will continue to be held with government support in the future. It gives us an opportunity not only to share the food of Sikhs in the area but also to experience other cultures, such as Moroccan, et cetera. The different types of food were delicious. The whole Coffs Harbour community really enjoyed the day. People came along to taste the wares and enjoy great music, bands and performers. I again congratulate the Sikh community, the Woolgoolga and Northern Beaches Chamber of Commerce, the Lions club and all the local service clubs that participated on the day for holding yet another fantastic festival.

**Dr GEOFF LEE** (Parramatta—Parliamentary Secretary) [5.39 p.m.]: I congratulate the member for Coffs Harbour on the curry festival in his electorate and remind the House that Parramatta will be hosting Parramasala from 23 October. This festival has been expanded to be a truly multicultural festival representing about 20 communities. It will be held in the heart of Parramatta, in Harris Park, which is our

own "little India". We know the most popular surname in Harris Park is—

**Mr Andrew Fraser:** Fraser?

**Dr GEOFF LEE:** —Patel; unfortunately, not Fraser. Parramatta has a large Sikh community and later this month we will go to the Golden Temple in India to pay respects to our Sikh community. I am sure all members will attend Parramasala, the biggest South-East Asian festival in Australia.

### **PRIMROSE HOUSE**

**Mr STEPHEN KAMPER** (Rockdale) [5.40 p.m.]: I bring to the attention of this place the future of historic Primrose House, a beautiful Victorian structure that has stood on the shores of Botany Bay for more than a century and is now under threat of sale or redevelopment. The site, currently under the ownership of NSW Health, sadly is being considered for sale following a failed plan to convert the site to an offsite dialysis unit for St George Hospital. This community asset needs to be protected, and it is sad to see NSW Health so callously regarding the site as just another expendable asset. Primrose House is irreplaceable, one of the last architectural examples of a bygone era, and I implore all members and the Minister to give due consideration to its importance to my electorate and the greater St George region before we embark on an irreversible process.

Primrose House was originally constructed to be a hotel in 1891 as part of the Botany Bay Pleasure Grounds, but was quickly repurposed for medical usage following the outbreak of the Great War, and was used to treat war wounded from 1913 right up until 1936. It was then that the St George Hospital board, a precursor to the modern South Eastern Sydney Local Health District, bought the property to serve as an annex to St George Hospital. Throughout its history it has largely been used for long-term rehabilitation, extended care and therapy and to support the elderly and infirm. The building remains largely untouched, an expansive two-storey brick and stucco house featuring original timber verandahs and gables. It is a prominent feature of the locality. This building has served the people of St George and New South Wales admirably for more than a century, and it would be a crying shame to see this iconic structure fall out of public hands and potentially be developed. Local residents are rightly disturbed by comments by the South Eastern Sydney Local Health District director of capital works and redesign, Cath Whitehurst, who has recently said:

We are considering a proposal to sell Primrose House as the property no longer meets our requirements.

Minister Skinner needs to let the community know if she agrees with this position, and whether she wants to see Primrose House sold off to the highest bidder. The Rockdale community and our elected representatives are united in their support of retaining Primrose House as Crown land. I offer my sincere thanks to the mayor of Rockdale, Bill Saravinovski, and councillors Ron Bezic, James Macdonald, Andrew Tsounis and Shane O'Brien, as well as my parliamentary colleague Chris Minns, for their continued support of Primrose House and their advocacy for the Sans Souci-Dolls Point community. I particularly congratulate Bill Saravinovski for providing leadership on this issue and drawing support for the preservation of our local history not just from the Labor side of politics but also from Independent and Liberal councillors. Primrose House is an indispensable asset and I will be fighting hard to see it remain in public hands. I offer my support for a State Heritage order to be issued for the site.

### **HASTINGS VALLEY RED DEER**

**Mrs LESLIE WILLIAMS** (Port Macquarie—Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) [5.44 p.m.]: Wild deer have been causing problems in the Hastings Valley for a few decades, but with over 70 car accidents attributed to deer, damage to vehicles amounting to tens of thousands of dollars and very near misses to life and limb, the Hastings community is taking action. Between 2009 and 2014 local police received 23 reports of crashes,

and there were 54 unreported crashes, 42 sightings where safety was a concern, and 29 other incidents including illegal hunting. Given deer are more active in autumn, this could mean two encounters putting the public at risk every week. However, wild deer are more than a risk to public safety as they are destructive browsers and easily jump the average fence.

Instigated by the previous Minister for Primary Industries, the Hon. Katrina Hodgkinson, the Hastings Wild Deer Working Group is creating a management strategy to reduce the problems created by wild deer. I am fortunate to be a part of this group which includes the North Coast Local Land Services, NSW National Parks and Wildlife Services, Port Macquarie-Hastings Council, the RSPCA NSW, the New South Wales Game Licensing Unit, Port Macquarie Koala Hospital, Hastings Hunting Club, the Sporting Shooters Association, the Shooters and Fishers Party, the Forestry Corporation, deer producers, remote technology specialists, Roads and Maritime Services and the NSW Police Force. The diversity of the group shows just how broad the impacts of wild deer are on public safety, threatened fauna and flora, endangered ecosystems, agriculture, sport and recreational facilities and water quality. The management strategy will be founded in fact, from both historical population data collected by group members and recent survey data from 150 or so Hastings Valley residents. Of note is that the public interest in the current survey is substantially higher than the one undertaken last decade.

Port Macquarie residents tell us that wild deer are feeding in urban areas, grazing along and crossing highways and local roads and damaging a wide variety of native, ornamental and agricultural vegetation. They are even being aggressive to livestock and people and are out and about during the daytime, alone or in small groups. The first action taken with the updated deer data was to improve public safety. All road safety signs for deer on the highway and local roads are matched against sightings to inform the best location for the signs or the need for more signs. The second action was mapping the areas about Port Macquarie that needed the most protection from wild deer. Among these were the intersection between the Oxley and Pacific highways, the three major roads into Port Macquarie, the koala habitat between Lake Cathie and Bonny Hills and Port Macquarie's water reservoir.

The third action was comparing the situation in the Port Macquarie region with that where other management programs exist. Our experts are looking at successful ways to use shooting, old and new trapping methods and remote surveillance technology. They are looking at management in the Illawarra and also local programs protecting the Port Macquarie Golf Club. The final action is keeping the community informed, involved and interested in the risks from wild deer and the best ways to manage it. The group's aim is to produce a community-supported strategy that efficiently reduces the impact of wild deer. This strategy will take several months to draft, with public input helping to finalise the strategy. However, we hope that the deer risk will start to drop in autumn 2016 when wild deer management commences. I thank all working group participants for their input and I look forward to continuing to work with them to address this wild deer issue.

## **CLUB ROSE BAY**

**Ms GABRIELLE UPTON** (Vaucluse—Attorney General) [5.48 p.m.]: Last Friday, 9 October 2015, I was welcomed to Club Rose Bay by Rose Bay RSL Sub-branch President Darvill Malcolm, Treasurer Gary MacFarlane and Club Rose Bay General Manager Paul Hardiman, who recently received a \$50,000 cheque for the purchase and installation of solar panels under the New South Wales Government's 2014 Community Building Partnership program. One of the core objectives of the Community Building Partnership program is to "improve local community participation and cohesion through delivery of social, environmental or recreational services or activities by enhancement of community infrastructure". I am delighted to say that this is precisely what Club Rose Bay's project will achieve.

The project, comprising the installation of 200 solar panels and three inverters, will see big benefits for the club and the community it serves. Club Rose Bay has estimated that with its new solar panel system it can achieve annual savings on its power bill of over \$11,000. This will ultimately enable the club to keep overall costs down so that its facilities can remain affordable and accessible to the

broader community in my electorate. It will mean that important community groups such as Probus, Toastmasters, the Association of Independent Retirees and the War Widows Guild of Australia, and tai chi and Zumba groups can continue to use the facilities at a reasonable price. The funding will provide significant cost benefits to the club.

The club is also setting a standard in reducing its carbon footprint. A solar power system for a typical three-bedroom home offsets 50 tonnes of carbon dioxide over 20 years—the equivalent of driving a car for more than 200,000 kilometres. The club has already taken an active approach to becoming a more environmentally friendly organisation by installing light-emitting diode lighting, recycling all glassware, paper and printer cartridges and installing water-saving devices in the bathrooms. These are the sorts of initiatives we want businesses and community organisations to implement to become more efficient, to reduce waste and to contribute to the broader community agenda of environmental sustainability.

I would be remiss not to remark on the outstanding work the Rose Bay RSL Sub-branch does in the Vaucluse electorate. This is in no small part due to the efforts and commitment of president Darvill Malcolm, whom I mentioned earlier; treasurer Gary MacFarlane; and secretary Rosemary Stockley, OAM, to whom I presented a Premier's award last year. I was pleased to present that award to Rosemary to honour her contribution to supporting veterans, current service personnel, their families and the wider community through her work with the Rose Bay RSL Sub-branch. Each year the sub-branch organises a very moving Anzac Day service at the war memorial in Lyne Park. This year's centenary commemorations were particularly well attended by the local community. The traffic was stopped as the Scots College pipers led us down New South Head Road. It was about a 500-metre walk to the site, where we commemorated, celebrated and remembered those whose lives were taken in the service of democracy.

Club Rose Bay, where the Rose Bay RSL is based, is a modern, vibrant and valuable asset to my local community. It is located at the corner of New South Head Road and Vickery Avenue. It was originally the sick bay for men from HMAS *Tingira*, a training ship operated by the Australian Navy between 1911 and 1927. In 1937 the timber-framed structure was refurbished and named Kent Hall, in honour of the Duke of Kent. In 1947 a club was established on the site, and in 1951 this became the Rose Bay RSL Club. The old building was demolished and rebuilt as a brick structure in 1959. Pleasingly, with its latest addition and energy-saving devices, the club has progressed even further from its humble beginnings. It has been and continues to be an important part of my electorate. It is a place of celebration and I am happy to support its ongoing endeavours. I commend my statement to the House.

### **CAMPBELLTOWN ELECTORATE SERVICES**

**Mr GREG WARREN** (Campbelltown) [5.52 p.m.]: I draw to the attention of members the serious problem of service delivery being experienced in Campbelltown, along with other concerns. The regional city of Campbelltown has a population of 155,000 and is growing daily. The Government's announcement of the release of land in the greater Macarthur area will add 35,000 new homes to the south of Campbelltown, at Menangle Park, Mount Gilead and Wilton Junction. This is a challenging concept that has drawn concerns about inadequate infrastructure planning, the absence of an employment strategy and the increased demand on health, education and social services. I concede that the project is in its early stages. The implementation of services is vital to avoid placing strain on existing services and to ensure that new residents are able to enjoy a decent quality of life.

During the election campaign I learned many things. In particular, I learned the importance of meaning what we say and saying what we mean. Residents expect and deserve this from us. I have some serious concerns about what appear to be misleading and inaccurate statements made by Government members prior to the election about services in Campbelltown. Last year the people of Campbelltown were told that it would receive a brand-new Service NSW centre. There was no mention of the closure of existing services. Repeated requests from the media for the former member to confirm or

deny the closures were not responded to.

It now appears that plans were already in place at that time to close Campbelltown, Ingleburn and Narellan motor registries in favour of a centralised service centre at Gregory Hills, despite public announcements to the contrary. I acknowledge the member for Wollondilly's support of his community in this regard. Sadly, Campbelltown will next month lose its motor registry. Disturbingly, it appears that the Government was aware of this during the election campaign. Our community is understandably outraged to lose an essential service and offended by the contempt with which it has been treated. This deception appears to be deliberate, premeditated and aimed at saving face in light of an unpopular Government decision in the lead-up to the election.

In another disturbing example, during the election campaign claims were made that Campbelltown would lose domestic violence crisis services at MARCIA Women's Refuge due to the implementation of the Government's Going Home Staying Home program. These claims were rejected by the Government and the former member for Campbelltown. Assurances were given that refuge services would continue to be provided and that there had been a funding increase. I was saddened to learn recently that MARCIA Women's Refuge no longer exists and there is no crisis accommodation in Campbelltown for women fleeing domestic violence.

I am advised that the facility has been outsourced and is used only for transitional accommodation. It is unable to cater to the specialised needs of women escaping domestic violence. These cuts from the Government have a human cost. I was recently talking to a local mum who had sought refuge from her violent partner, only to be advised that crisis accommodation was not available until six days later and that she would be required to travel, with her children, well outside the Sydney metropolitan area. In Sydney on 18 February 1996, two weeks before his election as Prime Minister, John Howard said:

... the most important thing that any Government can do is to build a sense of trust, a sense of integrity, a sense of honesty and a sense of commitment.

I agree. The code of conduct in this place states:

Members of Parliament acknowledge their responsibility to maintain the public trust placed in them by performing their duties with honesty and integrity.

Since 2011 Campbelltown has experienced its darkest and most disastrous days. The Government's cuts to health mean that Campbelltown Hospital is struggling, with some of the State's worst outcomes and statistics, despite the goodwill and best efforts of staff. I have heard from families that, as a consequence of the cuts to health, people with a disability are unable to receive vital procedures and newborn babies are being sent home without appropriate health checks. Campbelltown TAFE was once one of the best in New South Wales, providing the skills needed for our developing region. It has been left in tatters as a result of funding cuts and fee hikes. I am disappointed that I am in a position where I must question the integrity of election promises, but it is only fair that our community is well informed. Our communities deserve information that is based on truth and fact, not the rhetoric and spin that has characterised the last four years.

### **KANGAROO MARCH RE-ENACTMENT**

**Mr JAI ROWELL** (Wollondilly) [5.58 p.m.]: I draw to the attention of the House an amazing initiative undertaken by the communities of the Southern Highlands and Wollondilly. Just over 100 years ago, our Commonwealth began its involvement in a war that would consume the lives of more than 60,000 Australians and leave 137,000 Australians wounded. The Great War saw us forge a national identity and foster a reputation for courage on the world stage. Women and men from across Australia dedicated their lives to protecting their identity and livelihood, often paying the ultimate sacrifice. After the

failure of the Government's proposed conscription bill in 1915, the Commonwealth turned to patriotic recruitment marches to bolster support for the Australian and British forces. One particular march which left a great legacy to Wollondilly was the Kangaroo march. Departing from Wagga Wagga on 7 December 1915, the Kangaroo march traced its way through the Riverina, the Southern Highlands and Wollondilly to Campbelltown.

They visited towns such as Junee and Cootamundra, before marching across Highland Way through Colo Vale, Bowral, Mittagong, Hilltop, Picton, Thirlmere and Menangle, to name but a few towns, to gather support and recruits for the Australian Imperial Force. The route began with 88 men and the march ended in Campbelltown with 222 men. That was no small achievement given the tiny population of these remote rural areas. The march covered 524 kilometres from Wagga Wagga to Campbelltown, where the recruits boarded a steam train. It was the longest of the Kangaroo marches. Many of the recruits—known as "Kangaroos"—were assigned to the 55th Battalion which served in France from 1916.

Of the men who enlisted after their arrival in Campbelltown, John Ryan of Tumut, born in 1890, was awarded the Victoria Cross. As the 55th Battalion led an assault on the Hindenburg Line in 1918, Ryan ran forlorn toward the enemy trenches, engaging in combat unaccompanied. However, after seizing the German trench, a German counterattack forced the Australian military to retreat and resecured the trench for the German forces. After being driven back to the original Australian line, Ryan organised a counterattack on the recaptured German line. He led a small group that engaged the German military and allowed the trench to be retaken. Ryan was badly wounded in the shoulder during this conflict. Of those who took part in the march, two others were awarded Distinguished Conduct Medals and another seven were awarded medals for their notable service.

Recently, a dedicated group of locals sought to publicly acknowledge the service and sacrifice of the 222 Australians who embarked on the steam train in Campbelltown. They organised a march that traced the route of those 88 Australians who marched the distance from Wagga Wagga to Campbelltown. The re-enactment educated schoolchildren about the Great War and enlightened local residents about the sacrifices that their community made during the war. These extremely dedicated residents organised music, educational events and community activities over 36 days. The Kangaroo March initiative brings to the fore this extraordinary event in our nation's history. The enactment committee sought to inspire local children and to educate local residents about the sacrifices made by their community only 100 years ago.

The Kangaroo March Committee sought to achieve a significant goal on this 520 kilometre march. Committee members wanted to pay tribute to the local diggers, acknowledging the sacrifices that they made for the freedom of Australia. They sought to pay tribute to the families who were left grieving after the toll of the war was fully realised. They also wanted to teach the local community about the Great War by inviting all schools along the way to participate. It was great to see so many schoolchildren waving flags as the marchers passed by. I thank the organising committee members and publicly acknowledge their never-ending efforts. I thank in particular president of the march, Graham Brown; vice-president Rhondra Vanzella; risk and safety coordinator David Williamson; writer and singer Angel Williamson; public and legal coordinator Julie Scandrett; music, education coordinator OJ Rushton; financial officer Nick Illek; and enlistment coordinator Jan Brown.

This dedicated team marched from town to town on the route, educating locals and schoolchildren about the march and about Australian military history and values. On behalf of the people of Wollondilly, I thank the committee for its tireless efforts in organising the Kangaroo march and educating the people of the Southern Highlands and the Riverina. This dedicated team managed descendant's programs for family members to learn about the sacrifices of their forebears, created and distributed newsletters and merchandise, and developed an education plan for local children. I had the privilege of attending many events, including at Mittagong, Hilltop, Thirlmere and Picton and I was honoured to march alongside the participants. Our nation owes a large debt to our service women and men who dedicate their lives to the protection of Australia's borders. We also owe a debt to those who educate us about the sacrifices of Australians past and present.

## FIRE AND RESCUE NSW

**Ms ANNA WATSON** (Shellharbour) [6.03 p.m.]: In June I took the opportunity to briefly acquaint the House with very disturbing allegations about incidents of bullying, sexism, discrimination and harassment within the workplace culture of Fire and Rescue NSW. In my remarks I quoted from statutory declarations and other material that was published in the *Illawarra Mercury* and provided by both former and serving Fire and Rescue NSW personnel. To any observer the information contained in those statutory declarations and in the articles published in the *Illawarra Mercury* makes very disturbing reading. As members of Parliament we rightly praise the work of all the State's emergency service personnel. They all do a tremendous job in safeguarding and protecting our local communities. Just as we praise them, we also have an obligation in this place to ensure they can do that crucial work in safe working environments.

All workplaces should be free from bullying, sexism, discrimination, harassment and violence. I also suggested in my June speech that the Minister for Emergency Services initiate a parliamentary inquiry in the other place to investigate these very serious allegations. I am sometimes accused by members opposite of being a little too hard on the Government in my speeches. However, today I will commend the Minister for the way in which he has handled the matters that I raised in my earlier speech. It must be said that he was not very enthusiastic about my call for a parliamentary inquiry. However, he has been most proactive and courteous in his dealings with me in trying to find a way to resolve these important issues. I thank the Minister. His ministerial colleagues could learn a thing or two from him about how to deal with controversial issues.

I also thank most sincerely the Commissioner of Fire and Rescue, Greg Mullins. He has been very cooperative and upfront in his dealings with me and my office on these matters. I am convinced by his abhorrence of the allegations that have been made, and that such conduct has in the past been part of the workplace culture within Fire and Rescue NSW. Under his principled leadership, the workplace culture in Fire and Rescue NSW appears to be changing for the better. The commissioner has a big job and responsibility overseeing a workforce of more than 7,000 men and women, including volunteers. I have said before that a KPMG report in 2010 made some damning findings about the workplace culture in Fire and Rescue NSW. The report made 14 recommendations to reform this culture and they have all been implemented.

However, there are some serious legacy issues from that period that still need to be addressed. The allegations made by former and serving Fire and Rescue NSW personnel have been treated like a pinball they have bounced from one appeal agency to another. This has only strengthened the understandable frustration they have felt that their claims have not been dealt with and addressed appropriately. Following very cooperative and productive discussions with the commissioner, and exchanges of correspondence with the Minister since my June speech, I believe that together we have found a mechanism that will deal with these legacy issues once and for all. In lieu of a parliamentary inquiry, we have agreed to commission the former president of the New South Wales Industrial Relations Commission, Justice Roger Boland, to reassess each claim made by individual Fire and Rescue NSW personnel. As a former union official who has appeared before Justice Boland, I am confident that he will deal with such cases fairly and comprehensively.

Critically, it has been agreed that individuals whose cases will be reviewed by Justice Boland can provide whatever new information and material they consider appropriate. Justice Boland's findings will be reported directly to the Minister. If Justice Boland finds during his review of individual cases that there are deficiencies in the way these cases were addressed, the commissioner has assured me that such matters will be put right. I hope that these complex legacy cases of past unacceptable workplace conduct within Fire and Rescue NSW will finally be resolved one way or the other. I also thank Cyd Mardon, the new Deputy Editor of the *Illawarra Mercury* for her commitment to telling the stories of these individuals. Without her articles, I am sure that these legacy cases would never have been resolved.

## CATHERINE MCAULEY MERCY DAY

**Dr GEOFF LEE** (Parramatta—Parliamentary Secretary) [6.08 p.m.]: Recently I had the pleasure of attending the excellent Catherine McAuley Mercy Day celebrations and school leaders induction. I commend Principal Laetitia Richmond for her leadership not only on Mercy Day but also throughout the year. Mercy Day was an opportunity to pay tribute to the courageous Irish sisters who made the daring journey from the small Irish town of Callan to Australia some 127 years ago to minister to the poor. Arriving in Parramatta must have been a shock to them, given its stark contrast with the place they had left.

There was great need in Parramatta at the time. The mainly Irish Catholics in the area were amongst the poorest and least educated. The Sisters of Mercy were not fazed by the challenge and within three days of their arrival had opened a primary school for 59 students. That school is still operating today as St Patrick's Primary School, Parramatta. Over the next century, the congregation grew and flourished. The sisters worked in education and welfare in the Parramatta district and beyond. Today, while there are fewer Sisters of Mercy, there are many women and men who work in the Sisters in Mercy ministries continuing Catherine McAuley's vision. Today, Mercy women and men are working alongside refugee and asylum seekers, working with the aged, participating in retreat work and working in schools, hospitals and family care.

Mercy Works, of which the Parramatta congregation is a part, works alongside local communities in Papua New Guinea, Timor-Leste and Australian Indigenous communities to assist them in self-directed and sustainable projects that benefit the whole community. The Catherine McAuley Mercy in Action groups take up the call and lead students to assist in the Mercy mission. Catherine McAuley and the Sisters of Mercy set standards for selfless leadership. Today, they formally recognise students who have been called to leadership of their Mercy school community. As Mercy leaders they serve others without expectation of thanks or reward and follow the example of Catherine McAuley.

In her short time as a Sister of Mercy—less than 10 years—Catherine McAuley founded 12 other Mercy communities and she started schools, hospitals, refuges and training centres. Today the school's Mercy leaders are called to be people of action and to give generously of their time, talents and effort. Catherine McAuley believed in doing the extraordinary extraordinarily well. The school's Mercy leaders are called to respond to the demands of the everyday lives of others. I congratulate all new school leaders on their willingness to accept this challenge, including captains and presidents of the Students Representative Council, Annalise Awkar and Annya Reshty.

I also congratulate the 2015-16 school leaders Sarah Rouissi, Caritas House Leader; Whitney Caruana, Clare House Leader; Grace Mathews, Coolock House Leader; Francesca Cruz, Culture Leader; Megan Akua Serwaah, Dobson House Leader; ElyssaVickers, Environment Leader; Alyssa Caparas, Hospitality Leader; Nicole Abood, Learning Leader; Roanne Gonzales, Liturgy Leader; Pragaa Ganesh, Mercedes House Leader; Lisa Sheraton, Ryan House Leader; Toni-Rose Abdel-Ahad, Social Justice Leader; Kate Bojarojc, Sport Leader; Gabrielle Raymundo, Technology Leader; Lana Alam, Veritas House Leader; and Assistant Leaders 2015-16: Toni Clenton, Caritas House Assistant Leader; Sana Ali, Clare House Assistant Leader; Bianca Hu, Coolock House Assistant Leader; Naomi Borg, Culture Assistant Leader; and Emma Grant, Dobson House Assistant Leader.

I further congratulate Bianca Licican, Environment Assistant Leader; Hannah Bechara, Hospitality Assistant Leader; Grace O'Hearn, Learning Assistant Leader; Judy Johnson, Liturgy Assistant Leader; Caitlin Ram, Mercedes House Assistant Leader; Erika Serrano, Ryan House Assistant Leader; Johanna Jones, Social Justice Assistant Leader; Alexis Zerni, Sport Assistant Leader; Katrina David, Technology Assistant Leader; and Sheena Sangha, Veritas House Assistant Leader. Finally, I pay tribute to Sister Catherine for her continued leadership of the Sisters of Mercy at Parramatta. They provide excellence in pastoral care and spiritual leadership for the whole of the Parramatta area. Sister



Catherine's work should be recognised. Congratulations Sister Catherine.

## **BLUE MOUNTAINS WOMEN'S HEALTH AND RESOURCE CENTRE**

**Ms TRISH DOYLE** (Blue Mountains) [6.13 p.m.]: Tonight I acknowledge the work of the Blue Mountains Women's Health and Resource Centre in leading and coordinating innovative violence prevention programs for high school students in my electorate. Since 2001 this service has championed the delivery of domestic and sexual violence prevention programs in Blue Mountains high schools. Starting with PAIR—Preventing Abuse in Relationships—the service worked with our local women's refuge, local council and other community organisations to educate year 9 students about domestic violence and how to create healthy and safe relationships.

PAIR was embraced by Katoomba High School and ran for four years, educating around 700 young people during that time. In 2004, PAIR was transformed into Kinks and Bends, a program that was developed on the Central Coast and adapted to meet the needs of the Blue Mountains. This program had a much stronger focus on preventing sexual violence and abuse. It looked at issues such as healthy relationships, what abuse looks like, and the effects of drugs and alcohol in that scenario. The aim of this program was to educate young people who were just beginning to develop intimate relationships. For this reason the program targeted year 10 students.

In 2007 the Women's Health and Resource Centre, in partnership with the Elizabeth Evatt Community Legal Centre, revamped the program and developed the Social and Safe program. I acknowledge the work of Lyn Pagan and Meredith Osborne in developing this program. Social and Safe uses a human rights framework and a strong gender analysis to work with young people about safe relationships. It explores issues like consent through the use of scenarios that encourages young people to talk about sexual ethics, sex role stereotypes and personal communication. It provides legal information about rights and responsibilities. It also promotes healthy, safe and respectful relationships. This program was well ahead of its time and explored cyber issues such as sexting, internet pornography and the implications for young people of social networking.

One of the strengths of the Blue Mountains Women's Health and Resource Centre is its capacity for innovation and collaboration. I pay tribute to Suzie Van Opdorp for building such an excellent service and team over many years. This is a strength of the community sector throughout my electorate—services enjoy collegial working relationships that promote wellbeing and build the resilience of the community. Through their efforts the Women's Health and Resource Centre has built a Social and Safe collaboration of around 20 local organisations including the Mountains Youth Services Team, the Mountains Outreach Community Service, neighbourhood centres, the Legal Centre, Blue Mountains Council and Blue Mountains Family Support.

Using the Social and Safe program the Women's Health and Resource Centre has trained more than 40 facilitators in the Blue Mountains and Nepean areas, and it has been trialled in the Lithgow-Portland area. More than 2,000 young people have taken part. In 2010 the Women's Health and Resource Centre received a one-off Community Builders grant to review, revamp and consolidate the work of the Social and Safe program. This grant enabled the program to be rolled out at schools in Katoomba, Winmalee, Springwood and Blaxland, at the Lawson Youth College and at Korowal School. However, to ensure consistent education is made available to all students, ongoing funding is required.

One of the strengths of the Social and Safe collaboration is the strong partnership between schools, and health and community organisations. Over the years teachers have come to value this partnership. A component of the program introduces young people to available resources and services in their local community. It creates a connection between students and local services, and provides a soft entry point. An example of this in action is the Women's Health and Resource Centre's free drop-in young women's health clinic. As a result of participation in the Social and Safe program, young women also typically access the health clinic's services. Here they can access sexual and reproductive health

services, mental health assessments and counselling. Referrals can be made for sexual assault counselling and other specialist services.

I welcome the Government's announcement that anti-domestic violence lessons will be taught in schools, but we need more. We need the expertise of the services that are currently doing this work to be acknowledged and funded. We need Government to consult with the women's health and domestic violence services and build on what is working, rather than re-inventing the wheel. Government must consult with schools and communities to identify what is already being done, how they can do this better and then respond to the gaps. A long-term commitment is needed to address domestic and sexual violence if we are to have any impact, and it must be bipartisan.

### **PUBLIC LIBRARIES FUNDING**

**Mr NICK LALICH** (Cabramatta) [6.18 p.m.]: I bring to the attention of the House the important matter of funding for public libraries in New South Wales. Public libraries are essential to all communities. They give people access to knowledge. They are also often used as a meeting place in the community—a place to socialise, a place to learn and a place to access information. Public libraries are critical to prevent people from being isolated in the community. They are particularly important for students, young people, older people, people from non-English speaking backgrounds and people on low or fixed incomes.

According to an article published in the *Sydney Morning Herald* on 10 May 2015, New South Wales boasts more than three million library members. In 2014 the State's 383 libraries recorded more than 34 million visits, 45 million loans and 7.6 million internet sessions. In addition, more than 1.5 million people attended over 67,000 public programs at their local libraries. Sadly, ensuring our public libraries are properly funded to carry on their important work is a very low priority for this Government. Prior to the last election, Labor proposed that a public library infrastructure fund be established with \$50 million invested in public libraries to undertake infrastructure projects. It is disappointing that the Government has not matched our commitment—in fact, it has made little or no attempt to support our public libraries.

Funding for public libraries has declined dramatically since 2011. The NSW Public Libraries Association has declared that the public library system is now at a crisis point. According to the association this State Government makes the lowest contribution to public libraries of all States in Australia. The Government puts in just 7¢ out of every dollar that is invested into libraries, with the rest of the funding falling on already struggling local councils. To make matters worse, the 2014 State budget devastated our libraries. It has led to many job losses, reduction in opening hours and cancellation of services, and library branches may have to close.

Cabramatta's Whitlam Library recently presented a total of 1,093 signed dolls and postcards to the Government to petition for better funding for public libraries. We are calling on the Government to listen to the community and properly invest in one of our most vital community assets—our public libraries. We urge the Government to look for and put in place a fairer funding model for public libraries. At the very least, funding should be recurrent and increase in line with population growth. Libraries are vital to the fabric of every community. With funding not keeping pace with population growth, the ability for public libraries to continue their work is at risk. The Government needs to invest in public libraries now.

**Private members' statements concluded.**

**The House adjourned, pursuant to resolution, at 6.21 p.m. until  
Tuesday 20 October 2015 at 12 noon.**

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