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# LEGISLATIVE ASSEMBLY

Tuesday 12 November 2013

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**The Speaker (The Hon. Shelley Elizabeth Hancock)** took the chair at 12 noon.

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

## BUSINESS OF THE HOUSE

### Notices of Motions

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

## PRIVATE MEMBERS' STATEMENTS

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### DEATH OF THOMAS KELLY

**Mr DAVID ELLIOTT** (Baulkham Hills) [12.04 p.m.]: I draw to the attention of members the recent and tragic murder of a young man who went to school in my electorate. I use the term "murder" because the offender apprehended for the death of Thomas Kelly was, until a week of active injustice, charged with the offence of murder. In July last year Thomas, who could have been the son or relative of any family represented in this Parliament, went on a night out with friends. This young man was special to me because his parents made the significant sacrifice to have him enrolled in one of the schools in my electorate of Baulkham Hills. I know many of his school mates and the families he associated with. By all accounts, Thomas Kelly was a fine young man, the type of young man any father would boast about. Thomas and his family—indeed, our entire community—had every reason to believe he could achieve anything he put his mind to.

As the father of two young boys who are also schooled in the Hills district, I cannot imagine the pain the Kelly family is going through—pain brought about because of the senseless slaying of their son and then because the New South Wales judicial system thought so little of the crime. I found the circumstances surrounding this matter so unjust that I have written to Mr and Mrs Kelly to formally apologise for the way they have been treated. I know this will have little benefit to the Kelly family and their friends, but it was important to my community that someone who is part of the system acknowledges that the system had failed. In sentencing Thomas's killer, the court used the Aboriginality of the offender as a mitigating circumstance. I find this excuse to be abhorrent because in doing so the court is actually suggesting that Aboriginals must be excused because they may have a predisposed tendency to violence. Does this mean that Mark Ella and Neville Bonner have some genetic, predisposed inclination to this sort of behaviour?

The court also used the offender's low socio-economic standing as an excuse. Is he saying that low-income Western Sydney families are also genetically predisposed to murder? As a working-class western suburbs boy, I find that excuse horrific. I cannot imagine anyone in my social sphere suggesting that they should be excused from a crime simply because they hail from Western Sydney. The court finally suggested that the offender's single parent upbringing is a mitigating circumstance. Does that mean that all single parent families have killers in their midst? If not, why are offenders able to use this as an excuse for their behaviour? Of course, the answer to all these questions is no. That is why the outrage of the Thomas Kelly case is unprecedented. The court handed down a ruling which was within the confines of acceptable standards according to the New South Wales judiciary.

What kind of society do we live in when those entrusted with the disposition of justice choose to hide behind the latest politically correct sociology? Nobody believes that justice should be dispensed by a lynch mob. However, it is clear from the feedback I am receiving in my own electorate that the community believes the courts have forfeited the right to use their total discretion in sentencing. For this reason, it is my opinion that this Parliament needs an honest and open debate about the need to legislate for mandatory sentences when the courts

have found offenders guilty of premeditated and wilful acts of violence. In this place we often speak of rights—the right to a defence, the right to a fair trial. I ask the House: What about the right to life, liberty and the pursuit of happiness?

Sadly, Thomas Kelly no longer holds any of these rights, while his killer will enjoy all of these rights again in just four short years—four short years after an absolute demonstration of a lack of empathy, which is, to my mind, the very definition of evil. Edmund Burke once said that "all that is necessary for the triumph of evil is for good men to do nothing". Evil is flourishing and it is time the judiciary of our State began honouring their commitment to justice and human rights for all, not just those who come before the bench. A young schoolboy from my electorate was killed last year. How many more schoolboys will die before the rights of victims of crime become the paramount concern of our legal system?

### WOLLONGONG CITY COUNCIL

**Ms NOREEN HAY** (Wollongong) [12.09 p.m.]: Today I raise a number of concerns held not only by me but also by a large number of my constituency. Recently Wollongong City Council determined to undertake a financial sustainability review that included community consultation and engagement. The council's idea of consultation and engagement is different to mine. The council agreed to set up a citizen panel to provide advice to councillors and the community on how to find \$21 million a year to ensure that the council is financially sustainable over the long term. I say at the outset that no-one should blame the panel because the panel members have simply been trying to do the job for which they were selected. However, they were not selected by Wollongong council. The council had outsourced the role to Straight Talk, which then apparently randomly selected 34 people to report over a short period on the biggest turnaround or change proposed for the Wollongong City Council area.

I note that comments made by a number of people refer continuously to this being a conversation. I suggest that a conversation normally would begin with two people or two groups being involved, not with presentation of an ambit claim as a *fait accompli*, with the probable intention of making the recommendations look less horrific than at first described. Some of the proposals included privatisation and outsourcing, which would lead to a loss of jobs and would not be acceptable when one considers the number of job losses already in the Illawarra and Wollongong, in particular. I have read very little in relation to the Wollongong City Council's costs blowout for projects such as the revamping of the mall, for which the Federal Labor Government provided the council with \$5 million. Despite that funding, the costs blew out. From what I can see, there is a complete lack of direction in terms of achievement of efficiencies.

When asked to provide details of the members of the panel so that the expertise being brought to bear could be ascertained, people were accused of trying to find out who they were so that they could be bullied. Transparency requires details to be provided on who is a member of the panel and the expertise they bring to the table as well as how decisions are made. Some of my constituents have said that this is surely a job for elected councillors who represent the Wollongong local government area, rather than the decision-making process being outsourced. Questions also have been raised about whether the process is the council's role. I have received complaints regarding the process whereby the randomly selected group of 34 have been given such a task in relation to the council's finances with a distinct lack of transparency.

The panel meetings were facilitated by Straight Talk, which is a community engagement firm. I am yet to read how much the firm was paid. The information was provided to the panel by the council's executive team. I am yet to read the terms of reference. The panel released its report on 5 November, which happened to be Melbourne Cup day. I have been contacted by a number of constituents in the Wollongong electorate to complain about the limited time of two weeks in which to respond to the report, which amounts to 15 days because submissions close on 20 November. That is a disgrace. The panel's recommendations include but are not limited to a 7.5 per cent's rate rise over three years, the closure of Unanderra library of all things, the closure of the Lakeside Leisure Centre, the closure of children's playgrounds, cessation of maintenance on sea pools, among many other matters—I have cited only a few of the recommendations.

I live in Dapto and can only conclude so far that the recommendations will significantly increase my rates, privatise and reduce job numbers, and cut or decrease already limited services. There is also a question of balance. Did the panel consider the balance and impact of services provided across the entire Wollongong local government area taking into account social divisions—for example, fees for pool usage that will have a significant impact on those who live in southern suburbs and lower socio-economic areas? Is this a case of a lack of democracy and indeed transparency, with the details of the panel still shrouded in secrecy, or is it an ambit claim? I call upon the council to consider this to be a consultative process.

### SONGWRITER MS KATIE HARDYMAN

**Mr STEPHEN BROMHEAD** (Myall Lakes) [12.14 p.m.]: I inform the House of the significant musical achievements of Katie Hardyman and recognise her for those achievements as well as the role she plays in the community. Katie Hardyman lives in the Manning Valley. She has been writing songs from the age of 14 and along the way pursued a nursing career. Of course, anyone who trains as a nurse has a caring and nurturing trait, and that is certainly so in Katie's case. She raised four children and is a multiple award-winning songwriter.

Approximately five years ago, following the tragic death of a family friend, Katie was asked to write a song in his memory. That song, *I am Only Sleeping*, has turned into something much bigger and better than Katie realised at the time of writing it. It is something others can relate to over the loss of someone close to them. The song was never meant to be made public; however, with the family's permission, it was promoted to help others in a similar situation. Katie has won awards in the United Kingdom, the United States and France as well as in Australia. Her heartfelt ballads resonate deeply with her audiences as her words unveil the story which inspired the song.

In 2013, Katie has been a category winner at the West Coast Songwriting International Song Contest, the Dallas Songwriters Association international song contest and the Song of the Year Songwriting Contest. Katie was a Top 5 winner or finalist at the SongwriterUniverse song contest, the UK Songwriting Contest, and the Australian Art Sales Short Film Competition. In 2012, Katie was a finalist in the following international contests: triple finalist, the Australian Songwriters Association National Songwriting Awards; double finalist, the Great American Song Contest; semifinalist, the Dallas Songwriters Association international song contest; triple finalist, the UK Songwriting Contest; and runner-up, Song of the Year Songwriting Contest. In 2011, Katie won the prestigious Rudy Brandsma Award for Songwriting Excellence at the Australian Songwriting Association's National Awards. This special award is given to an entrant who displays outstanding elements that cannot be overlooked. The awards are Australia's longest-running national songwriting contest for professional and amateur songwriters. Songs are assessed for their songwriting craft, including lyrics, melody, structure, arrangement and originality.

Katie recently embarked on a new project to help children cope with bullying. Her song, *I am Just a Child*, was written for her son, who experienced difficulty at school. An animation was created for the song, undertaken by Nickelodeon Australia, and an accompanying book written for the campaign has the trademark slogan: Don't Hate, Be a Mate. The project has been trialled at a number of schools in the Manning Valley. From all reports, the campaign has struck a chord and gets the message across to children. Because bullying is such a serious issue, I encourage the Department of Education and Communities and other educational authorities to seriously consider implementing the project throughout all our schools.

I have outlined a number of Katie's achievements. She is very much involved in the Manning Valley community and very much a part of the great Australian Children's Music Foundation, which was set up by Don Spencer. Initially the foundation looked at going into children's homes and other institutions to pursue its philosophy of engaging troubled children in music and encouraging them to engage in education. Since the success of the program in those institutions, it has been rolled out into other areas of need.

Under the Connected Communities strategy, 15 schools in New South Wales were selected for a trial and two of the schools are in the Manning Valley, in areas where there are troubled young people as well as underprivileged children and families. Many of the children from that background are not engaged in education. Through the Australian Children's Music Foundation, Don Spencer's work and the efforts of Katie Hardyman and others in the local community, the program is being rolled out in the Manning Valley in the hope that through music children will become engaged in pursuing education, and that through their education they will be able to defeat poverty and leave behind their circumstances.

### ALBURY WODONGA CANCER FOUNDATION

**Mr GREG APLIN** (Albury) [12.18 p.m.]: How often can it be said that a community group that was founded to pursue real and dramatic improvements for the benefit of its neighbours has achieved its founding goals? This year, the Albury Wodonga Cancer Foundation [AWCF] celebrates a quarter of a century of service to its community. Its organisers can speak with pride when they note that the goals set at its first meeting 27 years ago have been largely met. Having found in September 1986 that there were no dedicated cancer care and treatment provisions in Albury Wodonga and its region, the organisation came into being. Its initial aim was

to support a local nurse, Sister Jane Ayers, to introduce a palliative care service to the region, based upon her work with the Albury Mercy Care Hospital. In my view that palliative care program is revolutionary for a regional area. Volunteers assist cancer patients on physical, social, emotional and spiritual levels. Care, which is available at all hours of the day and on each day of the week, is at the hospital or in a person's home. Families are supported too.

Some years later, the New South Wales and Victorian governments came on board and, with the Albury Wodonga Cancer Foundation, jointly paid for a full-time coordinator for the volunteers. Soon the mission expanded, aiming to get Albury Wodonga its own cancer care equipment, similar to that of the Peter MacCallum Cancer Centre in Melbourne. What an ambition for a regional community! The foundation also helped to drive a campaign to raise \$1.75 million to establish a 10-bed palliative care centre at the Mercy Care Hospital. Members recognised that facilities were not enough—we needed more expert doctors as well. In the early 1990s Professor Fox, an oncology specialist from Melbourne, would drive his car to the border once a month. The Albury Wodonga Cancer Fund stepped in and funded air tickets and accommodation for the professor so he could spend less time on the road and more time with patients.

Eventually other oncologists moved to Albury Wodonga. The foundation faced many hurdles, including the difficulties imposed by our system of State and Federal governments. Even the gathering of health statistics on the border suffered—for example, when New South Wales authorities would not include Victorian figures in a report even though residents of Victoria would cross the Murray for treatment on this side of the border. From time to time I continue to be confronted by people who cannot comprehend the artificiality in health services delivery in accordance with a red line on a map.

The Albury Wodonga Cancer Fund has also seen its goals for local facilities come true—with the development of the Albury Wodonga Regional Cancer Centre and completion of its 20-room patient and carer accommodation centre. Born from the Albury Wodonga Cancer Fund, the Albury Wodonga Cancer Centre Trust Fund was founded to focus on fundraising for the regional cancer centre. Construction of this \$70 million facility is due to commence soon. While the official budget will pay for the centre and its staffing, one can imagine all the other elements that need to be found, and paid for, in order to make this a more perfect, comfortable and welcoming centre. That is where the trust has stepped in. In a similar way, the community has supported the construction costs, furnishing and extra details for the Albury Wodonga Carer Accommodation Centre known as Hilltop.

Hilltop is a \$5.5 million facility managed by the Fight Cancer Foundation. Although Hilltop is not restricted to use by those with cancer, the successful community campaign behind Hilltop provides a graphic demonstration of the region's enormous financial and emotional investment in procuring dramatically improved treatment and facilities for those dealing with cancer, either personally, as family members or supporters. Much of the local fundraising for the carer accommodation centre was done by service clubs such as the Zonta Club Albury Wodonga, Lions District 201V6 and the Rotary club of Albury north, although many other clubs and private individuals donated time and money. Proudly, the O'Farrell Government has contributed \$870,000 to this infrastructure project, and again I thank the Minister for Health for her rapid and generous response when informed about the centre.

This was another record-breaking year for the border's annual Relay For Life, held in Bunton Park. The number of participants continues to rise for this 24-hour event. Indeed, this year 2,850 registered participants took part—a boost of more than 200 on last year. The generosity of the border community continues to be displayed in this iconic event. Although looking to raise \$350,000 in donations, the organisers will now have to deal with receipts of \$450,000—an increase of \$64,000 on the amount raised across Albury Wodonga in 2012. At every level, the border community continues to grapple with the task of supporting the needs of people with cancer and to ensure that they get the best possible treatment available near to where they live. Today I send my congratulations to the Albury Wodonga Cancer Foundation for more than a quarter of a century of service and leadership. I also thank the other organisations that work hard in this ongoing battle, including the Cancer Centre Trust Fund, Fight Cancer Foundation and Hilltop, as well as the Relay For Life committee and participants.

#### **THE DISABILITY TRUST**

**Mr RYAN PARK** (Keira) [12.23 p.m.]: The Disability Trust is located in my electorate but its work spreads throughout the Illawarra and other parts of New South Wales. Last week at Wollongong I had much pleasure in attending the annual general meeting and acknowledging the great work the trust has done over the

past 12 months. Under chair Brad Pym and chief executive officer Margaret Bowen, who are both inspiring and passionate individuals, this organisation has continued to grow in the very dynamic and ever-changing environment in support for people with disabilities. All of us know or know of individuals who suffer from a disability. The Disability Trust is leading the way in the provision of support for people with disability in the Illawarra and beyond.

I will share with the House some of the amazing statistics from the 2012-13 annual report: for 2012-13, 101 clients attended sport and recreation camps; it has 3,047 clients and 831 staff; 221 people with disabilities were placed into employment—a great achievement; 179 internal training courses were provided; 95,305 hours of direct care provided by Care Solutions; and Kids Fund allocated \$97,517 for equipment for children with disabilities. I have accessed Kids Fund for support on behalf of local constituents. Founder Leigh Stewart is the driving force behind Kids Funds. Each year he works really hard so that children with very severe disabilities can have access to equipment that government bodies are simply not able to always provide in a timely manner. I pay tribute to Leigh, Brad and Margaret for their work and continued support of families and children in our community.

That afternoon there was also an honour roll ceremony for Margaret Biggs amongst others. Margaret has been a tireless worker for the community, particularly for The Disability Trust. Margaret continues to be a passionate and committed leader in our local region. On that occasion I learnt about the My Voice My Choice website, which was developed by The Disability Trust and won an innovation award. This site allows people to self-manage the type of treatment and support they need. It allows them to keep track of their budget and to access additional support online. This useful site gives people a sense that they are making decisions about their support needs. It has been very well received by parents, carers and the individuals I spoke to.

The Disability Trust continues to achieve great outcomes for people with disabilities both in the Illawarra and beyond. The trust is open, transparent and accessible. As local member I often come into contact with people trying to access support for their loved ones, family members, friends and carers. The Disability always responds promptly to my inquiries and gives the best advice possible to help ensure that those in my community with a disability are supported. I thank The Disability Trust and look forward to working with them in the years ahead.

### **HIDDEN TREASURE IRENE WORTH**

**Mr STEPHEN BROMHEAD** (Myall Lakes) [12.28 p.m.]: I inform the House that Irene Worth of Bulahdelah has been named in the 2013 Hidden Treasures Honour Roll presented by the Department of Primary Industries. The honour roll formally acknowledges the efforts of women living in rural, regional and remote areas and celebrates volunteering as an important community value. Irene was born in Taree in 1938 and grew up in Bulahdelah. At fifteen Irene became a live-in housemaid and then started work as a nurse at Bulahdelah hospital. In 1960 Irene married and began her voluntary work. She was president of the Bulahdelah Central School mother's club and Parents and Citizen's Association, and also worked on fundraising committees. In 1981 she became a teacher's aide. She retired in 2000 and joined the Bulahdelah Hospital Auxiliary, where she became president in 2006.

Irene continued her association with the hospital and through her role on the steering committee assisted with changes at the hospital. She is a legatee and a member of the garden club. Irene also volunteers at Bulahdelah Courthouse, the Historical Society and Bulahdelah Tourist Information Centre. She spends many hours making jams and pickles for the many organisations with which she is associated. Irene is associated with and concerned about the welfare of her community and is extremely active in local issues. She has spent virtually her entire life working in and assisting the Bulahdelah community. When I was a lawyer giving pro bono advice Irene was also on the swimming pool committee. Irene has a positive impact on almost every aspect of community life in Bulahdelah and I commend her work to the Bulahdelah community.

### **MORISSET PENINSULA POLICING**

**Mr GREG PIPER** (Lake Macquarie) [12.30 p.m.]: I raise in Parliament today concerns about police response in the Morisset peninsula area of my electorate highlighted by a number of incidents recently brought to the attention of my office. On 25 October 2013 I wrote to the Minister for Police and Emergency Services regarding two reports of break and enter in the peninsula area, one of which resulted in the occupant of the house having his face slashed by the intruder. In the first incident on 24 September 2013 the intruder entered the home of two of my constituents in Morisset Park and stole a mobile phone, which was later used to access social media.

In the second incident on 3 October 2013 another constituent from the nearby suburb of Bonnells Bay interrupted an intruder in his house at about 5.00 a.m. In the ensuing brief scuffle the home owner was slashed with a knife and the intruder escaped through the backdoor. The home owner did not lose any property in the incident but was left understandably shaken. He was treated by paramedics and the incident was reported to police, who launched an investigation. On 5 November 2013 again I wrote to the Minister for Police and Emergency Services, this time in relation to a trespass at Bonnells Bay on 13 October 2013. In circumstances familiar to the previous incidents, an intruder was observed on this constituent's property at about 5.00 a.m. A neighbour disturbed him by making a noise and the intruder ran off.

What has troubled my constituents is the lack of follow-up on these incidents, given the similarity in circumstances and the obvious premise that the incidents are the work of the same person. The couple involved in the first incident informed local police of the mobile phone theft and the thief's use of it to access social media, believing this would provide the authorities with a possible avenue of identification. They were disappointed subsequently to find that no-one had been assigned to investigate the break and enter. They were informed that the details of the social media use had apparently been forwarded to Charlestown police but at the time of my last contact with these constituents there had been no follow-up.

The constituent involved in the third incident said that he reported the trespass to Toronto police but they appeared, in his words, "disinterested" and did not provide him with an event number. He called the station on 23 October to follow up and was told there was no record of his report. The following day he visited the station, spoke to a senior constable and left with the impression that the incident would be followed up. Yet again, there has been no contact by police. The peninsula community is small and tight knit and people are disturbed by the apparent presence of a potentially violent intruder in their midst. While the break and enter involving the mobile phone theft and the trespass incident may not have involved significant property loss or injury, the constituents involved are surprised they were not given more attention by police, given the spate of such incidents in the area.

These complaints go to the wider issue of lack of police coverage in the area. Morisset police station has had no resident officers for several years. The community is told the station is still manned by remote staff from Toronto but see little evidence of this. Police services in western Lake Macquarie remain in limbo due to continued delays in the delivery of promised and much-needed station redevelopments for both Toronto and Morisset police stations. I note that the Minister is aware of this and is looking into the matter. These improvements were promised in early 2012 as part of a \$21 million development that also includes the transfer of Lake Macquarie command headquarters to a new station at Belmont. Nineteen months later, though, not a sod has been turned on any of these sites and no date for the start of work has been given.

I understand that Lake Macquarie City Council is part of the problem in that agreement has not been reached on the type of development to fit the site. It was interesting that the Minister seemed surprised by the lack of progress when he visited the Hunter last week. He told NBN Television that he was unaware of a delay in the approval of the development application for the new headquarters. Recently I placed questions on notice regarding the start dates for the new stations at Morisset and Toronto and proposed manning levels post-redevelopment but received a predictably non-committal response. I trust the Minister will move to hasten the development approvals for these much-needed new stations and also look into the apparent poor response to the very real concerns of my constituents about a possible serial intruder in the peninsula area.

### **CHRISTMAS IN NARELLAN**

**Mr CHRIS PATTERSON** (Camden) [12.35 p.m.]: Today I speak about a wonderful event held last Saturday in my electorate—Christmas in Narellan. I had the pleasure of taking my five-year-old son, Matthew—I know I look younger than that—to this great night, hosted by Narellan Chamber of Commerce and supported by major partners Narellan Town Centre and the Rotary Club of Narellan, which has grown from strength to strength since its inception. Local businesses, church groups, schools, charities, service clubs and volunteers assist to promote the community spirit that is Christmas in Narellan. Matt Leighton, OAM, was a founder of Narellan Chamber of Commerce. He was the president for 24 years and is now a life member. When Matt set out to start his tyre business in Narellan he had a vision for Narellan and the growth of business in the area. Narellan town centre and the central business district have grown over the past 18 years from vacant land to one of the largest shopping and business precincts in the Macarthur region, with plans to extend the shopping and services area over the next decade. The rapid population growth has meant demand for expansion of the area is imminent.

Last Saturday night I had the opportunity to catch up with Matt and it is always a great pleasure to speak to a former president of such high calibre. I bring to the attention of the House the current president, Adriana Care. Adriana shares Matt's passion for the chamber, Narellan and surrounding areas. She would be the first to acknowledge that Matt's 24 years of service is a hard act to follow but I am extremely confident the chamber is in great hands under Adriana's stewardship. The lights were switched on by Caroline Psarris, a year 2 Macarthur Anglican School student who won this year's writing competition entitled "What Does Christmas Mean to Me?" The event was a wonderful success, with the arrival of Santa delighting the many children and adults in attendance. Carols by Candlelight were part of the outstanding entertainment provided by young talent from local schools, coupled with Brooke Manzione and Brittany Cairns from *The Voice*.

This event would not have been possible without the support from the community and businesses. I thank star sponsors—AGL and Tabcorp Menangle Park; Santa sponsors—Coutts Conveyancing, ANZ, Solutions Outsourced, *Camden Advertiser*, Camden Hire and Funnells Electrical Contracting; Angel sponsors—Fitzpatrick Group, Wests Campbelltown, Camden Valley Financial Solutions, Clintons Toyota, Redmans, The Drum Room, Lions, Coles, Lifehouse, New South Wales Business Chamber, TRN Group, Macarthur Castles and Macarthur Signs; Tinsel sponsors—Commonwealth Bank, Shoe Talk, United Cinemas, GIO Narellan, Serenity Finance Planning, Grimes Finance and Mortgages, Lifestyle Sports and Physiotherapy, Grabowski Financial Planning, Around the Clock Pest Control, G. Warren, Distinctive Living Design, McDonald's Macarthur, Narellan Motor Inn, Woolworths, Bunch-it-With-Country Florist, the Australian Botanical Gardens Mount Annan, Macarthur Anglican School, EmbroidMe, Youth Solutions, Mater Dei Camden, Bunnings Narellan, Camden Council, Somerset Music, St Clare's Primary School, Hillbrick Bicycles and Comfort Inn Hunts Liverpool.

This tremendous support demonstrates that it truly is a community event. I thank the organising committee, which comprised Paul Mingay, Syd Hyett, Trish Hyett, Amy Rawlings, Elaine Arriguetti, Paul Stevens, Amy Woodley, Jenny O'Brien, Rowan Gregson, Kathryn Hauville and Brad Page. The executive of the Narellan Chamber of Commerce is to be congratulated on a very successful event: President Adriana Care, Vice President Bryn Robinson, Secretary Kate Darin, Treasurer Amy Woodley, Sponsorship Officer Sandra Bartlett, Christmas in Narellan Chair Paul Mingay, Marketing and Communications Officer Paul Stevens, Membership Coordinator Daniel Check, Speaker-Events Coordinator Maria Sapienza and Web-IT Coordinator Dominic Ooi. For its second year, this fantastic community event is growing from strength to strength. I look forward to supporting this great event again next year. The Narellan Chamber of Commerce is to be applauded for working with local businesses, school, charities, community groups and council to ensure another outstanding event of which the community is extremely proud. I commend the Narellan Chamber of Commerce and Christmas in Narellan to the House.

### **REDEEMER BAPTIST SCHOOL**

**Dr GEOFF LEE** (Parramatta) [12.40 p.m.]: I bring to the attention of the House the humanitarian work of Redeemer Baptist School, its principal Jonathan Cannon, staff and students. Redeemer Baptist School in North Parramatta has again excelled in a variety of key learning areas this year with a second place in the BHP Billiton Science and Engineering Awards, gold and silver medals in the primary and secondary Combined Independent Schools athletics carnivals, the prize for year 6 in the Australian Mathematics Competition, two firsts and a second in the Dorothea Mackellar Poetry Awards, second place in the Science Teachers Association of New South Wales [STAN] Young Scientist Awards for years 7 to 9 with an innovative gear mechanism to enable forward facing rowing, and a gold award in the Board of Studies WriteOn competition. These sports and academic achievements of Redeemer students are commendable, but I bring to the attention of the House also a highly commendable project that the Redeemer community this year has supported in a remote tribe in Papua New Guinea.

In July Jonathan Cannon, principal of Redeemer Baptist School, took seven of his former students to the remote Barai tribe in the Oro Province of Papua New Guinea, just north of the Owen Stanley Range. Their purpose was to provide logistical support for a team of volunteer doctors and nurses—led by Professor Alice Lee of Macquarie University Hospital—as they delivered vaccinations to the whole tribe of about 3,000 souls in accordance with World Health Organisation and Papua New Guinea Government protocols. The Redeemer Baptist School community has supported education initiatives in the villages of the Barai tribe for more than 30 years. Each year it sends boxes of clothing that are sold by the Barai Non-Formal Education Association to fund literacy programs, including *Bible* translation and health education. Members of the Redeemer Baptist Church also have funded enrolment positions for Barai children at the school, two of which have completed education degrees in Papua New Guinea and now teach in their remote Itokama primary school.

Barai villages have no electricity or running water so last year student-led fundraising at Redeemer Baptist School enabled the installation of solar lighting and power at the Itokama school. Another two Barai Redeemer students have completed vocational training as paramedics and contribute to health needs in their Barai villages, which have no access to doctors or nurses—medical help is about four days walk away through the tropical jungle. A few years ago Professor Lee was asked to treat a Barai student who was studying in Sydney and whose young mother had died recently in their remote village without any medical diagnosis or treatment. The boy was heartbroken, but as Professor Lee treated him she began to envision how she could help his tribe through a vaccination program. Professor Lee requested Redeemer's involvement because of the longstanding relationship of Redeemer staff and students with the Barai tribe.

So in the first visit in July this year the medical and school-led teams slept in Barai huts, ate yams and walked up to 20 kilometres each day to deliver more than 3,000 vaccines and provide general health clinics for all the Barai people. On the first night the doctors performed life-saving surgery on a girl with a septic infection in her hand. The surgery has been followed up in Australia through the generous support of Dr Paul Curtin and Macquarie University Hospital. Redeemer Baptist School principal, Jonathan Cannon, and Professor Lee now are organising their next visit to the Barai next January. Professor Lee said:

The Redeemer young people were amazing, nothing fazed them, they were always on task, we couldn't have done it without them.

In addition to assisting with general health clinics, Professor Lee's specific aim is to help the Barai become hepatitis B free. I commend Redeemer Baptist School for all its humanitarian work in Papua New Guinea and certainly for its strong educational and pastoral care for the Parramatta community. It is one of the area's outstanding schools. I commend not only Redeemer principal Jonathan Cannon, but also his staff and students. The school's performance and leadership is a community beacon.

### **SANDON PUBLIC SCHOOL**

**Mr ADAM MARSHALL** (Northern Tablelands) [12.45 p.m.]: I take this opportunity to inform the House that Armidale's Sandon Public School recently celebrated its twentieth year of operation. This young school has a proud and interesting history. Prior to 1993 Sandon Public was known as Mirambeena School for Specific Purposes—an SSP school—and catered exclusively for students with disabilities. The school was established in 1981 and 12 years later, through the cooperation of parents of enrolled Mirambeena students and the then New South Wales Department of School Education, became a new mainstream public school catering for three mainstream classes and two special education classes. In its first year in 1993, 82 students were enrolled with five classroom teachers—Peter Pickett, the inaugural principal, Jan Crockett, Irene Ellis, Melinda Colley and Belinda Clarke. Administrative and support staff were Angie Mortell, Jenny Fulcher, Lyn Thomas and Sue Ross.

The school now has an enrolment of around 220 students, of whom 20 per cent have a disability, and has been awarded for its capacity to be highly inclusive and deeply caring with considerable expertise in catering for the most complex student mix. This diversity includes students with disabilities in mainstream classes and a specialised education unit. The student population includes students from a wide range of socio-economic, cultural, Indigenous and non-Indigenous backgrounds. All children at Sandon learn how to value and embrace their differences, resulting in a most respectful and happy school tone, which can be truly felt when walking into the school. Sandon teaching and support staff are extremely dedicated and experienced in identifying and meeting the learning needs of each student, from those with learning disabilities and difficulties through to gifted and talented students at the higher end of the spectrum.

This expertise is evidenced by consistent high individual student growth each year measured by in-school and external assessment programs. The school is renowned for its welcoming and friendly culture, and very strong partnership with parents, carers and members of the wider community. The school council and parents and citizens association work tirelessly as active participants in and guides for the school and its students. One of the school's notable strengths is in providing effective learning and welfare programs. Each year students participate in myriad activities ensuring their engagement with all mandatory curricula, as well as wideranging extracurricular activities. The school has a reputation for its excellent discipline and effective learning policies. I had great pleasure in attending Sandon's recent twentieth anniversary celebrations at the school, along with current and former students, teachers, parents and community members.

People fall in love with this school; the fact it has had just two principals in its 20-year history—Peter Pickett for 10 years and current principal Ruth Samuels of 9 years—along with a stable staff, is testament to the

fact that everyone is overwhelmingly happy in the Sandon school environment. In the past couple of weeks the school celebrated something else: the Minister for Education, Adrian Piccoli, announced the new Resource Allocation Model, which hugely benefits the Sandon school community.

Next year Sandon Public School will receive an 889 per cent increase in its equity funding, a total of \$51,230, which is an increase of more than \$46,000 on this year's allocation. Knowing the school community as I do, I know this money will be put to very good use by Ruth Samuels and the school community to improve student learning outcomes and meet the needs of the 220 students at Sandon Public School. It is with great pride and pleasure that I congratulate Sandon Public School on its twentieth anniversary. I acknowledge and commend principal Ruth Samuels, assistant principal Sue McCulloch, and all the dedicated staff on a job well done. I wish them all the best for the next 20 years as they continue to provide outstanding education for their students.

### **RYDE STORYTELLING PROGRAM**

**Mr VICTOR DOMINELLO** (Ryde—Minister for Citizenship and Communities, and Minister for Aboriginal Affairs) [12.50 p.m.]: The Ryde Storytelling Program is now in its second year. It continues to facilitate the connection of our youth with those who remember. This program is designed to expose students to those with firsthand knowledge, bring Australian war history alive and awaken an understanding in our youth of the words, "Lest we forget." I will share with this Chamber the insight it has inspired. The program is supported by Marsden High School principal Gus Vrolyk and history staff Cimen Fevzi and Sean van der Heide. It brings Ryde's older generation to the school for a morning tea and traditional storytelling.

The recounting of knowledge is critical as we pass the flame from one generation to the next. Following the storytelling, students write essays about the experience, portions of which I will share with the House today. The storytelling morning was an incredible blend of cultures, and the multicultural diversity and intensity of the students' interest was notable. There was respect shown for both old and young and laughter erupted as Australian yarns were told. Student Naomi Markham wrote:

I was scared at first. I didn't want to say the wrong thing or ask too many questions (or not enough). But as soon as I saw their warm smiles and experienced their sense of humour I felt a lot more at ease. The opportunity to talk to the storytellers is something I will carry with me for the rest of my life. They opened up my eyes and showed me what it really means to be an Australian.

Veterans Bernie Cox and Alan Bennett from Ryde RSL sub-branch and veterans Glenn Barry and Peter Colthorpe talked with students and told them stories that came from firsthand and inherited knowledge. They were joined by Elizabeth Colthorpe, whose father and grandfather fought for Australia, and Janet Godsell, whose stories came from firsthand experience. On this day she spoke of women who had joined the Land Army and in particular a lady named Jean Butson. Naomi Markham noted in her essay:

The story that I remember most was of the platoon coming under heavy fire. Their forward scout had been wounded in the neck and had been unintentionally left in the retreat. But the actions of one brave soldier and friend saw him return to the area to save this wounded man's life. It left us all lost for words. It was an act of true courage, selflessness, and bravery, witnessed and passed on to us by the man sitting right in front of me.

Students Christine Plummer, Trishall Kapotra, Joshua Jung, Naomi Markham, Nikhill Deka, Tamara Tornai, Jessie Di Loreto, Delaney McCrory, Sally Dang, Harry Darwand and Parmis Yazdani participated on the day and their recounting of stories and personal reflections are inspirational. The words of Joshua Jung which ring true are as follows:

I believe the story is one of many legacies that should be forever remembered in Australian history. It has reminded me of the importance of such simple things as friendship; how lucky we are to have comrades who experience the good and bad times of our lives and share the grief as well as joys in different circumstances. I also reflected on how important it is to know about the young history of Australia, especially the sacrifices the soldiers of Australia had to make through such horrifying experiences in order to protect our home, Australia.

The words of Harry Darwand summarise and encapsulate the students' thoughts on the program. He states:

I started off that morning quite nervous and even as we sat down I could feel my heart racing. I was expecting someone serious and emotionless, somewhat frightening and maybe even intimidating. However, when he began to speak I realised he was a kind-hearted compassionate man. He was your average bloke: A very decent man. If I hadn't heard the words from his own mouth I would never have guessed that he was someone who had been to hell and back.

This is why we must and we do remember.

## TONGAN NATIONAL DAY

**Mr BRYAN DOYLE** (Campbelltown) [12.54 p.m.]: On Saturday I represented the previous speaker my good friend the Minister for Citizenship and Communities and Premier Barry O'Farrell at Tongan National Day celebrations held at the Campbelltown Catholic Club. The celebration was hosted by the Macarthur Pacific Tongan community. I was honoured to attend with Mr Taeli Falekava Kupu, First Secretary of the Tongan High Commissioner, and Councillor Fred Borg from Campbelltown City Council. I stated on the night, "If I was not Australian I would be Tongan." Having been born at Wollongong, which faces the Pacific Ocean, I am a natural Pacific Islander. That is probably one of the reasons why the Minister chose me to be the chairman of the Ministerial Community Consultative Committee for Maori and Pacific Communities. I told the First Secretary for the High Commissioner of the Kingdom of Tonga that he was most welcome in Campbelltown. The secretary, a highly educated man who attended universities in England and Scotland, knows full well the power of education.

I informed the First Secretary for the High Commissioner of the Kingdom of Tonga that I look forward to hosting him on a visit to the New South Wales Parliament in the near future. I told the First Secretary for the High Commissioner of the Kingdom of Tonga and other delegates present that Australia is a migrant nation and that we all share the Australian dream of coming to this country and achieving a better life for ourselves and for our children. I was also pleased that a good friend of mine Simione and his girlfriend, Susie, were present at the function. Last month Simione received Australian citizenship in my presence. I told the group that the Tongan community is a part of the Australian story; that they all came here to achieve a better life and brought many good things with them—and they still do. I told the First Secretary for the High Commissioner of the Kingdom of Tonga that Tongan community members brought with them to Australia a love of God, family and community, a great respect for their elders and for hard work and, most importantly, a love of food and footy—all those things that are most important to the Australian way of life.

I told the First Secretary for the High Commissioner of the Kingdom of Tonga that Campbelltown was a place where Australians of Tongan heritage were held in the highest esteem. Men such as Isileli Tuitavuki—better known to many as Isi—president of the Macarthur Pacific Tongan community, do a great deal to maintain their traditional links to Tonga, and they run a fairly mean kava ceremony. Semisi Falekakala, a good friend I worked with at Campbelltown police station, is now working with the Federal Police. Semisi founded the Falekakala Scholarship Foundation, which raises money to educate poor children in Tonga. I am proud to be patron of that organisation. Ta'ane Tupola set up the Australian Pacific and Maori Community Services Group and was awarded the Premier's award for his community service. The group was set up with elders who provide elder patrols at Macarthur Square on Saturday nights to promote respect for elders in our community.

The Australian Pacific and Maori Community Services Group established a community garden to encourage healthy lifestyles by growing vegetables and good food to eat. That community garden appeared on the ABC program *Gardening Australia*, which is hosted by Costa Georgiadis who ran a full segment on the garden. Australians of Tongan descent have contributed greatly to our community. Last Saturday they gathered to reflect on Tongan National Day. The people of the Pacific and New South Wales have a close and ongoing relationship. At Campbelltown, that great opal of the south-west and the best part of the Macarthur region, Australians of Tongan heritage are held in the highest regard. I commend them to the House.

## UMINA BEACH ROTARY CLUB

**Mr CHRIS HOLSTEIN** (Gosford) [12.59 p.m.]: Today I acknowledge the Umina Beach Rotary Club in my electorate of Gosford. The club holds an annual Pride of Workmanship award presentation to recognise outstanding employees who take pride in their work. In this place we often recognise the outstanding achievements of people in New South Wales who perform well above expectations on the national and international stage. But we also understand the need to recognise the quiet achievers in our electorates who in their own way—through their dedication, work ethic, passion, and care for work colleagues—help to make our society what it is today. They contribute to the wellbeing of businesses, and thereby contribute to the wellbeing of our economy, from which we all benefit.

Rotary recognises the contribution that those with special qualities offer to their local communities. On 16 October, the Umina Rotary Pride of Workmanship awards were presented to Mr Glen Lliss, a baker at Baker's Delight; Mr Bill McCarthy, maintenance manager at Peninsula Village; Ms Rebecca Pearl, a care worker at Peninsula Village; and Mr Troy Dove, a customer care waiter at Everglades Country Club. It was inspiring to listen to the reasons these recipients were nominated by their employers. We all know how hard it is

to please our employers, not matter what the job. Mr Lliss was nominated by Rosemarie Mondal, who said that she employed him as a 15-year-old to work as a sales front-line staff member. After he passed his Higher School Certificate examinations, Glen chose a career in the baking trade. He is in his third year as an apprentice baker and will qualify in 2014. Rosemarie said that Glen always gave a 100 per cent effort and had great passion for his job.

Bill McCarthy was nominated by Jackie Bennett, his service manager, who said that Bill had worked as a maintenance manager for the Peninsula Village for the past seven years. He was on call 24 hours a day, seven days a week and juggled his work and family life with the best of good humour. He assists the residents of the retirement village above and beyond the call of duty and has a brilliant relationship with all the staff. Rebecca Pearl was nominated by Melinda Dempsey, the Executive Care Manager at the Peninsula Village. Rebecca has worked at the Peninsula Village for more than six years. Melinda said Rebecca shows a true commitment to the organisation's philosophy of care and is person-centred in her approach when caring for residents: she always puts the person before the task.

Troy Johnson was nominated by Shane Johnson, Director of the Umina Beach Rotary Club. Rotary holds its meetings at the Everglades Country Club and Shane is a customer in the bistro before every meeting. Troy has worked at the Everglades Country Club for more than six years since he moved from Wollongong. Troy, always with a smile on his face, started as a kitchen hand and through sheer dedication, determination and hard work has progressed to his current role in customer service. He is a welcome personality. He always goes the extra mile and is focused on keeping the customer happy. I too am a member of the Rotary Club of Gosford City. The Rotary Pride of Workmanship slogan is, "Do it once, do it well and build a better Australia". What a great way to express how we all can contribute in our own way to build a better Australia. I congratulate all those who were recognised on the night and all the other recipients of Pride of Workmanship awards from Rotary clubs across the wonderful State of New South Wales.

#### ASSOCIAZIONE NAZIONALE CARABINIERI

**Mr CHARLES CASUSCELLI** (Strathfield) [1.03 p.m.]: I inform the House that I attended the Raduno 2013 of the Associazione Nazionale Carabinieri, the first time it has been held outside of Italy. It was held from 8 to 10 November and attracted many guests from around the world. For the edification of the member for Newcastle, in English it is the National Association of Carabinieri and "raduno" means a rally, a reunion, a gathering, or an assembly. As an ex-member of the Air Force, he would be familiar with those terms. The raduno is a celebration of service and commemoration of sacrifice. On Friday 8 November a gala dinner was held at Parliament House. On Saturday 9 November there was a church parade, and on Sunday 10 November there was a march into Martin Place. The Carabinieri are the fourth branch of Italy's Armed Forces. They have a 199-year history of service to the people of Italy and next year they will celebrate their second centenary.

**Mr Tim Owen:** I like the hats.

**Mr CHARLES CASUSCELLI:** They have got the most gorgeous hats. I think the member for Newcastle is quite envious; I might get him one for Christmas. The Carabinieri members are highly skilled and have been involved in international operations, serving alongside the Australian Defence Force and the Australian Federal Police. Not only do the Carabinieri have a role to safeguard Italy against external aggressors, they also safeguard Italy against criminal and terrorist activities and promote domestic peace. Today the association comprises 115,000 officers on active duty. The elite paramilitary organisation comprises more than 200,000 proud and loyal former and serving members. It has 1,700 branches, 26 of which exist outside Italy, including in Australia.

The Associazione Nazionale Carabinieri provides assistance to its members and their families. It also conducts activities that prevent bushfires and provides assistance to areas struck by natural disasters in Italy. It maintains a spirit of camaraderie and a network of support for members leaving active service. The history of the Carabinieri is the history of Italy. Commencing in 1815, divisions of mounted Carabinieri charged Napoleon's Army and were involved in many battles that led to the unification of Italy. In 1915 the Carabinieri were mobilised into military units and sent to the battlefronts alongside the Italian infantry. In 1935 and 1936 the Carabinieri were involved in operations in East Africa. During World War II the Carabinieri were again mobilised and deployed into many areas of operations, from the African deserts to the Russian wastelands.

**Mr David Elliott:** Did they change sides?

**Mr CHARLES CASUSCELLI:** I will get to that. For the edification of the member for Baulkham Hills, in late 1943 the Carabinieri created a central command for a liberated Italy and began supporting the Italian resistance. At this time, 2,735 Carabinieri were killed and 6,521 were injured fighting alongside the resistance and fighting alongside the allies.

**Mr David Elliott:** Despite that, we won.

**Mr CHARLES CASUSCELLI:** The member for Baulkham Hills may do well to listen. The Carabinieri have a distinguished record of international peacekeeping and law enforcement. In 1855, 52 of their members were sent to the Crimea; and in 1883, members were sent to Assab in the Red Sea. Between 1897 and 1906, members were sent to the island of Crete to maintain public order; and between 1900 and 1914, members were sent to Peking. In 1935 they were part of the International Police Corps; and between 1950 and 1958, they were in Somalia serving alongside members of the United Nations forces. In the lead-up to the Timor declaration of independence, they were serving alongside their Aussie mates. Today, more than 1,000 serve in trouble spots around the world. I thank and acknowledge the work of Commendatore Antonio Bamonte, Coordinatore Continentale, Associazione Nazionale Carabinieri, who is also the Presidente Sezione di Sydney. The catchcry that is voiced at the end of every gathering is: "Viva Associazione Nazionale Carabinieri. Viva l'arma dei Carabinieri. Viva Italia. Viva Australia".

### HUNTER MEDICAL RESEARCH INSTITUTE

**Mr TIM OWEN** (Newcastle) [1.08 p.m.]: Today I talk about the Hunter Medical Research Institute in Newcastle, which is highly valued by residents in the electorates of the Hunter. Last Wednesday I had the pleasure of attending the Hunter Medical Research Institute awards with my colleagues the member for Charlestown and the member for Wallsend. It was a great honour to be part of the event to acknowledge the 1,200 research staff and students associated with the institute and the outstanding participants who earned awards for their excellence in research. This year's event attracted a record amount of funding from donors, totalling \$1.4 million, which is testament to the high regard in which the people of the Hunter and Newcastle hold this wonderful institute.

The Hunter Medical Research Institute is a leading institute in translational research. It strives for better understanding within seven key research areas: brain and medical health; cancer; cardiovascular health; information-based medicine; pregnancy and reproduction; public health; and viruses, infections, vaccines and asthma. The Hunter Medical Research Institute is an initiative of the University of Newcastle in partnership with the Hunter New England Local Health District. Without the commitment of these institutions, we would know much less about the diseases that affect not only Hunter residents but all Australians.

The institute's motto is "Leading research for life-changing results", and it continues to deliver on those results time and again. The Hunter Medical Research Institute staff continue to develop breakthroughs in cancer, cardiology, diabetes, mental health, and stroke research, to name just a few. At the awards ceremony I had the privilege of taking part in recognising and celebrating the outstanding work of a handful of very special Hunter Medical Research Institute researchers. I will take a moment to recognise officially some of the key achievers, including Professor Phil Hansbro, who received the Hunter Medical Research Institute Award for Excellence.

Professor Hansbro is a scientist at the University of Newcastle. He and his team specialise in airway inflammatory disorders such as chronic obstructive pulmonary disease. Some of his achievements include reducing the time it takes to assess the link between tobacco smoke and the disease from a tedious six months to eight weeks. I am told that this is an international breakthrough. Professor Hansbro's laboratory has also identified new immune factors involved in protection against influenza and has opened up new therapeutic possibilities in relation to smoke-induced chronic obstructive pulmonary disease. Congratulations to Phil and his team on their work and wonderful achievements.

Associate Professor Vanessa McDonald received the other premier award, the Award for Early Career Research. Vanessa heads a new group within the Hunter Medical Research Institute Viruses, Infections, Vaccines and Asthma program, which is known as the VIVA program and which has achieved important developments in personalised management of airways diseases. A former nurse, Vanessa is the perfect example of the Hunter Medical Research Institute's philosophy of always wanting to do more. She has now transferred her commitment to helping people through translational research and the development of clinical practice guidelines for asthma and chronic obstructive pulmonary disease, publishing chapters and national reports on the subject. I thank Vanessa for her hard work.

I also acknowledge the recipients of the Hunter Medical Research Institute supporter grants. While I do not have time to mention all 50 recipients, they include Pink Frangipani Breast Cancer Project; Dalara Foundation Project; Estate of the Late James Scott Lawrie Project; Lions District 201n3 Diabetes Foundation Project; and Hunter Medical Research Institute's Singleton Foundation Project, Events Project, Workplace Giving Project, In Memoriam Project, Male Depression Project, Bowel Cancer Project, Cancer Project, Children's Cancer Project, Chronic Fatigue Project, Youth Health Project, and VIVA Project. We have a huge number of outstanding researchers doing fantastic work across the medical spectrum.

I congratulate them—particularly the 50 grant recipients—on the great work that they do. I extend my warmest congratulations to all award recipients and I offer my thanks for the research services they provide and their dedication, particularly to translational research through the University of Newcastle and the Hunter Medical Research Institute by implementing these fantastic outcomes for patients in the Hunter-New England district. The community owes researchers like them a great deal. My Hunter parliamentary colleagues and I are very proud to acknowledge them and their great achievements.

### SHOALHAVEN RIVER FESTIVAL

**Mrs SHELLEY HANCOCK** (South Coast—The Speaker) [1.13 p.m.]: I draw the attention of the House to an exciting event held on Saturday October 26. I am sure that you, Mr Acting-Speaker (Mr Gareth Ward), share my excitement about the Shoalhaven River Festival, which we both attended. It was a spectacular event that had not been held in Nowra since 1998, when it was called the Nowra Spring Festival. The event was the culmination of the passion and commitment of the Nowra CBD Promotions Committee and the Shoalhaven Tourism Board, including Lynn Locke, Catherine Shields and others who worked so hard to bring the festival back to Nowra. There was renewed colour, life and energy in the town. It was wonderful to see thousands of locals and visitors walking down Bridge Road towards the river to enjoy the occasion.

Shoalhaven River is the venue for many events, including wakeboarding and waterskiing competitions. It is also popular with those who enjoy fishing, boating and similar water-based pursuits. It was fabulous to see mums, dads, grandparents and kids enjoying the event. The day was capped off by an outstanding fireworks display, which was viewed by hundreds of children and others on the riverbanks. The river was the main staging area for festival events such as dragon boat racing. There was a pollies dragon boat race in which the Acting-Speaker participated, although I did not see it.

**ACTING-SPEAKER (Mr Gareth Ward):** And we won!

**Mrs SHELLEY HANCOCK:** Hopefully the honourable member did not fall overboard.

**ACTING-SPEAKER (Mr Gareth Ward):** No, I did not.

**Mrs SHELLEY HANCOCK:** There were also stand-up paddleboard races and a vintage boat parade. It was fantastic to see the Shoalhaven River as the focal point of the festival and the re-establishment of a flagship event for the Nowra township. The river is one of the most significant natural and beautiful assets of the Shoalhaven and it was pleasing to see it being utilised by the community. Prior to the big day, a cocktail reception was held at the Shoalhaven Entertainment Centre, with special entertainment provided by contestants from *The Voice*. The community played a significant role throughout the event with dance schools, pipe bands, belly dancers, bicycle riders, cheerleaders, Variety Bash cars, vintage car owners and local businesses all represented in the parade.

Participants and organisers prepared for many months for the revival of this event. I congratulate everyone involved in the planning and organisation because it went off without a hitch. The weather was perfect—as it always is on the South Coast—and everyone enjoyed the day. I again congratulate Catherine Shields, Lynn Locke and the committee. Without their passion, commitment and enthusiasm for the event it would not have happened. I often hear members speaking about their communities organising events in their electorates. This is one such event that was a remarkable success. Of course, we have many other events such as the Blessing of the Fleet in Ulladulla and the Sussex Inlet Family Fishing Carnival. They are organised by hardworking community volunteers who give up so much time for their communities to celebrate their town or village.

The Acting-Speaker and I both made representations to the Premier requesting funding for this important event because it is not always easy to find the necessary funds to establish or re-establish an event. The Premier generously provided \$7,500, which paid for the fireworks. The committee was delighted and I thank the Premier for his support. Local businesses and organisations have been fantastic in their support.

I acknowledge Shoalhaven City Council, Beechwood Homes, Radio 2ST and Power FM, Hanlon Windows, the *South Coast Register*, and Shoalhaven Water and Coates Hire for their support and assistance in bringing back this event to the northern Shoalhaven.

I am extremely pleased that the Nowra Spring Festival has been reinvented and is now the Shoalhaven River Festival and that Nowra once again will play host to such a wonderful event, which I hope will be held again next year. It has been a great deal of hard work for people like Catherine Shields and Lynn Locke, but I hope that after a short rest they can recruit another committee who will again involve themselves in organising a fabulous day. It is wonderful seeing Nowra and the Shoalhaven River as the centre of these activities and being enjoyed by so many people.

**ACTING-SPEAKER (Mr Gareth Ward):** I join with the Speaker in congratulating Shoalhaven City Council, Lyn Locke and Catherine Shields on the outstanding organisation of the Shoalhaven River Festival. I also congratulate the Speaker on the birth of her two new grandchildren, Alexandra and Grace. Congratulations, Madam Speaker.

**Private members' statements concluded.**

*[Acting-Speaker (Mr Gareth Ward) left the chair at 1.18 p.m. The House resumed at 2.15 p.m.]*

**DISTINGUISHED VISITORS**

**The SPEAKER:** I welcome to our gallery Alfonsino Grillo, Minister for Immigration for the region of Calabria, Italy and Tony Mittiga, Consulore for the region of Calabria, Italy, based in Sydney, and members of their delegation. They are guests of the member for Cabramatta and the member for Fairfield.

**MR TREVOR McDONALD, SUBEDITOR, PARLIAMENTARY REPORTING STAFF**

**The SPEAKER:** I extend a very special welcome to Matthew McDonald, who joins us in the gallery. It is with regret that I have to inform the House that Trevor McDonald, a subeditor on the Hansard staff, passed away from a diabetes-related illness on Saturday 9 November 2013. Trevor served the Parliamentary Reporting Service (Hansard) and the New South Wales Parliament for a total of 22 years, from March 1984 until October 1990, and again from March 1998 until his recent death. He was promoted to the position of senior reporter in July 2011 and to the position of temporary subeditor in August 2013.

Trevor had extensive court reporting experience, having commenced his career as a court reporter in July 1975. While Trevor worked in all jurisdictions, the majority of his work was in the Supreme Court, where he worked with Justice Roden. Trevor worked as a court reporter in Hong Kong from October 1990 until March 1998. Trevor was a highly valued member of the Hansard team for 22 years and he will be sorely missed by his colleagues. In particular, we will miss his wide general knowledge and his sense of humour. Trevor is survived by his wife, Jan, and his children, Amanda and Matthew, and his grandchildren, Annalise, Zachary and Mia. On behalf of the House, I extend to the family the deep sympathy of the Legislative Assembly in the loss sustained.

*Members and officers of the House stood in their places as a mark of respect.*

**ASSENT TO BILLS**

Assent to the following bills reported:

Coal Mine Health and Safety Amendment (Validation Bill) 2013  
 Industrial Relations Amendment (Industrial Court) Bill 2013  
 Companion Animals Amendment Bill 2013  
 Crimes (Domestic and Personal Violence) Bill 2013

**ADMINISTRATION OF THE GOVERNMENT OF THE STATE**

**The SPEAKER:** I report the receipt of the following message from His Excellency the Lieutenant-Governor:

T F BATHURST  
 Lieutenant-Governor

Office of the Governor  
 Sydney, 3 November 2013

The Honourable Thomas Frederick Bathurst, Lieutenant-Governor of the State of New South Wales, has the honour to inform the Legislative Assembly that, consequent on the Governor of New South Wales, Professor Marie Bashir, being absent from the State, he has assumed the administration of the Government of the State.

## PHILIPPINES TYPHOON DISASTER

### Ministerial Statement

**Mr BARRY O'FARRELL** (Ku-ring-gai—Premier, and Minister for Western Sydney) [2.22 p.m.]: On Friday one of the strongest typhoons on record slammed into the Philippines. Since then our television screens have been filled with images of incredible destruction and human misery caused by Typhoon Haiyan. Initially it was estimated that more than 100 people had died in the typhoon. On Saturday the Red Cross estimated that that figure could climb to 1,000. But as the rescue efforts swung into action and as authorities and non-government agencies spread out across the country, the estimated toll increased tenfold. Current estimates are that 10,000 people are feared to have died in Tacloban city alone, with hundreds of others killed elsewhere across the Philippines. The United Nations said that the world should expect the worse for the final toll.

The Philippines has been hit hard by natural disasters in recent months. In October this year a 7.2 magnitude earthquake hit the island of Bohol, impacting the entire Central Visayas region. The earthquake killed more than 200 people, left more than 900 people injured, and damaged or destroyed more than 70,000 homes. The earthquake recovery effort was underway when, on 8 November, Typhoon Haiyan struck. It has impacted across nine regions and has affected an estimated nine million people. In spite of the images on television it is difficult to fully comprehend the magnitude of the disaster unfolding for the people of the Philippines. Rescue efforts in many areas are being hampered by isolation and the aftermath of the typhoon, with communities being cut off by flooding and landslides. There are reports of shortages of essential supplies and many affected areas do not have access to clean water, which is creating a very real and imminent risk of disease.

On behalf of the people and the Parliament of New South Wales I would like to recognise the ongoing efforts of both the Filipino authorities and the Filipino community in their response to this terrible disaster. As I said to the Consul General this morning, I want to publicly commend the strength and resilience shown by the people of the Philippines. The rescue effort is likely to go on for weeks, if not months. The Philippines will then face years of recovery and rebuilding. But amidst the devastation and chaos it is heartening to see the world rallying to provide vital aid and support.

The New South Wales Government has a strong relationship with the Philippines. I take this opportunity to offer this Parliament's deepest condolences to Filipino-Australians whose loved ones have been affected by the two recent natural disasters. I applaud the rapid response of the Australian Government in providing much-needed financial and emergency relief support as well as in providing personnel, including a team from the National Critical Care and Trauma Response Centre.

Today I informed the Philippines Consul General that New South Wales will be contributing \$500,000 to the relief efforts. It might be described, in part, as part-payment for the magnificent contribution so many Filipino-Australians have made to this city and to our State. The community that rejoiced only a year ago at the visit of President Benigno Aquino to this city is now grieving for the loss of family and friends in this terrible tragedy. President Aquino is providing exemplary leadership during this disaster. Importantly, this donation to the relief effort absolutely reflects our solidarity and support of President Aquino and the people of the Philippines at this time.

**Mr JOHN ROBERTSON** (Blacktown—Leader of the Opposition) [2.26 p.m.]: I join the Premier in expressing the deep sadness of all of us at the unfolding tragedy in the Philippines due to Typhoon Haiyan. My electorate of Blacktown has one of the largest populations of Filipinos and Australians of Filipino descent outside of the Philippines and I know many constituents have concerns for the wellbeing of family members and loved ones. Today I know that the thoughts and prayers of all Australians are with the people of the Philippines. We also think of our own Filipino community, many of whom may have lost relatives and friends. We think of those right now frantically attempting to ascertain the welfare of the people they love—parents and grandparents, brothers and sisters, aunts and uncles, friends and neighbours.

To Australians, the people of the Philippines are family. We know them. They are dear to us. Their loss is our loss and their grief is our grief. At moments like this we are reminded that we are not simply Australians but we are part of a common humanity. Typhoon Haiyan, a category five typhoon, struck the eastern Philippines in the early hours of Friday morning. It struck with a ferocity rarely seen in human history, with wind gusts of 275 kilometres per hour and a six-metre storm surge, and it saved its worst for the coastal city of Tacloban. Four days later, this typhoon has left a trail of devastation that numbs us to the core.

As the Premier said, as many as 10,000 people are believed dead so far and as many as nine million people have been affected or displaced, including four million children—the equivalent of the population of Sydney and Melbourne, and then some. Across the affected region the scenes we have witnessed on our television screens are almost unimaginable. In fact, they could be described as truly apocalyptic—bodies strewn through the streets and swept along by muddy storm surges, an endless trail of debris, coconut palm trees uprooted, cars overturned, homes crumpled and destroyed, and survivors left without shelter, food and clean water, and now at risk of contracting diseases such as cholera.

We know that many of the victims are in outlying areas that rescuers are having difficulty accessing. We also know that the threat is not over as the typhoon is changing direction and stands to buffet millions across Vietnam, Laos, Cambodia and southern China. Today the Parliament thinks of all those in its terrible path. We grieve for the people who have lost their lives and we resolve to do all we can to help. I welcome the Commonwealth Government's announcement that it will provide \$10 million in foreign aid and I welcome the Premier's announcement of the contribution that will be made by New South Wales.

Australians are practical people and they are already giving generously to UNICEF, World Vision, Oxfam and other aid organisations in the field. This region urgently needs food and all the essentials of life, items such as water purification tablets, nutrient supplements, medical kits, mosquito nets and blankets. Every little bit helps. As Australians we remember the Boxing Day tsunami. We hoped and prayed, never again. Yet ours is a world where nature does not discriminate in its ferocity. At the outset I said that the people of the Philippines are family. Families look after each other. The people of the Philippines need to know that wherever their trials they are not, and will never be, alone.

## **BUSINESS OF THE HOUSE**

### **Notices of Motions**

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

**Government Business Notices of Motions (Business with Precedence) given.**

## **QUESTION TIME**

[*Question time commenced at 2.33 p.m.*]

## **ALCOHOL-RELATED VIOLENCE**

**Mr JOHN ROBERTSON:** My question is addressed to the Premier. Given that we saw another tragic death last week of a young man in Sydney following an alcohol-related assault, will the Premier finally take action to address the problem of alcohol-fuelled violence on our city streets?

**Mr BARRY O'FARRELL:** I am pleased to tell the Leader of the Opposition that we have and we will continue to do so. It is only about a month ago that the *Sydney Morning Herald* was forced to report the fact that alcohol-fuelled violence at Kings Cross had reduced after the range of measures put in place by not only the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts but also the Minister for Police and Emergency Services, and the Minister for Transport. Those changes are about ensuring better regulation of licensed premises at Kings Cross. They were designed to ensure a better police presence on the streets at Kings Cross and to address the transport needs of late-night revellers in places such as Kings Cross. Our message is clear: People across the city should be able to go out and have a good time without being harassed by people who think it is in some way acceptable to go out and have a skinful and make themselves objectionable or worse in terms of violence on our streets.

That is one reason we are trialling sobering up centres, and it is one reason we have given police increased powers to deal with drunks on our streets. This stands in stark contrast to the lack of action of members opposite over 16 years. It is not as if alcohol-fuelled violence in this city started on 26 March 2011. Certainly on that date a government came to office determined to give police and other authorities the power to deal with it, whether through those increased powers or whether through trialling different approaches, such as sobering up centres, which will give police the opportunity to divert people off the streets, whether they might be victims of alcohol-fuelled violence or indeed perpetrators.

It is arguable that alcohol-fuelled violence started on the streets of this city before there were indeed streets, from the time the First Fleet arrived. Grog, alcohol—however one wants to describe it—has been a curse on this city for the 225 years that Europeans have been here. Frankly, it is a curse visited with much too great a preponderance on our Indigenous citizens, whether across this State or in other parts of the nation. If the Leader of the Opposition has an easy solution I would like to hear it. If he has an easy solution that Labor ignored for 16 years I would like him to enunciate it.

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

**Mr BARRY O'FARRELL:** I hear the Leader of the Opposition talking in radio grabs about somehow or other this Government being in cahoots with the State's alcohol industry. It is only during the last parliamentary sitting that we forced through the Parliament further measures for Kings Cross in relation to identification scanners, which the Australian Hotels Association absolutely opposed and on which Opposition members in the other place played footsy with the Australian Hotels Association, threatening to defeat the legislation.

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

**Mr BARRY O'FARRELL:** So if we want to know who is in cahoots with the Australian Hotels Association, I am happy to compare our record with that of Labor.

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

**Mr BARRY O'FARRELL:** I am happy to compare the fundraisers organised after Bob Carr gave access to poker machines to the Australian Hotels Association with anything that has happened on our side of the House.

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

**Mr BARRY O'FARRELL:** Let us not pretend.

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

**Mr BARRY O'FARRELL:** We have heard the Commissioner of Police make the point that many of the drunk people out on the streets at night are what has been described as pre-fuelled.

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

**Mr BARRY O'FARRELL:** I am talking about people who have been drinking at home, particularly younger people who cannot afford the drink prices charged in some of the clubs and pubs across the city. So the problem starts in the home. The problem includes takeaway liquor from bottle shops. Equally, the problem rests with personal responsibility. One of the great scourges of this society is the fact that everyone wants to shift onto government —

**Mr John Robertson:** There's no personal responsibility on your frontbench.

**The SPEAKER:** Order! I call the Leader of the Opposition to order for the first time. The Leader of the Opposition will cease interjecting.

**Mr BARRY O'FARRELL:** For 16 years we never heard the words "personal responsibility" from members opposite.

**The SPEAKER:** Order! The Leader of the Opposition will cease interjecting and arguing across the Chamber. The member for Kiama will come to order.

**Mr BARRY O'FARRELL:** My message is clear: We will continue to give police the powers they need to deal with the drunks on our streets. The Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts will continue to ensure that laws are put in place to better regulate particularly those problem venues across our city and across the State. My message is clear: Individuals, in particular parents, must take greater responsibility about the misuse of alcohol in homes and set a better example for our young people. Unless we do that, this cycle of violence will continue.

## GUN CRIME

**Mr ANDREW ROHAN:** My question is addressed to the Premier. How is the Government cracking down on gun crime?

**Mr BARRY O'FARRELL:** I thank the member for Smithfield for his concern, and the concern of many members for their communities across the State, about gun crime. Last year or late in the year before, I, together with the local area commander, visited a shopping centre in the electorate of the member for Smithfield. At each shop, police asked what they continue to ask today; that is, for intelligence about what police even then described as targeted shootings across this city. I am sure that last Tuesday every member of this House was angered on hearing the report of an injury to a 13-year-old girl when individuals sprayed shotgun pellets into her home after having visited the home to try to get access to her older brother. It was the horror scenario we have all been worried about and police have been fighting hard to avoid.

For some time police have said that the bulk of these shootings across Sydney are targeted: villains dealing with villains. As the Commissioner of Police, Deputy Commissioner Kaldas and I have said repeatedly, it does not make the shootings any less disturbing. It is also certain that the more shootings, the more likelihood that an innocent bystander will be injured, or worse. Last Monday night a 13-year-old girl was sprayed with shotgun pellets. This Government has been serious about cracking down on gun crime and police have been provided with a range of new powers. I am delighted to again report that the police are getting results.

Since the August launch of Operation Talon, which brought together the full focus of the NSW Police Force, under the leadership of Deputy Commissioner Nick Kaldas, public place shootings into properties have halved across this city. Police have advised me that over the same period they have arrested and charged 196 people for serious offences closely associated with gun crime, including murder, shoot with intent to murder, assault with a firearm, and illegal firearm possession. Two days after the shooting of the 13-year-old girl, police launched raids across Sydney and arrested several members of the so-called Brothers For Life gang for a series of serious offences relating to two shootings last year, which left one man dead and two others injured. Deputy Commissioner Kaldas has indicated his confidence that these arrests will go a long way to dismantling this group altogether.

During the past weekend, police raided outlaw motorcycle headquarters in Newcastle in the Hunter. Earlier today Commissioner Scipione announced that 32 individuals have been served with firearm prohibition orders under the new powers this Government gave police, which came into effect last week. I expect that number will increase during the coming weeks. Firearm prohibition orders have existed in New South Wales for a number of years, but under those opposite they were effectively inoperable by police.

**Mr John Robertson:** We shamed you into this.

**Mr BARRY O'FARRELL:** This Government changed the way they operated.

**The SPEAKER:** Order! The Leader of the Opposition will cease shouting across the Chamber. I remind the Leader of the Opposition that he is on a call to order.

**Mr BARRY O'FARRELL:** We made the orders more practical and police are now using them. The orders give police search powers, and offenders found in illegal possession of firearms, or even parts of firearms or ammunition, face 14 years jail. It means criminals who have been served with these firearm prohibition orders know that police will be able to stop and search for weapons in their cars, in their homes, in their workplace or at their bokie headquarters. There is no place to hide, and the searches can be undertaken at any time.

**Mr John Robertson:** Aircraft and vessels?

**Mr BARRY O'FARRELL:** I note the grumblings from the current Leader of the Opposition. I say "current" because this morning I heard the member for Maroubra on the radio doing a media grab. Hearing the member for Maroubra on a radio grab is rarer than seeing a whale walking down George Street. What must he be up to? The fact is that for 16 years the former Government did nothing. It put firearm prohibition orders on the statute book but made them unworkable for police, as it did with the Law Enforcement (Powers and Responsibilities) Act changes to arrest powers. It has taken this Government to clean it up for police to have the opportunity to use these powers. These laws also give police the power to search for guns without a warrant in

criminal hangouts, those that are declared disorderly houses. More than 30 of those served with these firearm prohibition orders are from the Rebels outlaw motorcycle gang, including four very senior members. [*Extension of time granted.*]

Commissioner Scipione is very pleased about these laws, which we developed in consultation with him and police. He believes that they will help police to drive down gun crime even further and rein in the use of firearms by thuggish criminals across this city and this State. The speed with which he has issued these firearm prohibition orders shows the value the police place on them. Police advise that so far this year they have secured 7,410 guns, with more than half seized by investigators as part of police operations. If anyone wanted an example of guns being easily brought into this State and country that is it. But what would we expect when under the former Federal Government air cargo inspections dropped from 60 per cent to less than 10 per cent. Couple this with the 420 additional front-line officers this Government has delivered and police are making inroads. As Commissioner Scipione says, there is no finish line on gun crime and gang activity, but in the past week police have made significant advances. This Government will continue to support our police with the necessary practical powers and resources for them to protect communities across this State, particularly in Sydney.

### CRIME SENTENCING PROCEDURES

**Mr PAUL LYNCH:** My question is directed to the Attorney General. Why is the Attorney introducing laws to reduce the maximum sentence by five years for assaults which cause death instead of standing up to the liquor lobby and taking action to stop alcohol-related violence on our streets?

**The SPEAKER:** Order! Government members will come to order. I had difficulty hearing the question.

**Mr GREG SMITH:** So did I, but I think I know what the member for Liverpool meant. As members are aware, Thomas Kelly died on 9 July 2012 as a result of an unprovoked attack in Kings Cross on 7 July. The offender, Keiran Loveridge, also assaulted Matthew Serrao, Rhyse Saliba, Aiden Garzi and Marco Compagnoni on the same night. On 8 November 2013 Keiran Loveridge was sentenced to seven years and two months imprisonment, with an effective non-parole period of five years and two months for all offences. This included a sentence of six years imprisonment with a non-parole period of four years for the manslaughter of Thomas Kelly. On the same day the sentence was delivered, I requested the New South Wales Director of Public Prosecutions to consider an appeal.

Drunken assaults are a terrible scourge and every weekend we hear about attacks by intoxicated, irresponsible people on bystanders, who are lucky to escape with their lives. I have great sympathy for the Kelly family, who are, naturally, devastated by the loss of Thomas and by the sentence imposed on the offender. I have met with the Kelly family several times and they have expressed various concerns to me about the criminal justice system. One of their concerns related to the availability of offences in situations where one punch or an assault results in the death of a person. In order to specifically cover this type of scenario, the Government is proposing to introduce a new offence. It will be an offence similar to that in section 281 of the Western Australian criminal code labelled "Unlawful assault causing death". It states:

- (1) If a person unlawfully assaults another who dies as a direct or indirect result of the assault, the person is guilty of a crime and is liable to imprisonment for 10 years.
- (2) A person is criminally responsible under subsection (1) even if the person does not intend or foresee the death of the other person and even if the death was not reasonably foreseeable.

Whilst existing New South Wales offences address one-punch situations in terms of both capturing the relevant conduct and applying penalties, there is community support for creating an offence that explicitly recognises the occurrence of death. The Western Australian penalty offence carries a penalty of 10 years imprisonment. We will be proposing to include a maximum penalty of 20 years. Setting the penalty at 20 years rather than 10 years will send a strong message to those who get involved in loutish and drunken violence that the matter is treated seriously. The new offence will also provide much-needed clarity around the appropriate charge in one-punch situations. The Government is considering inserting the new offence into part 3 of division 1 of the Crimes Act, with manslaughter continuing to apply to assaults occasioning death where there is a foreseeable risk of serious injury and the new offence to apply to any assault which results in death. I hope soon to have a decision from the Director of Public Prosecutions in relation to the possibility of an appeal against the sentence given to Kieran Loveridge for the manslaughter of Thomas Kelly.

I want to reform the sentencing system to help make sure the judges get it right. I understand that more needs to be done to bring the system of sentencing into line with community expectations. The Government will implement further reforms in response to reviews conducted by the Law Reform Commission and the Joint Select Committee on Sentencing of Child Sexual Assault Offenders. This will include a simplification of the sentencing laws and reform to the system of standard non-parole periods. Everyone has the right to walk the streets safely. What happened to Thomas Kelly could have happened to any parent's son or daughter. The justice system must respond appropriately to these attacks. The Government is determined to ensure that it does, by bringing to justice and imposing severe penalties on those who ignore that warning.

### CROWN LANDS TENURE

**Mr CHRISTOPHER GULAPTIS:** My question is addressed to the Deputy Premier. How is the Government supporting the State's graziers?

**Mr ANDREW STONER:** I thank the member for Clarence for his question. He is aware that the New South Wales agricultural economy is worth \$12 billion every year and that there are around 40,000 commercial farmers in New South Wales alone. These farmers cover around 70 per cent of the State's land, a significant proportion of which is Crown land. For generations, farmers have been granted access to Crown land through tenures and currently there are more than 4,000 grazing licences over Crown reserves in our State. This arrangement helps both farmers and the taxpayers of New South Wales because grazing not only allows those farmers to feed their stock, but also serves the important public purpose of helping to manage the maintenance of Crown land, which would otherwise be a very costly exercise. Without grazing many of the States travelling stock routes, showgrounds and other public reserves could be overrun by pests and weeds, not to mention present a serious fire hazard. I know in the past in this place I have referred to the member for Cessnock as a dodo bird.

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

**Mr ANDREW STONER:** He is the last of an endangered species: the so-called Country Labor faction.

**The SPEAKER:** Order! The member for Cessnock will cease arguing across the Chamber. I call the member for Cessnock to order for the first time.

**Mr ANDREW STONER:** The reason for the dodo bird's extinction was that it was a bit slow and not very bright. Last week the member for Cessnock revealed his and his party's contempt for graziers when he acknowledged that 4,000 grazing licences over those Crown reserves are in jeopardy thanks to Labor's mindless opposition to the Government's Crown Lands Amendment (Multiple Land Use) Bill 2013. He said—

**Mr Clayton Barr:** It's your bad legislation, mate.

**The SPEAKER:** Order! The member for Cessnock will come to order. This is not an argument or a debate.

**Mr ANDREW STONER:** If you do not like it, do not say it in the first place.

**Mr Clayton Barr:** I wrote it, I didn't say it.

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

**Mr ANDREW STONER:** I understand the member for Cessnock is embarrassed because this is what he said:

Grazing on Crown land is the ONLY thing at jeopardy here.

Not only is the member for Cessnock wrong—

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

[*Interruption*]

**Mr ANDREW STONER:** I will get to you in a minute—and I will do you slowly. I know Opposition members do not want to hear this because the member for Cessnock is wrong. Thousands of other tenancies for community organisations and local businesses are at risk thanks to Labor.

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

**Mr ANDREW STONER:** In making those comments the member for Cessnock and his party have shown a callous disregard for our regional communities. It is obvious that he does not care about the 33 hardworking graziers operating under secondary tenures in his electorate. He does not care about members of the Cessnock Clay Target Club, the Cessnock Motocross Club or the Cessnock Rifle Club. One suspects that he also does not care about the venue for next year's Country Labor annual general meeting, the Cessnock City Council's rubbish depot. Unlike the dodo bird, he is not alone in his mindless opposition to this bill. The member for Marrickville also spoke against the legislation. She clearly does not care about the ongoing operation of the Addison Road Community Centre, which represents 33 not-for-profit groups and artists in her electorate. By opposing the bill the member for Maroubra is jeopardising the continuation of the Matraville RSL Club, St Michael's Golf Club, which recently celebrated its seventy-fifth anniversary, a car park, storage shed and sporting facilities used by Randwick City Council and War Lee Market Garden. [*Extension of time granted.*]

**The SPEAKER:** Order! Members will come to order. There is too much audible conversation in the Chamber.

**Mr ANDREW STONER:** Those opposite have shown that they have very short memories, as it was in fact the former Labor Government that created the mess we are now trying to sort out. The Crown Lands Amendment (Multiple Land Use) Bill 2013 seeks to fix that mess and provide certainty for up to 7,000 community groups, local businesses and graziers across New South Wales. Across our State community organisations, businesses and graziers are rightly concerned by Labor's reckless opposition. One grazier from the Goulburn electorate has written today to express concern to those opposite as follows:

The land that I hold a grazier's licence on has been in my family for over thirty years ... it was passed onto me by my grandparents.

This land means a lot to ... my family not only for long standing sentimental reasons but financially it has helped us with ongoing income over the years.

Should this Bill not be passed, it means I may be forced to stop operating until the licence can be re-issued, which:

1. Means loss of income for myself and family, and
2. It is possible that a successful Aboriginal land claim could be lodged during the time the department commences its administrative process.

Please when this Bill is discussed and a vote is made consider the needs of families and people in the regional communities who rely on these licences for ongoing income and general livelihood and vote to pass it.

It is clear that if Labor cared at all about regional communities those opposite would stop their reckless opposition and support this important bill.

### GOVERNMENT BOARD APPOINTMENTS

**Mr JOHN ROBERTSON:** My question is directed to the Treasurer. Does he stand by his answer given in budget estimates this year that all board appointments, including the appointment of his friend and Liberal Party donor Chum Darvall, were approved by full Cabinet?

**Mr MIKE BAIRD:** I cannot believe the Leader of the Opposition has asked that question.

**The SPEAKER:** Order! The member for Canterbury will come to order. I have warned her several times to cease interjecting.

**Mr MIKE BAIRD:** I cannot believe it, but the Leader of the Opposition has asked the question and we are happy to answer it. What is very interesting is that the member for Maroubra did not ask the question. No, this one is for you, John; this is your little baby. I am happy to stand in this Chamber and state clearly that we are very proud of the appointments we have made to our State-owned corporations. And I stand by every statement I have made.

**The SPEAKER:** Order! The Leader of the Opposition and the member for Canterbury will cease shouting across the Chamber. I call the Leader of the Opposition to order for the second time. I call the Leader of the Opposition to order for the third time.

**Mr MIKE BAIRD:** Those appointments were approved by Cabinet. That is it—what else do those opposite want? I make the point that a very different process occurs on this side compared with the other side of the House. I will share some of the appointments made by this Government to State-owned corporations. What sorts of qualifications does one look for when making appointments? I will tell the House.

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

**Mr MIKE BAIRD:** One looks for people such as a mining engineer from Rio Tinto, the chief executive officer of Deutsche Bank, the chair of the Australian Securities Exchange, partners of Allens, the chief executive officer of Ernst and Young, and a director of the Commonwealth Bank—the list goes on and on. They are the sorts of people whom we are bringing in to drive our boards. What did those opposite do? What were some of the appointments made by those opposite when they were in government?

**Mr John Robertson:** Point of order—

**The SPEAKER:** Order! I cannot hear the point of order. The member for Kiama will come to order. The member for Monaro will come to order.

**Mr John Robertson:** I refer to Standing Order 129, relevance. The question was about not the qualifications of the board members but the process of appointment.

**The SPEAKER:** Order! The Treasurer is being relevant to the question asked. There is no point of order.

**Mr MIKE BAIRD:** I stand by everything I have said.

**The SPEAKER:** Order! There is too much audible conversation in the Chamber.

**Mr MIKE BAIRD:** Who did those opposite appoint? Their appointments include former Labor members of Parliament, a staffer in the Wran Government, a staffer in the Whitlam Government, the Australian Labor Party national president, the Health Services Union national president, the Australian Council of Trade Unions executive, the Public Service Association assistant general secretary, the Construction, Forestry, Mining and Energy Union general vice president, the Electrical Trades Union assistant secretary, and the list goes on and on. Then there is my little favourite—just two words—Michael Williamson. For those opposite to ride into this Chamber on their moral high horse—

**The SPEAKER:** Order! The Treasurer does not require the assistance of Government members.

**Mr MIKE BAIRD:** They keep the moral high horse in the foyer. The Leader of the Opposition comes into the Chamber and says, "By the way, we appointed Michael Williamson." They are kidding. The only good thing to note is that Chuckles, the member for Liverpool, did not want him appointed. But the member for Maroubra sure did.

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

**Mr MIKE BAIRD:** I have heard this time and again: The Leader of the Opposition should come into the House and apologise for slurring the reputations of those people who are making a big difference to New South Wales, and making a contribution on State boards. He is happy to slur their reputations for cheap political gain. The Leader of the Opposition should apologise to them. Has the Leader of the Opposition ever misled the House? He does so almost every day. I remember when he told the House that he would make sure the Solar Bonus Scheme cost only \$355 million. In this House the Leader of the Opposition said:

I will adjust the levers of the scheme to ensure that excessive costs are not imposed on energy customers.

What is \$1 billion?

[*Interruption*]

Blah, blah—I love this stuff. I say to those opposite in relation to appointments: We stand by every appointment we have made. Each was approved by the full Cabinet—something those opposite did not do in government. We have done everything. Members will recall the appointment of the Leader of the Opposition to the WorkCover board. He committed to attend and took the money but then what did he do? How many board meetings did he turn up to? Absolutely none. If the Leader of the Opposition wants to talk about this all day I look forward to doing that, but this Government stands by every appointment that it has made.

### **PUBLIC SECTOR WAGES POLICY**

**Mr BART BASSETT:** My question is addressed to the Treasurer, and Minister for Industrial Relations. How is the Government ensuring that its wages policy is fair across the whole public sector?

**Mr MIKE BAIRD:** That is a sensible question from an excellent member who is fighting for his community.

**The SPEAKER:** Order! There is too much audible conversation in the Chamber. I call the member for Maroubra to order for the first time.

**Mr MIKE BAIRD:** I pay tribute to the Hansard team and offer my condolences on their loss. I acknowledge their significant loss and I thank the entire Hansard team for the work they do. In 2007, believe it or not, those opposite were in government. Remember those days? We try not to. When those opposite were in government they recognised that there was a problem—the member for Toongabbie got onto it much earlier than the others. The problem was that wages growth was unsustainable. They used those words. So the former Government introduced a wages policy of 2.5 per cent, which it said was the average inflation rate. The challenge was, although those opposite said the wages policy would be 2.5 per cent, did they deliver it? No, they did not. That will not surprise anyone. They promised 2.5 per cent wages growth but instead averaged over 4 per cent wages growth. During the last five years of the former Government the cost to taxpayers blew out to \$900 million. The fact that the former Government could not manage its policy cost the taxpayers of this State \$900 million.

This Government has adopted that policy; the difference between this Government and those opposite is that we are actually delivering 2.5 per cent. It is fair for the public servants of this State; it aims at the real inflation rate as announced by the Reserve Bank of Australia; and it is affordable for the State. This Government is taking responsible decisions. That is why today the Premier will stand up for fairness by moving to disallow the Statutory and Other Offices Remuneration Tribunal determination for wages growth above 2.5 per cent for a small group of senior public officials. We believe if the rest of the public sector is complying with the 2.5 per cent wages cap so too should this group of senior officials. There should not be two classes. What is good for the Governor of the State and for the most junior public servant of the State should apply also to those senior public officials. That is something the Government is proud to support and we look forward to the Opposition's response—I am not sure which way it will go on this.

Ultimately, the 2.5 per cent wages policy—which, in case those opposite have forgotten, was their policy—covers all employee-related expenses including wages, allowances and superannuation. When Bill Shorten—"electricity Bill"—was a Federal Minister he said that increases to superannuation will be absorbed as part of people's pay rises. That was Labor's policy and we are enacting it. We think that is only fair. Paul Keating—we all know how close he is to the Leader of the Opposition; lots of support there—said that the cost of superannuation was never borne by employers; it was absorbed into the overall wage cost. Those opposite need to understand that if superannuation was not absorbed in the wages policy the cost over the forward estimates would be \$860 million, and at the conclusion it would be \$800 million per year.

Those opposite might like to pretend that money does not matter, but it does. They cannot continue to live in their fiscal fantasy land. If they oppose policies they must then tell people how they will pay for them. At the moment it is almost like a Toys"R"Us store: Those opposite pick things off the shelf and run to the cash register without understanding that someone has to pay. Someone has to pay for it; that is what those opposite need to understand. One can imagine Opposition members in a Toys"R"Us store at Christmas. The Leader of the Opposition heads straight for the skis, goes to the chalet, puts them on and off he goes. The member for Keira loves Thomas the Tank Engine and CDs—particularly Michael Bolton; he is a Michael Bolton tragic.

**Mr Nathan Rees:** You are dressed by Mark Holden.

**Mr Ryan Park:** Give Mark Holden his gear back.

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

**Mr MIKE BAIRD:** He cannot get enough of Michael Bolton. This Government is being disciplined with expenses at the same time as putting more than 4,000 nurses, 500 teachers and 420 police onto the front line. This Government is building \$60 billion worth of infrastructure by making right and responsible decisions. Today we call on the Opposition to support fairness and its own wages policy, and ensure that it is the same for every public servant.

### GOVERNMENT BOARD APPOINTMENTS

**Ms LINDA BURNEY:** I direct my question to the Treasurer. I refer to an internal email from the Department of Premier and Cabinet to the Treasurer's office dated 9 January 2012 responding to his request of the Premier to appoint his friend Chum Darvall as chairman of TransGrid. In light of the Treasurer's answer under oath during the budget estimates hearings and the misleading comments he made again today, will he now admit that he has misled Parliament?

**Mr Adrian Piccoli:** The question is too long.

**Ms LINDA BURNEY:** It might be long, but it is in order.

**Mr MIKE BAIRD:** It would be helpful if the member for Canterbury would tell the truth. There is absolutely—

**The SPEAKER:** Order! The member for Canterbury will come to order. The Treasurer is answering the question.

**Mr MIKE BAIRD:** Does the member understand that if Cabinet considers something and approves it with a condition and that condition is met that means it is approved? How hard can it be to understand that? Members opposite are playing the semantics card.

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

**Mr MIKE BAIRD:** It is a simple question to answer. Was it approved by Cabinet? Yes, it was.

**The SPEAKER:** Order! I remind the Leader of the Opposition that he is on three calls to order. This is his final warning.

**Mr MIKE BAIRD:** Are members opposite interested in having the best possible board members in this State? What do they have against the individuals who have been appointed? They have repeatedly cast slurs on those individuals in the House, and I challenge them to do so outside this place.

**The SPEAKER:** Order! The member for Canterbury will not use props in the Chamber.

**Mr MIKE BAIRD:** Members on this side of the House strongly support the appointments that the Government has made. We have nothing to hide and we are very proud of them. I will provide the House with another example of an appointment made by members opposite. It relates to a little thing called the gentrader transaction.

**Ms Linda Burney:** Point of order—

**The SPEAKER:** Order! If the member's point of order relates to relevance, it will not wash.

**Ms Linda Burney:** My point of order relates to Standing Order 129.

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

**Ms Linda Burney:** This email clearly says that the Treasurer was seeking administrative approval, thereby avoiding the Cabinet process.

**The SPEAKER:** Order! I direct the member for Canterbury to remove herself from the Chamber for the remainder of question time.

*[Pursuant to sessional order the member for Canterbury left the Chamber at 3.12 p.m.]*

**Mr MIKE BAIRD:** The facts are unchanged. I do not care what they say. Members on this side of the House have proposals approved by Cabinet. Who knows what went on when members opposite were in government. The House should be reminded of what happened with the gentrader transaction. At midnight one day in late December 2010—I think it was the night that Oprah was in town—something extraordinary happened in this State: eight directors of Delta Electricity and Eraring Energy resigned. Why did they do that? They resigned because they believed the transaction was not in the State's best interests. One of the directors said that it was a rort and a smelly deal. I thank those former directors for standing up for the State. What was the Labor Government's response? Did it convene a Cabinet meeting? I do not think so. It appointed four people who were providing advice about the transaction: Col Gellatly, who was paid \$400,000 to provide advice on the deal; Kim Yeadon, who was paid \$400,000 to provide advice; John Dermody, who was paid \$600,000 as a project director; and Jan McClelland, who was a former Labor Government staffer. Did they stand up for the people of New South Wales with regard to that deal? Was Cabinet involved in their appointments? No, it was not.

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

**Mr MIKE BAIRD:** Members opposite are an absolute disgrace. The Auditor-General said that the Labor Government sold the gentraders for 40 per cent of what they were worth. Members opposite are trying to defend their appointment process. This Government stands by every appointment it has made because they were merit based and had Cabinet approval. That is very different from the smelly, disgusting culture that members opposite left behind. *[Time expired.]*

#### TOURISM AND MAJOR EVENTS

**Mr BRUCE NOTLEY-SMITH:** I address my question to the Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts. How is the Government working to boost tourism?

**Mr GEORGE SOURIS:** I thank the member for Coogee for his question. Of course, Royal Randwick racecourse is in his electorate, and that will become pertinent in a moment. I have spoken before about the boom in tourism in New South Wales and how it is the number one destination in Australia. However, two major announcements made in the past 24 hours will have a big impact on tourism in our State. Yesterday the Premier announced that the Government had entered into a binding agreement with Crown Resorts Limited to develop a VIP restricted gaming facility at Barangaroo following the completion of negotiations under stage three of the unsolicited proposals policy. The Government will today introduce legislation to enable approval of the new restricted gaming facility at Barangaroo. Statutory approvals are still needed from the Independent Liquor and Gaming Authority and planning consent must be gained for construction of the hotel resort.

Earlier today I attended a media conference at the offices of Racing NSW where Racing NSW, the Australian Turf Club and I, on behalf of the Government, announced a momentous change to the Sydney autumn racing program. Both these announcements will have a profound and highly beneficial impact on tourism in New South Wales and will bring enormous economic benefits. Royal Randwick racecourse, which has just undergone a \$150 million upgrade, will now be the home of a grand finale event towards the end of the Southern Hemisphere thoroughbred racing season. To be known as "The Championships", this is an initiative of Racing NSW in consultation with the Australian Turf Club and has the support of the New South Wales Government, which has made a \$10 million contribution. The event is expected to attract horses, trainers and connections from across Australia and the world, and will provide a significant boost to the New South Wales economy. The Government's \$10 million contribution ensures that funds from the race fields legislation are used for country and provincial racing.

The Championships will comprise 10 top-class races across two consecutive Saturdays, beginning on 12 April and culminating on Easter Saturday, 19 April, and will offer total prize money of more than \$18 million. The autumn carnival will offer total prize money of almost \$38 million, with eight group one events highlighting the spectacular card of world-class racing. Within this come the two consecutive Saturdays to be known as The Championships, with three iconic races selected and enhanced to make them the richest of

their type in the world. Access Economics estimates that these two Saturdays of racing alone will generate at least \$41 million for the economy in the inaugural year and the entire BMW Sydney Carnival will of course generate a great deal more. The Championships will become one of the richest racing carnivals in the world and will bring significant economic benefits to New South Wales and the racing industry. The goal is for this to become one the greatest events on the world's racing calendar, attracting tens of thousands of international and interstate tourists. At today's announcement champion trainer Chris Waller said of the Government's support for racing, "It's great to have a government on side."

As for the unsolicited proposal from Crown, the independent assessment committee found that Sydney was falling short of its potential share of the growing international gaming and tourism market, and that it has underperformed compared with Melbourne. The proposed Crown Sydney Hotel Resort will be a world-class tourist offering, helping Sydney to compete with other global destinations and become a landmark attraction for millions of international and domestic visitors. Besides all the other benefits from employment and taxes, as the first six-star rated resort in New South Wales, the Crown Sydney Hotel Resort will be instrumental in attracting tourists from around the world to Sydney, especially those from the growing Asia-Pacific region. In 2013 there were nearly 2.9 million overnight international visitors to New South Wales, which is approximately 51 per cent of all international visitors to Australia. This was worth a total of \$6.5 billion to the New South Wales economy.

This proposal, put forward by Crown, will assist in achieving our aim as well as providing additional accommodation capacity in Sydney and addressing the skills and labour shortages in the tourism industry. The development of Barangaroo, including the addition of the proposed Crown Sydney Hotel Resort, presents a unique opportunity to attract a higher percentage of high-end visitors, providing a direct economic benefit for the people of New South Wales. It has been a great 24 hours of progress in New South Wales.

#### TRANSPORT FOR NSW RECRUITMENT

**Mr RYAN PARK:** My question is directed to the Minister for Transport. What process did the Minister, her office or her department follow to engage the services of Angela Diamond in 2011?

**Ms GLADYS BEREJIKLIAN:** I find it quite ironic that somebody who went straight from a Minister's office to a job worth nearly \$300,000 in Transport for NSW would stand up and ask a question of this nature. Any engagement carried out by my office, by Transport for NSW or any agency within the transport cluster is done within the guidelines and is based on merit. I make this point clear: I have every confidence that every person engaged by my department, by Transport for NSW or any of its agencies, irrespective of who they are and what their background is, have been engaged on their merits. In fact, as I make my way around the transport agencies, whether meeting with consultants or permanent employees, I often come across individuals who were staffers in the former Labor Government. I will not name them.

Presumably, all those former staffers employed by my department were engaged on their merits. That is a question the member for Keira has not asked the former Minister for Transport, the Leader of the Opposition. As I say, I often come across people who were staffers during the 16 years of the former Labor Government. I often come across people who are close to people on the other side of the House. Again, I do not care what their backgrounds are, who they work for or how they vote. What I do care about is that every person, whether engaged by my department or by any agencies within the transport cluster, is engaged on his or her merits and shares the Government's vision to modernise the transport network. We put the customer at the heart of everything we do, as all employees must; not to make their friends happy, whether they be stakeholders that have supported them for many years. It is about modernising the network and putting—

**Mr Michael Daley:** Point of order: I refer to Standing Order 129. The question was simple: What process was followed?

**The SPEAKER:** Order! There is no point of order. The Minister is being relevant to the question asked.

**Ms GLADYS BEREJIKLIAN:** Again, I find it extremely curious, given Labor's record, that it chooses to raise this issue. We do not need to look too far at the standards it sets. Ironically, it was the member for Keira who asked this question. Let us look closely at how that member landed his job in transport.

**Mr Ryan Park:** Point of order: My point of order is under Standing Order 129.

**The SPEAKER:** Order! There is no point of order. The Minister's answer is relevant to the question asked. I remind the member for Keira that he is on three calls to order.

**Ms GLADYS BEREJIKLIAN:** He somehow went from—

**Mr John Robertson:** Point of order: My point of order relates to Standing Order 73. If the Minister wants to make an unsubstantiated attack on a member she must do so by way of substantive motion.

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

**Ms GLADYS BEREJIKLIAN:** They asked the question, and I am giving them the answer. Somehow he went from being in the Minister's office to becoming a deputy director general of the Department of Transport. Compare that to our approach: When we established Transport for NSW we received about 200 applications for each of the six positions of deputy director, and each was appointed on merit.

Who was the Minister for Transport for most of the period the member for Keira was employed as a deputy director general of the Department of Transport? It was the Leader of the Opposition. The member for Keira kept that seat warm until he ran for Keira. Will the Leader of the Opposition rely on his vote in the caucus because he worked in transport when the Leader of the Opposition was the Minister for Transport? Our merit-based approach is achieving real results for our customers, unlike the approach of those opposite. [*Time expired.*]

### CRIME SENTENCING PROCEDURES

**Mr DARREN WEBBER:** My question is addressed to the Attorney General and the Minister for Justice. What interim information has the Sentencing Council provided in response to the Attorney's request for review of the non-parole standards?

**Mr GREG SMITH:** I thank the member for Wyong for his question and for his continuing interest in these important matters. The committee was established in August to inquire into and report on whether current sentencing options for perpetrators of child sexual assault remain effective and whether greater consistency in sentencing and improving public confidence in the judicial system could be achieved through alternative sentencing options. This committee reflects public disquiet about the level of sentences imposed on offenders for these offences, which are among the most despicable crimes and often leave victims with lifelong trauma.

I am advised that earlier this week the committee met with former Justice James Wood, AO, QC, the Chairman of the Sentencing Council. Shortly after the committee was established I asked the Sentencing Council to review certain aspects of the standard non-parole period scheme, including as they applied to child sexual assault offences, to help the work of the committee. Standard non-parole periods were introduced by the previous Government to give greater consistency in sentencing, which has been largely achieved. The Sentencing Council has now delivered its preliminary report to the committee as it relates to the application of standard non-parole periods to child sexual assault offences.

The report highlights the low average sentences imposed on a range of offences, something about which I have been concerned for some time. I am aware that each case needs to be judged on its merits and in the full knowledge of its sentences, and that figures do not tell the whole story. However, I was truly appalled by certain statistics. For example, how can it be that the average prison term for offenders found guilty of sexual intercourse with a child aged 10 to 14 is two years in prison? Is this really reflective of the seriousness of the offence? These statistics clearly show why the work of this committee is so important and why a cross-party approach to the issue is the right way to go.

In an opinion piece in the *Sydney Morning Herald* this week I urged judges to pay greater attention to community concerns. This is clearly another area in which judges and magistrates need to reconsider their sentences. Victims in child sexual assault cases are the most vulnerable members of our society, and we need to do our utmost to protect them. How are their interests served by sentences such as these, which are clearly out of step with what the community expects from our courts? We are very much looking forward to the committee's recommendations about how to tackle these difficult issues. One possible way forward is the reform of standard non-parole periods, which is also an issue before the committee. To reform the system of standard non-parole periods, the Sentencing Council's report recommends broadening the range for further child sex offences included in the standard non-parole period scheme.

The report also tackles the difficult issue of trying to find a way of producing a more coherent and consistent scheme by relating these standard non-parole periods to the maximum possible term of imprisonment. Currently the standard non-parole period varies from 21.4 per cent to 80 per cent of the maximum term without any clear logic. The Sentencing Council proposes that a uniform percentage be applied to all offences. However, if this were to result in a reduction in standard non-parole periods for serious offences that are of great community concern, the Government would need to be strongly convinced before it would consider adopting that position. This is a complex matter and it is only one of the questions before the committee. There is much more important work to be done and I wish the committee well in its work.

**Question time concluded at 3.30 p.m.**

## **SENATE VACANCY**

### **Resignation of Robert John Carr: Crown Solicitor Advice**

**The SPEAKER:** On Tuesday 29 October 2013 I reported a message from the Governor transmitting a despatch received from the President of the Senate, notifying that a vacancy has happened in the representation of the State of New South Wales through the resignation of the Hon. Bob Carr on 24 October 2013. The despatch from the President of the Senate noted that:

The resignation was expressed as applying in respect of the senator's current term which concludes on 30 June 2014 and also to the new term to which he was elected at the recent half-Senate election, commencing on 1 July 2014.

As a consequence, the House resolved to meet with the Legislative Council for the purpose of sitting and voting together to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Hon. Robert John Carr. The resolution was conveyed by message sent to the Legislative Council and further requested the Legislative Council to fix a time and place for the joint sitting. The consideration of that request was fixed as an order of the day on the Legislative Council *Notice Paper* as Government Business.

On 30 October the Clerk of the Legislative Assembly and the Clerk of the Parliaments jointly, on behalf of the President and me, sought urgent legal advice from the Crown Solicitor as to whether there is any impediment to the Parliament of New South Wales filling not only the current casual vacancy in the Senate but also the vacancy for the six-year term commencing on 1 July 2014 at one joint sitting, or whether the two vacancies should be dealt with separately. The advice is that the Senate place which the Hon. Robert John Carr would hold from 1 July 2014 can only become vacant on or after 1 July 2014. Thus it is considered that the filling of the current casual vacancy and the filling of any casual vacancy that arises on or after 1 July 2014 will have to be dealt with separately. I table the full advice from the Crown Solicitor, dated 1 November 2013, together with the relevant instructions from the Clerks.

**Documents tabled.**

## **BUSINESS OF THE HOUSE**

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

**Mr BRAD HAZZARD** (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [3.32 p.m.]: I move:

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

- (1) Consideration of the notice of motion for disallowance given this day.
- (2) Government business.
- (3) Private members' statements.
- (4) Matter of public importance.
- (5) The House to adjourn without motion moved at the conclusion of the matter of public importance.

For the information of members, it is the Government's intention to deal today with each of the bills that are listed as orders of the day on the *Business Paper*: the Regional Relocation (Home Buyers Grant) Amendment

Bill 2013, Board of Studies Teaching and Educational Standards Bill 2013, Education Amendment (Non-Government School Funding) Bill 2013, Statute Law (Miscellaneous Provisions) Bill (No. 2) 2013 and the Civil and Administrative Tribunal Amendment Bill 2013 and cognate bill. In order to ensure that those bills can be dealt with in addition to the disallowance motion of which the Premier has given notice and that has precedence, I will extend the parliamentary sitting today. The length of the sitting will depend on how many members seek to speak to the bills—something over which I have no control.

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

**Motion agreed to.**

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

**The Clerk** announced the receipt, pursuant to section 63C of the Public Finance and Audit Act 1983, of the Auditor-General's Report for 2013, Volume Four, received out of session and authorised to be printed on 4 November 2013.

### **JOINT STANDING COMMITTEE ON THE OFFICE OF THE VALUER-GENERAL**

#### **Government Response to Report**

**The Clerk** announced the receipt of the Government's response to report No. 2/55, entitled "Land Valuation System—Report on the Inquiry into the Land Valuation System and the Eighth General Meeting with the Valuer-General", received out of session and authorised to be printed on 4 November 2013.

### **LEGISLATION REVIEW COMMITTEE**

#### **Report**

**Mr Stephen Bromhead**, as Chair, tabled the report entitled "Legislation Review Digest No. 48/55", dated 12 November 2013, together with the minutes of the committee meeting regarding Legislation Review Digest No. 47/55, dated 29 October 2013.

**Report ordered to be printed on motion by Mr Stephen Bromhead.**

### **PETITIONS**

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

#### **Family School Enrolment**

Petition requesting the right of children in a family to attend school together and be part of the same school community, received from **Mr Jamie Parker**.

#### **Oxford Street Traffic Arrangements**

Petition requesting the removal of the clearway and introduction of a 40 kilometre per hour speed limit in Oxford Street, received from **Mr Alex Greenwich**.

#### **Callan Park**

Petition calling on the Government to implement the Callan Park master plan and establish the Callan Park and Broughton Hall Trust, received from **Mr Jamie Parker**.

#### **Walsh Bay Precinct Public Transport**

Petition requesting improved bus services for the Walsh Bay precinct, and ferry services for the new wharf at pier 2/3, received from **Mr Alex Greenwich**.

**Pet Shops**

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

**Pig-dog Hunting Ban**

Petition requesting the banning of pig-dog hunting in New South Wales, received from **Mr Alex Greenwich**.

**Duck Hunting**

Petition requesting retention of the longstanding ban on duck hunting, received from **Mr Alex Greenwich**.

**Same-sex Marriage**

Petition opposing same-sex marriage, received from **Mrs Roza Sage**.

**Container Deposit Levy**

Petition requesting the Government introduce a container deposit levy to reduce litter and increase recycling rates of drink containers, received from **Mr Alex Greenwich**.

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

**Maitland Paramedic Services**

Petition calling on the Government for funding of two additional paramedic crews at Maitland, received from **Mr Clayton Barr**.

**Castle Hill RSL Mobile Telecommunications Tower**

Petition opposing the installation of a Telstra mobile telecommunications tower above Castle Hill RSL or within 500 metres of any school, received from **Mr Dominic Perrottet**.

**Albury Regional Art Gallery**

Petition requesting infrastructure funding for capital projects at Albury Regional Art Gallery, received from **Mr Greg Aplin**.

**The Clerk announced that the following Ministers had lodged responses to petitions signed by more than 500 persons:**

The Hon. Barry O'Farrell—Marrickville Bowling and Recreation Club—lodged 15 October 2013 (Ms Carmel Tebbutt).

The Hon. Adrian Piccoli—Family school enrolment—lodged 15 October 2013 (Mr Jamie Parker).

**BUSINESS OF THE HOUSE****Business Lapsed**

**General Business Notices of Motions (General Notices) Nos 2579, 2581, 2582, 2584, 2585, 2587, 2589, 2590 and 2592 to 2599 lapsed pursuant to Standing Order 105 (3).**

**CONSIDERATION OF MOTIONS TO BE ACCORDED PRIORITY****Regional Infrastructure**

**Mr TROY GRANT** (Dubbo—Parliamentary Secretary) [3.37 p.m.]: My motion notes that the Liberal-Nationals Government is delivering record infrastructure for regional New South Wales and that Labor

does not understand or care about regional New South Wales. This bittersweet motion deserves priority. It is bitter because Labor does not understand or care about regional New South Wales—shame on them. The Premier was mistaken when he said earlier that the former Labor Government did not do anything for 16 years; it did. The former Labor Government broke its promises and thus broke the hearts of those living in regional New South Wales. Indeed, it nearly broke the back of regional communities that rely on one of the key functions of government—investments in infrastructure to keep them functional and to ensure that the services they keenly rely on continue to be provided.

The O'Farrell Government will no longer allow regional New South Wales to be ignored—those on the other side of the House do not even know where regional New South Wales is. The inner west of New South Wales is not Balmain and Leichhardt; it is Bathurst. Bathurst is in the inner west of New South Wales, something that the Labor Party does not understand or care about. The second bitter part of this motion is nowhere more clearly articulated than in the response to the State Infrastructure Strategy of 2012-13 delivered by the Leader of the Opposition on 7 October 2012. For 25 minutes the Leader of the Opposition spoke in this place on the blueprint for future infrastructure investment in this State. How many times did he mention regional New South Wales?

**Mr John Barilaro:** Once.

**Mr TROY GRANT:** We can go lower than once. In 20 minutes he did not mention regional New South Wales once—shame on Labor. If ever there was a case to be put, then that demonstrates that members opposite do not care about regional New South Wales.

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

**Mr TROY GRANT:** My motion deserves priority because the Liberal-Nationals Government is delivering record infrastructure into regional New South Wales.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Monaro will come to order.

**Mr TROY GRANT:** As of June this year, an additional \$1 billion—

**Mr John Barilaro:** How much?

**Mr TROY GRANT:** —\$1 billion has been allocated to regional infrastructure from the Restart NSW capital fund. For the first time in the State's history, after 16 long years of neglect—when Labor let down regional communities; it no longer had those communities at heart or front of mind—this Liberal-Nationals Government— [*Time expired.*]

### **Bathurst Base Hospital**

**Dr ANDREW McDONALD** (Macquarie Fields) [3.40 p.m.]: My motion deserves priority because health care is central to the people of New South Wales. What we heard from the member for Dubbo was meaningless spin. He neglected to mention that in 2008 Bathurst Base Hospital had a \$100 million refit. At that time the Minister was a vocal critic of the then Government and its relations with the clinical staff at Bathurst hospital. It was good enough for the current Minister to ask the then Minister to explain what was going on at Bathurst hospital. She should now front up to the Parliament and the people of Bathurst and tell them the plain and simple truth. If one cuts \$3 billion out of the health system, front-line services suffer. The reason the Western Local Health District is over budget by \$20 million and Bathurst hospital is over budget by \$5 million is simple: budget cuts. The Minister knows the answer to concerns about the closure of rehabilitation beds and the loss of nursing staff needs to be explained to those in Bathurst who have a right to know. That is why this motion deserves priority.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Tweed will come to order. The member for Pittwater will cease interjecting.

**Dr ANDREW McDONALD:** If ever there were a hospital that fulfilled the premise "Build it and they will come", it would be Bathurst hospital. A \$100 million four-year redevelopment between 2004 and 2008 resulted in a world-class facility that now sees 24,000 people a year, with a steady increase. The closure of rehabilitation beds would have a devastating effect on the rest of the hospital because those beds are vital for the

multidisciplinary care patients need after major surgery or serious illness, especially those who need rehabilitation who are usually older Australians. If those beds are closed everyone in Bathurst will be affected because the flow-on effect to the emergency department and other beds in the hospital would be devastating.

The loss of nearly 16 nursing jobs would be a disaster because, for the first time ever, we have enough nurses in New South Wales who would give an arm and a leg to work in Bathurst on a new graduate program. Members need to know that once nursing training is completed a person needs to enter a new graduate program, otherwise they are lost forever to the public hospital system. The Government is letting this once-in-a-generation opportunity slip through its hands. That is why this motion needs to be discussed today. Bathurst hospital teaches medical students from a number of universities, including many of the students I teach at the University of Western Sydney.

The high standard of care at Bathurst Base Hospital means that medical students are keen to go there, but the closure of the beds will make it hard for them to get the experience they need. It will make it harder for the town to attract the young doctors it needs to replenish its medical workforce—a workforce that is desperate for young doctors to come and move their families to the town. In August 2008 the Minister said, "The hardworking staff at Bathurst have been screaming out for the additional resources they need to keep the beds open". [*Time expired.*]

**Question—That the motion of the member for Dubbo be accorded priority—put.**

**The House divided.**

**Ayes, 62**

Mr Aplin	Mr Gee	Mr Provest
Mr Baird	Ms Gibbons	Mr Roberts
Mr Barilaro	Ms Goward	Mr Rohan
Mr Bassett	Mr Grant	Mr Rowell
Mr Baumann	Mr Gulaptis	Mrs Sage
Ms Berejikian	Mr Hartcher	Mr Sidoti
Mr Bromhead	Mr Hazzard	Mrs Skinner
Mr Brookes	Ms Hodgkinson	Mr Smith
Mr Casuscelli	Mr Holstein	Mr Souris
Mr Conolly	Mr Humphries	Mr Speakman
Mr Constance	Mr Kean	Mr Spence
Mr Cornwell	Mr Marshall	Mr Stokes
Mr Coure	Mr Notley-Smith	Mr Toole
Mrs Davies	Mr O'Dea	Ms Upton
Mr Dominello	Mr O'Farrell	Mr Ward
Mr Doyle	Mr Owen	Mr Webber
Mr Edwards	Mr Page	Mr R. C. Williams
Mr Elliott	Ms Parker	Mrs Williams
Mr Evans	Mr Patterson	<i>Tellers,</i>
Mr Flowers	Mr Perrottet	Mr Maguire
Mr Fraser	Mr Piccoli	Mr J. D. Williams

**Noes, 22**

Mr Barr	Ms Hornery	Mr Robertson
Ms Burney	Mr Lynch	Ms Tebbutt
Ms Burton	Dr McDonald	Ms Watson
Mr Collier	Ms Mihailuk	Mr Zangari
Mr Daley	Mr Park	
Mr Greenwich	Mr Parker	<i>Tellers,</i>
Ms Hay	Mr Piper	Mr Amery
Mr Hoenig	Mr Rees	Mr Lalich

**Pair**

Mr Ayres

Mr Furolo

**Question resolved in the affirmative.**

**REGIONAL INFRASTRUCTURE****Motion Accorded Priority**

**Mr TROY GRANT** (Dubbo—Parliamentary Secretary) [3.54 p.m.]: I move:

That this House notes:

- (1) The Government is delivering record infrastructure for regional New South Wales.
- (2) The Opposition does not understand or care about regional New South Wales.

On 17 October 2012 the Leader of the Opposition responded to the introduction of the State Infrastructure Strategy 2012-2032—a blueprint for the investment of infrastructure that was put together by a group assembled by the Premier to give expert strategic advice on the future infrastructure demands for this State. A large component of that strategy related to the need for regional investment in infrastructure. The Leader of the Opposition spoke for 20 minutes in this Chamber on the strategy.

**Mr Clayton Barr:** Twelve months ago.

**Mr TROY GRANT:** The member for Cessnock seems to support the lack of reference to regional New South Wales by his own leader. In the 20-minute speech in which the Leader of the Opposition addressed the future needs of investment in infrastructure across this State, he did not once mention regional New South Wales. That is a damning indictment and gives proof to paragraph (2) of my motion that Labor does not understand or care about regional New South Wales. I fear he not only does not care; I think he lacks an understanding and knowledge of regional New South Wales. Being a helpful person, I have brought a map.

**Mr Clayton Barr:** Point of order: I ask the member for Dubbo to refrain from using a prop.

**Mr TROY GRANT:** I am referring to the map because I need to cite places and locations.

**Mr Brad Hazzard:** It is a reference.

**Mr TROY GRANT:** On the reference document I am using—it is here, if you want to have a look at it—in the area of Broken Hill there is the Cobb Highway. This integral infrastructure project has needed funding for approximately 20 years, and for 16 years the former Government failed to fund it. Regional New South Wales covers approximately 98 per cent of the State, for the benefit of the member for Cessnock, who purports to be a Country Labor member. Such a description is a joke.

**Mr Clayton Barr:** The only seat the Nats don't hold and you hate it.

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

**Mr TROY GRANT:** The infrastructure spend in Dubbo is astronomical, with \$80 million being spent on public health infrastructure. That is a key part of the State Infrastructure Strategy, but it was not recognised by the Leader of the Opposition, who does not care about or have knowledge of regional New South Wales. I return to my reference—and the member for Cessnock can come and have a look. For the benefit of the member for Cessnock, the alleged, fraudulent Country Labor member, there is a road that runs through regional New South Wales called the Pacific Highway. In reference to paragraph (1) of my motion, \$780 million is being spent on the Pacific Highway. Has that amount ever been spent previously on the Pacific Highway? I acknowledge that Federal funding will be forthcoming to assist us in our cause. Thank goodness we have had a change of Government.

Our infrastructure spend does not stop there. Public health infrastructure work is taking place on hospitals in Kempsey and Lismore, the electorate of Mr Deputy-Speaker. For 16 years the former Government did not provide a lick of money to those hospitals but this Government is delivering record infrastructure spending. Across the Lismore and Kempsey redevelopments \$80 million will be spent. I congratulate Mr Deputy-Speaker, who fights for his community and delivers. The former Labor Government broke its promises. Its lack of service and delusional disrespect broke the hearts of our regional communities.

My motion has been accorded priority because across this State I can cite examples of our infrastructure spend. The electorate of the Minister for Local Government received \$100 million from the Local Infrastructure Renewal Scheme, which has resulted in a \$1 billion outcome in infrastructure renewal. It is a record investment and I congratulate Minister Page. The electorate of the member for Bathurst received \$8 million for school infrastructure. The Northern Tablelands electorate received funding of \$77 million for

roads and bridges under Bridges for the Bush. Restart NSW has made a record investment on projects that did not see the light of day for 16 years before this Government came into office. This Government understands regional communities; they are a priority when it comes to infrastructure spending. [*Time expired.*]

**Mr CLAYTON BARR** (Cessnock) [3.59 p.m.]: I note that the member for Dubbo is the only Nationals member who has ever had to produce a map in this Chamber to assist him to identify where regional New South Wales is. On a serious note, this is the first opportunity I have had to speak in this Chamber about the passing of Trevor McDonald from Hansard. I had the good fortune to have a couple of beers with Trevor on various occasions. I found his wit and knowledge to be worthy of this place where we assemble to deal with business and debate matters. I thank him for his ability to turn our gobbledygook into prose and poetry. I propose to amend the motion. I move:

That the motion be amended by leaving out all words after "That" with a view to inserting instead:

"this House notes:

- (1) That the Government has failed in its election commitment to build infrastructure and strengthen regional New South Wales.
- (2) That the Government has deserted jobs in regional New South Wales."

I speak to my amendment. It is important to note that just last week the Leader of the Opposition visited the town of Bathurst. The member for Bathurst is present in the Chamber, laughing once again. I note that when I spoke about the closure of Kirkconnell jail in the House the member for Bathurst laughed and he is now laughing about job losses in his electorate. One of his constituents said to the Leader of the Opposition, "Paul Toole said to his constituents before he went down to Parliament that he would stand tall in Parliament for his electorate." That constituent now says, "Paul Toole should get off his backside, stand tall and start doing something for the electorate."

This House noted just two weeks ago that 95 jobs have gone from Downer EDI. That loss is directly related to government contracts, not some business economic driver of international proportions. It is based solely on whether or not the New South Wales Government awards contracts to local manufacturers. There have been job losses from Downer EDI in Bathurst and Downer EDI and United Goninan in the Hunter. The Government could award contracts to local manufacturers for trains to be built in New South Wales but it has not done that, thus depriving the State of hundreds of manufacturing jobs. In addition, 110 Simplot jobs have been lost in Bathurst, 500 Electrolux jobs in Orange, 732 public sector jobs from the Central West—specifically 265 from Dubbo, 267 from Bathurst and 200 from Orange. In addition, there is the closure of Kirkconnell, Berrima and Grafton jails—all decisions of this Government.

The Government has sacked 300 Department of Primary Industries staff and removed the subsidy for transportation of fodder to send stock for agistment during times of drought. That subsidy would be handy at the moment. The Government has sacked 30 agronomists and 55 biosecurity officers and has abolished drought declarations, which New South Wales farmers need so desperately right now. The Government sacked four Crown lands staff in Goulburn and closed the Trade and Investment offices in Tweed Heads, Broken Hill, Coffs Harbour and Goulburn. It has removed disability support workers from Queanbeyan, Yass, Shoalhaven and Batemans Bay and disbanded both the catchment management authorities and livestock health and pest authorities. It has also closed the Crown Lands Office in Hay. In addition, the Government disassembled the Community Compliance and Monitoring Group in regional centres such as Bathurst, abolishing more than 50 jobs in places where the most dangerous criminals released from jails in New South Wales are monitored.

We should not forget Mr Paul Parker, who is a member of The Nationals and dared to speak out about closures and changes at the Department of Primary Industries. The Nationals employed a private investigator to pursue him. No matter how many times The Nationals have asked who did it, the Minister for Primary Industries, the Deputy Premier and the Minister in the upper House have refused to give the name of the person who ultimately approved a private investigation of a man, almost a life member of The Nationals, who dared to speak out about job losses. The member for Dubbo spoke about hospital infrastructure development, but that was funded by Federal Labor. As to New South Wales public hospitals, perhaps we should talk about the \$3 billion cut in funding, and the disbanding of TAFE in this State as a result of the Liberal-Nationals Government's campaign. The member for Dubbo brought a map into this place to assist him in locating regional New South Wales. [*Time expired.*]

**Mrs LESLIE WILLIAMS** (Port Macquarie) [4.04 p.m.]: I congratulate the member for Dubbo on moving this excellent motion, which states that the Liberals and Nationals in Government are delivering record

infrastructure throughout regional New South Wales while Labor does not care about regional New South Wales. I thank the member for Dubbo for highlighting, with the reference map, regional New South Wales because I do not think Labor members are clear about where it is; he might need to pull the map out again. I turn first to roads infrastructure. The member for Dubbo spoke about the Pacific Highway, which, as a North Coast member, is dear to my heart, as are the Bells Line of Road, the Bridges for the Bush program, the Kapooka Bridge, the Gunnedah Bridge and the Bemboka Bridge.

I highlight also government spending on the Great Western Highway, the Hume Highway and the New England Highway and the activity and construction on the Pacific Highway between Coffs Harbour and Woolgoolga. On health infrastructure, \$80 million has been allocated to the Kempsey Hospital redevelopment. I have worked in that hospital and I know that that money will be greatly appreciated. In addition, Port Macquarie Base Hospital is to receive \$110 million. I have seen that project in the past week and it is amazing.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! The member for Cessnock has had an opportunity to speak in the debate.

**Mrs LESLIE WILLIAMS:** I have left education spending to last. I would not be in this House today if Labor had listened to people in regional communities and done something about education. For 16 years the people of Lake Cathie, where I live, begged the Labor Government for funding. I talked to three Ministers, one who is still a member, but they did not care that over 300 primary school students had to catch a bus to school every day. It took the Coalition Government to deliver and construction will start on a new school next year. Indeed, this is the only regional school being built in this term of government. The last new public school to be built in my electorate was Tacking Point Public School, which was built by the former Coalition Government 17 years ago. Stingray Creek Bridge was promised by the previous Labor Government, and the community of Camden Haven waited decades for that bridge. However, the good news is that the Minister for Roads and Ports, the Hon. Duncan Gay, has committed an additional \$2 million to the bridge and finally it will be built. [*Time expired.*]

**Ms SONIA HORNERY (Wallsend) [4.07 p.m.]:** I support the worthy amendment of the hardworking member for Cessnock. The Hunter community notes the long list of important regional jobs in desperate need of funding and asks why local Liberals are allowing so many of our projects to be stalled time and again. I will mention some of the unfunded projects in the Hunter. Glendale police station is unfunded. While the member for Port Macquarie extolled the virtue of building roads, stage five of the Newcastle inner-city bypass is not funded. The eye care clinic at John Hunter Hospital has been ignored and neglected by this Liberal Government, and the waiting list for public housing in the Hunter is growing as a result of a lack of public housing stock. I will now concentrate on the huge number of regional manufacturing jobs slipping through our fingers in the Hunter.

The *Newcastle Herald* published today that 100 jobs would be lost at WesTrac Tomago as part of the 630 jobs being cut across the country. The member for Cessnock stated his concerns about the viability of Downer EDI and United Goninan. The *Newcastle Herald* announced today that a further 46 jobs will be cut from United Goninan at Broadmeadow. These job cuts are directly due to the State Government, which has cut contracts to Downer EDI and United Goninan. As the member for Cessnock stated, United Goninan and Downer EDI staff are pleading with this Government for contracts to build carriages to maintain rolling stock. Work will grind to a halt next year at United Goninan and Downer EDI unless the Premier, the transport Minister and local Liberal members of Parliament commit to bringing jobs back to the Hunter through awarding contracts to businesses in the Hunter. The Government is not doing this.

Shipbuilder Forgacs in Carrington is laying off workers as we speak. Many of the workers at Forgacs are looking for jobs around Australia because there are none locally. When we add up the jobs lost from Forgacs, Downer EDI and United Goninan, the picture becomes clearer. This Government is not willing to commit to the building of rolling stock or the maintenance of train carriages in the Hunter because it prefers to buy off-the-shelf overseas rather than provide local jobs for local people. The Hunter is in dire straits and needs manufacturing work and jobs. It is this Government's responsibility to supply those jobs in the Hunter.

**Mr TROY GRANT (Dubbo—Parliamentary Secretary) [4.10 p.m.], in reply:** I thank the member for Cessnock and the member for Wallsend for their contributions to the debate. I thank the member for Port Macquarie for her wonderful contribution to the debate in which she outlined the former Government's broken promises to regional communities, which led to broken hearts. The member spoke about the issue of education in Lake Cathie. I congratulate her on resolving the issue and achieving an outcome for her electorate. The member for Cessnock suggested that the achievements of this Government are federally funded. Forbes Hospital

is receiving \$25 million in funding and Parkes Hospital is receiving \$42.5 million in funding. Both of those projects are underway and the designs published, but not a single dollar has been received from the Federal Government.

It is all New South Wales Government infrastructure money in accordance with the State Infrastructure Strategy 2012-2032. When speaking to the strategy, their boss, the Leader of the Opposition, the guy that wants to be Premier of New South Wales, did not even know where regional New South Wales was. In his 20-minute speech in this Chamber he did not mention regional New South Wales; shame on him. Dubbo Base Hospital is receiving nearly \$80 million, of which \$7.9 million will be Federal funding and the balance supplied by the State. It is a key project within the Infrastructure NSW strategy document—about which the Leader of the Opposition, when speaking to it in this Chamber for 20 minutes, failed to mention regional New South Wales. That demonstrates his lack of care for regional New South Wales.

The member for Mount Druitt has previously criticised the Government for making announcements about projects but not laying any concrete. The Opposition promised \$7 million for the Parkes police station. It actually cost \$14 million. I am not sure what benefit half a police station would provide; I expect nothing because the station was not built until the Coalition came to government. Parkes police station in the Lachlan local area command has now been built. The concrete has been laid and the troops are in place and working. I have some photographs to show the Opposition. Although it officially opens on 6 February, it is currently operational. That dispels the myths and slurs perpetrated by the member for Mount Druitt that this Government talks about infrastructure but does not lay any concrete. In fact, the concrete and bitumen are everywhere.

Burraway Road, Dubbo, received \$1.5 million in funding and the job is done. The intersection at Ballymore, which was threatening the lives of schoolchildren, received \$750 million in funding and the job is done. The dangerous intersection on the Newell Highway near Forbes, which took the lives of a family, has been corrected through \$700,000 in funding and the job is done. This Government is rectifying the lack of investment by the previous Government. I am not sure why the previous Government wanted to hurt the communities of regional New South Wales. These communities look to government to support them, not go out of its way to ignore and hurt them. I have no doubt that had the previous Government done its job properly and supported the communities of regional New South Wales I would not be in this Chamber. The Labor Government let communities down. [*Time expired.*]

#### **Question—That the words stand—put.**

#### **The House divided.**

#### **Ayes, 61**

Mr Aplin	Ms Gibbons	Mr Roberts
Mr Baird	Mr Grant	Mr Rohan
Mr Barilaro	Mr Gulaptis	Mr Rowell
Mr Bassett	Mr Hartcher	Mrs Sage
Mr Baumann	Mr Hazzard	Mr Sidoti
Ms Berejiklian	Ms Hodgkinson	Mrs Skinner
Mr Brookes	Mr Holstein	Mr Smith
Mr Casuscelli	Mr Humphries	Mr Souris
Mr Conolly	Mr Kean	Mr Speakman
Mr Constance	Mr Marshall	Mr Spence
Mr Cornwell	Mr Notley-Smith	Mr Stokes
Mr Coure	Mr O'Dea	Mr Toole
Mrs Davies	Mr O'Farrell	Ms Upton
Mr Dominello	Mr Owen	Mr Ward
Mr Doyle	Mr Page	Mr Webber
Mr Edwards	Ms Parker	Mr R. C. Williams
Mr Elliott	Mr Patterson	Mrs Williams
Mr Evans	Mr Perrottet	
Mr Flowers	Mr Piccoli	<i>Tellers,</i>
Mr Fraser	Mr Piper	Mr Maguire
Mr Gee	Mr Provost	Mr J. D. Williams

**Noes, 21**

Mr Barr	Mr Lynch	Ms Tebbutt
Ms Burney	Dr McDonald	Ms Watson
Ms Burton	Ms Mihailuk	Mr Zangari
Mr Collier	Mr Park	
Mr Daley	Mr Parker	
Ms Hay	Mrs Perry	<i>Tellers,</i>
Mr Hoenig	Mr Rees	Mr Amery
Ms Hornery	Mr Robertson	Mr Lalich

**Pair**

Mr Anderson

Mr Furolo

**Question resolved in the affirmative.****Amendment negatived.****Motion agreed to.**

**STATUTORY AND OTHER OFFICES REMUNERATION ACT 1975: DISALLOWANCE OF  
STATUTORY AND OTHER OFFICES REMUNERATION TRIBUNAL ANNUAL DETERMINATION  
FOR JUDICIAL AND OTHER OFFICE HOLDERS**

**Mr BARRY O'FARRELL** (Ku-ring-gai—Premier, and Minister for Western Sydney) [4.24 p.m.]:  
I move:

That under section 19A of the Statutory and Other Offices Remuneration Act 1975 this House disallows the Statutory and Other Offices Remuneration Tribunal's Annual Determinations for Judges and Magistrates, the Court and Related Officers Group, and the Public Office Holders Group dated 27 September 2013.

There are economic and fiscal principles involved in the Government's decision to disallow this determination. However, the even more important principle of fairness is involved. The Government's wages policy, which is so important in maintaining our capacity to improve front-line services and to deliver key infrastructure, has already been applied to hundreds of thousands of hardworking public employees. The employees to which the determinations relate, those who fall under scope of the Statutory and Other Offices Remuneration Tribunal, are a small and special group. Along with the State's magistrates, they include the Director of Public Prosecutions, the Public Service Commissioner, the Auditor-General, and our own esteemed Clerk and Deputy Clerk. Perhaps members opposite believe this highly valued and equally highly remunerated cohort should be free from the wage constraints that apply to the State's nurses and teachers. The Government does not.

The Government believes a fair and reasonable wages policy should apply consistently across the public sector, including even to members of Parliament and judicial officers. It would be self-evidently unfair if senior public servants were eligible for a pay increase out of kilter with that offered to the overwhelming majority of ordinary public servants. The Government's wages policy states that annual remuneration increases should not exceed 2.5 per cent unless more is justified by offsetting employee-related cost savings. This figure was selected because it is the Reserve Bank of Australia's average inflation rate. However, it should be noted that the Reserve Bank of Australia expects inflation to be lower than that. This wages policy is no different in principle from the one adopted by members opposite when they were in government. The difference is that the Labor Government's application of the cap was typically a shambles, and typically because the unions held the whip hand over their political puppets.

To avoid any repeat of this fiasco, soon after the 2011 election the Government legislated to require the Industrial Relations Commission to give effect to its wages policy. The wages policy has been a key part of the Government's successful assault on the widening gap between revenue growth and spending growth that was bequeathed to it by members opposite. Sustainable public finances mean that we can improve front-line services and deliver infrastructure. Sustainable public finances and lower taxes promote investment and economic growth. Since coming to office, the Coalition has employed an additional 5,000 nurses, teachers and police officers. The State's economy is back in town, and has added 94,000 more jobs—the second highest jobs growth

in the nation. Central to the Government's wages policy has been the principle that applies to all. The policy applies to Her Excellency the Governor, members of Parliament and across the public service. There has been and should be no two-tiered approach to wages policy in this State.

The Federal Labor Government increased the superannuation guarantee contribution from 9 per cent to 9.25 per cent, with effect from 1 July this year. Superannuation is an employee-related expense. Therefore, this increase to the remuneration of public sector employees must be funded as part of the 2.5 per cent cap. This approach was not invented by me, the Minister for Industrial Relations or the Government. The view that superannuation is an employee-related cost transcends jurisdictional and political boundaries. The New South Wales wages policy that Labor introduced in 2007, but did not implement, stated:

The net 2.5 per cent limit covers all employee related expenses—including wages, allowances, superannuation and other conditions.

Paul Keating, the architect of the superannuation guarantee charge, said in a superannuation speech in 2007:

The cost of superannuation was never borne by employers. It was absorbed into the overall wage cost.

Indeed, the Federal Labor Government's submission to Fair Work's annual wage review in March 2013 stated:

The Superannuation Guarantee increases are expected to be absorbed into future wages growth.

If that approach is not followed, what is the alternative? The alternative is a hit to public finances of \$860 million over the forward estimates, and about \$800 million each year when the superannuation guarantee increases are fully implemented. That equates to the equivalent of around 8,000 jobs. Those opposite who do not support the absorption of this superannuation increase into wages policy—despite Paul Keating doing so, as did the Federal Labor submission to Fair Work Australia and its previous wages policy—are risking slashing 8,000 jobs from across the New South Wales public sector. We argue that there is effectively no alternative. While the Industrial Relations Commission did uphold a submission by unions on wages policy, it also agreed that superannuation is an employee-related cost.

This issue is currently the subject of proceedings in the courts. If the current determination of the Statutory and Other Offices Remuneration Tribunal were allowed to stand it would pre-empt the outcome of those court proceedings. Fairness must also apply to highly valued workers who are covered by the Statutory and Other Offices Remuneration Tribunal. Once the court proceedings have concluded, new determinations can be made and backdated to the date of the disallowance. All employees will be eligible to receive back pay and will be no worse off financially as a result of the disallowance. The Government will continue to operate a wages policy that is driven by fairness and by common sense. This in turn will support a broader fiscal policy that allows the Government to reinvest in front-line services, repair Labor's \$30 billion backlog and make the State number one again.

**Mr MICHAEL DALEY** (Maroubra) [4.31 p.m.]: The first thing to say about this motion is that the Opposition had no warning of it before it was moved. In fact, we had the nonsense of the motion of disallowance of this instrument being moved before the instrument was even tabled in the House. A longstanding practice of this place is that legislation and instruments are tabled prior to their being discussed in the House to give members time to digest them. That is why bills sit on the table for five days. That is not the case under this Government. Under this Government this instrument did not sit on the table even for five seconds before a motion for disallowance was moved in the House. That is the sort of nonsense we get from this Government and the disrespect we get from the Premier, who promised before he became Premier to lift the standards of this place. This discussion began with an insult to the House.

We on this side of the House will not cop being lectured to about public sector jobs by this Premier, who has the blood of 15,000 of them on his hands. By his own admission, half of the measures he has put in place will not be imposed upon police, fireys and ambulance officers, which shows that he does not believe in the basis of this motion. The Premier had the hypocrisy to quote Paul Keating, who was the architect of the national superannuation policy. The Labor Party will be eternally proud of that policy. It is an eternal gift from the Labor Party to workers not only of this State but also of this nation. One objection we have to the disallowance of this instrument is that it does not seek to sever judicial officers from other officers covered by this ruling. That will lead to a situation where every employee mentioned in this determination, including judicial officers, will get no pay rise this year if this motion passes—none, no increase; not even the 2.5 per cent promised, and written in blood, by the Premier and the Treasurer.

The Government can treat its senior executive service as it wants, but we object—as we have in this place and in the other place—to its treatment of judicial officers. The Government said that judges and judicial officers will be subject to the 2½ per cent wage and salary cap unless they can come up with savings that will enable them to receive a remuneration exceeding 2.5 per cent. The irony is patent; it is simply a nonsense. That is why the tribunal in this instrument had little choice but simply to award judges a 2.5 per cent increase. We have argued that it is wrong that independent judicial officers should be subject to the wages cap. To say today that they should get no pay rise whatsoever adds insult to injury.

A couple of my colleagues will speak in this debate, including the shadow Attorney General, the member for Liverpool, who will quote from articles by the Chief Justice of New South Wales about this issue. The Opposition believes the Government can treat the senior executive service as it wants, but we have put on record in this place and in the other place time and time again that judges and judicial officers hold a special place as a class of employee that deserves some independence. This disallowance motion simply adds insult to injury. The Opposition will not support the disallowance motion, unless the Premier concedes that he will sever judicial officers from the instrument.

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

**Motion agreed to.**

**Mr MICHAEL DALEY:** I seek leave to move a motion to allow the member for Heffron to be heard on this matter. He was on his feet.

**The DEPUTY-SPEAKER (Mr Thomas George):** Order! I did not hear the member for Heffron seek the call. I have sought advice from the Clerk at Table. The question has been put and passed.

**Leave not granted.**

## **CASINO CONTROL AMENDMENT (BARANGAROO RESTRICTED GAMING FACILITY) BILL 2013**

**Bill introduced on motion by Mr George Souris, read a first time and printed.**

### **Second Reading**

**Mr GEORGE SOURIS** (Upper Hunter—Minister for Tourism, Major Events, Hospitality and Racing, and Minister for the Arts) [4.39 p.m.]: I move:

That this bill be now read a second time.

In October 2012 the Government announced that it had received an unsolicited proposal from Crown Limited to develop a unique six-star hotel with VIP gaming facilities to be located at Barangaroo South. In accordance with the unsolicited proposal process and following rigorous independent analysis, the Government has agreed to accept the proposal from Crown Limited. This bill introduces the necessary legislation to enable the Independent Liquor and Gaming Authority to grant a restricted gaming licence at Barangaroo South. The bill provides that the Barangaroo restricted gaming facility will be situated on the site identified in the map tabled by or on behalf of the Minister in the Legislative Assembly on the day the bill is introduced. I hereby lay upon the table that map. Additionally, the bill requires that a restricted gaming licence, if issued, must contain certain conditions. The bill also will allow me, as the Minister responsible, to issue directions to the authority in relation to the terms and conditions of a restricted gaming licence. For the benefit of the House and for additional transparency, I lay before the House proposed draft ministerial directions that, subject to the passage of this bill, I intend to issue to the Independent Liquor and Gaming Authority.

The proposed Crown Sydney Hotel Resort will be a world-class tourist offering helping Sydney to compete with other global destinations and it will become a landmark attraction for millions of international and domestic visitors. It is estimated that the construction phase of the project will employ approximately 1,300 people. The proposed project costs spread over the construction period of 2014-18 will be approximately \$1.3 billion. Following the commencement of operations the proposed Crown Sydney Hotel Resort facility will employ approximately 1,250 people and by 2025 it is estimated that it will contribute an additional \$442 million, in 2012 values, per annum net impact on the gross State product. In 2013 there were nearly 2.9 million overnight international visitors to New South Wales, which is approximately 51 per cent of

all international visitors to Australia. This was worth a total of \$6.5 billion to the New South Wales economy. This Government is committed to achieving its ambitious target to double overnight visitor expenditure by 2020.

The proposal put forward by Crown will assist in achieving key action items outlined in the independent Visitor Economy Taskforce report. This includes delivering additional accommodation capacity in Sydney and addressing the skills and labour shortage in the tourism industry. The development of Barangaroo, including the addition of the proposed Crown Sydney Hotel Resort, presents a unique opportunity to attract a higher percentage of these visitors, providing a direct economic benefit to the people of New South Wales. The bill proposes the minimum necessary amendments to the existing Casino Control Act 1992 by creating a special type of restricted gaming licence. Only one such licence may be issued by the Independent Liquor and Gaming Authority [ILGA] and it must be located in Barangaroo South with a maximum area of 20,000 square metres.

The restricted gaming licence is set apart from the existing casino licence because gaming cannot commence before 15 November 2019, poker machines cannot be played in the Barangaroo restricted gaming facility, minimum bet limits must apply to all games, and only members and guests may participate. The New South Wales Government will receive a \$100 million upfront fee in the event the authority grants a restricted gaming facility licence. Crown Limited has also guaranteed that over the first 15 years of full operation New South Wales will receive from the Crown Sydney Hotel Resort at least \$1 billion in gaming taxes, including the \$100 million licence fee, from the operation of its gaming facility. The Barangaroo restricted gaming facility, the Crown Sydney Hotel Resort, will be required to have minimum bet limits for all games. The minimum bet limits will be commensurate with those expected of a VIP facility. The bill sets these limits at \$30 for baccarat, \$20 for blackjack and \$25 for roulette, and it also allows the authority, in accordance with the process contained in the licence, to determine higher limits.

For other types of games not specified in the bill the authority can approve appropriate limits in accordance with the process contained in the licence, taking into consideration the type of game and the limits in place at other VIP facilities. The bill requires the authority to publish any decision made in relation to minimum bet limits on its website. The bill prohibits the Barangaroo restricted gaming facility from operating poker machines. The bill also amends the Gaming Machines Act 2001 to include a provision that would prevent the authority from authorising poker machines or any other gaming machine elsewhere in the hotel facility. For example, if a hotel licence was issued under the Liquor Act 2007 anywhere in the remaining 80 per cent of the building's floor plan, the authority would be prevented from authorising gaming machines in that hotel. The Productivity Commission recently reviewed the social and economic impacts of gambling in Australia and it has concluded that less than 1 per cent of Australians—between 80,000 and 160,000 adults—suffers significant problems from gambling.

In New South Wales the prevalence rate is 0.8 per cent. This rate is among the lowest in Australia. Most of the harm from problem gambling comes from poker machines, which will not be permitted on the new premises. Crown Limited has made a commitment to provide responsible gaming support services at the Crown Sydney Hotel Resort. This commitment will form a condition of the proposed restricted gaming licence and Crown Limited has signed a memorandum of understanding with Mission Australia in relation to these services. The tax rate for the Barangaroo restricted gaming facility also includes a 2 per cent contribution to the Responsible Gambling Fund. The Responsible Gambling Fund provides grants to counselling and support services throughout New South Wales and the 24-hour, seven-days-a-week Gambling Help Line service. Gambling help services operate at more than 200 locations across the State, providing free, confidential and effective counselling and support to problem gamblers and their families. In the 2012-13 State budget funding to problem gambling counselling and support services was increased to a record \$10.6 million, and in 2013-14—the first year of the new funding round—funding increased to \$10.7 million.

Over the four years of the new funding round, 2013-14 to 2016-17, the New South Wales Government has committed to spending up to \$48 million supporting the delivery of these important services. Despite the record funding provided in the latest funding round, the additional tax stream from the proposed Crown Sydney Hotel Resort will provide a greater pool of funding for future services, enabling the fund to provide an increased level of service across New South Wales. The bill requires that the operator of the Barangaroo restricted gaming facility only allows gaming to be conducted by members of the facility, members' guests or guests of management, in accordance with the conditions that will be set out in the restricted gaming licence. Any licence granted will include a condition that ensures the authority will be able to conduct audits to ensure that the requirements for the membership and guest policies are being met.

In relation to New South Wales residents who may wish to participate in gaming at the facility and who cannot demonstrate that they have VIP membership status at other similar casinos, there will be a minimum 24-hour cooling-off period before their application for membership can be approved, in accordance with the membership policy. The operator must also review a person's membership at least annually to ensure that that person's membership continues to meet the requirements. The bill exempts the Barangaroo restricted gaming facility from the Smoke Free Environment Act 2000 for the gaming areas only. This puts the facility on a similar footing with The Star, which also permits smoking in specific areas of the VIP rooms at the casino. However, the bill requires the authority to impose conditions in the restricted gaming licence that the operator of the facility must install international best-practice air quality equipment and that the operator must appoint an independent expert to test the equipment quarterly. The independent person must report annually to the Minister for Health on the results of those tests. The Minister for Health must table each annual report as soon as practicable in both Houses of Parliament.

Additionally, it is to be a further condition of the licence that the operator will be required to provide copies of the quarterly reports to nominated health and safety representatives of employees. Every 10 years an independent expert must be engaged to provide a review and advice on whether the air-quality technology should be upgraded to ensure that it remains equal to international best practice. Where required, upgrades must be implemented. In summary, the proposed amendments to the Act will facilitate the introduction of a high-quality tourist resort in the Barangaroo district, combining world-class accommodation and tourist activities with a highly regulated members-only gaming facility. I commend the bill to the House.

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

### **CRIMES (APPEAL AND REVIEW) AMENDMENT (DNA REVIEW PANEL) BILL 2013**

**Bill introduced on motion by Mr Geoff Provest, on behalf of Mr Greg Smith, read a first time and printed.**

#### **Second Reading**

**Mr GEOFF PROVEST** (Tweed—Parliamentary Secretary) [4.50 p.m.], on behalf of Mr Greg Smith:  
I move:

That this bill be now read a second time.

The DNA Review Panel was established in 2006 to provide an avenue for post-conviction review on the basis of new DNA evidence. The panel provides an opportunity for wrongfully convicted people to prove their innocence by having DNA tests conducted on crime scene exhibits that were held by police. The panel has a number of functions, primarily arranging for New South Wales police to conduct searches for exhibits that might contain DNA evidence, arranging for DNA tests of any evidence found during those searches, and referring cases to the Court of Criminal Appeal when DNA tests raise a reasonable doubt as to the convicted person's guilt. The panel has fulfilled an important role in the New South Wales criminal justice system. I thank the panel's chair, Mr Ken Shadbolt, as well as all the panel's past and present members, for the diligence with which they have approached their functions since the panel's establishment.

While this bill does not propose the continuation of the panel functions, it in no way implies any criticism of the panel or its work. The role of the panel was always intended to be time limited. Under the principal Act, the panel's functions automatically cease on 23 February 2014, unless extended by proclamation. That legislative time limit reflected a view, at the time the panel was introduced, that the routine use of DNA testing during investigations would soon render the role of the panel redundant. However, it has since become apparent that DNA testing is a constantly evolving science. Even improvements between 2006 and today mean that DNA profiles may now be obtained, where previous tests yielded inconclusive results. These advances in technology mean that evidence capable of exonerating a convicted person may only become available a significant time after a convicted person has exhausted all avenues of appeal.

The ability of a wrongfully convicted person to seek DNA testing provides an opportunity to redress miscarriages of justice, increases public confidence in the criminal justice system and provides a chance to identify the actual perpetrator of an offence. While the need for post-conviction DNA testing has not disappeared, Australia does not suffer the high rates of wrongful convictions that are seen in other jurisdictions around the world. Despite the existence of the panel, New South Wales has not had a high demand for

post-conviction DNA review. The panel has considered only 31 applications since its establishment, and none of those has warranted a referral to the Court of Criminal Appeal. As a result, the recent statutory review of the DNA Review Panel found that there was insufficient justification for retaining the panel in its current form.

The review found that the existing provisions for post-conviction review, in part 7 of the principal Act, provide adequate redress for people who are wrongfully convicted. The difference for people relying on DNA evidence to support a part 7 application is that they cannot rely on photographic or other second-hand evidence of an exhibit. Access to actual biological material is required to enable forensic analysis. As a result, while the panel itself will not be retained, the essential provisions regarding the retention of exhibits and access to DNA testing will remain. The provisions will also be expanded to remove the 2006 time limit for exhibit retention and access—an expansion that was widely supported by stakeholders who made submissions to the statutory review, including the panel itself.

I will now outline each of the amendments in turn. Items [1] to [3] and item [11] of schedule 1 repeal the existing provisions relating to the DNA Review Panel. Items [4] to [8] of schedule 1 amend the existing duty for New South Wales police and other State authorities to retain biological material gathered in connection with the investigation or prosecution of an offence for which a person has been convicted. The amendments alter the existing duty in a number of ways. They remove the 2006 time limit for retention of exhibits; provide that exhibits must only be retained where a person was sentenced to imprisonment following a trial on indictment; and enable material to be retained in the form of a swab or sample, provided that the swab or sample is taken by a suitably qualified officer.

These amendments strike the right balance between ensuring that evidence is retained for future testing in the right cases and that space and resources required for retaining exhibits are appropriately targeted. Item [9] of schedule 1 provides a new section 97, which provides mechanisms for a convicted person, or their representative, to arrange for access to information about, and testing of, biological material that has been retained by police or another authority. Police are permitted, but not required, to provide information to the applicant or their representative, and to forward biological material to the NSW Forensic and Analytical Science Service for DNA testing. The ability to facilitate testing by agreement will reduce the need for court-ordered disclosure. However, if police do not agree to provide information or arrange for testing, a convicted person may seek an order from the Supreme Court.

The circumstances in which the court may make such an order reflect the current eligibility for making an application to the panel. The court may make an order if the applicant was convicted of an offence punishable by imprisonment for at least 20 years, if they continue to be subject to the sentence imposed and if the applicant's claim to innocence may be affected by DNA evidence obtained from the material to be tested. The court may make an order in respect of an offence that carries a maximum penalty of less than 20 years imprisonment if there are special circumstances that warrant the making of an order. Item [10] of schedule 1 makes transitional arrangements to deal with any applications to the panel that are outstanding on the day on which the panel sunsets.

The provisions of the bill will take effect on the day that the panel sunsets under existing section 97. The bill provides a long-term system for exhibit retention and testing in New South Wales. It streamlines the procedures for post-conviction review so that people relying on DNA evidence to support a review will now utilise the same provisions in part 7 as all other applicants. However, the bill ensures that people applying for review on the basis of DNA testing will have access to the evidence they need to support an application. I commend the bill to the House.

**Debate adjourned on motion by Ms Carmel Tebbutt 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 BRAD HAZZARD** (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [5.00 p.m.]: I move:

That standing and sessional orders be suspended to permit the passage through all stages, at this or any subsequent sitting, of the Casino Control Amendment (Barangaroo Restricted Gaming Facility) Bill 2013 and the Crimes (Appeal and Review) Amendment (DNA Review Panel) Bill 2013.

As has been indicated in each of the second reading speeches there is an urgency to deal with these bills. Accordingly, the Government will seek to move them through all stages. That is substantially driven by the need to get the bills to the Legislative Council by the self-declared date that the upper House has imposed upon the Legislative Assembly as a requirement for it to consider them.

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

**Motion agreed to.**

## **REGIONAL RELOCATION (HOME BUYERS GRANT) AMENDMENT BILL 2013**

### **Second Reading**

**Debate resumed from 30 October 2013.**

**Ms CARMEL TEBBUTT** (Marrickville) [5.01 p.m.]: I lead for the Opposition on the Regional Relocation (Home Buyers Grant) Amendment Bill 2013. The bill seeks to amend the Regional Relocation (Home Buyers Grant) Act 2011 to permit grants to be made available under that Act to persons who relocate from metropolitan areas to regional areas for the purposes of employment, self-employment or purchasing a home. The bill proposes to extend eligibility to renters, introduces further incentives for skilled workers to relocate and introduces a minimum distance requirement of 100 kilometres. The Opposition supports this bill. Many of the problems associated with the original scheme were raised in advance by the Opposition; that is why this amending bill is being debated.

The Regional Relocation Grant scheme was beset with problems from the start—a competent government should have anticipated such problems. Indeed, the Government's own review identified numerous problems with the scheme. The latest figures indicated that since the scheme began 2,665 grants have been awarded at a total cost of \$18.66 million. It was estimated that 7,000 grants a year would be awarded at a total cost of \$280 million over four years. So after a little more than two years the scheme has not been able to deliver even 20 per cent of the Government's estimates. Data also suggests that the highest take-up rates have been among retirees and empty nesters leaving the metropolitan areas, with only 6 per cent of recipients aged under 30—which the Opposition predicted when we first looked at the criteria for the grant.

The scheme has done little to encourage the relocation of skilled young people who are hungry for work and looking to build a new future, which is so valuable to our regional economies. The scheme lacked any direct incentives for skilled workers to relocate and it also excluded renters from receiving the grant. Given the high cost of property in New South Wales, particularly in the Sydney metropolitan region, and the high proportion of renters who are younger members of the community, the exclusion of people who rent was always going to make it very difficult for young people to be eligible for these grants.

Another significant problem was that grants were being awarded to applicants who were relocating a very short distance—for example, someone relocated from Wollongong to Shellharbour which, while not the intention of the scheme, was allowable because of its poor design. Despite these obvious problems from inception, it has taken the Government two years to reach this conclusion—better late than never. However, it is positive to see the introduction of a skilled regional relocation incentive that will permit an increased grant of \$10,000 to people relocating for employment or self-employment purposes. Importantly, apprentices will also qualify for this incentive grant, which will further expand the ability of regional areas to maintain a productive and relatively young workforce.

The Opposition welcomes the requirement for self-employed recipients to engage with the Small Biz Connect program, as members well know the challenges of beginning a small business and the high rates of small businesses failing in their initial start-up phase. This bill amends the Act to extend eligibility to renters in metropolitan Sydney, Newcastle and Wollongong who relocate to regional New South Wales. The Opposition welcomes this reversal by the Government. The final major amendment relates to an issue raised by the Opposition when the scheme was first introduced—namely, the original scheme opened a loophole for applicants whereby they could potentially move a very short distance and still receive the Regional Relocation Grant. The Government has now recognised this error.

There will now be a minimum distance requirement whereby an applicant must move at least 100 kilometres to be eligible, but this will apply to people living in diverse areas in different ways. For example,

a person moving 100 kilometres from Sydney's inner city would be eligible for a home not far out of the metropolitan Sydney zone whereas a person moving from nearer the edge of the metropolitan zone would need to travel many tens of kilometres further in order to be eligible. Grant applicants should be treated fairly and equally. An amendment may be required to the minimum distance requirement to specify a distance from the border of designated metropolitan zones to apply equally to all participants, regardless of where their metropolitan homes are located.

Even more should be done to assist small businesses relocating to regional areas. Indeed, many small businesses struggle in the first six to 12 months of operation. We propose that contact between the applicant and the Small Business Commissioner be included as a requirement to give them as much help as possible in the crucial early phase of their businesses. We are hopeful that the Government will move amendments along those lines; if not, I foreshadow that we will do so in the Legislative Council. The Government should be embarrassed that this scheme needs to be substantially amended after two years of operation—if they had listened to us in the first place it may not have been necessary. Nonetheless, the Opposition will support the bill and my colleague the Hon. Mick Veitch, the shadow Minister for Rural and Rural Affairs, will speak in more detail about it in the other place.

**Mr CHRISTOPHER GULAPTIS** (Clarence) [5.07 p.m.]: I speak to the Regional Relocation (Home Buyers Grant) Amendment Bill 2013. I note with some cynicism that the Opposition talked about moving amendments to the bill. For 16 years when in government those opposite never introduced such a Regional Relocation Grant. They left the regions to flounder; they did not give a hoot about them. They have the hide to talk about what this Government should be doing. The O'Farrell Government has introduced this legislation. It needed to be tweaked, and that is exactly what good government does. The Regional Relocation Grant was established to balance out population growth across the State. Clearly the growth within the Sydney metropolitan areas is exponential compared with many regional areas. Indeed, to sustain industry we need more growth in regional New South Wales.

Importantly, one of the great initiatives of the bill is that it assists long-term renters rather than those who own their city house and wish to move to a country region but are not able to sell their house. The bill targets renters in the city who need a little incentive to move to country areas to start a new life. A recent review found there was a low take-up rate and that it was not targeted.

**Mr Ryan Park:** That is unusual.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! The member for Keira will come to order. He will have an opportunity to contribute to the debate. The member for Clarence will be heard in silence.

**Mr CHRISTOPHER GULAPTIS:** The member for Keira forgets that there has been a global financial crisis which has affected not only Sydney and country metropolitan areas but also the world beyond the shores of Sydney. The Government response to the task force report was released in August 2013. It supported the principles of improving the design of the grant and better targeting of it. The Government response also proposed introduction of a second, more targeted grant to provide incentives for people in metropolitan Sydney, Newcastle and Wollongong to relocate to take up employment in regional New South Wales. This new grant is not restricted to home owners.

The bill will amend the Act to extend eligibility for the Regional Relocation Grant to renters in metropolitan Sydney, Newcastle and Wollongong to relocate to regional New South Wales. It will introduce a new skilled regional relocation incentive, which will permit grants worth \$10,000 to be made available to eligible people to relocate from metropolitan areas to regional New South Wales for the purposes of employment or establishing or purchasing a small business. It will introduce also a minimum distance requirement of 100 kilometres for the relocation. In addition, it will delete reference to the scheme target of 40,000 Regional Relocation Grants to be provided for by the Act.

These improvements are expected to appeal to a younger demographic, desperately needed by regional New South Wales. Those communities have an ageing demographic and need young families. Given time constraints and the number of bills to be debated by the House, I conclude my remarks by saying that the initiatives in the bill are welcomed in regional New South Wales. I commend the Deputy Premier for introducing the bill.

**Mr NICK LALICH** (Cabramatta) [5.13 p.m.]: I speak on the Regional Relocation (Home Buyers Grant) Amendment Bill 2013. The objects of the bill are to amend the Regional Relocation (Home Buyers

Grant) Act 2011 to extend eligibility for the Regional Relocation Grant to renters in Sydney, Newcastle, Wollongong who relocate to regional NSW; introduce a skilled regional relocation incentive that will permit grants worth \$10,000 to be made available for eligible people who relocate from metropolitan areas to regional NSW; and introduce a minimum distance requirement of 100 kilometres for the relocation.

The Opposition does not oppose the bill, but the O'Farrell Government was elected on many slogans and not much policy. Before the election the Government said that it would make New South Wales number one again—probably to rectify the fact that for successive terms in opposition the Coalition had been talking New South Wales down and rubbishing our great State. In fact when they did try their hand at policy, things did not go too well. One of the policy showpieces of the Coalition's bid for government in New South Wales in 2011 was the Regional Relocation Grant.

Members would remember that it was a little embarrassing for Government members when my colleague the member for Cessnock drew attention to the fact that someone in the right circumstances could qualify for a \$7,000 handout from the Government if they moved 100 metres down the road. It was a little embarrassing for the Deputy Premier and the Government that this bill, brought before the House more than two years later, now seeks to redress that problem. Also embarrassing is the continued effort by the O'Farrell Government to push people away from our regional cities of Wollongong and Newcastle. Opposition members from the Illawarra and the Hunter—the members representing the electorates of Keira, Wollongong, Shellharbour, Cessnock and Wallsend—understand that in order for economies to grow and prosper people need to be encouraged to those areas; they should not be pushed away.

This bill is proof that Government members are policy lightweights who could not get the legislation right the first time. They needed two years to put their thinking caps on and introduce a minimum distance requirement of 100 kilometres for relocation. It truly is a shame that the Government saw fit to scrap the \$7,000 First Home Owner Grant in favour of this scheme, single-handedly making it more difficult for young families to achieve their dreams, purchase their first homes and enter the property market. First home owner figures are at the lowest point since those figures started being collected in 1992. The people of New South Wales expected more of this Government; they have been left with disappointment after disappointment. The Opposition does not oppose this bill as it seeks to correct some of the previous sloppiness of the earlier legislation.

**Mr GREG APLIN** (Albury) [5.16 p.m.]: I support the Regional Relocation (Home Buyers Grant) Amendment Bill 2013. From where I stand, the pivotal amendment provided by this bill is to extend the existing regional relocation home buyers grant to those who are renting their metropolitan home. Former Mayor of Greater Hume Shire, Councillor Denise Osborne, championed this—a move that was also advocated by Albury city. I am pleased that the NSW Decentralisation Taskforce and Government listened to this feedback and acted upon it. The NSW Decentralisation Taskforce, of which I am a member, was established in November 2012 to provide advice on the Government's Decade of Decentralisation Strategy and regional policies, including the Regional Relocation Grant program.

Consultation sessions were held over February and March 2013 in Sydney, Tamworth and Albury. At those meetings more than 30 stakeholders had the opportunity to discuss their experiences and views on the existing program and policies. The task force submitted its report in April this year, which contained 19 recommendations. Much has been learned already from the Regional Relocation Grant program. In its first 2¼ years, the existing program benefited 2,665 households that made a move from Sydney, Newcastle or Wollongong. The largest group were older people—aged from 51 upwards—and overwhelmingly they purchased an existing home, with only a small number opting to build or buy a property off the plan. However, retirement villages show up as a decent bump in the figures. How far did they travel from home? The average relocation was 199 kilometres—about a 150-minute drive.

I have read that research undertaken by the Grattan Institute shows that just 23 per cent of Sydney's workforce can drive to their central business district place of employment in 45 minutes, while only 11 per cent of jobs can be accessed by public transport. We know how housing costs in the Sydney region are an ever-present barrier to those seeking to make their life in Sydney. Add to this the exhausting travel process for work—and the pollution this generates—and it has become the job, in fact duty, of good government to encourage intrastate migration away from the crowded coast cities and out into the State's regional areas. The bill provides an additional opportunity, targeted now not just at home owners but also at renters.

To be eligible for the new relocation grant, renters must have occupied their metropolitan home in Sydney, Newcastle or Wollongong under a lease, licence or other arrangement for valuable consideration for a

continuous period of two years. This occupation is not restricted to a single property. Over the two years a renter may have leased more than one metropolitan home. They must move to a regional area and buy a home there, build a home or enter into a long-term lease. Their metropolitan home must be at least 100 kilometres in a direct line from the home they purchase in a regional area. The second extension provided by the bill is a skilled regional relocation incentive. This program offers a \$10,000 incentive to those who relocate from a metropolitan area to a regional area when they commence employment within the period 1 January 2014 to 1 July 2015. The payment will be made in two \$5,000 instalments. Employment can include eligible self-employment and apprenticeships. Again, to prevent abuse of the scheme, the applicant must work for at least two years in one or more regional areas on a full-time work basis. The two years need not be continuous, provided a total of at least two years out of a period of three consecutive years is spent in full-time employment. Of course, moving to a region and being self-employed makes for a complicated and challenging transition.

It is worthy of note that in order to gain the \$10,000 skilled relocation incentive, the applicant must complete a small business advisory program approved by the Small Business Commissioner. Recently I sought feedback from the business community within my electorate about their engagement with the Small Business Commissioner. I can report that the Small Biz Bus has made several visits to the electorate and that the commissioner has assisted many local businesses. This is good news, as it is not uncommon for innovative schemes to fall flat when it comes to moving out of Sydney and embracing the reality of the State's vast area. I am therefore pleased to see that support for new regional businesses is embedded in the bill as a condition of receipt of the \$10,000 skilled regional relocation incentive.

The skilled regional relocation incentive, however, will not be linked to the purchase of property, as this would act as a disincentive to some people who are moving for reasons of work. These amendments will focus the scheme on what have been termed "economically active applicants", as well as reducing inappropriate applications for relocation grants where the move might be short-lived or over a minimal distance. The Minister, in responding to the report of the decentralisation task force report, stated:

The decade of decentralisation is the New South Wales Government's overarching policy to ensure that regional New South Wales plays an even greater role in the future of the State. We are changing the way Government does business in New South Wales by developing new approaches to capitalise on the opportunities of our regional economies, environment and quality of life. This Government is committed to delivering greater regional opportunity through steady and strategic growth during the decade of decentralisation.

The decade of decentralisation policy has three key objectives: supporting the development and sustainability of regional economies and communities; attracting population, skills and investment from metropolitan Sydney to regional New South Wales; and increasing the opportunities for communities in regional New South Wales to participate in government decision-making. We are told to expect two strong signals of commitment: first, the delivery of priority infrastructure to regional New South Wales; and second, government agency decentralisation. I can inform the House that in my electorate we are all looking forward to these outcomes. While the bill before us is another good step forward in encouraging population movement out to the regions, there is much rebuilding of infrastructure to be done.

This is not just about money. People in regional New South Wales are looking for positive signals from government after so many years of things being allowed to run down and regional assets being plundered and sold off to balance State budgets. That was a giant stop sign, a warning to Sydneysiders to stay put. This bill is a positive signal. Regional communities, such as the one in which I live and work, provide the clearest pathway for solving many of the problems that beset a massive, international city like Sydney. We in the Albury electorate know that people contemplating a move from the capital are looking at two factors: work and education for their children. Many other factors are important, but these two are fundamental. The regions of New South Wales provide tremendous opportunities and this bill will encourage people to make their move while supported by smart government incentives. The electorate of Albury appreciates that the Government introduced a relocation incentive scheme a couple of years ago, that it has reviewed it and, following feedback, is now improving it through today's bill. I commend the bill to the House.

**Mr GUY ZANGARI** (Fairfield) [5.22 p.m.]: I contribute to debate on the Regional Relocation (Home Buyers Grant) Amendment Bill 2013, which amends the Regional Relocation (Home Buyers Grant) Act 2011. Some of the proposed amendments include introducing a minimum distance requirement of 100 kilometres for the relocation of applicants; extending the eligibility for the Regional Relocation Grant to renters within metropolitan Sydney, Newcastle and Wollongong who wish to relocate to regional New South Wales; and introducing a Skilled Regional Relocation Incentive [SRRI], which will permit grants worth \$10,000 to be made to eligible people who choose to relocate from metropolitan areas to regional New South Wales.

Under the current Act, individuals who are willing to relocate from metropolitan Sydney, Newcastle and Wollongong to a regional area of New South Wales are presently entitled to a one-off payment of \$7,000 to assist with the costs associated with relocation. The downside to the present legislation is that eligibility is contingent on the applicant moving to certain regions and the sale of property within one of the aforementioned metropolitan zones. On a number of occasions this has led to residents moving one or two streets away from their previous place of residence in order to become eligible for the regional relocation incentives. Under the proposed amendments in this bill, stricter rules will be in place and applicants will be required to relocate by a minimum distance of 100 kilometres from their previous metropolitan residence. The setting in place of this definitive distance may exclude a number of people who wish to relocate to regional New South Wales but do not meet the criteria as a result of a very small margin.

For example, a person living in Parramatta who wishes to relocate to Lithgow will obviously be eligible for the grant. However, a person living in Penrith who would like to relocate to Lithgow may not be eligible to receive the grant. If we take it even further and look at someone relocating to Blackheath from Macquarie Street, which is 113 kilometres, they are eligible to receive the grant but those living in Fairfield who want to relocate to Blackheath cannot receive the grant because it is a distance of only 93.9 kilometres. For those who wish to relocate to Katoomba from Macquarie Street it is 102 kilometres, but people in Fairfield cannot receive the grant because it is a distance of 82.3 kilometres. The distance between Fairfield and Macquarie Street is 34 kilometres, which makes the constituents of Fairfield ineligible for the grant. That is disappointing.

There would be merit in applicants being able to apply for a review should they fall slightly short of the criteria, as the key objective of this bill is to assist in the relocation of more individuals to regional New South Wales, not to hinder their efforts to do so with red tape. Since 30 September 2013, when this scheme was implemented, 2,665 grants have been awarded. The data collected through the Office of State Revenue indicates a total of \$18.66 million has been spent, with the highest uptake of this scheme by retirees and empty-nesters. Further amendments to this legislation aim to change that outlook. The introduction of skilled regional relocation incentives will attempt to draw in skilled and able-bodied workers to regional areas to expand the working base and to bring a larger variety of services to regional communities throughout New South Wales.

The skilled regional relocation incentives will be to the value of \$10,000 and will be paid in two equal instalments. A list of eligibility criteria must first be met. The eligibility criteria for applicants is: applicants are required to stay in the regional location for a minimum of two years following their relocation, otherwise clawback provisions may apply; as with the provision for regional relocation applicants, skilled regional relocation incentive applicants must also reside outside the minimum distance of 100 kilometres from their place of residence in the two years prior to relocation to regional New South Wales; proof of employment is required and is defined as full-time employment; apprentices will also qualify, provided they meet all the other eligibility criteria; and successful applicants for the skilled regional relocation incentive will receive their first instalment three months following their relocation to a regional area, with the second instalment being received after one year.

Applicants who are self-employed as sole traders or are in a partnership with a minimum of 50 per cent ownership of the business will also qualify for the skilled regional relocation incentive. This bill contains a degree of merit by further encouraging relocation to regional New South Wales. However, amendments to the minimum distance set out within this legislation may be proposed in the Legislative Council in order to prevent inequality. I do not oppose this bill.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! I remind the member for Keira that he is on three calls to order.

**Mr ADAM MARSHALL** (Northern Tablelands) [5.29 p.m.]: I am pleased to contribute to debate on the Regional Relocation (Home Buyers Grant) Amendment Bill 2013, which is about developing regional New South Wales. Given the contributions to debate of those opposite, some may not realise that the bill is about developing regional New South Wales. This bill is designed to encourage people to move out of the areas represented by members opposite to the areas represented by members on this side of the House. The amendments proposed in this bill are practical, sensible and, importantly, very positive. As a result of the passage of this legislation, Sydneysiders who buy a home in Bathurst, Armidale, Inverell, Glen Innes or Guyra will receive a \$7,000 grant if they own a home or have two consecutive years of rental history in Sydney. Until now the grant has been available only to applicants who have sold a home in Sydney and bought another one in rural and regional New South Wales. This bill implements a very practical and positive change. It is accompanied by the introduction of the skilled regional relocation incentive of \$10,000 for

employees who hold a skilled job in a regional area for a minimum of two years. This incentive will be offered to applicants in two equal instalments. The first will be paid three months after they begin their new job and the second a year later.

I am sure that, like me, other Government members have been contacted by employers in their electorates who are looking at ways to incorporate these incentives into their recruitment programs. One of my local employers cannot wait until 1 January 2014 because he has two potential employees living in Sydney who are ready to relocate. This incentive program will encourage them to move by defraying some of the costs involved. As a result of this legislation, many more renting families will be able to make the most of the relocation grants program. These grants potentially are the last piece in the puzzle for many Sydneysiders who have seen the light and decided to leave the rat race to come to fresh air, beautiful surroundings and great opportunities in rural New South Wales.

This legislation will also be a huge shot in the arm for the very successful Evocities program. Members opposite probably do not know what I am talking about. The Evocities program supports seven inland New South Wales cities: Armidale, which is in the electorate of Northern Tablelands; Bathurst; Tamworth; Dubbo; Orange; Wagga Wagga; and Albury. Sadly, Coffs Harbour, in the electorate of Mr Assistant-Speaker, the member for Coffs Harbour, is not included. Since the launch of the Evocities program in September 2010, almost 1,300 households have relocated to one of those seven cities. I have spoken to numerous families who have moved to Armidale as a result of that program. Evocities research released in 2012 demonstrates that when relocating to a regional area a family from the city can boost the local economy by an annual average of \$95,000. That has a huge impact on the economies of smaller communities in remote areas. I congratulate those involved in the Evocities program on the work that they have done to promote the seven inland cities. This great program is working.

I also commend the Foundation for Regional Development, and in particular Peter Bailey, who hails from my electorate. Peter has been working on the Country and Regional Living Expo for more than a decade and has seen hundreds of people relocating to regional areas. More importantly, they have been exposed to the employment opportunities, the quality family life, the safety and the high quality education that is available in country New South Wales. I acknowledge the work done by Peter Bailey and the Foundation for Regional Development in helping people to make the tree change. This bill will encourage more people to move to country New South Wales, as they should because it is the best part of the State.

**Mr RYAN PARK** (Keira) [5.33 p.m.]: I thank my colleague the Hon. Mick Veitch for doing the Government's work on the Regional Relocation (Home Buyers Grant) Amendment Bill 2013. I acknowledge that that might be difficult for members opposite to accept, but my good friend the Hon. Mick Veitch has been drawing attention to the problems in this bill for some time and the Government has finally listened. I note that a number of members of The Nationals are in the Chamber. I have spoken to the Treasurer about this bill and he has made it clear members of The Nationals will no longer be welcome at Expenditure Review Committee meetings, which is where budget decisions are made.

The Liberal Party cannot afford to have The Nationals members contributing to discussion on legislation such as this, which has seen people paid \$7,000 to move from one side of a bridge—wait for it—to the other side; that is, from Windang to Lake Illawarra. People moved approximately 250 metres or 300 metres and they were given \$7,000. Members can understand why the Treasurer is very concerned. I understand that a clear edict has been issued to The Nationals that they are excused from attending Expenditure Review Committee meetings. That is reasonable given the problems—

**Mr Thomas George:** Point of order: I ask that the member be directed to stop misleading the House.

**The ASSISTANT-SPEAKER (Mr Andrew Fraser):** Order! There is no point of order. The member for Keira will return to the leave of the bill.

**Mr RYAN PARK:** This bill extends the minimum distance to 100 kilometres. I suppose that is reasonable given that 100 kilometres from the centre of Sydney is about Katoomba. That would be regional New South Wales if we held our annual conference at Kirribilli. However, those moving from Western Sydney to Lithgow will not be eligible for the \$7,000 grant. No-one knows why that is the case, but that is the beauty of this bill, which has been introduced because of the low uptake. Why would people be reluctant to uproot their entire family, find another house and job and possibly move away from friends and family for \$7,000? I do not know why \$7,000 would not cut the mustard. I have made some inquiries and found that \$7,000 would not cover even the removal costs.

I am glad that the Government has listened to the Labor Party, and in particular the Hon. Mick Veitch. Those of us who live in regional communities like the Illawarra—which is a regional community, by the way—know that to attract people an area must have good infrastructure, well-supported small businesses, investment, reduced red tape and, where possible, competitive advantages. In my electorate those competitive advantages are in education and access to information technology graduates. Those things are very important.

**Mr Clayton Barr:** NBN.

**Mr RYAN PARK:** The member for Cessnock mentioned something critical. I know that my good rural and regional friends opposite strongly support the National Broadband Network [NBN]. I also know that in my local region the National Broadband Network is supported by the Liberal Party as a way to attract people to regional New South Wales. The Shellharbour branch of the Liberal Party has been a very strong advocate for the National Broadband Network. I share that view and I know my colleagues on the other side share that view. However, the National Broadband Network is the type of investment that attracts people to an area. Why? Those people can continue to grow their businesses while having the strong advantage of remaining in that area.

For instance, country and regional people are able to remain in an area because they have access to the technology that allows them to continue to do their work. That is the sort of thing we really need to support as part of genuine regional relocation. I thank the Hon. Mick Veitch for the work he has done. He is a credit to the New South Wales upper House for the massive change he has delivered on this front. Although his changes will only improve a very bad outcome, I give him credit for his work in liaising with stakeholders to get us this far.

**Mr PAUL TOOLE** (Bathurst—Parliamentary Secretary) [5.41 p.m.]: I support the Regional Relocation (Home Buyers Grant) Amendment Bill 2013 and thank all those who were part of the NSW Decentralisation Taskforce for the work they did to ensure this bill was finetuned, revised and brought to this House with the necessary changes. Those involved were the member for Lismore, our chairperson, the member for Albury and the member for Port Stephens.

**Mr Thomas George:** And thank yourself.

**Mr PAUL TOOLE:** I also thank myself. There were 67 submissions and about 30 consultations were held across the State. We visited regional communities and spoke with organisations, councils and individuals about finetuning this program to deliver outcomes for our regional communities. Regional New South Wales is a great place in which to live and work. The New South Wales Government is committed to making sure that the benefits of living in these communities are provided to those living in our cities. The member for Keira spoke about a member in the other place who has been heard to say the program is ineffective. Any good program needs to be revised and finetuned. The doom and gloom of the member in the other place is countered by a number of reports from councils in my area.

Dubbo City Council, Bathurst Regional Council and the Evocities plan, which represents seven regional communities, have put out reports about this program. They believe the changes are fantastic because they will ensure that people living in cities will have the opportunity to enjoy living in a regional community. There are some important changes, including the \$7,000 Regional Relocation Grant. One submission from the Bathurst council said that we needed to look at including long-term renters. This significant change by the New South Wales Government came as a result of the consultation process held by the task force committee. Bathurst council, in its submission, made this suggestion and it was adopted. The council is very grateful for this, because people living in Sydney, Wollongong and Newcastle could be long-term renters who did not have the means to buy a house. Now they have the opportunity to be eligible for the \$7,000 Regional Relocation Grant.

We also have the skilled regional relocation incentive. This incentive gives those who are eligible up to \$10,000 to relocate for jobs that have not been filled by local workforces. Regional communities sometimes find it difficult to fill skilled vacancies. We will encourage people with the necessary skills to move to communities to ensure we can meet the minimum requirements for our local workforces. That incentive will be paid over two years. The Evocities plan has quite a number of programs and council websites are promoting this new program by telling people how to apply for advertised jobs in their communities and claim the incentive.

The member for Keira mentioned we need to target campaigns. We have targeted campaigns. This bill is evidence of the New South Wales Government working alongside those campaigns to make sure we deliver for New South Wales. We are building infrastructure. This side of the House, for the first time in a long time, is ensuring that infrastructure is being built in regional and rural New South Wales. That is why these incentives will be of benefit to the people of regional and rural New South Wales. I commend the bill to the House.

**Mr RICHARD AMERY** (Mount Druitt) [5.46 p.m.]: The Regional Relocation (Home Buyers Grant) Amendment Bill 2013 amends previous legislation to give incentives to people moving from metropolitan areas to country areas and corrects some problems that have been highlighted by the Opposition. These include people moving a few hundred metres and getting the grants. We hope this will be corrected by the introduction of a 100-kilometre limit. The system had to be amended and that is why we have the bill before the House. The member for Marrickville highlighted that the take-up of the grant, which had a target of some 7,000 people per year, was in the region of 2,600, or less than 20 per cent of the target. Obviously the Government had to act to keep this scheme in operation. The reality so far is that few people under the age of 30 and few very young families found the idea of moving to the country attractive. They were not encouraged by the amount of money offered, \$7,000, which did not move them to make this substantial decision. The incentive has now been increased to \$10,000. There was a problem with people moving from Wollongong to Shellharbour, which was quite frankly ridiculous. That had to be adjusted and therefore the Government is finetuning the bill.

An interesting part of the new bill is attracting people with skills to regional and rural New South Wales, along with people with business operations. There has always been a problem attracting the latter category. I take it this bill means that people in metropolitan areas who run small businesses—whether a painting company, a gardening maintenance company or a small building operation—and want to move to take up a business opportunity in a country town where they have seen a market after doing some research would be able to pick up the incentives in this bill. As a resident of metropolitan western Sydney I have also had an interest and a presence in country New South Wales, including in my job as a parliamentarian when I was Minister for Agriculture. My family has a long-term relationship with the town of Cootamundra, where my daughter and her family lived. They are a young family, with children ranging in age from seven to 18. When I talk to them I understand what attracts families to country New South Wales and what are the disincentives to living in such areas. Some Opposition members have highlighted Department of Primary Industries closures and the closures of prisons on the North Coast. Taking those public sector jobs out of regional areas certainly does not help—

**Mr Thomas George:** Didn't you close some? You closed the laboratory at Lismore.

**Mr RICHARD AMERY:**—if the overall intention of the Government is to encourage more people to move to the country from the city. In response to the interjection by the member for Lismore, I point out that during my time as Minister for Agriculture I was very proud of the projects that we undertook to try to attract more people from metropolitan areas to the country. I acknowledge that the former Coalition Government moved the whole of the Department of Agriculture to Orange. I note that the member for Orange is in the Chamber. He would agree that the relocation of that department to Orange has not only been a major source of job opportunities for the city but also had a major impact on the economy of Orange and the entire district. I was very pleased when that relocation was undertaken by Minister Armstrong and I was very pleased to add to its success when I took over the portfolio in 1995.

When I was the Minister the Rural Assistance Authority was relocated from the city—just down the road from this place—to Orange. Relocating the Rydalmere Agricultural Centre in Western Sydney to various parts of the State meant that in the space of the first two terms of the former Labor Government the number of employees in that organisation situated within 40 kilometres of Sydney dropped from 10 per cent to 1 per cent. That is real decentralisation, which this bill targets. I recognise that relocating the infringement processing centre, Roads and Maritime Services offices, the Firearms Registry and, as I mentioned earlier, agricultural research and rural assistance authorities are genuine ways of getting people in metropolitan areas who are paid from the public purse to take up positions in country New South Wales. I acknowledge that although many former employees did not transfer, their jobs went to country areas and gave locals the opportunity to be employed.

I am sure that no-one believes this scheme alone will attract more people to the regions. We must explore other ways of achieving that. Rural tourism is one way of showing people in metropolitan areas the attractions of life in country towns and cities. Many people who holiday in country areas find places to live while they are there. Another incentive for people to move to a country area is lower-priced real estate. Residents of metropolitan areas can buy larger homes with more land in the regions. However, employment is always a big negative when considering relocating to country areas. I have spoken briefly about transferring government sector jobs to the regions. If the Government wants this scheme to be a success then creating more government jobs is one way to get people to move to the country. However, the Government must consider other means of attracting people employed in the non-government sector to the country.

Statistics show that few people under the age of 30, if any, have taken up the regional relocation scheme. There will always be people who are retired or who have independent incomes who find moving to a country area attractive. The elderly are attracted to the prospect of a quieter lifestyle and no traffic congestion. But an issue for the elderly is access to a high standard of health care. Members who represent regional electorates have raised the issue of health care in the regions time and time again. When people leave metropolitan Sydney they leave an area where they know they can get the highest-quality health care—perhaps the best in the world—virtually on their doorstep. In regional areas people face the problem of having to travel to Sydney for specialist health care and the like, which they cannot access where they live. A family whose members have health problems will not take up the \$10,000 grant to relocate if it puts them at risk because health services are lacking in some parts of the State.

Another issue—which may not be a State Government matter—is that most doctors in country New South Wales do not bulk-bill. For example, people living in Western Sydney pay nothing to visit a medical centre or general practitioner because the doctors bulk-bill. But if they move to a country area they will have to pay a large fee before the doctor will see them. That is a big disincentive for people with young families who take their children to see doctors regularly. There are also issues with road conditions and train services. Broken Hill was mentioned in debate this afternoon. I am pleased to recognise that the former Labor Government reinstated the rail service to Broken Hill, which was closed by the Greiner Government in 1990 or 1991.

**Mr Geoff Provost:** You guys took our one away; you closed our one from Lismore.

**Mr RICHARD AMERY:** The service that was closed on the North Coast was not a Sydney train taking people to country areas. The North Coast rail service is very good. We acknowledge that many country councils have been trying for years to come up with innovative ways to attract people to their areas. I hope this bill helps them. Some councils in the far west and the south-west of the State have even offered free land in an attempt to coax people to those areas. Education facilities must also be of a high standard to attract people to country areas. I hope the scheme works and that the Government gets more people on board, but it must address those family-related issues in order to encourage a large number of people to relocate.

**Mr ANDREW GEE (Orange) [5.56 p.m.]:** I support this most meritorious legislation, the Regional Relocation (Home Buyers Grant) Amendment Bill 2013. As we heard from previous speakers, the two key features of this legislation are the \$7,000 Regional Relocation Grant, which will include long-term renters to encourage them to move from metropolitan areas to regional centres; and also the new skilled regional relocation incentive of \$10,000 to encourage more people to move from metropolitan areas and take up employment in regional New South Wales. I was personally very disappointed about the very cynical approach adopted by the member for Keira.

**Mr Jai Rowell:** You took it very personally.

**Mr ANDREW GEE:** I did; I took it personally. I encourage those opposite to open their minds to the possibilities that these new programs will offer. I will give members opposite an example in terms that they may be able to understand.

**Mr Geoff Provost:** Keep it simple.

**Mr ANDREW GEE:** I will keep it simple. Say, for example, the Leader of the Opposition suddenly found himself out of a job—heaven forbid. He could, conceivably, be eligible for a relocation incentive of \$10,000. One view is that he has had plenty of experience hauling baggage around the countryside; in fact, many people would say that is his main problem—too much baggage—and that this grant is ideally suited for the likes of the Leader of the Opposition. I encourage the Leader of the Opposition to open his mind to the possibility. On the downside—and this is something he would have to get around—I notice that division 2 of the bill is headed "Skilled regional relocation incentive". That is a tough one for the Leader of the Opposition. Given his ham-fisted efforts in the Central West over the past week, that could be a problem for him. However, I encourage members opposite to open their minds to the possibility that the relocation incentive could have some application among their number.

The bill should be supported because it complements the broad range of decentralisation policies set out in the New South Wales Government's response to the NSW Decentralisation Taskforce report. It promotes balanced population growth and skills targeting the entire State. For that reason, it should be supported. As I said, it enhances the Regional Relocation Grant by targeting long-term renters seeking affordable housing in a regional

location. It targets a new class of people who can potentially move from metropolitan areas to the country. That is the great thing about these improvements to the program. The bill introduces the new incentive scheme to help metropolitan job seekers and the self-employed to reduce some of the costs of relocating to regional New South Wales. As I said, members opposite should not close their minds to the possibilities that this scheme offers.

Decentralisation is important because, as the task force found, it has other benefits, including reduced congestion and reduced demand for metropolitan infrastructure services. We want people moving across the sandstone curtain, across the Great Divide, and helping us to build communities in regional New South Wales. This package will combine with others, such as Bridges for the Bush and Resources for Regions, and it will help to build the new productive capacity underpinning regional growth in the years to come. Certainly, as I said, the skilled regional relocation incentive will help to attract skilled labour as well. Measures to spread economic opportunity and increase the effectiveness of infrastructure development should be supported. We in regional New South Wales support this legislation. These enhanced programs will make a real difference to the Government's bid to make this a decade of decentralisation. I commend this meritorious legislation to the House.

**Mr CLAYTON BARR** (Cessnock) [6.01 p.m.]: Mr Assistant-Speaker—

**Mr Craig Baumann:** The dodo.

**Mr CLAYTON BARR:** The dodo takes flight this afternoon. I speak in this debate primarily to provide some context for the Regional Relocation (Home Buyers Grant) Amendment Bill 2013. Earlier the member for Dubbo said that the Hon. Mick Veitch, a member of the other place, had visited regional New South Wales and commented that this program was a complete dud. It was a dud when it was introduced in that form, it was a dud in its second phase when it was altered by the Deputy Premier and it was a dud until the point the Government started taking on board some of the advice that the Hon. Mick Veitch had been giving it for some time. If members do not believe me on this front, I have with me a transcript of the budget estimates hearings.

I am a fan of the budget—I appreciate that that has been noted by the Treasurer. I attend budget estimates hearings for fun, and as a bit of sport. I appreciate the time that General Purpose Standing Committee No. 3 spends with the Deputy Premier, asking him about programs. To provide some context, I refer to the estimates hearings in 2011. On 25 October 2011 there was an exchange between the Hon. Mick Veitch and the Deputy Premier. Essentially, the Hon. Mick Veitch said, "Look, before you implement this program can you tell me how many people were moving from the city to the country on an annual basis, because that is important in the context of setting aside the \$7,000 grants." The transcript reads:

**The Hon. MICK VEITCH:** ... It would be fair to say that there were people already moving from Sydney to country New South Wales, would it not?

**Mr ANDREW STONER:** Absolutely. People move all the time from the city to regional areas. I am advised by the deputy director general that we do not have those figures at this point.

The exchange continued for a short time until the Hon. Mick Veitch tabled the figures and said:

**The Hon. MICK VEITCH:** In an email dated 8 September 2011 Michael Clark-Lewis at Treasury NSW said that there are currently 10,545 households that migrate intrastate ... that is 7,382 households that already migrate ... of those, 6,053 already meet eligibility for the Regional Relocation Grant.

Effectively, Mr Veitch was saying that the \$49 million set aside for these grants was, in essence, a bid to lure just another 947 people from the city to the country. So we were spending \$49 million per annum in an effort to attract an extra 947 people who had no intention of moving. On personal experience, over the past 2½ years I have received five phone calls to my office asking about the Regional Relocation Grants. Every person said, "Hi, Clayton. I have just moved from Newcastle"—or another metropolitan area—"to Cessnock, bought a house and settled in. I was talking to a mate the other day and he said I could get a grant. So how do I get the cash?" My response was, "Didn't you move because the grant was available?" The answer was, "No, I moved because I was moving here anyway, but if the Government is giving me \$7,000 to do that I'll take it." During those conversations it struck me that the intent and purpose of the grant was lost on those people. Indeed, take-up was so poor—I refer back to the budget estimates of 2011—that we managed to get the Deputy Premier to acknowledge that \$1 million was spent on an education campaign to make people aware that this money was available. On Tuesday 9 October 2012, again to provide some background and give context to the bill, the following exchange took place:

**The Hon. MICK VEITCH:** Would you be looking at changing the criteria to expand it to include other opportunities?

**Mr ANDREW STONER:** We have changed the criteria to allow the purchase of land and construction of a house in the regional area to do a couple of things. One is to widen the net a little and, secondly, to stimulate construction, employment and activity in the regional area.

...

**The Hon. MICK VEITCH:** Do you think it should be opened to renters in Sydney? Is that one aspect of the criteria that could be looked at?

**Mr ANDREW STONER:** All policy measures are refined over time and we get feedback.

One source of feedback referred to was the mayor of the Upper Hunter shire. He is a member of The Nationals, and he glowingly endorsed the program. Indeed, he ran as the Federal candidate for The Nationals in the seat of Hunter.

**Mr Andrew Gee:** Big swing too, wasn't it?

**Mr CLAYTON BARR:** It was a big swing there. The exchange between the Hon. Mick Veitch and the Deputy Premier is incredibly insightful. Talking about money for regional New South Wales, the transcript continues:

**The Hon. MICK VEITCH:** There were significant unspent funds from the allocation—\$49 million ... What has happened with the unspent funds? ...

**Mr ANDREW STONER:** Again, that is a question that needs to be answered by the Minister for Finance and Services. There is a process in place in the Government for establishing and monitoring the budget.

**The Hon. MICK VEITCH:** Is it the Expenditure Review Committee [ERC]?

**Mr ANDREW STONER:** At the ERC.

**The Hon. MICK VEITCH:** Of which you are a member?

**Mr ANDREW STONER:** Correct.

So the Deputy Premier, who was overseeing \$49 million of public moneys to attract people to relocate to regional New South Wales—he also sits on the Expenditure Review Committee—could not say what happened to the unspent money. He is the Leader of The Nationals. He is the Deputy Premier. There was \$49 million allocated in a very tight budget, which was in deficit—\$49 million allocated to regional New South Wales—that had not been spent. You would think the bloke would stick up his hand and say, "Let's do something with that money." For example, \$49 million would have been terrific to try to keep open the Electrolux factory in Orange; \$49 million could have gone towards funding the Simplot factory so that it did not have to lay off 100 workers; \$49 million might have been spent on boosting, bolstering or supporting Kirkconnell jail, Grafton jail or Berrima jail—but no. The Deputy Premier did not know what happened to the \$49 million. The Hon. Mick Veitch enlightened the Deputy Premier and said:

**The Hon. MICK VEITCH:** ... If I were to tell you that \$8.5 million of the unspent funds have been allocated towards GST for The Star casino in Sydney, would you be happy about that?

**Mr ANDREW STONER:** That would certainly be news to me.

**The Hon. MICK VEITCH:** It is in the budget document. It is actually in Treasury documents.

...

**The Hon. MICK VEITCH:** It did not go to ERC?

**Mr ANDREW STONER:** As I said, what you are saying is news to me.

Incredibly, \$49 million meant for regional New South Wales disappeared into some magical place in the budget out of the Expenditure Review Committee and some \$8.5 million was lifted and moved across to pay the GST bill for The Star casino. Yet the Leader of The Nationals, who has watched job after job disappear from regional New South Wales, did not know where the money went. He did not have an answer although he sits on the Expenditure Review Committee. Earlier I said that one of the great problems in regional New South Wales is not this grants program but jobs. If the Government wants someone to move from the city to the country then they must have a job to go to. If we genuinely want to entice people out of the city to the regions then jobs must be available for them. No-one wants to move from the city where there is employment to the country to live on the dole. No-one can meet house repayments if they do not have a job.

Almost 1,000 jobs have gone from the Central West of New South Wales, some of which were in private companies that certainly could have used some of the \$40 million per annum in unspent funds over the

past three years to bolster their business. Some of that money could have been used as an incentive to attract new businesses or to keep existing businesses open. Indeed, more than 2,500 public sector jobs have disappeared from country and regional New South Wales as a result of decisions taken by this Government. Almost 500 jobs have gone from regional New South Wales because the Government decided to remove government contracts. If the Government wants people to move to regional New South Wales it should make sure the jobs are there for them. People move to regional New South Wales not for the \$7,000 grant but because the country is better than the city. But there have to be jobs for them.

**Mr CRAIG BAUMANN** (Port Stephens—Parliamentary Secretary) [6.11 p.m.]: I could not work out why the Deputy Premier called the member for Cessnock a dodo earlier but I have just worked it out. I support the Regional Relocation (Home Buyers Grant) Amendment Bill 2013. One of this Government's major goals to make this State number one again is to drive economic growth in regional New South Wales. I was honoured to be a part of the NSW Decentralisation Taskforce established in November 2012 to pursue opportunities for regional development and government decentralisation. I was joined by our illustrious and fearless leader, the member for Lismore, the good member for Albury and the member for Bathurst. We held numerous hearings, travelled all around the State, worked hard and met a lot of interesting people. The role of the task force was to advise the Government's Decade of Decentralisation Strategy and regional policies. Boosting regional economies is a top priority for this Government and it is doing that by stimulating regional development, localising decision-making and decentralising public sector staff.

The Government has led a range of initiatives to encourage jobs and economic growth in the regions, for instance through the relocation of public sector jobs from Sydney to the fisheries research centre in my electorate. The Government is committed to creating new jobs in regional centres by initiating long-term projects in regional centres rather than in metropolitan Sydney. The bill will amend the Act to extend eligibility for the Regional Relocation Grant to renters in metropolitan Sydney, Newcastle and Wollongong who relocate to regional New South Wales. It will introduce a new skilled regional relocation incentive that will permit grants worth \$10,000 to be made available to eligible people who relocate from metropolitan areas to regional New South Wales for the purposes of employment or establishing or purchasing a small business. It will introduce a minimum distance requirement of 100 kilometres for the relocation and it will delete the reference to the scheme target of 40,000 Regional Relocation Grants that was to be provided for by the Act.

In response to the NSW Decentralisation Taskforce's review of the Government's Decade of Decentralisation Strategy, issues and ideas were identified, through consultation, regarding the implementation of policies and programs initiated by the Government to advance the strategy. The amendments show the Government's real responsiveness to regional issues and, in particular, demonstrate government accountability in addressing identified issues in order to deliver real and effective policy outcomes. The member for Lismore wishes to speak in the debate and time is short so I commend the bill to the House.

**Mr THOMAS GEORGE** (Lismore—The Deputy-Speaker) [6.15 p.m.]: I support the Regional Relocation (Home Buyers Grant) Amendment Bill 2013. I chair the NSW Decentralisation Taskforce and, like all members of the O'Farrell-Stoner Government, recognise the important benefits of not only decentralisation but also regional development, and the benefits of spreading opportunity, encouraging growth and easing metropolitan strains and stresses. These are benefits that accrue to the whole of New South Wales, despite what we have heard from Opposition members. I have been a member of the Legislative Assembly since 1999—I am glad that the member for Mount Druitt, a former Minister for Agriculture, is in the Chamber—and I witnessed cutbacks in regional and rural New South Wales during the former Government's 16 years in office. The creation of the Decentralisation Taskforce is a positive move by this Government, together with other programs that address the needs of rural and country New South Wales.

This amendment bill should be supported because it complements the broad range of decentralisation policies set out in the decentralisation response to the Government's NSW Decentralisation Taskforce report. The bill promotes balanced population growth and skills targeting the entire State, and it should be commended. The member for Cessnock claimed that the Hon. Mick Veitch was the impetus for the amendments. As has been highlighted by the member for Port Stephens, the member for Bathurst and the member for Albury served on the Decentralisation Taskforce. The task force received representations from a number of organisations, councils, government agencies and private individuals across the State, all of whom asked that we reconsider the relocation grant. The task force made a strong recommendation to that effect. I compliment the Deputy Premier, the member for Oxley, who lives in regional New South Wales, for acting on the first of many recommendations made by the task force.

While regional economies gain from an increased population and stronger labour market, metropolitan centres benefit also. They benefit from reduced congestion and pressure on housing and rental markets in metropolitan areas. Opposition members referred to renters who can go to the country and regional areas to purchase a home. It is a lot easier, cheaper and quicker to purchase a home in country and regional New South Wales than in Sydney, Newcastle and Wollongong. This bill seeks to help ease pressure on the metropolitan rental and homebuyer markets. It will reduce congestion and ease demand for infrastructure services in metropolitan areas. New spending on roads, combined with targeted funding through the Bridges for the Bush program and Resources for Regions program, will build new productive capacity underpinning regional growth in years to come. The skilled regional relocation incentive will attract the skilled labour to match. Measures to spread economic opportunity and increase the effectiveness of infrastructure development should be supported.

The expanded Regional Relocation Grant will play its part in improving regional capacity and ensuring that our current regional infrastructure goes further. With the upgrade and development of regional capital, the proposed changes to the Regional Relocation Grant will attract the right people with the necessary skills to fill vacant jobs in regional New South Wales and to drive new economic opportunities and regional growth into the future. This scheme will help achieve the right balance between regional and metropolitan New South Wales and should be supported. I commend the Government, in particular, the Deputy Premier, for accepting the recommendations of the committee, which are supported by regional and rural New South Wales. I commend the bill to the House.

**Mr ANDREW STONER** (Oxley—Deputy Premier, Minister for Trade and Investment, and Minister for Regional Infrastructure and Services) [6.21 p.m.], in reply: I thank all members who contributed to debate on the Regional Relocation (Home Buyers Grant) Amendment Bill 2013—namely, the Government members for the electorates of Clarence, Albury, Northern Tablelands, Bathurst, Orange, Port Stephens and Lismore and Opposition members for the electorates of Marrickville, Cabramatta, Fairfield, Keira, Mount Druitt and Cessnock. The bill proposes three key legislative changes to amend the Regional Relocation (Home Buyers Grant) Act. Firstly, the bill seeks to extend eligibility of the Regional Relocation Grant to renters in metropolitan Sydney, Newcastle and Wollongong to encourage them to relocate to regional New South Wales for the purposes of purchasing a home. The value of the Regional Relocation Grant remains unchanged at \$7,000. Secondly, the bill introduces a new skilled regional relocation incentive linked to relocations to regional New South Wales for the purposes of employment or self-employment.

This is a significant new initiative designed to provide an incentive to a younger, more economically active demographic to move to the regions for employment. This segment is likely to include single people and young families, all of whom could bring skills and contribute to the vitality of regional communities. The value of the skilled regional relocation incentive will be \$10,000 paid in two equal instalments. Thirdly, the bill introduces a minimum distance requirement of 100 kilometres for relocations, which applies to both the Regional Relocation Grant and skilled regional relocation incentive. I foreshadow that the Government will move an amendment following discussions with the shadow Minister responsible for this portfolio in the other place about the 100-kilometre requirement. The purpose of the amendment bill is to better target the scheme, which is a key component of the Government's broader plans to help revitalise our regional economies. By making these amendments, we are opening up the Regional Relocation Grant to a demographic that was previously ineligible—renters.

We know that many young families simply cannot afford the price of housing, particularly in the Sydney Basin. We are also introducing a new grant, the skilled regional relocation incentive, to target a more economically active demographic—young families and young single people—to encourage them to move to regional New South Wales to take up employment or self-employment. We are also introducing a minimum distance requirement of 100 kilometres for relocations, with some qualifications outlined in the amendment, to mitigate against the potential misuse of the scheme in areas that border metropolitan and regional boundary lines. Importantly, the new skilled regional relocation incentive will also be available to eligible self-employed people who relocate to regional New South Wales. This initiative demonstrates the Government's commitment to supporting skilled workers and entrepreneurs who can make a contribution by bringing their skills and experience to regional communities and by creating additional job opportunities.

Eligible applicants for the skilled regional relocation incentive will also have access to the support provided by Small Biz Connect, a program administered by the Office of the New South Wales Small Business Commissioner. This is designed to maximise their chances of business success in the regional area. During discussions with the shadow Minister in the other place, the Opposition stressed the importance of ongoing support and contact for relocating small business owners. Whilst the Government has no desire to add additional

red tape to the process, it agrees that ongoing contact between the Office of the Small Business Commissioner and a relocating small business is desirable. These arrangements will be confirmed with the Office of the Small Business Commissioner.

With respect to issues raised by the member for Marrickville and the member for Fairfield around the 100 kilometres minimum requirement for the grant, the Government is prepared to address this matter with an amendment which, I understand, has the support of the Opposition. In conclusion, any initiative designed to support the growth of our regional communities across New South Wales should be supported by all members in this place and, hopefully, the other place. I commend the bill to the House.

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

**Motion agreed to.**

**Bill read a second time.**

**Consideration in detail requested by Mr Andrew Stoner.**

### **Consideration in Detail**

**ACTING-SPEAKER (Ms Melanie Gibbons):** Order! By leave, I will propose the bill in groups of clauses and schedules.

**Clauses 1 and 2 agreed to.**

**Mr ANDREW STONER (Oxley—Deputy Premier, Minister for Trade and Investment, and Minister for Regional Infrastructure and Services)** [6.27 p.m.], by leave: I move Government amendments Nos 1 and 2 on sheet C2013-167B in globo:

No. 1 Page 9, schedule 1. Insert after line 41:

**[22] Section 26A**

Insert after section 26:

**26A Grant may be paid despite relocation being less than 100 kilometres**

(1) In this section:

*distance requirement* means, in respect of an eligible relocation, a requirement that any of the following be at least 100 kilometres from a specified place in a metropolitan area:

- (a) a regional home,
- (b) a principal place of residence, principal place of employment or principal place of business in a regional area.

*eligible relocation* means an eligible home relocation, an eligible employment relocation or an eligible self-employment relocation.

(2) The Minister may by order published on the NSW legislation website specify circumstances in which a relocation is taken, for the purposes of this Act, to be an eligible relocation despite a distance requirement not being met.

No. 2 Page 11, schedule 1 [34]. Insert after line 36:

(2) Section 26A, as inserted by the amending Act, applies in respect of the purchase of a regional home if section 15 (2) (a1) applies in respect of the purchase.

As noted earlier in debate, the bill seeks to require a person to move at least 100 kilometres from their original place of residence. This is in response to data showing that a proportion of moves under the existing scheme are for relatively minor distances. In fact, 29 per cent of applicants were a distance of 100 kilometres or less—the shortest move was one kilometre from the Newcastle local government area to the Lake Macquarie local government area. Following discussions with the shadow Minister in the other place, the Government has moved these amendments to clarify the unintended consequence of the drafting of this section of the bill that would have seen a person living, for example, in Penrith having fewer regional relocation options than a person

living in Sydney's eastern or northern suburbs. That is not the Government's intention and therefore the amendments will give the Chief Commissioner for State Revenue the ability to allow moves of less than 100 kilometres if satisfied the move meets the intent of the bill. The Department of Trade and Investment will coordinate the preparation of guidelines to assist the commissioner in these instances. I thank the shadow Minister in the other place for his comments and for the Opposition's support for the legislation.

**Ms CARMEL TEBBUTT** (Marrickville) [6.29 p.m.]: The Opposition supports the amendments to the bill. The Deputy Premier indicated that these amendments arose from discussions with the shadow Minister in the other place. I pay tribute to the Hon. Mick Veitch for the hard work he has done to ensure that this bill is as good as it possibly could be. The amendments will ensure that there are no unintended consequences or disadvantage to those who live in certain parts of the city because of the distance requirement. The Opposition will support the amendments.

**Question—That Government amendments Nos 1 and 2 [C2013-167B] be agreed to—put and resolved in the affirmative.**

**Government amendments Nos 1 and 2 [C2013-167B] agreed to.**

**Schedule 1 as amended agreed to.**

**Consideration in detailed concluded.**

### **Third Reading**

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

That this bill be now read a third time.

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

## **SENATE VACANCY**

### **Joint Sitting**

**ACTING-SPEAKER (Ms Melanie Gibbons):** I report the receipt of a message from the Legislative Council agreeing to meet the Legislative Assembly in the Legislative Council Chamber on Wednesday 13 November 2013 at 3.45 p.m. to choose a person to hold the place in the Senate rendered vacant by the resignation of Senator the Hon. Bob Carr. I direct that the joint sitting with the Legislative Council in the Legislative Council Chamber for the election of a senator for the Commonwealth of Australia be set down as an order of the day for Wednesday 13 November 2013.

## **BOARD OF STUDIES, TEACHING AND EDUCATIONAL STANDARDS BILL 2013**

### **Second Reading**

**Debate resumed from 30 October 2013.**

**Ms CARMEL TEBBUTT** (Marrickville) [6.31 p.m.]: The Opposition supports the Board of Studies, Teaching and Educational Standards Bill 2013. The bill will merge the Board of Studies and the NSW Institute of Teachers. The Opposition agrees that it makes sense to bring curriculum, student assessment and teacher quality under the one education body. I note that when the Minister first announced the proposed merger he made it clear that this was not a cost-cutting measure and that any savings would remain with the new organisation. It is extremely important that such significant change is driven by what is in the best interests of students and improving their educational outcomes. I ask that the Minister reiterate in his speech in reply the commitment that any savings will be reinvested in the new organisation. The Government has said that this legislation will put standards at the heart of the education landscape and the new board will analyse data, consult experts, principals, teachers and parents to continuously improve policy settings in schools. I am pleased to see the Minister now accepts the evidence that there is a role for testing and improving student outcomes.

The Board of Studies is responsible for curriculum, examinations and the registration of non-government schools, and the NSW Institute of Teachers is responsible for accrediting teachers, approving

initial teacher education and the endorsement of teacher professional learning. Merging the two bodies will allow teacher quality measures to reflect the requirements of the curriculum and ensure the evaluation of those measures through student assessment. Research is very clear about the impact of teacher quality on a student's educational performance—there is a direct relationship between the quality of teaching and the successful learning outcomes of students. That is why in 2004 the Labor Government established the NSW Institute of Teachers. New South Wales was the first State to do so. Indeed, the Labor Government's model was the foundation for national teaching standards.

Members will understand that I take issue with the somewhat overblown statement by the Government that this bill represents the most significant reform of key education bodies in New South Wales since the creation of the Board of Studies. It should be recognised that the creation of the NSW Institute of Teachers was an important development that linked quality standards with the accreditation process. The institute oversees the accreditation of teachers against a framework of professional teaching standards, accredits teacher education programs and monitors professional development. These are very important functions and the new Board of Studies, Teaching and Educational Standards must maintain its focus on these issues. This must be a genuine merger where the new organisation is more than the sum of its parts.

The Minister has made some important commitments in his second reading speech, which we support. The new Board of Studies, Teaching and Educational Standards will continue to have the independent and broadly representative nature of the previous Board of Studies. This is welcomed as the Board of Studies has been a highly regarded body. Its system of committees has given broad representation of the teaching profession and provided for valuable input into curriculum matters. That is another reason why the curriculum in New South Wales is so highly regarded; it is called the gold-standard curriculum. It has formed the foundation for the national curriculum that has been rolled out. It is also good to see that the appointed members of the board will include a person with knowledge and expertise in early childhood education and an Aboriginal person with knowledge and expertise in the education of Aboriginal people.

The bill also preserves the independent advisory functions of the Quality Teaching Council and the president of the board will continue as chair of the council. The bill makes provision to ensure the hypothecation of teachers' funds within the new body. This is important to teachers who pay a fee to join the NSW Institute of Teachers. They will want to know that their money is protected and only used for the accreditation process. The bill also gives the board a strengthened governance role in relation to the registration of non-government schools. This has the support of the non-government sector and the standards will be developed in consultation with them.

The merger has the broad support of all the key stakeholders; however, some issues have been raised. It is important to ensure that the voice of teachers is clearly heard in the new body and that the governance arrangements ensure that the teaching profession is well represented and continues to be listened to. John Quessy of the Independent Education Union said in a letter that the governance structures need to "reflect an undiminished independence for the teaching profession if the accreditation body is to have any credibility with teachers in this State". The Independent Education Union has also raised concern that teacher accreditation authorities should be required to have policies that provide support to teachers to achieve a quality induction to the teaching profession. This will ensure that new teachers receive appropriate support. I ask that the Minister comment on both of these issues in his speech in reply.

While I note these changes are not driven by a desire to make savings, nonetheless there will be impacts on staff as the new entity takes effect. This can be a challenging time for staff. As this merger will occur just before Christmas I urge the Minister to make sure it is a transparent and fair process for all staff transitioning to the new entity. In conclusion, the merger provided for by this bill will improve coordination between the functions of the NSW Institute of Teachers and the Board of Studies. It will provide for a more explicit link between teacher professional standards, curriculum standards and assessment. It will then be possible to build greater support and understanding of the importance of assessment and how it can help lift student performance. As I have said previously, I have been dismayed in recent times to see the regularity with which testing and the national assessment program are criticised.

Testing provides valuable information that identifies students who are behind in their learning and can be used to tailor teaching programs to meet their needs. It can help also to set targets for improvement and evaluate the effectiveness of literacy and numeracy programs. It has limitations and schools need to get the balance right in preparing for tests, but if merging the Board of Studies and the NSW Institute of Teachers means that useful information from student assessment can help inform teaching standards and practice, then that can only be a good thing. The Opposition supports this bill.

**Mr MARK SPEAKMAN** (Cronulla—Parliamentary Secretary) [6.40 p.m.]: I am delighted to support the Board of Studies, Teaching and Educational Standards Bill 2013. This bill demonstrates the Government's commitment to continually improving educational policy settings and leveraging opportunities to improve outcomes for our school students. The creation of the Board of Studies, Teaching and Educational Standards will boost capacity across all school sectors to implement the Government's Great Teaching, Inspired Learning blueprint for action. The establishment of the Board of Studies, Teaching and Educational Standards underpins a focus on standards in education. In educational terms, standards represent goals and/or measures of progress towards those goals.

To be meaningful, educational standards must offer realistic prospects of evaluation. This means that the standards must be rigorous and subject to observation, measurement and change. The New South Wales Higher School Certificate is an example of standards setting for educational attainment. The Board of Studies NSW uses a standards-referenced approach to reporting student achievement in the Higher School Certificate. The standards in the Higher School Certificate are the knowledge, skills and understanding expected to be achieved by students—that is, the syllabus standards—and the level of achievement of knowledge, skills and understanding, that is, the performance standards. The marks that are awarded are given meaning by relating them with six performance bands that describe the knowledge, skills and understanding of the course typically demonstrated by students whose marks place them in a particular band.

This system is well understood in the education community and is a demonstration of how being clear about standards and required performance provides an opportunity for students to excel. The creation of the Board of Studies, Teaching and Educational Standards will enable the use of education standards across more domains within the education landscape. The evidence for this change comes from the ubiquity of educational standards across several domains in several Organisation for Economic Co-operation and Development countries. There is a clear trend in developed Organisation for Economic Co-operation and Development countries for adoption of professional standards for teachers. Some systems, for example those adopted in the United States of America, have optional teacher standards. Many other countries have or are in the process of introducing compulsory teaching standards for all teachers.

Earlier this year following consultation on its Great Teaching, Inspired Learning discussion paper the Government announced that by 2017 it will require all teachers in New South Wales schools to be accredited by the NSW Institute of Teachers. Of course, this will now be a function exercised by the new Board of Studies, Teaching and Educational Standards. In creating this obligation, the Government is using evidence from other Organisation for Economic Co-operation and Development countries about professional standards and the role they can play in improving student achievement.

What is important about the merger of the Board of Studies NSW and the NSW Institute of Teachers is that it will bring together three educational cornerstones—namely, curriculum, student assessment and teacher quality—in one educational body. That will allow synergies between these three cornerstones that may not be possible now because they are spread over two bodies. Having these functions in one organisation will enable the Government to ensure that the key variable of teacher quality, which international research demonstrates is a fundamental determinant of educational outcomes, will be at the centre of school organisation and the focus will be on improving student learning outcomes. The changes that will be brought about by this bill are a significant development in education policy in New South Wales, and the response from the education community has been positive. I look forward to seeing how this shift to the delivery of high-quality education monitored and assessed against clear and professionally accepted and understood standards leads to enhanced student achievement in New South Wales. I commend the bill to the House.

**Mr GUY ZANGARI** (Fairfield) [6.43 p.m.]: The object of the Board of Studies, Teaching and Educational Standards Bill 2013 is to amalgamate the Board of Studies and the NSW Institute of Teachers in order to create a one-stop-shop for our education system. This bill will dissolve the Board of Studies and the NSW Institute of Teachers and confer the powers and duties of both boards to the newly created Board of Studies, Teaching and Educational Standards. The Board of Studies is responsible for the curriculum, examinations and the registration of non-government schools throughout New South Wales, and the NSW Institute of Teachers is responsible for accrediting teachers, approving the initial teacher education and the endorsement of teacher professional learning.

The Government claims that it makes sense to bring together the education cornerstones of curriculum, student assessment and teacher quality under one roof, and I am inclined to agree. Having worked in Western Sydney non-government schools for 17 years and having been a Higher School Certificate judge, marker and

senior marker, I understand curricula, assessment and teacher quality. I was the pastoral care coordinator at Freeman Catholic College and mentored newly graduated teachers. It was a difficult job and the year coordinators and I took to heart our responsibility for the first year out students, as they were called. Members who have been teachers would understand that the formative years of education are vital. Teachers must understand the Board of Studies' expectations, the curriculum, assessment and ultimately their own teaching strategies to achieve best practice. It is difficult for first year out teachers to combine all three aspects of education.

When talking about two government bodies that are involved directly in the same sector, the amalgamation makes sense. The merger of those bodies should allow for teacher quality measures to reflect the requirements of the curriculum and ensure the evaluation of those measures through student assessments. To date, the NSW Institute of Teachers has been the primary source of care and assistance for teachers in this State. As I said, I witnessed that during my years as a teacher. The institute was established under the Institute of Teachers Act 2004, which was a proud Labor initiative. I am sure members would agree that it was a fine education initiative. The NSW Institute of Teachers aims to advance the status, understanding, training and support available to our fine teachers.

As I said, the first year of a new teacher's career will determine how he or she will develop as a teacher and will subsequently make or break them. That is why they must be supported; ultimately they are delivering the curriculum to students who will then be assessed. Thankfully, the NSW Institute of Teachers has been there for our State's teachers. The amalgamation of the two boards has received broad support, including from a number of key stakeholders. The Catholic Education Commission of NSW, the Independent Education Union, the NSW Teachers Federation and the Association of Independent Schools of NSW have all offered their support for the proposed merger. However, I have one concern. We all know that when two major bodies are merged they become one large entity, and that means job losses.

It would be unreasonable to expect no redundancies as a result of this merger. Although I believe in providing more support services and improved delivery methods through an improved operating structure, job losses are a real concern and they need to be addressed. How many individuals in the Board of Studies and the NSW Institute of Teachers will lose their jobs as a result of the amalgamation? Will they be offered retaining? The Minister must answer these questions, and I am sure he will in his reply. This bill has merit and I support it. However, I ask that the Government address my concerns about potential job losses as a result of the amalgamation. I commend the bill to the House.

**Mr JAI ROWELL** (Wollondilly) [6.48 p.m.]: I rise to speak in the second reading debate on the Board of Studies, Teaching and Educational Standards Bill 2013, which proposes to merge the New South Wales Institute of Teachers and the Board of Studies New South Wales to form a new body called the Board of Studies, Teaching and Educational Standards. The new body will begin operating from 1 January next year. The merger will draw on the evidence from the leading Organisation of Economic Cooperation and Development jurisdictions. It will allow all teaching quality measures to directly reflect the requirements of the curriculum and to ensure the evaluation of those measures directly through student assessment, providing a substantial and new dimension to educational policy. The consultation undertaken as part of the Government's Great Teaching, Inspired Learning reforms highlighted the need to coordinate the functions of the institute and the Board of Studies. It also highlighted the need for teacher quality policy to be linked directly to the improvement of student learning.

In addition to taking over existing functions of both bodies, the new body will be required to monitor and advise on policy for improving student learning, in particular the relationship between the three key sets of educational standards—teaching, curriculum and student learning. This recognises the importance of teacher quality and teaching standards, and the importance of applying the standards to improve student learning. All the existing functions of the NSW Institute of Teachers will be maintained in the new body including registration and accreditation of teachers at all levels, approval of initial teacher education and endorsement of teachers' professional learning. The functions of the Board of Studies New South Wales relating to curriculum, examinations and registration will also continue. The institute's Quality Teaching Council will be maintained in its current form and with its current charter. The council's relationship with the new board will be similar to its relationship with the current board of governance.

The institute's board of governance will be replaced in its functions by the new Board of Studies, Teaching and Educational Standards. The new board will also take over the functions of the current Board of Studies New South Wales. The legislation will make provision to ensure the hypothecation of teachers' funds

within the new body. An audit committee with independent representation will oversee this. The operational structure of the new organisation will be developed after the legislation is passed. Existing operational structures will be maintained until then. It is great to have the Minister for Education in the Chamber this evening. He has come to my local schools many times and recently was at Picton High School. Students of the school got great satisfaction from spending some quality time with the Minister. Wollondilly has a number of great schools. Its primary schools include Cawdor, Yanderra and Bargo, which the Minister allowed to purchase additional land for future expansion. There are also Buxton, Picton, Oakdale, Warragamba, Douglas Park and Thirlmere, where I was happy to take part in the 125th anniversary celebrations. Steven Moore, the principal of Thirlmere Public School, is doing a fantastic job.

There are also Tahmoor, where I participated in a youth parliament, and Wilton Public School, the newest primary school in Wollondilly. I was proud to be at the opening of this school when I was newly elected. There are also Appin, Mount Hunter, The Oaks, St Anthony's, Wollondilly Anglican College and Broughton Anglican College. Our three high schools are Picton High School, Wollondilly Anglican College and Broughton Anglican College. Teachers at these schools are doing a fantastic job. This week the *Wollondilly Advertiser* had an article on Wollondilly schools being big winners. Our local newspaper said:

Public schools in Wollondilly emerged big winners with the release of next year's funding figures from the NSW Department of Education and Communities. All 14 schools in Wollondilly received more money ...

That is testament to the Minister for Education and his staff, who work tirelessly to ensure that certain schools in Wollondilly, a regional area, are getting the dollars they need. I pay tribute to the Minister's staff: Sheridan Dudley, Kim Withers, Mark Grant, Olga Popovic, Rebecca Allen, Robert Lee, Josh Hatton, Erin Stott, Jeremy Hutton, David Bold, William Griffiths, Anna O'Brien, Gemma Farrell, Kim Burgess, Sally Brown and Karen Giovinazzo. I do so because I know the member for Camden is not speaking on this bill and wanted to recognise these people. These are sensible reforms, and I commend the bill to the House.

**Ms TANIA MIHAILUK** (Bankstown) [6.53 p.m.]: I support the Board of Studies, Teaching and Education Standards Bill 2013, which has as its aim to give effect to the Government's decision to merge the Board of Studies New South Wales and the New South Wales Institute of Teachers to constitute the Board of Studies, Teaching and Educational Standards. Currently, the Board of Studies is responsible for the administration of the school curriculum, the management of all aspects of examinations and the registration of non-government schools, while the Institute of Teachers is responsible for the accreditation of teachers, the approval of initial teacher education and the continued professional education of teachers.

The new Board of Studies, Teaching and Educational Standards will have conferred on it the functions exercised by the Board of Studies under the Education Act 1990 and most functions of the New South Wales Institute of Teachers under the Institute of Teachers Act 2004. An effect of the bill will be the renaming of the Institute of Teachers Act to the Teacher Accreditation Act 2004. This Act will relate to the school system and individual school teacher accreditation, which will remain as distinct functions from the new board being created by this bill. The current Board of Studies and Institute of Teachers will be dissolved upon merger into the new board.

Part 2 of the bill deals with the constitution, members and functions of the new board. Clause 5 (1) outlines that the board will consist of a president, three persons nominated by the Director General of the Department of Education and Communities and 19 members to be appointed by the Minister. The Minister's appointments are detailed in clause 5 (2) and include nominees from a broad spectrum of teaching and education sectors including two parents and citizens nominees, one representing primary and the other secondary; nominees from Catholic and independent schools; government school principals; parents; representatives of the Teachers Federation; a nominee who identifies as Aboriginal or Torres Strait Islander and who is an educator within those communities; and a nominee with expertise in the childhood education. This diverse range of nominees will ensure that the new board will adhere to its core function as outlined in clause 6 to:

... ensure that the school curriculum, forms of assessment and teaching and regulatory standards under the education and teaching legislation are developed, applied and monitored in a way that improves student learning while maintaining flexibility across the entire school education and teaching sector.

Schedule 1[3] to the bill will further reinforce the ideal of "improving student learning ... across the entire school education and teaching sector" by ensuring that nominees to the new board include people containing expertise in Aboriginal education, in non-English-speaking background communities and in addressing the needs of students from regional and rural communities. Another key aspect of this bill is contained within the

consequential amendments to the Education Act 1990, in schedule 3 to the bill. The new board will be strengthened by new powers in relation to the registration of non-government schools in the area of school governance. Schedule 3 items [5] to [7] amend section 47 of the Education Act to ensure that proper policies and procedures are in place with respect to maintaining a school enrolment and attendance register.

The member for Fairfield and the member for Marrickville raised an important point, and that is it is important to keep the Minister to his word when he stated that there is no view to cost savings and that any savings as a result of this new entity being established will be redirected back into the entity. I hope that this will not result in job losses. That is the concern of the Opposition, and we will hold the Minister to his word that this is not a cost-saving exercise. The bill has the support of the Opposition. It is an important reform, which will see the creation of a single board to bring the administration of the curriculum, student assessment and teacher quality together under one umbrella. This bill has the support of the Association of Independent Schools, the Catholic Education Commission, the Independent Education Union and the Teachers Federation. I commend the shadow Minister for her support of this bill. I commend this bill to the House.

**Mr ANDREW ROHAN** (Smithfield) [6.58 p.m.]: I rise to make a brief contribution to the debate on the Board of Studies, Teaching and Education Standards Bill 2013, to support the bill, and to commend the Hon. Adrian Piccoli, Minister for Education, for bringing the bill before the House. The bill brings on necessary changes in a constantly moving and growing education system. It will merge the Board of Studies NSW and the NSW Institute of Teachers to create one body that can deal with all three components of the education system—school curriculum, student assessment and teacher quality. In doing so, it will allow both organisations to consolidate their expertise and create a concrete framework around New South Wales' already solid education system.

This new body, the Board of Studies, Teaching and Education Standards, will focus on creating a support framework for teachers and students, as well as maintaining and building upon our education resources. The bill does not undermine either of the organisations, and instead recognises the jurisdiction that both have within the education sector. The Board of Studies, Teaching and Education Standards will continue to have access to appointing school inspectors, as outlined in the Education Act 1990. These inspectors not only monitor and inspect schools, but also ensure proper educational standards are being maintained to ensure students are receiving quality education.

Under schedule 1 to the bill the Board of Studies, Teaching and Education Standards will strengthen the education sectors revolving around Indigenous students and other students from rural and regional New South Wales. Education is one of the main roots of society; it is the foundation on which to build a strong economy and a clever society that will enable us to compete with other countries. To see those roots reaching out to the regional areas of New South Wales is truly wonderful. It is imperative that no students are left behind in the education system. This new body will also fortify its communication with non-government schools. They are equally important as students from government schools, but they are often overlooked. However, under this new bill, the Board of Studies, Teaching and Educational Standards will have a bigger role in non-government schools to ensure they are practising appropriate community norms of school governance. This body does not only take care of students; it also provides support for the passionate and hardworking teachers of New South Wales.

Teaching is one of the most respected, yet under-appreciated, jobs and the profession is simply a labour of love for many teachers. The Great Teaching, Inspired Learning initiative, which was conceptualised by the current New South Wales Government, creates a sturdier platform for students studying to be teachers as well as for those currently in the system who are teaching. It helps new teachers grow accustomed to the classroom, and assists them with a smooth transition into the education work sector. Overall, it is an initiative to promote professional growth as well as leadership and unity within the teaching community. I am sure everyone in this House knows of my high regard for education. Education is a powerful tool in paving the way for young people's futures. Many in this House would know that, especially for migrants and refugees, many of whom reside in my electorate, education is seen as the way out for the children of these families. I am incredibly proud of the students in my electorate, and I am sure that education standards will only improve under the newly merged Board of Studies, Teaching and Education Standards. I commend the bill to the House.

**Mr NICK LALICH** (Cabramatta) [7.03 p.m.]: I speak on the Board of Studies, Teaching and Educational Standards Bill 2013. The objects of the bill are as follows: to constitute the Board of Studies, Teaching and Educational Standards and to confer on it functions currently exercised by the Board of Studies under the Education Act 1990 and the NSW Institute of Teachers under the Institute of Teachers Act 2004; to

dissolve the Board of Studies and the NSW Institute of Teachers; and to make consequential and other amendments of an administrative nature to the Education Act 1990 and the Institute of Teachers Act 2004. In New South Wales we have a very strong education system that not only teaches but allows the intelligence and talent of our children to shine through and grow. It is a system that creates opportunity; a system into which parents can confidently send their kids with the hope that they will excel and go on to build a strong career from what they have learned. The students in my electorate of Cabramatta are blessed with some of New South Wales' finest teachers and educators who are totally committed to moulding young minds and demonstrating to them the importance of a first-class education.

The responsibilities for school curriculums, examinations and registration of non-government schools fall within the domain of the Board of Studies. It was established in 1990 to serve government and non-government schools in the development of school education from kindergarten to year 12. The board has developed quality curriculum and is responsible for the awarding of secondary school credentials, the Record of School Achievement and the Higher School Certificate. The membership of the board includes a full-time President, currently Mr Tom Alegounarias; three ex-officio members, Ms Leslie Loble, Mr Greg Prior and Ms Janet Davy; with the remaining 19 members being appointed by the Minister as nominees of particular organisations or persons with certain expertise that would benefit the board and the education system. Along with the duties and responsibilities that I have already mentioned, the board develops and implements positive education policies and practices as well as providing advice for grading and assessment policy and procedures. The Board of Studies really is one of the cornerstones of our education system.

The NSW Institute of Teachers does a phenomenal job. Its existence and hard work give community members great confidence that their children are being taught by the best trained and most professional educators around. The institute advises and assists teacher accreditation authorities as well as monitoring the accreditation process across all New South Wales schools. Importantly, it also provides advice to the Minister on the development, content and application of the Professional Teaching Standards and ensures that these standards are applied fairly and consistently. The current chair of the institute is emeritus Professor Phil Foreman, and the Quality Teaching Council comprises 20 members, one of whom is Mr Maurie Mulheron, head of the NSW Teachers Federation.

The aim of merging the NSW Board of Studies and the NSW Institute of Teachers is to allow teacher quality measures to adequately reflect the requirements of the curriculum and ensure the evaluation of those measures through student assessment—not that there is not a good working relationship between the two bodies already. However, once combined, there will be a consolidated and unified approach. This legislation also strengthens the role of the board in relation to the registration of non-government schools in the area of school governance. We are advised that consultation with non-government schools will drive this forward. The bill has broad support from all stakeholders; and while the Opposition will not oppose the bill, it will oppose the \$360,000 in education cuts to local schools in the Cabramatta area. I mention one in particular because it is very dear to my heart—the Les Powell Public School, which is a special school.

**Mr Adrian Piccoli:** Some schools' funding will go up, not down.

**Mr NICK LALICH:** I take on board what the Minister said. But the Les Powell School is a special school. These children have major disabilities. The old saying applies: There but for the grace of God goes any one of us or our children. But we are taking \$12,200 from them. It is not a massive amount of money. Every time I go there I get very emotional. I can take it when we talk about funding cuts for adults, but when you see these children you think to yourself, "What have these young kids done to deserve what they have to go through?" And you see the great suffering of their parents in bringing up these children. These young kids try their hearts out to do what any of us can do normally, and take half a day to do it. That is the education cut that I am most concerned about, but another 11 schools in my area lost funding. I will not go through them all, but Cabramatta Public School lost \$34,000, Cabramatta High School lost \$47,000, Canley Vale High School lost \$47,000, Mount Pritchard Public School lost \$22,000 and St Johns Park Public School—where I went as a primary school student—lost \$3,680.

It is not a lot of money in the overall scheme of things. I know the Minister has said that it has to do with per capita funding and so on, but the Les Powell special school is the one that I am very much concerned about. If I were the Minister, I would give the school an extra \$12,500, just to make sure it can get the things it needs for those lovely little children. The Opposition does not oppose the bill, but condemns the O'Farrell Government for the education funding cuts in my electorate of Cabramatta.

**Mr JAMIE PARKER** (Balmain) [7.09 p.m.]: I address the Board of Studies, Teaching and Educational Standards Bill 2013. As we have heard, the legislation merges the NSW Board of Studies with the NSW Institute of Teachers to create a new body called the Board of Studies, Teaching and Educational Standards. This one body will have responsibility for the three areas of curriculum, student assessment and teacher quality. Currently, the Board of Studies has responsibility for the first two and the institute has responsibility for the other. The Government believes that all three responsibilities are interrelated and should be managed by one body. This also means that a single entity will be responsible for the implementation of the Great Teaching, Inspired Learning Blueprint for Action across the government and non-government school sectors. The current functions of the Board of Studies and the Institute of Teachers will become the functions of the new board.

This bill has some positive aspects. The Government seems to be taking this opportunity to enhance current registration requirements—the Minister is nodding, which is very positive; the negative comes later. The Government is taking the right steps by enhancing current Board of Studies registration requirements of non-government schools in strengthening the school governance registration standards. This is a positive step. Non-government schools that receive public funding should be held to the same high standard of accountability and scrutiny measures as public schools. Some high-profile non-government schools have been accused of financial mismanagement and roting. I hope this new arrangement provides the opportunity to deal with such allegations. Several members raised budgetary concerns about this merger, and I understand the Minister will outline that it will not lead to any budget reduction and any savings will be returned as support for teachers. That is another positive aspect on which, obviously, we will hold the Minister to his word.

The Greens are concerned that this body has responsibility for Great Teaching, Inspired Learning. The bill contains some worthwhile proposals in Great Teaching, Inspired Learning that will be challenged by funding cuts to the public education budget and caps on teachers' wages. I think the Government will find it difficult to attract the best and brightest teachers to the public education sector under such conditions. Mentoring entry-level teachers, ongoing professional assessment against standards, managing underperformance and developing pathways for school leaders are all highly desirable but, of course, are not cheap. The education department's capacity has been reduced through funding cuts and it is in a less than enviable position to provide the support schools will need to implement most of the blueprint. That is a challenge for this Government.

Other concerns centre around the Institute of Teachers and questions about rising fees for teachers, the Working with Children check, how required hours of professional development will be implemented, who will pay for the casual relief required for teachers released from teaching to attend, who will deliver the professional development, and how rural and regional teachers particularly will access that professional development. The Government needs to address those ongoing questions. The *Northern Star* reported that the Independent Education Union claimed it was not directly consulted about the changes and wanted to address some of the Institute of Teachers' accreditation processes. The Independent Education Union would have liked those issues to have been ironed out before the changes were made. These questions about consultation need to be addressed.

Of course, the Teachers Federation also highlighted its concerns and wants to ensure that any savings from the merger go back into supporting teachers. The federation also said that adequate consultation had not taken place. I acknowledge the Government's efforts, particularly after I examined the issues of registration and scrutiny of the non-government sector. Of course, those who receive public funding should accept scrutiny as a positive approach, but some questions remain unanswered. I ask the Minister in his reply to assure people that there will be no negative budget implications and that potential savings from this merger will be returned to the system rather than directed to other areas.

**Mr ADRIAN PICCOLI** (Murrumbidgee—Minister for Education) [7.14 p.m.], in reply: I thank all members who spoke on the Board of Studies, Teaching and Educational Standards Bill 2013. I shall address a few issues that have been raised. Essentially, the merger of the two organisations is a direct merger. The existing functions will continue in the merged entity. However, when two such organisations are merged opportunities will present for some corporate services savings—that is not the purpose of the merger—that will go back into education and the work of the new board.

The member for Balmain spoke about registration of non-government schools and recent media reports about alleged inappropriate financial management. I need to put on the record that non-government schools are registered by the Board of Studies and individual government schools do not require registration. Obviously, the Department of Education and Communities is a government agency and is accountable through all the normal processes by which government agencies are accountable, including through the Minister in Parliament,

estimates hearings, freedom of information, the Government Information (Public Access) Act, the budget process and all areas of accountability. Non-government schools are registered and undergo random audits for compliance with the Education Act and all financial accountabilities. Indeed, non-government schools undergo much scrutiny.

Of course, the voice of teachers is heard and will continue to be heard under the new body. I gave those commitments in my second reading speech. The Independent Education Union raised the issue of governance structure: the board will reflect the independence of the teaching body. We recognise that the current roles of the Institute of Teachers are specific to teaching and we want to continue that role. Registration and accreditation of teachers is important to make sure we continue to have a world-class teaching profession. Nothing we are going to do will jeopardise that. In fact, many of our reforms, particularly around Great Teaching, Inspired Learning, will enhance the professional status of the teaching profession, some of which relate now to 2015. If this year's year 11 students want to study teaching at university, they will require three band 5 subjects, including a band 5 in English, to get into university to study teaching in 2015. We have announced our support of teachers in their first couple of years. We have increased teacher release time as well as enabled mentors to support those teachers in their first couple of years, and we have committed \$155 million towards those initiatives in Great Teaching, Inspired Learning.

Last week I announced the strategy that details other initiatives, particularly pertaining to teachers and principals in rural and remote New South Wales. Again, the strategy is about enhancing the profession and providing increased opportunities for professional development; for example, teachers having greater opportunity to mark the Higher School Certificate and other assessments so that all teachers across New South Wales not only get that professional development opportunity but also get to see the standard expected of students, particularly in those band 5 and band 6 areas. In my part of the world in western New South Wales teachers value that opportunity highly. We will give them that opportunity. The profession is absolutely key to making sure we have a world-class education system.

Supporting policies for new teachers was a matter that was raised by the Independent Education Union. Employment conditions are a matter for employers and it is not appropriate to place them in this legislation. The Independent Education Union is an industrial body that will continue to advocate on behalf of its members in relation to employment conditions. As to the transition process of staff at the board and the institute, I have every confidence it will be a fair and transparent process, as would be expected in all organisations but particularly in government agencies. This significant reform will ensure that we have the appropriate governance and standards agency so that government and non-government schools across New South Wales are the best. We owe our students nothing less. I commend the bill to the House.

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

**Motion agreed to.**

**Bill read a second time.**

### **Third Reading**

**Motion by Mr Adrian Piccoli agreed to:**

That this bill be now read a third time.

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

## **EDUCATION AMENDMENT (NON-GOVERNMENT SCHOOL FUNDING) BILL 2013**

### **Second Reading**

**Debate resumed from 29 October 2013.**

**Ms CARMEL TEBBUTT** (Marrickville) [7.21 p.m.]: The Opposition supports the Education Amendment (Non-Government School Funding) Bill 2013, which facilitates the provision of financial assistance to non-government schools in accordance with the State's obligation under the National Education

Reform Agreement. To provide certainty to the non-government school sector, a provision is included that ensures it is not disadvantaged should the overarching agreement come to an end. The provision requires that assistance be maintained and that the State may increase the amount, taking account of the costs of schooling. The bill also enables the assistance to non-government schools to be allocated having regard to the needs of the different non-government schools.

Importantly, the bill maintains that funding can be paid to individual schools or through systems and there is a requirement that non-government schools not operate for profit. The bill also provides for a review in 2017. The bill is supported by the Catholic Education Commission and the Association of Independent Schools. Both organisations have put in writing that they have been consulted in the development of the bill and they support the bill. This is important because these two organisations represent the schools that will be affected by this legislation. School funding is always a complex and sensitive area and I know how hard many people have worked to bring this bill to fruition. This necessary legislation removes the longstanding requirement that links State funding for non-government schools to a percentage of the average cost of educating government school students.

The legislation arose as a result of the National Education Reform Agreement, chaired by David Gonski, which was the most comprehensive review of school funding in 40 years. It has been noted in this House on many occasions that the Gonski review shows that while we are still a high-performing country, our international performance is slipping, and compared with many Organisation for Economic Co-operation and Development countries, the performance gap between students from disadvantaged backgrounds and students from wealthier backgrounds is far greater in Australia. The National Education Reform Agreement was one of the landmark reforms of the Federal Labor Government.

The agreement provides New South Wales with an additional investment totalling \$5 billion over six years, 65 per cent of which will be provided by the Federal Government and 35 per cent by the New South Wales Government. The reforms are based on a new schooling resource standard, which is a fairer approach to funding that is based on the needs of every student. The New South Wales Government was the first State Government to sign up to the Gonski agreement. The New South Wales Government's share of the additional funding is \$1.7 billion. This money is welcome, but I note that the State Government has funded its share through a range of measures, including funding cuts to the education and training system that were announced in 2012.

I also point out that at the time these funding cuts were announced, the Government said they were predicated on a negative budgetary situation. Given that the Treasurer has recently announced that the New South Wales budget is in surplus earlier than expected, is it too much to expect that the New South Wales Government may now restore some of this funding to schools in New South Wales? There is no doubt that funding for schools is an issue that has been fraught with division in Australia. The great strength of the Gonski review was that it moved the debate beyond past divisiveness and focused on funding students based on need, irrespective of sectors.

It has been a mammoth task to turn the recommendations of the Gonski review into affordable achievements that are acceptable to all stakeholders and agreed to by State governments. It was a task that only a Labor Government would achieve. The real winners are students across Australia. Let us hope that the Abbott Government commits to the full six years of the agreement. This bill is another important part of moving forward with the Gonski reforms. It aligns the new State funding formula for non-government schools with the national funding model and it is supported by the Opposition.

**Mr JAI ROWELL** (Wollondilly) [7.25 p.m.]: I support the Education Amendment (Non-Government School Funding) Bill 2013. A defining aspect of the twenty-first century is that we operate in a globalised economy in which competition from other countries, especially developing ones, has increased dramatically. This competition means that Australia's continued position of a high-growth economy with high productivity is not assured. This is particularly important to New South Wales, where our economy is more reliant on the skills-based sectors of the economy compared to other parts of Australia. Without such an economy, we will not be able to continue to improve our standard of living. Improving educational outcomes for all students is critical to the future of the State.

Investing in the education of our people is the best way to enhance the life chances of individuals and boost the productivity and prosperity of our State. This Government has a fundamental commitment to improving the educational achievements of all students. The NSW 2021 plan contains our goals, which includes

a sustained high achievement for all students and retention to year 12 and the completion of it, and that New South Wales students excel by international standards. We have set ambitious targets related to these goals because we recognise the importance of early childhood development to the later achievements of students. Those targets begin with preschool.

We have a commitment to ensure that all children in New South Wales have access to a quality early childhood education program in the 12 months prior to formal schooling. I am aware of this because I am the proud father of two young boys, one of whom is now in preschool. Among the targets for school education is the commitment to increase the proportion of New South Wales students in years 3, 5, 7 and 9 in the top two performance bands of reading and numeracy. We have already begun working towards the targets by rolling out our literacy and numeracy action plan, but educational research tells us that we need to do more. The Schools Workforce research report of the Productivity Commission noted:

Australia does not perform as well as comparable countries in giving students equal opportunity to realise their educational potential irrespective of their background or ability.

The resulting educational disadvantage is particularly evident among Australian students who are Indigenous, from low socio-economic backgrounds, have a disability or other special needs, or reside in a rural or remote area. While disadvantages exist, the performance of some children will continue to be impeded and our economy will fail to keep up with others. With a poorer performing economy, educational disadvantage will increase. We need to address that disadvantage that exists in government and non-government sectors. To do so, we have to recognise that we live in a world of scarce resources and many competing demands. That situation dictates that our educational funding must be directed to the areas of greatest need.

It is equitable and more effective that those students who face the most barriers to achieve great educational outcomes should receive the most support. This is why the New South Wales Government has signed the National Education Reform Agreement. It is a commitment to more investment, better targeted investment and reform. The amendments to the Education Act will ensure that, consistent with our national agreement, the New South Wales Government funding to non-government schools will be better directed to need. In every classroom, school and community in New South Wales students are missing out on a great education.

Implementing the measures that will be enabled by these amendments will give us the means to tackle that problem so that every child can receive a great education, no matter what their background or location. As I mentioned in my speech on the previous bill, our local newspaper wrote an article saying that Wollondilly schools are big winners: 14 schools within my electorate of Wollondilly have received additional funding. I thank the hard work of the Minister for Education and his staff. I will not name all the schools as I did previously; the member for Camden will no doubt do that when he speaks. We have fantastic schools in Wollondilly and we have some of the best teachers in the world in those schools doing the right thing by our students. Our teachers need a government that supports them, and that is certainly what we are doing.

**Ms Noreen Hay:** Don't you care about the schools that lost funding?

**Mr JAI ROWELL:** I note the interjection of the member for Wollongong. I am not sure about her electorate but my electorate certainly has the best schools in the world and I support them. I commend the bill to the House.

**Mr CHRIS PATTERSON** (Camden) [7.29 p.m.]: I support the Education Amendment (Non-Government School Funding) Bill 2013, which amends the Education Act 1990 to ensure that the State meets its obligations under national agreements through a legislative guarantee. The bill will enable the New South Wales Government to carry out its obligations under the National Education Reform Agreement, which enacts the Gonski funding reforms, for non-government school funding. Certainty of funding will be given to non-government schools through the National Education Reform Agreement, with funding being distributed in a fairer and more responsive way to student needs. Contained in the agreement are a commitment that every child should have access to the best possible education and educational reforms aimed at ensuring that funding is directed towards improving all students' education. These commitments are made regardless of where a student lives, how much their family earns or what school they attend.

Through the Resource Allocation Model, made possible by the Gonski reforms, we have already seen this Government deliver funding from next year to government schools which will reflect directly the needs of the schools and their students. Government schools in my electorate will receive about \$1.6 million more in

funding. This bill aims to do the same for non-government schools. Currently, the Act requires that if the State provides per capita grants to non-government schools, the average per capita grant must be 25 per cent of the average per capita cost of educating children in government schools. This funding is then distributed to non-government schools on the basis of their Education Resource Index category, which is a measure of the resources available to the school.

This is currently restrictive in allowing the State to move to a more responsive way of funding as agreed in the National Education Reform Agreement and so will be repealed by this bill. Over time, the National Education Reform Agreement will move to be consistent with the Schooling Resource Standard. This model provides for a single, consistent resource standard against which both government school and non-government school needs will be assessed. Funding to non-government schools will be continued, with no major changes to any school or system funding by the State, in an improved needs-based system that will be transitioned to progressively from next year.

Another amendment to the Act that this bill proposes is a provision to guarantee that no non-government school will be disadvantaged should the National Education Reform Agreement end. Should this occur, this bill guarantees that the State's level of funding is maintained at the level it was when the agreement ends, with provision for increases to cover rises in schooling costs. The bill will allow for funding to be paid directly to schools or through a school's system; for example, the Catholic system. The provisions of this bill will be subject to parliamentary appropriations and the operation of the provisions will be subject to a review in 2017.

Under this bill funding will still be able to be provided to non-government schools outside of the national agreement for capital assistance programs such as the Building Grants Assistance Scheme and the Interest Subsidy Scheme. I note that the Catholic Education Commission and the Association of Independent Schools support this bill and the amendments it will make to the Act. I acknowledge their comments, which the Minister read into *Hansard* in his speech to the House on this bill. I reiterate that all schools—whether they are government or non-government schools—will receive additional funding under the National Education Reform Agreement. An extra \$790 million alone will be provided to non-government schools in the period from 2014 to 2019.

In conclusion, I wish to mention the outstanding non-government schools that do such a wonderful job in my electorate: Broughton Anglican College and its headmaster, Don O'Connor; Macarthur Anglican School and headmaster, David Nockles; Magdalene Catholic High School and principal, John Lo Cascio; Mary Immaculate Catholic Parish Primary School and principal, Don Spencer; where my Christmas card senior category winner Caroline Adina—a wonderful year 6 student—is from; Mater Dei School and principal, Tony Fitzgerald; Mount Annan Christian College and principal, Nathan Gray; Mount Carmel Catholic High School and principal, Wayne Marshall; St Benedict's Catholic College and principal, Michael Hanratty; St Clare's Catholic Primary School and principal, Paul Moroney; St Gregory's College and headmaster, Damien Millar; St Paul's Catholic Parish Primary School and principal, Mrs Toni Maree Sillis; St Justin's Catholic Parish Primary School and principal, Mr John Milgate; and St Patrick's College and principal, Mrs Sue Lennox. I am extremely proud of all of them and the job they do.

**Mr MARK SPEAKMAN** (Cronulla—Parliamentary Secretary) [7.35 p.m.]: I support the Education Amendment (Non-Government School Funding) Bill 2013, which will amend the Education Act 1990 to allow the Government to carry out its obligations under the National Education Reform Agreement [NERA] for funding non-government schools. The amendments will provide certainty of funding for non-government schools while making that funding more responsive to student needs. The New South Wales Government was the first State to sign up to the National Education Reform Agreement, which enacted the Gonski school funding reforms. It demonstrates the high priority the New South Wales Government places on education and on the future of our children.

At the heart of these reforms is the commitment that every child should have access to the best possible education, regardless of where they live, the income of their family, or the school they attend. It is this principle of funding students according to their needs that sits at the heart of the National Education Reform Agreement. The non-government schooling sector, through the Catholic Education Commission and the Association of Independent Schools, supports the amendments to the Act. Currently, section 21 (2) and (3) of the New South Wales Education Act 1990 requires that if the State provides per capita grants to non-government schools, the average per capita grant must be 25 per cent of the average per capita cost of educating government school children. This pool of funding is then distributed to non-government schools on the basis of their Education Resource Index category.

As a result of the National Education Reform Agreement, over time funding will move to be consistent with its Schooling Resource Standard. This model provides for a single, consistent resource standard against which both government school and non-government school needs are assessed. All sectors, including the non-government sector, will receive additional funding under the National Education Reform Agreement. An estimated additional \$790 million will be provided to non-government schools in New South Wales from the State and Commonwealth over the period 2014 to 2019.

Currently, section 21 of the New South Wales Education Act is not consistent with the commitments that the State has made to fund schools under the National Education Reform Agreement. The requirement that non-government school per capita grants be provided at a fixed level relative to government schools does not allow the State to move over time to a more responsive funding system, as agreed in the National Education Reform Agreement. Under the legislative changes and under the National Education Reform Agreement, funding to non-government schools will continue but will be delivered according to an improved needs-based system. The non-government school sector will benefit substantially from the additional funding to be provided under the National Education Reform Agreement of approximately \$790 million.

Should the National Education Reform Agreement cease, the amendment commits the Government to maintaining the State's level of investment in non-government schools at the level it was when the agreement ended. This commitment includes provision for increases to cover rises in the costs of schooling. But educational research tells us that we need to do more to address disadvantage, and this legislation is designed to achieve that goal. Research across the world shows that Australia does not perform as well as comparable countries in giving students an equal opportunity to realise their education potential irrespective of their background or ability. While this disadvantage exists, the performance of some children will continue to be impeded. We must address that disadvantage, which exists in both the government school sector and the non-government school sector. This bill is designed to facilitate the implementation of the National Education Reform Agreement in New South Wales to achieve that outcome. I commend the bill to the House.

**Mr ANDREW ROHAN** (Smithfield) [7.38 p.m.]: I support the Education Amendment (Non-Government School Funding) Bill 2013 and commend the Minister for Education for bringing this bill to the House. I also commend the Minister for constantly putting the education of New South Wales students first, which was evident when our State became the first State to sign up to the Gonski reforms. Under this obligation with the Commonwealth, New South Wales schools will receive \$5 billion over six years, with \$860 million of that going to non-government schools. This funding will ensure that every school, both government and non-government schools, will be consistent with the Schooling Resource Standard.

These new reforms aim to create a holistic educational framework, as government and non-government schools are often segregated and judged independent of each other. This bill resolves to assess all schools under one standard so that all students will have equal opportunity to receive the best education possible. In order to do this, non-government schools will be looked at on a case-by-case basis to see what resources are needed to bring them up to the standard required. This is particularly beneficial to schools with higher needs, such as schools with high numbers of students from disadvantaged backgrounds and schools in remote areas. To enforce this needs-based system, the bill also removes a section of the Education Act 1990 that stated that per student grants to non-government schools were determined by the average cost of funding that goes to government schools. This created a blanket system and did not promote the needs-based funding system that the State and Federal governments are enacting.

Furthermore, this bill is significant as it outlines provisions in the event that our agreement with the Commonwealth comes to an end. It ensures that schools will have continuous funding, despite an agreement between State and Federal systems ceasing. After all, it is imperative that the wellbeing of our students comes first. It is important to ensure that the allocated funds are properly administered, which is why new section 6 provides for the option of the funding to be paid to either the individual school or an organisation such as the Catholic Education Commission. While these new changes are incredibly beneficial to developing a strong and holistic education system across both government and non-government schools, education systems are rapidly changing and always looking for ways of innovation.

Ultimately, this may affect the amount of funding required for each school as they constantly need to keep up with new resources. This is also taken into account in the bill, which allows appropriation of payment at the State Government's discretion. The payments will also be reviewed at the end of 2017 to adjust for funding of new resources. Ultimately, this bill ensures that government and non-government schools are receiving the

same level of attention and funding that each school and each student deserves. I understand the importance of non-government schools. There are numerous non-government schools in my electorate that could use the tremendous support of the State and Federal governments.

Recently I attended the high school graduations at two non-government schools, the Patrician Brothers College in Fairfield and Saint Narsai Assyrian Christian College in Edensor Park. I thank the Minister for Education for joining me at the Saint Narsai Assyrian Christian College graduation. Watching these young people finish their secondary education reminded me that they will be the bright people in charge of our future. To deprive them of the best possible education is unacceptable. That is why I commend the bill to the House.

**Mr JAMIE PARKER** (Balmain) [7.42 p.m.]: I address the Education Amendment (Non-Government School Funding) Bill 2013. As we have heard, the bill amends section 20 of the Education Act, which deals with the funding of non-government schools, to change the method by which financial assistance is calculated for these schools to be in line with the National Education Reform Agreement, signed in April last year by the New South Wales Government and the former Federal Labor Government. If the agreement is abolished and substituted with a weaker version, the bill ensures that financial assistance provided to non-government schools by the State Government is maintained at levels set by this agreement. The agreement means an additional \$5 billion of investment in New South Wales schools, with \$790 million estimated to go to the non-government sector.

All public education supporters welcomed the O'Farrell Government's decision to sign up to the Gonski reforms. The Gonski report recognised for the first time that the Government must fund public schools at a level where they can fulfil their obligations to students and society. The Gonski panel defined the schooling resource standard to be what it costs to produce quality outcomes in a school serving an average population. The panel then proposed supplementary funding for each school to take into account important factors such as the special needs of students, socioeconomic disadvantage, the proportion of Indigenous students, English language proficiency, remoteness and school size. Resourcing of public schools to this benchmark will shift the definition of education funding from a Treasury-driven "Is this what we can afford?" basis to a rigorous, educationally based "This is what we need to invest in our future".

The new money in public schools will be welcomed. The Greens have always been concerned about the non-government school approach. Many schools in the public sector will be able to employ additional teachers, update facilities and resources and provide professional development opportunities. I will be brief because the Leader of the House is looking concerned. One issue is that while Gonski funding will provide urgently needed resources for public schools, it does not restore fairness to the system, which is becoming increasingly tilted towards the private sector. The public school sector does the heavy lifting in relation to the education of students from disadvantaged backgrounds, students with special needs, students from low socioeconomic backgrounds, Aboriginal students or students with other learning needs. We agree with the Minister, who said in his speech that the 25 per cent rule is not consistent with a needs-based funding model.

We are making an important decision tonight. We must acknowledge that this is a positive step forward, because The Greens have been campaigning for this component for some time. Consistent with one point in our policy, it will work towards the end of all funding mechanisms that unfairly act to the detriment of public education, including per capita funding mechanisms based on the cost of educating a child in a public school, such as the 25 per cent rule in section 21 of the Education Act. The Minister has taken a good, positive step. I have two brief points to make. The Greens do not support funding of the wealthiest private schools. We believe that schools that are educating students at three times the average cost of a public school student should not be funded. A school recently spent in excess of \$20 million on an assembly hall.

However, it is important for us to listen to the Treasurer. We have limited funds, both Federal and State, and those funds need to be put where they are most needed. In our view, the funds that go to the wealthiest private schools and non-government schools should be redirected in equity funding to schools such as Glebe Public School, which has seen a reduction in funding. The Government said that there is not enough money, but there is enough money to provide funding—

**Mr Adrian Piccoli:** Hang on, I never said that.

**Mr JAMIE PARKER:** It is equity funding. We are talking about base funding, but there is only a limited pool of taxpayer money. If the money has to be spent anywhere, I would prefer, as would many people in the community, that schools such as Glebe Public School—where more than 60 per cent of the students are

from a low socioeconomic background and almost 30 per cent of the students are Indigenous—and places such as Walgett received more funding, rather than give funding to schools that can afford to spend \$20 million-plus on an assembly hall. I note that a bill moved by the member for Sydney seeks to remove exemptions for private schools and other non-government educational facilities from the Anti-Discrimination Act. We support that view. If these schools are receiving public funds, they should not discriminate on the basis of gender or sexuality in particular. That important element needs to be acknowledged.

I recognise that the \$790 million of public money that will flow to non-government schools, including the wealthiest and elite schools, is worthwhile in many cases. However, in the cases to which I referred and Glebe in particular—almost 200 schools are losing up to \$50,000 each—we need to be careful about how we spend our money; with a limited pool of money we need the funding to go where it will be spent most effectively. Finally, I acknowledge the positive elements of Gonski. The Greens have been a big advocate of Gonski and supporting the public sector areas in particular. I acknowledge the efforts of the Minister and his office, particularly when it comes to the abolition of the 25 per cent rule.

**Mr ADRIAN PICCOLI** (Murrumbidgee—Minister for Education) [7.48 p.m.], in reply: I thank the member for Marrickville, the member for Camden, the member for Wollondilly, the member for Smithfield and the member for Balmain for their contributions. I thank all the hardworking staff in the Department of Education, particularly Martin Graham, for his work on this bill. I thank also Geoff Newcombe from the Association of Independent Schools and Brian Croke from the Catholic Education Commission, as well as the hardworking staff in the office of the New South Wales ministry of Education. As a result of the Gonski agreement and its repercussions for the Education Act, these amendments are complex business. Many people have been deeply involved in ensuring that we get this right in the best interests of all students, whether they attend government or non-government schools. I commend the bill to the House.

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

**Motion agreed to.**

**Bill read a second time.**

### **Third Reading**

**Motion by Mr Adrian Piccoli agreed to:**

That this bill be now read a third time.

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

## **BUSINESS OF THE HOUSE**

### **Suspension of Standing and Sessional Orders: Divisions and Quorums**

**Mr BRAD HAZZARD** (Wakehurst—Minister for Planning and Infrastructure, and Minister Assisting the Premier on Infrastructure NSW) [7.50 p.m.]: I move:

That sessional and standing orders be suspended to provide that for the remainder of the sitting no divisions be conducted or quorums be called.

For the information of members, the Government wants to deal with two more bills tonight: the Statute Law (Miscellaneous Provisions) Bill (No. 2) 2013 and the Civil and Administrative Tribunal Amendment Bill 2013 and cognate bill. I understand from discussions with my colleagues on both sides of the House that it is unlikely there will be divisions on those bills. However, if there are I propose that those divisions be held tomorrow in order to facilitate the arrangements of the House expeditiously. I propose to ensure there are no divisions and no quorums for the remainder of the sitting.

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

**Motion agreed to.**

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (No 2) 2013****Second Reading****Debate resumed from 30 October 2013.**

**Mr PAUL LYNCH** (Liverpool) [7.51 p.m.]: I lead for the Opposition in debate on the Statute Law (Miscellaneous Provisions) Bill (No. 2) 2013, which the Opposition does not oppose. This bill is of a type and nature moved regularly by governments of all political persuasions as a way of efficiently and effectively making multiple amendments of a comparatively minor nature. The bill has several schedules that make minor amendments to various Acts and regulations and other instruments for the purpose of achieving statute law revision and to repeal other provisions. There are also consequential and ancillary provisions. A number of provisions of the legislation relate to the consequences of the amalgamation of the Local Government Association of New South Wales and the Shires Association of New South Wales. The highlight of the bill for me is schedule 3.22, item [1], which adds a comma to section 12A (5) of the Public Interest Disclosures Act. The Opposition does not oppose the bill.

**Mr JAI ROWELL** (Wollondilly) [7.52 p.m.]: I support the Statute Law (Miscellaneous Provisions) Bill (No. 2) 2013. The bill proposes minor and non-controversial amendments to 23 Acts and two regulations. As mentioned by the Attorney General if there is any objection from a member of either Chamber to any proposal in this bill the policy is to omit the proposal from the bill. The miscellaneous provisions bill deals with a number of Acts and regulations including: the Associations Incorporation Act 2009, Coastal Protection Act 1979, Energy and Utilities Administration Act 1987, Environmental Planning and Assessment Act 1979, Environmental Trust Act 1998, Fire Brigades Act 1989, Fluoridation of Public Water Supplies Act 1957, Food Act 2003, Food Regulation 2010, Geographical Names Act 1966, Health Administration Act 1982, Industrial Relations Advisory Council Act 2010, Local Government Act 1993, Local Government (General) Regulation 2005, Photo Card Act 2005, Protection of the Environment Administration Act 1991, Public Health Act 2010, Retirement Villages Act 1999, Rural Fires Act 1997, Smoke-free Environment Act 2000, Snowy Hydro Corporatisation Act 1997, Telecommunications (Interception and Access) (New South Wales) Act 1987, Transport Administration Act 1988, Victims' Rights and Support Act 2013 and the Western Lands Act 1901. The Attorney General spoke in some detail about some of those provisions but, as the member for Liverpool said, they are non-controversial. I commend the bill to the House.

**Mr ROB STOKES** (Pittwater—Parliamentary Secretary) [7.54 p.m.], on behalf of Mr Greg Smith, in reply: On behalf of the Attorney General, I thank the member for Liverpool and the member for Wollondilly for their thoughtful and thorough contributions to this torrid debate on the Statute Law (Miscellaneous Provisions) Bill (No. 2) 2013. I note that it makes a series of amendments to a number of Acts and regulations as laid out in the schedules to the bill. I commend the bill to the House.

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

**Motion agreed to.**

**Bill read a second time.**

**Third Reading**

**Motion by Mr Rob Stokes, on behalf of Mr Greg Smith, agreed to:**

That this bill be now read a third time.

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

**CIVIL AND ADMINISTRATIVE TRIBUNAL AMENDMENT BILL 2013****CIVIL AND ADMINISTRATIVE LEGISLATION (REPEAL AND AMENDMENT) BILL 2013****Second Reading****Debate resumed from 30 October 2013.**

**Mr PAUL LYNCH** (Liverpool) [7.55 p.m.]: I lead for the Opposition in debate on the Civil and Administrative Tribunal Amendment Bill 2013, which is being debated cognately with the Civil and

Administrative Legislation (Repeal and Amendment) Bill 2013. The Opposition does not oppose the bills in this place although it is considering some amendments that potentially will be moved in the Legislative Council by my colleague the Hon. Adam Searle, the shadow Minister for Industrial Relations. The amendments we are considering relate to the jurisdiction of the Industrial Relations Commission and whether some of the things included in the jurisdiction of the NSW Civil and Administrative Tribunal—which everyone now calls "NCAT"—should be with the Industrial Relations Commission. Should the amendments fail the Opposition will certainly still support the bills, the principle behind which I support.

As the member for Toongabbie pointed out when leading for the Opposition in debate on the Civil and Administrative Tribunal Bill in my absence in February this year, I chaired a parliamentary committee in November 2002 recommending the amalgamation of various tribunals with the Administrative Decisions Tribunal. The principle underlying this legislation is entirely sound. The objects of the Civil and Administrative Tribunal Amendment Bill 2013 are:

- (a) to amend the *Civil and Administrative Tribunal Act 2013*:
  - (i) to provide for the constitution and the practice and procedure of, and appeals from, the Civil and Administrative Tribunal (*NCAT*), and
  - (ii) to provide for the abolition of the Vocational Training Appeal Panel and the transfer of its functions to NCAT, and
  - (iii) to make further provision with respect to savings and transitional matters, and
- (b) to rename the *Administrative Decisions Tribunal Act 1997* as the *Administrative Decisions Review Act 1997* and confine its operation to the process for the administrative review by NCAT of certain decisions of administrators and to repeal and amend certain other legislation consequent on the amendments made to that Act.

The NSW Civil and Administrative Tribunal is proposed to commence on 1 January 2014 exercising the current functions of the Consumer, Trader and Tenancy Tribunal, the Administrative Decisions Tribunal and the Guardianship Tribunal as well as about a dozen and a half other tribunals. Earlier legislation this year established the tribunal's divisional and membership structure. The amendment bill sets out the powers, jurisdiction and functions of the NSW Civil and Administrative Tribunal. There are also provisions to ensure that matters currently before tribunals are transferred efficiently to the new tribunal.

The tribunal's jurisdiction is divided into four different broad areas: a general jurisdiction; an appeal jurisdiction—for appeals, for example, from the Mental Health Review Tribunal—an appeal jurisdiction for appeals from within the tribunal; and an enforcement jurisdiction, which will allow the issuing of civil penalties and allow for enforcement procedures. There will in turn be appeal avenues from the Civil and Administrative Tribunal to the District Court and Supreme Court. There is an emphasis in some of the parts of the bill on quick and cheap resolution of disputes, upon early dispute resolution processes and on proportionality in costs. The inescapable reality is that whether this works as hoped will only be seen in practice. Likewise, there is an attempt to have different approaches for different types of matters. This is aimed to be achieved via the schedules to the bill. Once again, it will be a question of watching the practical application of the provisions in the bills.

There also seem to be a number of amendments that make substantive alterations, albeit many technical, to the earlier bill. If that means the Civil and Administrative Tribunal will avoid problems it may otherwise have encountered, this is to be welcomed. Cognate with the Civil and Administrative Tribunal Amendment Bill 2013 is the Civil and Administrative Legislation (Repeal and Amendment) Bill 2013. The objects of this bill are:

- (a) to repeal the *Consumer, Trader and Tenancy Tribunal Act 2001* and the *Consumer, Trader and Tenancy Tribunal Regulation 2009* consequent on the abolition of that Tribunal and the establishment of the Civil and Administrative Tribunal (*NCAT*), and
- (b) to transfer the functions of the Vocational Training Appeal Panel in relation to appeals against decisions of the Vocational Training Tribunal to NCAT and to rename the Vocational Training Tribunal as the Vocational Training Review Panel and enable it to review certain decisions of the Commissioner for Vocational Training before an appeal can be made to NCAT, and
- (c) to make amendments to certain Acts and other legislation consequent on the abolition of various existing tribunals by the *Civil and Administrative Tribunal Act 2013* and the establishment of NCAT.

This second bill is substantially a machinery bill, with a large proportion of the bill updating legislation with references to the Civil and Administrative Tribunal. The Opposition does not oppose the bill in this place.

**Mr ANDREW GEE** (Orange) [8.00 p.m.]: I speak in support of this landmark legislation, the Civil and Administrative Tribunal Amendment Bill 2013, and cognate bill, the Civil and Administrative Legislation (Repeal and Amendment) Bill 2013. The bill establishes the NSW Civil and Administrative Tribunal [NCAT]. In the interests of brevity, I will give just the main feature of the bill—namely, increased accessibility. The bill represents a new era of accessible justice. It will be a single gateway for most tribunal services in New South Wales; it will be a one-stop shop. It will have a single website and phone number. People will no longer have to think about which tribunal they need to approach. In most cases, it will just be the NSW Civil and Administrative Tribunal. It will publish simple and easy-to-understand information in multiple community languages. It will promote greater efficiency.

The ad hoc nature of the current tribunal system creates inefficiencies. At the moment many of the separate tribunals maintain their own infrastructure, including separate facilities and separate administrative structures. This leads to unnecessary duplication and confusion. The Civil and Administrative Tribunal will be able to address some of those inefficiencies. It will also promote transparency and accountability. It will be accountable and independent and it will have transparent processes. Members and staff will benefit from consistent training and professional development opportunities. This will enhance the quality of decision-making within the tribunal system. This reform is significant because, as the Attorney General has said, the Civil and Administrative Tribunal will be a one-stop shop for tribunal services. It will provide simple and effective justice for the people of New South Wales. It will enhance the quality of decision-making and public confidence in our tribunals.

A wide range of tribunals will come under the umbrella of the NSW Civil and Administrative Tribunal, including the Consumer, Trader and Tenancy Tribunal and the Administrative Decisions Tribunal. The Government has consulted many organisations in forming this legislation, including the Law Society of NSW, the New South Wales Bar Association and the Australian Medical Association. I thank all groups involved for their input. I note also that on 25 October 2013 the Hon. Justice Wright was appointed as the inaugural President of the NSW Civil and Administrative Tribunal. He has taken on an important and challenging role. His leadership during the tribunal's early years will shape the tribunal's culture and lay the groundwork for its future success. I thank all those involved in the formation of this important legislation, including the hardworking Attorney General, who shows yet again that by producing quality legislation he is at the top of his game. I know that the member for Pittwater joins me in thanking the Attorney and his hardworking staff. I commend the bills to the House.

**Mr RON HOENIG** (Heffron) [8.02 p.m.]: I make a brief contribution to debate on the Civil and Administrative Tribunal Amendment Bill 2013, and cognate bill, the Civil and Administrative Legislation (Repeal and Amendment) Bill 2013, which brings into operation the NSW Civil and Administrative Tribunal [NCAT]. This legislation is the culmination of many years of work to try to coordinate the disparate tribunals that have spread across the State. I agree with previous speakers that this tribunal will offer accessible justice in many areas by providing a one-stop shop. In addition, the Government and Parliament will now have a vehicle through the tribunal to monitor whether people are slipping through the cracks in certain disputes, which was difficult to monitor previously. The provision of accessible justice without the necessity for legal representation is essential. What may be regarded by many as minor disputes are serious for those involved, but often they cannot afford the services of well-paid senior counsel, like the member for Cronulla used to be.

**Mr Brad Hazzard:** And you.

**Mr RON HOENIG:** I was a public defender, Brad; I did it for free. The tribunal system gives citizens that mechanism. Of course, the Minister was a partner in a law firm that raked in huge amounts of money. This legislation will help stop people falling through the gaps or, alternatively, it will enable the Parliament to rectify any problem with simple legislation. The tribunal is not being left as a toothless tiger; the legislation contains contempt provisions that maintain the integrity of the tribunal. I have had many years' experience in the justice system and I urge the Government to guard against one thing: Despite the best intentions in the world, amalgamations seek efficiencies but the end product usually means the establishment of huge bureaucracies at huge cost. When the cost becomes so great and Treasury tightens the screws to restrict expenditure, it is the services that are reduced rather than the bureaucracies because they are expert at resisting any such moves. Governments and Treasury often find it difficult to interfere in the expenditure of independent tribunals but should they do so, they commit cardinal sins—such as the Government did earlier today.

I urge the Attorney General's department to be extremely careful not to allow the bureaucracy to mushroom with the establishment of the Civil and Administrative Tribunal. I saw this happen with the creation

of the Office of the Director of Public Prosecutions. Those who are old enough may remember that the Clerk of the Peace used to conduct prosecutions on behalf of the Crown and was effectively the registrar of the court for listing matters. The Clerk of the Peace operated out of the bowels of the King Street Supreme Court, with only a handful of staff. Many people, including me, felt it was inappropriate for the prosecuting authority also to be the listing authority. The Government agreed and established the Office of the Director of Public Prosecutions and a separate registry of the District Court. I recall as a young public defender wanting to see subpoenaed documents located in the registry only a year or so after the registry had been established. By then a huge volume of people were working in the court office where previously a handful of people had run the office in the bowels of the King Street court.

Public organisations are expert at establishing their own personnel, payroll and health and safety functions, and creating industries for themselves. When that happens, jurisdictional problems may arise if pressure is brought to bear from Treasury. I suggest in all genuineness that the Attorney General's department keep a close eye on the establishment of any bureaucracies created by this tribunal as it will nominate the staff it needs to make things work, including staff from other tribunals. Tension may exist about whether there should be a reduction in a particular area, and the result could be a massive bureaucracy and cost. I do not suggest that staff numbers be reduced because the officers are well qualified but I caution against a huge expansion in staff numbers.

**Mr MARK SPEAKMAN** (Cronulla—Parliamentary Secretary) [8.08 p.m.]: Because of time constraints my contribution will be brief. I support the Civil and Administrative Tribunal Amendment Bill 2013 and the Civil and Administrative Legislation (Repeal and Amendment) Bill 2013. The NSW Civil and Administrative Tribunal [NCAT] will commence on 1 January 2014 and will exercise the function of more than 20 existing tribunals, including the Consumer, Trader and Tenancy Tribunal, the Administrative Decisions Tribunal and the Guardianship Tribunal. Legislation to establish the new tribunal was introduced in Parliament in stages. The first stage was the Civil and Administrative Tribunal Act 2013, which set up the tribunal's divisional and membership structure. The Civil and Administrative Tribunal Amendment Bill 2013 will confer four different types of jurisdiction on the tribunal: first, a general jurisdiction that will give the tribunal jurisdiction to hear a wide variety of matters, ranging from consumer disputes to guardian proceedings; secondly, an administrative review jurisdiction; thirdly, an appeal jurisdiction to hear appeals against decisions of external bodies such as the Mental Health Review Tribunal; and, fourthly, an enforcement jurisdiction enabling the tribunal to hear civil proceedings and proceedings for contempt.

All decisions made by the tribunal will be appellable to the Supreme Court or, in some cases, the District Court. The establishment of the tribunal has affected a broad range of stakeholders. Over the past year there has been wide consultation by the Government to ensure that the tribunal's legislation addresses the needs of tribunal users. For example, there has been consultation with professional associations, advocacy groups, tribunal user groups and tribunal representatives. Put very plainly, the tribunal will simplify the complexity of the existing tribunal system and for the first time provide the citizens of New South Wales with a one-stop shop for almost all tribunal services. I commend the bills to the House.

**Mr ROB STOKES** (Pittwater—Parliamentary Secretary) [8.10 p.m.], on behalf of Mr Greg Smith, in reply: I thank members for their contributions to debate on the Civil and Administrative Tribunal Amendment Bill 2013 and the Civil and Administrative Legislation (Repeal and Amendment) Bill 2013. Before concluding, I will address particular matters that were raised during the debate. I thank members representing the electorates of Liverpool, Heffron, Orange and Cronulla—a brief of lawyers—who participated in the debate. The member for Heffron noted that the legislation is a useful way of addressing the lacuna that exists within the current system of tribunals. This matter was reflected upon by other members, and the member for Orange also noted the widespread consultation that preceded and informed the preparation of these bills.

The bills represent the final stage of the legislation needed to support the NSW Civil and Administrative Tribunal [NCAT]. The bills confer jurisdiction on the Civil and Administrative Tribunal and give the tribunal the powers and functions it needs to start hearing and determining matters on 1 January 2014. When the Attorney General, and Minister for Justice announced the establishment of the Civil and Administrative Tribunal in October 2012, he stated, "Enabling tribunals to exist as a network rather than in isolation will improve the quality, consistency and transparency of tribunal services." Certainly our tribunals have the potential to be far stronger as a network than they could ever be as individual units. As members have pointed out, the Civil and Administrative Tribunal is a unique opportunity to improve the way that tribunal services are delivered in this State.

The Civil and Administrative Tribunal will provide a simple, quick and effective forum for everyday people to resolve disputes and other matters. It will be accessible and responsive to the needs of its users. The bills give the tribunal the flexibility it needs to achieve those goals. As the member for Orange said in debate, the Government has consulted widely on the development of these bills and so is confident that it will meet the needs of all tribunal users, from professional discipline bodies and government agencies to the average person on the street. The establishment of the Civil and Administrative Tribunal is an important reform for this State. The tribunal will improve access to justice for the citizens of New South Wales and enhance public confidence in our tribunal system. On behalf of the Attorney General, and Minister for Justice, I look forward to seeing the tribunal in action in January and I commend the bills to the House.

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

**Motion agreed to.**

**Bills read a second time.**

### **Third Reading**

**Motion by Mr Rob Stokes, on behalf of Mr Greg Smith, agreed to:**

That these bills be now read a third time.

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

**ACTING-SPEAKER (Mr Lee Evans):** Order! Government business having concluded, the House will now proceed to the taking of private members' statements.

### **PRIVATE MEMBERS' STATEMENTS**

#### **PORT MACQUARIE HEALING ROOMS**

**Mrs LESLIE WILLIAMS** (Port Macquarie) [8.14 p.m.]: On Saturday 2 November I was pleased to be invited to open the Port Macquarie Healing Rooms, which is an initiative of the Port Macquarie Citywide Christian Prayer Group. Healing rooms are ministries established in local communities that are open to the public at regular times of the week where anyone, no matter their denomination, can come to encounter the healing power of Jesus Christ. The Port Macquarie Healing Rooms on Gordon Street are set up in a similar style to a general practice or medical centre, with a welcoming reception and waiting area and three healing rooms. Team members undergo training, and recently a training school was held in Port Macquarie by national directors, Franklyn and Deanne Elliott. This opportunity was taken up by 63 members of our local churches and also included participants who wanted to take advantage of this opportunity so that there could be benefits for Kempsey and Taree.

There are 53 healing rooms in Australia, and worldwide there are 3,000 across 74 nations. I was informed at the function that a recent survey in Australia over the past 12 months indicated that 24,000 people have visited healing rooms throughout Australia. There are also healing rooms in Coffs Harbour and Kempsey and there is one in the initial stages of formation in Taree. The healing rooms are strongly supported by the Port Macquarie Minister's Association, with sponsorship for insurance from the St Thomas Anglican Church. This initiative would not be possible without the support of volunteers who already represent eight of our local churches. I congratulate director Reverend David Curtis and associate director Stephen Lynn on their hard work in making sure that this initiative has become a reality for our community. I also acknowledge the support of advisory board members John Parer, Reverend David Blackmore, Pastors Todd Murray, Sue Kightley and Coral Bardell.

Finally, I acknowledge two very special people who have been extremely generous and without whose support this idea may never have been realised. I speak of John and Lesley Lowe who are local property identities in the Port Macquarie area and who have provided the premises for the healing rooms rent free for the first three years, including a free fit-out. I also thank the local tradesmen who have volunteered their labour and who are from different churches and trades. This united effort from such a broad range of people from across

our community demonstrates what a team effort this has been and no doubt will be instrumental in its success and longevity. Again, I congratulate everybody involved on the opening of this fantastic local initiative. I have no doubt that other communities will be looking on with envy and trying to replicate its success.

### **PICTON ROAD SAFETY IMPROVEMENTS**

**Mr JAI ROWELL** (Wollondilly) [8.17 p.m.]: This evening I speak about the completion of safety improvements to Picton Road, a major road within Wollondilly that acts as a main arterial conduit for traffic heading down the coast or toward the Hume Highway for residents travelling to Sydney. The newly appointed and deserving Parliamentary Secretary for Western Sydney joined me to inspect the completed work. I take this opportunity to thank the Parliamentary Secretary for Western Sydney for visiting Wollondilly and the then Mayor of Wollondilly, Col Mitchell, for his support for this project in Wollondilly Shire Council. In 2011 then Opposition leader Barry O'Farrell and I made an election commitment of over \$12 million in funding to ensure vital safety upgrades were undertaken to Picton Road, including the introduction of lifesaving wire safety barriers to help curb the unfortunate road toll.

The total expenditure of \$53 million included additional safety allocations to ensure that motorists who use this road can do so with peace of mind about their personal safety and that of other motorists. The improvements will also provide the benefit of reducing the travel time for motorists who rely on this road for their daily commute. The upgrades funded by the New South Wales and Australian governments aim to reduce the number and severity of crashes that occur along the route and to provide a more reliable transport link for the 15,000 motorists who use it daily. Although motorists have endured delays in the process, I know they will be happy that the upgrades delivered by this Government include 15 different projects specifically aimed at reducing the most common types of crashes—speed-related crashes, head-on crashes, crashes on wet road surfaces and crashes when vehicles run off the road. I mention this because this stretch of road will be expected to cope with higher levels of traffic flow that will result from the increasing population in Wollondilly and surrounding towns. The road must be of an appropriate standard to cope with these increases effectively and sustainably.

Due to the high number of head-on crashes on Picton Road, the safety improvements focused on separating oncoming traffic with median barriers. More than 10 kilometres, or one-third of the road, is now separated by concrete or wire rope barriers. As a candidate and local government councillor, I was vocal in my calls for the Labor Government to install the barriers after a number of individuals sadly passed away under tragic circumstances. Unfortunately, the Labor Government did very little. This road carries traffic from ports on the east coast and holiday traffic from my local community and surrounding areas. For that reason, speed and fatigue have been identified as causal factors for road accidents. The completion of this stage of the upgrades, which includes the median barriers, is satisfying for me because as the father of two young boys who drives this road regularly I know that my family and the families of Wollondilly will be safer as a result of this work.

The New South Wales Government will consider future upgrades to Picton Road from the Mount Ousley Road interchange to the Hume Highway and from the Hume Highway interchange to Argyle Street in Picton. I am always happy to engage in consultation with the community about any future work that needs to be done. Furthermore, Roads and Maritime Services will continue to monitor traffic and road safety to ensure efficiency and safety for many years to come. However, the work undertaken on this road is not the only significant infrastructure this Government has delivered. Since being elected, the O'Farrell-Stoner Government has heavily invested in infrastructure in New South Wales. Wollondilly alone has seen significant expenditure on regional and State roads, sewerage scheme construction and community facilities.

As I have recently said in this place, the latest budget has included many benefits for our communities that have been made possible by the tough decisions and good economic management of the past two years. I am thankful that the Government has outlined significant savings in the budget to get the economy back on track and to allow vital expenditure on infrastructure to build a stronger, more prosperous New South Wales for all. The Picton Road upgrade has been very well received by my community. One of the downsides of being the member for Wollondilly is that in the past when a fatality or serious accident occurred I would be contacted by the police or local families and informed of the details. Hopefully, the upgrades being delivered by this Government will mean that that will no longer occur. I commend the Premier and the Minister for Roads and Ports for what they have achieved.

### **SPANISH MENTAL HEALTH CARERS SUPPORT GROUP**

**Mr GUY ZANGARI** (Fairfield) [8.22 p.m.]: On Monday 21 October 2013 I had the privilege of being the guest of honour at the annual Spanish Mental Health Carers Support Group national Carers Week

celebrations at the Fairfield Community Centre, Barbara Street, Fairfield. This year's event involved a photo exhibition and morning talent show. The photo exhibition displayed the support group's years of events and activities since 2007. The photographic posters depicted the special times had by carers at previous Carers Week celebrations. The 2013 event certainly pulled at the heart strings of everyone present.

Carers look after their sick, disabled or aged relatives and friends because governments cannot do it alone. Society needs carers to provide love and care to those in need. Carers do not complain; they go about their daily routine without any fuss. Carers rarely have an outlet to mix with others who share their story. The Spanish Speaking Communities Network is one organisation that provides the opportunity for people to smile and celebrate with each other. The event provided new members with the opportunity to be recognised for their care of loved ones via the presentation of a certificate of recognition. A certificate of recognition may seem small to some, but to the carers it means a great deal. As I said, carers do their work of caring not for recognition but out of love for those who need assistance.

In my address to the gathering I said that their work is precious and valued by all. I thanked the carers on behalf of the entire community for their tireless work. Caring is a 24/7 job that offers no rest for those providing support. Carers are the angels in the community who quietly go about their work. All carers are committed individuals who often sacrifice their own personal joys in life—joys that so many of us take for granted. One of the key aims of the Spanish Mental Health Carers Support Group is to celebrate gifts and talents. The event showcased these talents through song, dance, poetry, art and floristry. When the carers each displayed their special gift it was extremely difficult to find a dry eye in the community centre, especially when poetry was read touching on personal stories. Although I cannot speak Spanish fluently, I understand it and I certainly understood the words and sentiments being expressed in the poetry.

The Spanish speaking community is colourful and exciting and many of the carers wore their national costumes with pride. The event was also a chance for the carers to share a meal together. I offer special thanks to Meals on Wheels Fairfield for cooking the culturally sensitive meal for the carers. Fairfield Meals on Wheels is to be commended for subsidising the cost of the food. The photo exhibition and morning talent show would not have been possible without the support of NSW Carers, Transcultural Mental Health Centre and the NSW Spanish and Latin American Association. I pay tribute to the Spanish speaking carers from Corazon y Trabajo Liverpool and Corazon Latino Fairfield, who come together each year to celebrate Carers Week. As the invitation for the event read:

Give yourself a moment to enjoy a photo journal of the events since 2007 and share your talents with other carers, in recognition of the labour that carers do for their loved ones.

These are the words of a wonderful group of people seeking to make our community better. Finally, I congratulate Mrs Blanca Arely Espinoza and her dedicated team of organisers who give so much to the community.

### **LIFE EDUCATION HEALTHY HAROLD PROGRAM**

**Mr CHRIS SPENCE** (The Entrance) [8.27 p.m.]: Since its formation in 1979, Life Education's Healthy Harold school program has been delighting and educating schoolchildren with positive and informative programs. Schoolchildren are excited and expectant when news of an impending visit from Healthy Harold is announced at their school. Students and teachers at Ourimbah Public School were thrilled when it was their turn to have the Healthy Harold van at their school last month. It was with great delight that I had the opportunity to join year 3 and year 4 students for their session with Life Education presenter Natalie Fennell.

When I arrived at the school the students were buzzing with anticipation. It was great to see students get so enthusiastic about such a valuable program. From the moment the students were seated in the van it was easy to see why they were all so excited. The Healthy Harold program is geared to engaging the students through interactive games and activities, up-to-date technology and teaching methods, and has a vibrant presenter who captured their attention from the start. The session I attended focused on building strong cyber safety awareness and increasing understanding of some of the dangers of being online. The students all use the internet in their day-to-day lives, whether it be for educational and homework purposes, keeping in touch with friends or family, playing games or programs such as Mathletics, and some had already begun using social networks.

Our school-age children are growing up in a rapidly evolving technological era in which a wealth of information from across the world is available through a simple Google search and popularity is measured by the number of Facebook friends or Instagram and Twitter followers they have. Gone are the days of even my own generation, when information was sourced through books and encyclopaedias in a library and our version

of a social network was writing notes in class and riding bikes with friends until dusk. It is concerning that students are too naive to take seriously the consequences and effects their online interactions can have not only on themselves and their future but also on their peers.

In a study published in August 2011, the Australian Communications and Media Authority noted that children and young people are able to articulate a number of risks inherently associated with using the internet and social networking. These tend to centre on loss of personal information, cyberbullying, inappropriate content, unsolicited or unwanted contact and, in the extreme, kidnapping or paedophilia. Compared to their theoretical knowledge, perception and awareness of risks, their actual behaviour demonstrates that this knowledge is often not put into practice. Most young people have multiple devices on which they can gain online access, such as an iPod Touch, iPad, smartphone, laptop and computer.

The Australian Communications and Media Authority further noted that very few respondents have considered their digital footprint. Little serious thought is devoted to the idea that their online life may impact on their future. Younger respondents, especially teenagers, see their "future" as an adult as extremely distant and somewhat irrelevant to them at this point in time. As a result, their immediate concerns on a day-to-day level are prioritised above any consideration of their futures. Every day new apps and social network capabilities are being developed. It has been found there is an even greater prevalence of photo-sharing, not simply by texting a photo but by posting and tagging on Facebook, Instagram, or the relatively new Snapchat.

While older generations could consider the inherent dangers of the use of photo-sharing apps to be common sense, the Australian Communications and Media Authority has noted that the younger generation are far more ambivalent. While knowing that a danger may be present, they tend to consider the risk to be low or simply ignore it. Posting personal information or photos online can have a tremendous effect on young people as they enter adulthood. Long after the moment the photo was captured through their digital footprint, it does not take much for others to find a wealth of information about a person's history and life—and in the vast majority of cases it does not go away.

It is through understanding these risks and dangers that Life Education has incorporated its cyber safety awareness session into its program. I was impressed by how readily the students took the lesson on board. A valuable example was presented by Natalie Fennell in the session I attended. It involved two friends, with one posting a funny video of the other on YouTube. While initially thinking the video amusing, the storyline quickly showed how posts online can go viral and cause people to get hurt and be embarrassed. This simple example highlighted to the children the unintended cyberbullying that can occur from a seemingly innocent and harmless social media post. It also showed that once something goes digital, it is extremely difficult, many times impossible, to erase. It is a lesson that is important and relevant.

A tailored program such as this one really emphasise why Life Education and Healthy Harold remain steadfastly relevant to our school-aged children, even in the face of rapidly evolving technology. Whether their session focuses on learning more about the human body, cyberbullying, drug, alcohol and tobacco awareness, or healthy lifestyle and wellbeing, Healthy Harold continues to engage effectively with our students to bring positive messages about making good life choices. I am proud to be an ambassador for Life Education and commend their continued investment in our students in partnership with our teachers and education programs. I particularly commend Life Education for their dedication to remaining relevant to the issues that face our students as they grow, especially cyber safety and awareness.

**Mr ROB STOKES** (Pittwater—Parliamentary Secretary) [8.32 p.m.]: I commend the member for The Entrance for his statement on the work of Life Education. Members are well aware of the wonderful work Life Education does within our communities. The member for The Entrance explained in detail what is happening in his community. I also thank everyone in the community involved with Ocsober, the month of abstinence from alcohol to raise funds for Life Education. They do wonderful work in equipping children to make good life choices in answer to the challenges these children confront as they reach adolescence.

#### **TRIBUTE TO MRS ROSA VIKNIUS RAJZLA JACUBOVSKA**

**Ms LINDA BURNEY** (Canterbury) [8.33 p.m.]: I pay homage to an amazing woman, Rosa Viknius Rajzla Jacubovska. Rosa was born in 1922 and died in 2013. I acknowledge that the member for Heffron, who has Jewish heritage as did Rosa, is present in the Chamber. Rosa was a Nazi Holocaust survivor. Her passing brings attention to the fact that there are very few people left from the generations who directly experienced that horror. A combination of luck, instinct and ability to overcome despair resulted in Rosa's survival.

Rosa was born in Łódź, Poland. She was the third youngest child of Szymsie and Szajna Jacobovski. She left school at 14 to learn the corsetry trade and this trade saved her life on a number of occasions. She was in the Łódź ghetto, the longest-lasting ghetto in Poland, because the Nazi regime needed goods manufactured there, especially clothes and uniforms. These were produced in the slave-labour factories. Rosa's skills made her a valuable worker in these factories. Meanwhile, all her family members were murdered by the Nazis in the early 1940s. Details of their deaths are not known, other than that her family took an option to move to the Warsaw ghetto and they were never heard of again.

Rosa married her childhood sweetheart in Łódź ghetto. He died in her arms of typhoid. She survived the Łódź ghetto: Only 5,000 of more than 200,000 Jewish people survived, and Rosa was one of them. She was moved to Auschwitz in 1944. There again she survived thanks to her corsetry skills, which were in high demand by the female Jewish doctors, who made her a nurse and so ensured she received extra food. As a post-war refugee, between 1945 and 1951, she worked as a nurse in a rehabilitation centre, where she met and married my constituent Sam Altman's father, Calel Altman. He also was the only survivor from his family, so two only survivors got together. They moved to western Poland, where many Jewish survivors were moved. In 1947 Rosa gave birth to Sam. With the rise of anti-Semitism in Poland they decided to leave Poland via the Jewish underground. Rosa and Sam were smuggled across the Czech border. They ended up in refugee camps in Munich and Genoa, and arrived in Melbourne in 1951 on the *MV Surriento* after a six-week voyage.

Rosa prospered in Melbourne. Her husband died of lung cancer in 1957 and then Rosa's corsetry skills came to the fore. She worked long hours and was able to build a new life in Australia. Rosa loved dancing and she met and married Frank Viknius in 1960. They were married for 33 years before he died in a work accident in 1993. She then met Silvano, who was her partner until 2007. Rosa outlived four husbands. She survived Auschwitz, the Jewish pogrom and the Łódź ghetto. She became a great member of the Australian community. She moved to Sydney in her old age, as her grandchildren, who live here, were her greatest delight in life.

Rosa passed away peacefully in her sleep when she was 91. She is survived by her son, Sam, and her daughter-in-law, Lyn, whom I know very well, and her grandchildren, Kara and Max, whom I have known since birth. Rosa's story should be recognised by this House. We should remind ourselves that people like Rosa and the Jewish community have a very good story to share not only with the rest of the world but also with this country. Rosa survived the horrors of the Nazi regime. She died peacefully in this country at the grand age of 91, the only one of her family to survive the Holocaust.

**Mr ROB STOKES** (Pittwater—Parliamentary Secretary) [8.38 p.m.]: On behalf of those on the Government side of the House, I pass our condolences to the family of Rosa, who sounds as though she was an extraordinary woman. I regret that there was not time to hear more about Rosa's life and contribution to this country. It is very important that we as a nation never forget the horrors that her generation experienced and the horrors inflicted on the Jewish people and other persecuted peoples by the Nazi regime. Rosa's is an extraordinary story of courage and survival. She survived the Łódź ghetto and then fled to the western part of Poland, formerly Germany. Rosa then took an amazing journey to start a new life in Australia and contributed to the building of this nation. She was incredible woman, and I thank the member for Canterbury for bringing her story to the attention of the House.

**Private members' statements concluded.**

**THANK U NICU DAY**

**Matter of Public Importance**

**Mrs TANYA DAVIES** (Mulgoa) [8.39 p.m.]: I am pleased to inform the House of a very important initiative called Thank U NICU Day, which is being celebrated today. For parents of premature and/or critically ill newborn the experience can be overwhelming and traumatic, uncertain and fearful, and the journey from a neonatal intensive care unit [NICU] to home can be long and challenging. The Miracle Babies Foundation is a national not-for-profit organisation that provides education and support to the families of sick and premature babies in a difficult and taxing time just after their birth.

Thank U NICU Day is a national day held in November by the Miracle Babies Foundation to acknowledge and thank all Australian neonatal intensive care unit staff for the expert care and support provided to precious and fragile babies during their time in a neonatal intensive care unit. Celebrations include morning teas for neonatal intensive care unit staff, visits by families that have graduated from a neonatal intensive care

unit and gifts for all babies currently in a neonatal intensive care unit. New South Wales is indeed fortunate to have the highest quality clinical staff whose talents and commitment ensures that critically ill and premature babies have world-class outcomes.

Each year approximately 2 per cent of all babies born in New South Wales require treatment in a neonatal intensive care unit. Premature birth is a powerful predictor of life outcomes and is associated with an increased risk of a number of chronic and complex conditions in adulthood. In 2010 in New South Wales 7,140 babies, or 7.4 per cent, were born prematurely, which is a slightly lower rate compared with the national rate of 8.3 per cent. Increased neonate survival rates are due to developments in improved technology and evidence-based knowledge. Equally, advances in the coordination of high-risk pregnancies have improved access for neonates to timely management by appropriately trained health professionals.

In relation to evidence-based knowledge I highlight the outstanding cutting-edge work of the Australian Women and Children's Research Foundation [OZWAC]. The foundation, located in the Nepean Hospital in Western Sydney, has been working systematically for nearly 15 years to highlight the need for improvement in the health and wellbeing of families, with a focus on women and children's health. With a dedicated board membership including professors at the cutting-edge of their field of inquiry, local business people and community stalwarts, the Australian Women and Children's Research Foundation has funded many research projects and provided the avenues to purchase much-needed equipment.

Research and equipment that has been funded over the years by the Australian Women and Children's Research Foundation includes an analogue recording system to collect physiological information from intensive care monitors for critically ill newborn babies; the development and validation of a neonatal pain assessment tool in the neonatal intensive care unit at the Nepean Hospital; the use of C-reactive protein versus procalcitonin in newborn infection; the purchase of a blood gas machine for the delivery suite at the Nepean Hospital; the evaluation of polymerase chain reaction to detect bacteraemia in neonates; a prospective observational study of probiotics for preterm neonates; and a prospective cohort study of obstetric admissions to intensive care units in Australia and New Zealand. The Australian Women and Children's Research Foundation investigates issues such as whether maternal vitamin D levels influence the foetal and maternal immune systems in pregnancy or whether gut oxygen levels are compromised following blood transfusion in premature babies.

I am enormously proud of the strong community support that Western Sydney provides to the vision of the Australian Women and Children's Research Foundation and the many positive outcomes being identified through the targeted research of the medical professionals. Research such as that carried out by the Australian Women and Children's Research Foundation, together with the ongoing dedicated work of neonatal intensive care specialist staff across the nation, leads to improved treatments and ultimately improved outcomes for premature or seriously ill babies. Neonatal intensive care units specialise in the care of critically ill or premature newborn infants. It is a specialised area requiring significant resources, both human and financial.

The provision of quality neonatal intensive care services is dependent on the availability of expert staff, specialised equipment and other clinical support services. Due to the high level of complexity and specialised service requirements, neonatal intensive care and high-risk obstetrics services are not located in all local health districts. However, neonatal intensive care services are available to all New South Wales residents as they are provided through a formalised statewide clinical network called the New South Wales Neonatal Network. The New South Wales Neonatal Network provides world-class care for the most vulnerable babies in our community.

The New South Wales Neonatal Network is made up of nine New South Wales hospitals located at the Sydney Children's Hospitals network at Randwick and Westmead, the Royal Hospital for Women, the Nepean Hospital, Liverpool Hospital, the Royal North Shore Hospital, the John Hunter Children's Hospital, the Royal Prince Alfred Hospital and the Westmead Hospital. Currently the New South Wales Neonatal Network has 140 high-level neonatal intensive care beds. The neonatal intensive care unit at Canberra Hospital is an integral part of the New South Wales Neonatal Network, meeting a significant component of demand for residents of southern New South Wales. Canberra Hospital has an additional eight beds. I congratulate all members involved in Thank U NICU Day today.

**Ms LINDA BURNEY** (Canterbury) [8.44 p.m.]: I join the member for Mulgoa in recognising Thank U NICU Day. I also acknowledge the Miracle Babies Foundation and its role in organising and recognising this day. Neonatal intensive care unit staff provide an incredible service. Like other members, I have visited babies of relatives and friends who have been born very tiny. They have had to spend many weeks, and often months,

in the neonatal intensive care unit to enable them to have a viable life. I have seen the care provided to those tiny babies in the humidicribs and wondered how on earth the staff cope and manage to provide the amazing care they do. Thank U NICU Day is a day to recognise the dedication, expertise and experience of the staff in neonatal intensive care wards.

The member for Mulgoa also spoke of the emotions that families endure following the premature birth of a baby. Without the neonatal intensive care unit and staff those babies would not have a viable life or even survive. That is one reason why recognising this day is so very important. I too know a little bit about the Miracle Babies Foundation. I remember members from that organisation telling me in Campbelltown and in the Hunter about the amazing work they do. The foundation has flourished and organising events like Thank U NICU Day illustrates how important the organisation is. Unless people have had contact with neonatal intensive care units or with the families of premature or sick babies it is hard to understand the emotions of fear, anxiety and joy they go through. That is another important reason to recognise this day.

Thank U NICU Day fits into a very busy calendar of recognition days—many buttons, many ribbons, many wristbands and many scarves, which we will see tomorrow. That the lives of tiny human beings are made viable because of the work of the staff in the neonatal intensive care units makes the day very much worth recognising. I am pleased that the member for Mulgoa has brought this important work to the attention of the House. This important day is an opportunity to say thank you.

**Ms MELANIE GIBBONS (Menai)** [8.49 p.m.]: Today I join in celebrating Thank U NICU Day and the work of the Miracle Babies Foundation. It is an opportunity to acknowledge the important role that our doctors, nurses and specialist staff play in neonatal intensive care units [NICU] and special care nurseries across the country. Miracle Babies was founded by some special women who came together, after their own experiences with premature births, to look after families who have had a premature and/or sick baby and offer a number of services to them in times of need, and remains based in Chipping Norton in my electorate. I am pleased that both the Premier and the Minister for Health have supported this organisation through discretionary grant funds, showing their respect for the organisation's work. The Miracle Babies Foundation strives to raise community awareness and knowledge of this prevalent national issue and the ongoing challenges faced by babies and their families.

Every year in Australia about 44,000 newborn babies require the help of a neonatal intensive care unit or a special care nursery. This is almost twice the number of people diagnosed with breast cancer or prostate cancer. What is now a national organisation was started by a local mum, Melinda Cruz, following her own experiences. She has three healthy, happy children today, but each was born prematurely. It was her second child, Dillon, born at only 27 weeks who made her realise how little support there was for mothers of premature babies and their families during this overwhelming and traumatic time. In 2005 Melinda teamed with the Liverpool Hospital's neonatal intensive care unit and started the Miracle Babies Foundation with eight mothers of premature and sick newborns, including the fabulous Kylie Pussell and the amazing Naomi Rohr,. They were all connected by their own neonatal intensive care unit experiences and united in a common desire to support other families of miracle babies and give back to the wonderful hospitals that cared for them.

Together, Miracle Babies and Liverpool Hospital worked on an in-hospital parent support program, allowing current neonatal intensive care unit families to have the opportunity to speak to past parents. In an amazing achievement for a grassroots organisation, the team has broadened its services and has already grown to reach neonatal intensive care units Australia-wide. Neonatal intensive care units provide comfort and reassurance at a time that can be full of highs and lows, helping to soften this time. I know that the member for Macquarie Fields has been in many neonatal intensive care units, in the Liverpool Hospital in particular. For many families, the teams of doctors and nurses who care for sick and premature babies become familiar faces when waiting for days, weeks or even months to take their new child home.

Thank U NICU Day is a chance for families to say thank you for all their efforts. If members have a chance they should read some of the touching messages of thanks on the ThankUNICU.org.au website or follow Miracle Babies on Twitter. Miracle Babies is already an amazing organisation; and after speaking to Melinda, Kylie and Naomi on a number of occasions I know how important these neonatal intensive care units are and how worthy they are of such public acknowledgement. I am pleased to see such well-known ambassadors giving their time to promote this cause, including Jackie O, Victoria Lorusso, Scot and Ann Cam, Kellie Conolly, who is now known as Sloane, Doc Neeson, Rebecca Harris, Alf Paranihi, Geoff Field, Ron Wilson, Amber Sherlock, Danielle Matthews, Nicole Madigan-Everest, Daniel Kerr, Giggly Kids, Kimberlee Green, Peter Combe, Amelia

Overhardt, David Wall and Grant and Chezzi Denyer. I remember Cheryl from when she worked in this place. I also thank the volunteers, the staff and the donors at the hospitals for their support of these little miracles. [*Time expired.*]

**Mr JAI ROWELL** (Wollondilly) [8.52 p.m.], by leave: My best friend from primary school and his lovely wife had a couple of premature babies that were excellently supported by this fantastic group at the Liverpool Hospital. I place on record my appreciation for the doctors and nurses who spent day after day, week after week and month after month with the family—I will not identify them in the Chamber—to ensure that the family and their children were supported. I can proudly say that a couple of weeks ago I was at a family event and saw that those children are growing up beautifully. I place on record my appreciation for all those who support these angels. I commend the member for Mulgoa for her motion.

**Mrs TANYA DAVIES** (Mulgoa) [8.55 p.m.], in reply: I thank the member for Canterbury, the member for Menai and the member for Wollondilly for their contributions to the discussion of this matter of public importance, Thank U NICU Day. We have all had various experiences with family and friends or co-workers who have had premature babies and have gone through the journey from the initial shock of a baby coming well before it is due, then the rollercoaster ride of emotion, fear, anxiety and uncertainty. The parents and all the specialist care and expertise being divested in this tiny baby create an environment in which there is a lot of emotion. The neonatal intensive care units deal with the high needs of these families every day and night of the year. I step back a moment and thank all the incredible staff, the specialists, the professors, and the mums and dads, and, importantly, note the support they receive from their family and friends.

As I said earlier, the nine neonatal intensive care units in New South Wales provide highly complex and resource-intensive services for our sickest babies. They are supported by a network of some 400 special care nursery beds distributed across the State which allow babies to be as close as possible to family members. The New South Wales health system does everything possible to keep families together close to home while providing safe and appropriate care. Each neonatal intensive care unit works collaboratively to provide a statewide response when demand surges. However, sometimes when highly complex and specialised care is required, it is necessary to move neonatal patients between hospitals to ensure that they get the best possible care.

The Newborn Emergency Transport Service [NETS] is a statewide service of NSW Health, managed by the Sydney Children's Hospital network. The newborn emergency transport service ensures that no matter where someone lives they can be assured that their baby will receive quality care. In local health districts, highly specialised nursing, medical and allied health staff work together as a multidisciplinary team to support each premature and/or sick baby and their family from birth, during their inpatient stay through to their transition back home. Home visiting services conducted by child and family health nurses are available across New South Wales to support babies and their families once they arrive home. Organisations such as Tresillian and Karitane, funded by NSW Health, offer education, resources and support services to parents and families, including day stay and residential services.

Having a sick and/or premature baby is a difficult time for any family, and many families need the extra support provided by organisations such as the Miracle Babies Foundation. The programs and resources developed and provided by Miracle Babies include a 24-hour parent support line, in-hospital parent support and out-of-hospital play and support groups. They offer valuable purpose-designed support to help babies, mothers and their families through partnerships with health professionals. I commend the Miracle Babies founder, Melinda Cruz, and the many volunteers, families, board members and sponsors for their tireless commitment to families going through a difficult time. On Thank U NICU Day, I acknowledge the expertise and the world-class care provided by the outstanding health professionals in neonatal intensive care units across New South Wales.

**Discussion concluded.**

#### **MINING AMENDMENT (DEVELOPMENT CONSENT) BILL 2013**

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

**The House adjourned, pursuant to resolution, at 8.58 p.m. until  
Wednesday 13 November 2013 at 10.00 a.m.**

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