



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Sixth Parliament  
First Session**

**Tuesday, 2 August 2016**

Authorised by the Parliament of New South Wales



## TABLE OF CONTENTS

Private Members' Statements.....	1
Safer Pathway Program.....	1
Homelessness Awareness Initiatives .....	2
Australian Taiwan Women's Association Twenty-Fifth Anniversary .....	3
Corporate Clash in Macarthur.....	3
Wallsend Electorate Policing.....	4
Oxley Electorate Services .....	5
Compulsory Property Acquisition Process .....	6
Tribute to John Michael Stringer .....	7
Pembroke Lodge Aged-Care Service.....	8
Temora Supported Accommodation .....	8
Goulburn Electorate Community Organisations.....	9
Port of Newcastle.....	10
O'sullivans Garage, Queens Park.....	11
Geraldine Moran, Lake Macquarie Citizen of the Year .....	11
Seven Hills Community Organisations.....	12
Gynaecological Cancer .....	13
Visitors.....	14
Visitors .....	14
Commemorations .....	14
Centenary of First World War .....	14
Members .....	14
Temporary Speaker .....	14
Bills .....	15
Marine Legislation Amendment Bill 2016 .....	15
Taxation Administration Amendment (Collection and Disclosure of Information to Commonwealth)	
Bill 2016.....	15
Appropriation Bill 2016.....	15
Appropriation (Parliament) Bill 2016 .....	15
State Revenue Legislation Amendment (Budget Measures) Bill 2016 .....	15
Crimes (Domestic and Personal Violence) Amendment (Review) Bill 2016 .....	15
Point to Point Transport (Taxis and Hire Vehicles) Bill 2016.....	15
Local Government and Elections Legislation Amendment (Integrity) Bill 2016.....	15
Assent.....	15
Governor .....	15
Administration of the Government .....	15
Administration of the Government .....	15
Motions .....	15
Notices of Motions.....	15
Question Time.....	15

## TABLE OF CONTENTS—*continuing*

Hospital Chemotherapy Treatment .....	15
Greyhound Racing Industry Ban .....	16
Cancer Treatment at St Vincent's Hospital .....	18
Greyhound Racing Industry Ban .....	18
Hospital Chemotherapy Treatment .....	19
TAFE NSW .....	19
Bankstown-Lidcombe Hospital .....	21
Western Sydney Planning .....	22
Bankstown-Lidcombe Hospital .....	23
Higher School Certificate Reforms .....	23
Documents .....	24
Expert Panel on Political Donations .....	24
Forest Agreements and Integrated Operations Approvals .....	24
Amendments .....	24
Auditor-General .....	24
Reports .....	24
Committees .....	24
Legislation Review Committee .....	24
Report: Legislation Review Digest No. 21/56 .....	24
Petitions .....	25
Petitions .....	25
Safe Schools Coalition .....	25
Surry Hills Light Rail Station .....	25
Aboriginal Culture and Heritage Recognition .....	25
Local Government Mining Veto .....	25
Motions Accorded Priority .....	25
TAFE NSW .....	25
Consideration .....	25
Bankstown-Lidcombe Hospital .....	26
Consideration .....	26
TAFE NSW .....	27
Priority .....	27
Bills .....	31
Local Government Amendment (Governance and Planning) Bill 2016 .....	31
Second Reading .....	31
Private Members' Statements .....	42
Williamstown Land Contamination .....	42
Taree Lions Club Semi-Permanent Marquee .....	43
Nielsen Park .....	43
Elective Surgery Waiting Lists .....	44
National Art School .....	45

**TABLE OF CONTENTS—*continuing***

## LEGISLATIVE ASSEMBLY

**Tuesday, 2 August 2016**

**The SPEAKER (The Hon. Shelley Elizabeth Hancock)** took the chair at 12:00.

**The SPEAKER** read the prayer and acknowledgement of country.

*[Notices of motions given.]*

### *Private Members' Statements*

#### **SAFER PATHWAY PROGRAM**

**Mr ALISTER HENSKENS (Ku-ring-gai) (12:11):** Today I speak about the Government's Safer Pathway program to fight domestic violence, which will begin in Ku-ring-gai in March 2017. There would be few, if any of us in this place or in the wider community, who have not heard of the case of Rachelle Yeo, the vibrant young Sydney woman brutally stabbed to death in her northern beaches apartment by her former lover. Rachelle had not only walked away from their relationship; she had to escape her former partner by moving to a different State and a different location in Sydney. Tragically, it did not save her. Her murderer and former workmate, Paul Mulvihill, found out her address by spotting it on an envelope on the passenger seat of her car. What unfolded was a meticulous plan by Mulvihill to kill Rachelle, which he did in her home in July 2012. Thankfully, Mulvihill is in jail for another 20 years at least, but that is little comfort to the Yeo family, who have lost a beautiful soul.

Of course, domestic violence is a crime committed not only by men against women; but statistically that is overwhelmingly the case. Figures in New South Wales suggest up to 69 per cent of domestic violence cases in New South Wales are committed by men against women. In some other Australian jurisdictions the figures are even more sobering. Often victims of domestic violence simply do not know where to turn, what agency to phone or approach, or how to ensure that their attacker is being monitored. Sadly, so daunting is the prospect of reaching out for help and security, let alone action against the offender, that victims do not speak up at all, doing their best to hide their pain and that inflicted on their children, who are put through the mental anguish of witnessing the violence.

A new government initiative, the Safer Pathway program, will create a coordinated response in which government agencies combine to guide the victim through the processes necessary for the victim to be safe from domestic violence. Safer Pathway puts the safety of victims and their children at the centre of the response. The key elements of Safer Pathway are a domestic violence safety assessment tool to better and consistently identify the level of threat to victims, which includes a checklist of questions to gauge the level of danger a victim is in; a central referral point to electronically manage and monitor referrals; and a statewide network of local coordination points staffed by specialist workers to provide victims with case coordination and referral to a safety action meeting if necessary. Safety action meetings involve agencies including Police, Health, Family and Community Services and Corrective Services, where they share relevant information in order to lessen or prevent serious threats to the safety of victims and their children.

In recent weeks my parliamentary colleague the member for Davidson and I were privileged to have the Minister for Women, Domestic Violence and Sexual Assault, the Hon. Pru Goward, at Gordon police station in the electorate of Ku-ring-gai to make an announcement in relation to the Safer Pathway program. The Northern Beaches and Ku-ring-gai police local area commands have been selected as part of the rollout of the Safer Pathway program in 21 areas of the State. The Safer Pathway program is a \$53 million commitment by the Baird Government over four years and I am very pleased that Ku-ring-gai will be part of the program from March 2017.

Women's Domestic Violence Court Advocacy Services in my area alone are reporting upwards of 4,000 contacts a year. The following is an example of how Safer Pathway works in ways more effective than has been the case in the past. A male offender at Tweed Heads was assessed as being highly dangerous, with a history of domestic and family violence offences. He had been charged with a number of assault offences against the female victim—his partner—and he had an extensive criminal record. The local coordination point established as part of Safer Pathway was working with the victim, providing support, court advocacy and referrals. Local police advised the safety action meeting, also established within Safer Pathway, that the offender was on bail and was required to report to a police station in another part of New South Wales three times a week as part of his bail conditions. However, a community health representative attached to the Safer Pathway program established that records indicated the offender was at that time a voluntary patient in the mental health unit at the local hospital very close to the victim and not far away as first thought.

Those thorough checks ensured the offender was made aware that the authorities knew his whereabouts and they reinforced that he was to travel immediately to the distant town upon discharge from the psychiatric unit. The psychiatric unit staff escorted the offender onto a bus to travel to the location across the State and police were to follow up to ensure he did not get off the bus before he reached that destination. The offender did, in fact, get off the bus at the next stop, which allowed police to follow up and ensure the safety of his former partner. The offender was made accountable for his actions and his victim received increased safety. The effective sharing of information between government and other agencies acted to thwart the offender's attempts to gain access to the victim—a safe and satisfactory ending to this story. I am proud to be part of a government that has introduced the Safer Pathway program to ensure effective coordination of government action in the prevention of domestic violence.

### HOMELESSNESS AWARENESS INITIATIVES

**Ms TANIA MIHAILUK (Bankstown) (12:16):** On Thursday 23 June I had the opportunity to participate in St Vincent de Paul's CEO Sleepout, which is an initiative that for the past 11 years has raised much-needed funds and awareness to assist homeless people and people sleeping rough. Many chief executive officers, union leaders and community representatives were in attendance and I was pleased to have an opportunity to be there amongst many other like-minded individuals trying to raise as much money as possible to assist a very worthy cause.

I take this opportunity to acknowledge the shadow Minister for Education, the member for Lakemba—together we set up a particular fund for the Lakemba and Bankstown electorates—and the member for Fairfield for coming along on the night. I am delighted to report that, through our fundraising efforts, at this stage we have raised more than \$5,000, and we are still counting. I acknowledge some of the clubs and community groups from our electorates who helped to support the Vinnies' cause: the Greek Orthodox community of Bankstown, Ronis Real Estate, Crescent Wealth, Bankstown RSL Club, Bankstown Sports Club and Dr Vinh Binh Lieu, amongst many others who helped us to collect donations.

Overall, this year's sleepout raised nearly \$6 million, which was a tremendous effort. The funds raised from the 2016 sleepout will directly assist Vinnies in providing just under 500,000 bed nights, more than a million meals, and assistance to homeless and disadvantaged individuals. St Vincent de Paul does amazing work in this area and I acknowledge its passion and commitment in supporting homeless people, particularly in New South Wales. Labor has been a long-term advocate for those experiencing homelessness. As the shadow Minister for Social Housing, I have seen firsthand how homelessness can impact families, particularly with an increasing lack of affordable housing, many shelters being at capacity and increasing barriers to accessing emergency and support services for women and children escaping domestic violence. At the last census night, more than 100,000 people were homeless in Australia, with 30,000 homeless in New South Wales. Those numbers are expected to have grown ahead of the 2016 census.

The data from the 2011 census provided some insight to where homeless people were staying—39 per cent were living in severely overcrowded dwellings, 20 per cent were living in supported accommodation for the homeless, 17 per cent were staying temporarily with other households, 17 per cent were staying in boarding houses, and 6 per cent were sleeping rough on the streets. Young people are particularly at risk of entering the cycle of homelessness as a result of pressures from the cost of living and a lack of affordable housing. The harsh reality is that New South Wales has more young people experiencing homelessness than any other State due to the growing crisis of youth unemployment. Approximately 24.6 per cent of homeless individuals are youths between the ages of 12 and 24, 60 per cent of homeless people are aged under 35, and 22 per cent of the increasing number of homeless people are in the 25- to 34-year age group.

I acknowledge that the annual St Vincent de Paul Society Winter Appeal is a wonderful initiative in which many community groups, schools and organisations take the opportunity to participate. I am proud to say that in June I visited the Sacred Heart Catholic Primary School in Villawood in my electorate, which helped to organise a donation of three boxes of toiletries and 36 double- and queen-size blankets. I take the opportunity to congratulate the teachers, students and their parents on contributing to this year's winter appeal. With the growing number of families, women and children experiencing homelessness this winter in New South Wales, the blankets, clothing and toiletries donated by the school will make a difference to those who need it most.

This week is Homelessness Week and it is an opportunity for each of us in this House, irrespective of our political persuasions, to assist people in need in our electorates and to support refuges and community organisations that work day in and day out to give those who need it most a roof over their heads. Women and children are often victims of domestic violence and are particularly vulnerable to homelessness because leaving a violent situation sometimes means leaving the family home. We must continue to ensure that we are providing the utmost support to homeless women and children. Once again I thank the individuals and community groups

from the Bankstown electorate who have made a contribution to raise awareness and financial support for the homeless this winter.

#### **AUSTRALIAN TAIWAN WOMEN'S ASSOCIATION TWENTY-FIFTH ANNIVERSARY**

**Mr MARK COURE (Oatley) (12:21):** I congratulate the Australian Taiwan Women's Association, which celebrated its twenty-fifth anniversary two weeks ago. I attended an event with Jodi McKay, member for Strathfield; John Sidoti, member for Drummoyne and Parliamentary Secretary; Ernest Wong from the other place; and my good friend Douglas Shen, Director General of the Taipei Economic and Cultural Office; as well as representatives from Vision Australia. I acknowledge Ms Phoebe Alexander, President of the Australian Taiwan Women's Association, its members and the executive of the organising committee, who hosted an outstanding event. The event raised more than \$40,000, which will go to organisations such as Vision Australia, a charity that does great work across Australia. I acknowledge the many generous sponsors and donations that were received from the Taiwanese and Chinese communities.

Australia has benefited from Taiwanese immigration over many decades. Today Taiwanese-born Australians contribute a great deal to business and cultural and family life in New South Wales. The Taiwanese are highly regarded for their family values as well as their community openness and generosity, which was evident on the night. Much of their success can be attributed to the work of volunteers of the Australian Taiwan Women's Association. When the association was first established in 1991, the charity assisted newly arrived migrants by providing friendship and support to assimilate them into Australian society. The vision of the women who formed the first committee is still evident among the association's newest and youngest members. Their drive and ambition is the result of experience gained from the first generation of Taiwanese migrants in Australia, and they stand on giant shoulders. It is through their support, friendship, advice and assistance that so many have succeeded in New South Wales and Australia. The association is to be commended and thanked for its fundraising activities.

I am a great supporter of the Australian Taiwan Women's Association, and I have known some of its members for many years. Today I congratulate them on their wonderful service to our community. Over the years they have been strong supporters of Vision Australia as well as the Cancer Council and St John Ambulance—worthy and fantastic organisations. I am delighted that the dinner raised more than \$40,000 for Vision Australia to assist people who are blind or have low vision. As always, the association volunteers are supporting community groups in need and are providing financial assistance to others. Australia and Taiwan have a lot in common as island nations in the Pacific. Even though they have relatively small populations, each country has much to offer and much to gain from trade, business and community opportunities. Taiwan is Australia's eighth largest trading partner and this relationship will only strengthen over time.

Later this year I will have the great honour of visiting Taiwan. I am excited about developing business partnerships and friendships that will be mutually beneficial. Our excellent relationship has been built over generations and I am confident that, with the recent election of a new government in Taiwan, it will continue to grow with future generations. The relationship is strengthened by community-based organisations such as the Australian Taiwan Women's Association, which offers a platform for cultural exchange between Australia and Taiwan. On behalf of this Parliament I wish the organisation and the people of Taiwan many years of success. I congratulate the organisation on 25 wonderful years and thank it for the extraordinary contribution it has made and continues to make.

#### **CORPORATE CLASH IN MACARTHUR**

**Mr CHRIS PATTERSON (Camden) (12:26):** Recently I attended a local charity night called the Corporate Clash in Macarthur. The organisers of the event, Grant Butterfield of Marsdens Law Group and Mark Scarce of Camden Hire, have found an innovative way to raise money for charities. The charities it supports through the event are the Cure Brain Cancer Foundation and Camden Rotary Club. On the night we heard from young Benn who was diagnosed with brain cancer in 2014 and has spent two years fighting the insidious disease. Eight corporate fights and five amateur fights were held on the night. The 10-week training course is conducted by Anthony Redward of Grange Old School Boxing, which is also the home of Camden's world champion boxer Danny Geale. Macarthur is proud of Danny. He is a quiet achiever and a wonderful advocate for the youth in our area. The 10-week training course takes its toll on its participants and is a quiet breeding ground for some of Australia's toughest champions. The facility also provides gym and fitness classes.

This year the event raised \$104,000 and in the three years since its inception it has raised more than \$215,000 for its chosen charities. Its motto is that it is "doing it for Cure Brain Cancer Foundation ... Putting it all on the line for those who can't ... Giving hope to those who need it most". The event began with some young hopefuls from youth organisations such as Yiani Parascus and Amaeze Enyi from Stockade Training Centre in the Australian Capital Territory; Jayden Vella from Grange Old School Boxing; Ben Campbell from Blacktown Police Citizens Youth Club [PCYC]; Jagger Altoft from Central Coast Boxing; Tim Hannan from Redfern PCYC;



Jasmine Hudson from Jabout Gym; Viviana Ruiz from the Ultimate Fitness Centre; John Bissett from G-Six Fitness; and Joseph Taylor from Umina PCYC.

Competitors in the major event were all local businesspeople. I thank Mark Kleynjan from Camden Hire; Rob Burton from TRN Group; John McDonald from John McDonald Building Services; Grant Butterfield from Marsdens Law Group; Kimberley Winton from MLC Conveyancing; Claudia Sanzoni from Just Cuts; Anthony Hopewell from HDSA Group; Troy Newman from Boss Windows; Dave Moore from Jade Electrical; Aaron Ferguson from Macquarie Grove Homes; Michael Pes Junior from Tiger Insulation; Jason Shaw from Camden Hire; Adam Sapienza from Macarthur Castles; Daniel Richards from MECS; Matt Macbeth from Matt Macbeth Plumbing; and Matt Lindsay from Lindsay Civil. They put their bodies on the line for a great cause. The audience of more than 600 people was thoroughly entertained throughout the evening.

Local businesses also sponsored the event. I thank Blooms the Chemist; Manhattan Homes; Pan Sport and Corporate Wear; Kwik Kopy; SKG Plumbing; Kelly and Partners; KO Fight Photography; Sara Prestwidge; Andrew Stewart, mobile disc jockey and master of ceremonies; and EMPR. A local business, Barenz of Camden, donated one of the auction items for the night. An autographed Socceroos jersey was also donated for auction, thanks to another local, Brett Emerton.

The judges' award, the Sean O'Neill Fight of the Night trophy for the best fight of the night, was won by the ladies—Kimberley Winton and Claudia Sanzoni. Sadly, Sean lost his life to brain cancer, but he was the inspiration behind the event. As with any event, the volunteers behind the scenes make sure that all goes well on the night. I thank Camden Rotarians Aneek Mollah, Carla and Paul Nielsen, Marina and Steven Mikulic, Hamish Wilson, Paul Gilbert and Chris Evans. The event was an outstanding success. It supports two great organisations, remembers those who have lost their lives and brings our wonderful supportive business community together. I thank Mark Scarce, Grant Butterfield and everyone involved for their wonderful effort. We look forward to the fourth event next year.

#### **WALLSEND ELECTORATE POLICING**

**Ms SONIA HORNER (Wallsend) (12:31):** In recent months there has been a dramatic spike in the number of stealing offences in the Beresfield area. The majority of them, according to the Beresfield Neighbourhood Watch July newsletter, were thefts from motor vehicles. Thanks to the information supplied by residents and the collection of forensic evidence by local police officers, a number of arrests have been made. Residents can take steps to minimise the risk of their cars being broken into, as Senior Constable Kel Boak, crime prevention officer, wrote in the newsletter, including removing valuables and locking vehicles when unattended. I encourage residents of the Beresfield area—and all my constituents—to make sure that they take those simple steps, as the majority of reported thefts were from unlocked vehicles.

There has also been a dramatic increase in the number of irresponsible motorcyclists riding illegally around the streets without helmets. They are reported to have also ridden along bike paths and even interrupted sporting events on weekends. Locals are, rightly, angry that their parks and paths are being invaded by these riders. Football training sessions have had to be cancelled and some sporting ovals have sustained significant damage as a result of riders tearing up the grass. It is therefore unsurprising that the people of Beresfield and the Wallsend electorate more broadly are deeply concerned about the level of crime and antisocial behaviour in their neighbourhoods, especially given the dearth of adequate police coverage.

I have stood in this Chamber many times and called on the Government to deliver better policing for the people of the Wallsend electorate. Before the 2011 election the then shadow Minister for Police promised a new station at Glendale. Only months after the election, the Government reneged on that promise. When 13,000 Wallsend residents put their names to a petition calling on this Government to open a police station in Newcastle's western suburbs their calls fell on deaf ears. There is no police station in Wallsend. Although a station is located in Beresfield, it is open only during office hours on a Monday. The simple fact is that local police services are stretched to the limit. I have met with senior officers a number of times. They tell me that there is nothing else they can do and that they are doing the best they can with what they have. We know that. We want to see more resources and a stronger police presence in the area.

Recent rounds of new officer allocations have all but ignored the Hunter local area commands. The Government's budget was handed down with no commitment to any additional police presence in the western suburbs. There is no new police station—nothing. Residents are again collecting signatures on a petition calling for a stronger police presence in Beresfield. At a recent mobile office that I set up in the Beresfield area the number one topic raised by everyone I spoke with was the lack of police coverage. Not a week goes by when my office does not receive calls from residents who are fed up with increasing crime in the western suburbs, particularly in the Wallsend, Maryland and Beresfield-Tarro areas. A recent post on my Facebook page calling for input from the community went viral, reaching more than 60,000 people. In late June I sent out a call to my constituents.

More than 1,400 people shared the post, adding their voices to the chorus calling for more policing in the western suburbs. Resident Joy Boots told me:

This government is not thinking of people. It is only interested in money. They take away the things that are needed the most in society, saying it is all in the name of progress. In fact, they are taking us all back to the dark ages.

I urge the Government to consider these voices carefully. I call on the Minister for Justice and Police, as I have done many times before, to dedicate adequate police resources to the western suburbs of Newcastle. Our police do the best they can, but they are hamstrung by this Government's indifference to the Wallsend electorate.

### OXLEY ELECTORATE SERVICES

**Ms MELINDA PAVEY (Oxley) (12:36):** I inform the House that last week I hosted a visit by the Minister for Corrections, Minister for Emergency Services, and Minister for Veterans Affairs, David Elliott. He was warmly welcomed. While visiting the newly renovated Kempsey Fire Control Centre the Minister and I had the chance to meet many hardworking volunteer firefighters from the Yarrahapinni-Stuarts Point and Scotts Head rural fire brigades. The reason for their smiles—apart from the fact that they live in the best electorate in New South Wales—was that the Minister handed over the keys to two new fire trucks. The trucks are worth more than \$200,000. The New South Wales Liberal-Nationals Government is investing \$2.69 million in new or upgraded Rural Fire Service [RFS] vehicles and facilities across the Oxley electorate. Overall, seven local RFS brigades will receive new fire trucks, two more will receive station upgrades, and facilities will be upgraded at two fire control centres.

These new facilities will allow our volunteers to continue to be supported by the latest technology and equipment while they assist my local community in times of need. The extraordinary effort and sacrifice of volunteers in rural fire brigades cannot be overstated. They are the first line of defence and support in times of crisis. It is good that the New South Wales Government continues to support these dedicated volunteers by investing in new technology and equipment. A volunteer from the Scotts Head RFS is also a prominent volunteer in the Macksville-Scotts Head Surf Life Saving Club. Such is the wont of country people who work to keep our communities safe, both from fire and in the surf.

The Minister and I spent some time at the Mid North Coast Correctional Centre before we visited the RFS, and we gained a valuable insight into the quality of the staff at that facility. The senior leadership of Corrective Services took the opportunity to highlight to the Minister the training provided by the facility. It employs and trains local people for really good jobs. The quality of staff at the jail is testament to the leadership of the organisation and to the people of the Macleay Valley. Many of those people also contribute to the community through their involvement in fire brigades, surf lifesaving clubs and the State Emergency Service. The quality of staff at the correctional facility is commendable, and I note the revenue that the facility returns to our community.

We then headed to Frederickton Public School, a beautiful school in Frederickton which many people would be aware is also the location of Fredos Pies. We met with students from the senior classes in Frederickton Public School and with senior members from the Kempsey Macleay RSL Sub Branch—an important meeting. We announced a grant of \$8,786 which will go towards restoring the memorial at Frederickton Public School which honours the memory of 54 men from the local area who enlisted in World War I and 13 men who did not return home. Interestingly, two of the students with whom we met were descendants of the men whose names are on that plaque. I congratulate the school and the deputy principal on their amazing work in researching family trees, tracking the history and making it alive and relevant to students at the school. We met with John Supple, Alan Goulder, branch secretary, and others from the Kempsey Macleay RSL Sub Branch.

At Bowraville we toured the Frank Partridge Military Museum, an incredible museum that is testament to the hard work of many fabulous members from the Kempsey Macleay RSL Sub Branch, the Bowraville community, and in particular Bluey. The museum houses a collection of military memorabilia such as medals, uniforms, armoury vehicles and art that endeavours to cover all Australian involvement in conflicts from World War I to modern conflicts. The museum holds the largest collection on the mid North Coast and includes a reference library, a Bofors anti-aircraft gun and a World War II jeep. The museum is named after Private Frank John Partridge, VC, a veteran who grew up near Macksville which is located in the valley. He was awarded a Victoria Cross for his bravery during a machine gun grenade and rifle battle with Japanese forces on 24 July 1945 in northern Bougainville. The highlight of the day was when the Minister for Veterans Affairs walked into the museum and came across one of his colleagues with whom he had served in Bougainville—someone he had not seen for years but that he recognised immediately. The stories that they told later in the pub were very entertaining.

### COMPULSORY PROPERTY ACQUISITION PROCESS

**Mr JAMIE PARKER (Balmain) (12:41):** I address the issue of the broken, unfair and unjust system of compulsory acquisitions in New South Wales where the rights of property owners are inferior to other States, and where residents and business owners are financially pressed into accepting inferior valuations for their properties. This should not come as news to the Government because in 2013 the Joint Standing Committee on the Office of the Valuer General published a major report into the New South Wales land valuation system. The committee, which was dominated by Government members, found that the compulsory acquisition system is "unfair and inadequate". The committee made 25 recommendations and said in part:

The entire approach to objection and compulsory acquisition valuations requires a paradigm shift where landholders are no longer seen as the receiver of a valuation notice but rather as an interested party whose views and opinions are entitled to be heard.

Furthermore, in relation to legal rights the report states:

The current costs associated with litigation in the Land and Environment Court represent a material barrier to the enforcement of legal rights.

It is clear that this report was not acted on and the 29 recommendations were not adopted. Even worse, nearly two years ago the Government commissioned a report on compulsory acquisition of land and property for construction projects which cost almost \$100,000 but that report has not yet been made public. With the increase in the volume of compulsory acquisitions over the past few years it is more important than ever that the process is financially fair and that it is conducted sensitively. The Government has merely tinkered at the edges of a system that—to quote the committee's report—requires a paradigm shift.

A home is far more than bricks and mortar with a dollar value put on it; it is a vital part of our identity. The family home or a family business is a place where people can feel safe, where they raise their families and where they put down roots. It is a base from which they become part of the local community. They get to know their neighbours and their homes are where they make long-lasting memories. Being evicted from one's home is probably the most stressful and distressing event that one could ever experience. A few weeks ago another 29 households in Rozelle in my electorate found out through the televised evening news that their homes were to be acquired for the WestConnex project. Many of those families have owned their homes and their businesses for generations and they are shattered by this news.

Some months ago Premier Baird announced that the acquisition process "could have been more compassionate". His idea of compassion is that the Government knows from its secret report and from the standing committee report that root and branch reform must occur but no action is taken. We know it is not over yet as more homes and businesses are set to be forcefully taken away and destroyed as a result of the WestConnex road building project. I am working with residents who are distressed as their homes have already been compulsorily acquired. That situation is compounded by the fact that they are being charged rent for the homes in which they are now living. They have been issued with letters and they have the right to appeal the decision. While they are waiting to obtain legal advice they are being charged market rent for their homes even though all the properties surrounding them are unoccupied. They have to pay rent on top of their mortgages while they contest these valuations.

These people are simply seeking to pursue their legal rights as they are being charged rent for properties that they no longer own. That is not required by Roads and Maritime Services, the Act does not require it and a compassionate government would not charge people rent while they are pursuing their legal rights. Roads and Maritime Services is railroading people into accepting valuations, many of which are well below market rates, as has been illustrated in the media. For some people having the family home taken has meant that they are priced out of the area entirely, uprooting vital social and community connections and causing untold distress. The Government said that the new tunnel that is being proposed for Rozelle will be accompanied by parkland but so far it has been unable to produce specific plans for the location of noise barriers and exhaust stacks. Without this information local people are unable to make plans for their future. In this context I am referring not only to acquired homes but also to neighbouring homes.

I share the commonly held view that the WestConnex project is a ludicrous waste of money that should instead be invested in world-class public transport. Today I call on the Premier to adopt the recommendations of his own parliamentary committee, to release the secret report that was commissioned, and to take concrete steps to improve the acquisition process before the lives of many more people are ruined. I also call on the Government to release proper details of the planned interchange in Rozelle so that community members can obtain the information they need to ensure that they make strong and good decisions for the benefit of their families and the community.

**TRIBUTE TO JOHN MICHAEL STRINGER****Mr ANTHONY ROBERTS (Lane Cove—Minister for Industry, Resources and Energy) (12:46):**

Today I honour the volunteers of Marine Rescue NSW and put on record the remarkable achievements of the late Mr John Michael Stringer. Mr Stringer gave more than 30 years of work and advocacy to all volunteer and emergency services in New South Wales, in particular our State's marine patrol and rescue services. I cannot speak highly enough of the enormous contribution Mr Stringer made to the safety of people in this State. Mr Stringer, a man of unstoppable energy, approached every problem and challenge in those 30 years with enthusiasm and drive, which did him great credit.

For more than 25 years Mr Stringer was a tireless advocate for consolidating the diverse marine safety and rescue organisations into a single body, before joining the Marine Rescue NSW Facilitation Group—the body responsible for the creation of Marine Rescue NSW in 2010. In addition, throughout this time Mr Stringer was also a strong advocate for a water police that was better equipped and consolidated under a single command unit. Mr Stringer's commitment was such that he registered his own vessel as a rescue boat and performed 900 rescue missions. More than 260 of those missions were responsible for saving a life, often in dangerous conditions, including a rescue that involved Mr Stringer swimming a line to an injured sailor on the rocks off Pittwater during heavy seas.

It is estimated that a further 1,800 Australians received assistance from Mr Stringer and his crews and not only on the water. Mr Stringer is credited with the use of waterborne lifeboat pumps as pumping stations for fighting the 1994 bushfires on the Pittwater foreshore. Mr Stringer represented Australia at the 1983 International Lifeboat Conference, which resulted in amendments being made to the requirements for lifesaving equipment on ships, for which Mr Stringer was a strong advocate in Australia. Additionally Mr Stringer undertook a number of international training tours across the world, including Asia developing ties and establishing lines of communication with other marine rescue organisations.

Mr Stringer's contributions to the maritime safety of New South Wales include commanding the coastal patrol fleet of the Sydney Hobart Yacht Race starts for some 28 years, the operational command of the coastal patrol fleet at the Royal Australian Navy seventy-fifth celebrations, the Bicentenary and the Sydney 2000 Olympic Games. This is only a small sample of the great work that Mr Stringer undertook throughout his decades of service to the people of New South Wales. Mr Stringer's legacy is the result of his development of the strategic master plan for the Royal Volunteer Coastal Patrol, which established a medical unit and water ambulance service, firefighting units, fast response units, as well as later significant contributions towards a unified system of rescue and emergency services, again contributions that shaped the formation of the integrated Marine Rescue NSW.

Mr Stringer's service is estimated to exceed 45,000 hours of unpaid work, in addition to a career of full-time work in construction, transport and as a successful author, which is remarkable. Mr Stringer's books are highly regarded histories of this State and his book *An Illustrated History of Sydney Harbour* is today used by the Royal Australian Navy as a gift for foreign visitors. Mr Stringer's commitment to the development of Marine Rescue NSW has been tireless. In May 2014 I was honoured to be invited by Mr Stringer, in his capacity as the Director and Commissioning Coordinator, to the commissioning of the Marine Rescue vessel *MH30*. Today that vessel operates within the boundaries of my electorate.

It is appropriate that today we honour the life of John Michael Stringer; his service to the people of this State should serve as an inspiration to us all. The direct impact of Mr Stringer's actions to protect the people of this State as well as his work in providing the volunteers of Marine Rescue NSW with better equipment, coordination and training are incalculable. Throughout the course of his life Mr Stringer's service and dedication have been recognised a number of times. Mr Stringer was awarded the Emergency Services Medal, the first person to be invested with this honour from New South Wales, the Maritime Medal, the National SAR Award and the Order of Australia. I think it is appropriate that today we recognise the service of Mr Stringer one more time. Mr Stringer was a good friend of mine and my two boys, John and Sam. He will always have my enduring respect and admiration, and he will be sorely missed by the people of New South Wales.

**Mr GARETH WARD (Kiama) (12:51):** I commend the member for Lane Cove for bringing to the attention of the House the exemplary service of a great citizen of New South Wales, Mr John Michael Stringer. There is no doubt that all of us with coastal electorates understand the importance of the role that marine rescue and emergency services play. Today the member for Lane Cove outlined the extraordinary contribution of Mr Stringer. He mentioned the decorations received by Mr Stringer and the fact that Mr Stringer committed over 45,000 hours of his life to the service of citizens of this State. I am sure this was an incalculable contribution in his input to his community. Clearly Mr Stringer was one of the great citizens of this State who exemplified the adage "Service above self". We commend the member for Lane Cove for his commitment to emergency services in his electorate and for recognising a great citizen and his outstanding service to the people of our State.

### PEMBROKE LODGE AGED-CARE SERVICE

**Mr ANOULACK CHANTHIVONG (Macquarie Fields) (12:52):** As a member of Parliament one gets to meet so many decent, hardworking people in one's electorate. It takes a special kind of person to be engaged as an aged-care nurse. Patience, compassion and a healthy dose of humour are the kinds of attributes that help to bring comfort and care to thousands of elderly people, and certainty to the families concerned about the quality of that care across our State each and every day. Last month I visited residents, relatives and special guests at the aged-care facility Pembroke Lodge, Minto to bid farewell to Lorraine Rushbrook, the outgoing facility manager. In joining this community, it became immediately apparent to me that the caring nature of the nursing staff is of a high standard. The staff there see their role as more than just a profession but rather as a personal passion to care for others less physically able than themselves.

Lorraine was retiring after 11 years at the facility, having taken the reins when Pembroke Lodge first opened its doors in 2005. After more than 40 years of nursing, Lorraine had decided it was time to focus the rest of her time on enjoying and being with her family. Patients and her professional staff told some very personal stories about Lorraine and the joy she brought to them. They were genuinely touching speeches. It was apparent to me that this was no ordinary staff retirement farewell but one filled with sincerity and a touch of sadness. Given the attendance of residents and staff at the farewell party, it was clear that Lorraine had touched many people's hearts over the years. During her time at Pembroke Lodge, Lorraine had welcomed more than 400 residents, taking on the responsibility of care with boundless energy and a passion for looking after others. It was no wonder there was not a dry eye in the house that day.

I have come to know Lorraine over the years and I can say that she is one of the kindest and most humble people I have met, always armed with a smile and ready for a chat. Lorraine developed a rapport with many of the residents and their families, often going beyond her professional duties to deliver an extraordinary quality of care. It was no wonder then that no-one really wanted her to retire. I would like to acknowledge Lorraine's commitment to the wellbeing of the residents of Pembroke Lodge. Lorraine was always determined to provide personal, physical and emotional support to the residents, while respecting the rights and preserving the dignity of all those residing at Pembroke Lodge. Whenever necessary, Lorraine became both confidante and advocate for the residents, developing a rapport with each and every one of them and their loved ones. In fact, Lorraine saw her role as the mother of the Pembroke Lodge family, displaying a genuine interest in the positive dynamics of every resident and taking pride in sustaining a caring and nurturing home environment. Indeed, there is no better reflection of Lorraine's contributions than a poem penned by 93-year-old Pembroke Lodge resident, Phyllis Fox, a part of which reads:

We are sad to say goodbye—we will miss you lots,  
It's hard to speak when our hearts are in knots  
But we will remember your hugs and your kind smiles  
And the cheerful way you solved our trials.  
Most of all, your sympathetic love  
When residents have been called above.  
Please, accept our gratitude and praise  
And enjoy your well-earned 'Retirement Days'.

I share the sentiments of Phyllis and all of the Pembroke Lodge residents, families and friends in wishing Lorraine all the very best for her retirement. I know that Lorraine's hard work will continue in many other ways in our community as she will still help those in need, particularly our elderly. I look forward to seeing Lorraine, who is a resident of my electorate, around the traps and I wish her and her family all the very best for the future.

### TEMORA SUPPORTED ACCOMMODATION

**Ms KATRINA HODGKINSON (Cootamundra) (12:56):** I again bring to the attention of the House the need for supported accommodation in the township of Temora in my electorate of Cootamundra. Last Saturday I attended a meeting of citizens of Temora in Narrandera during which it was brought to my attention that the need for supported accommodation in the area has never been greater. I have raised this issue with the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism, John Ajaka. I am aware that the National Disability Insurance Scheme [NDIS] comes into force in the western parts of my electorate on 1 July 2017. I look forward to the rollout of this service throughout my electorate, which is currently underway in the eastern parts of my electorate.

As expected there have been some hiccups in the rollout and it will be good to have those ironed out before the rollout is complete, but there is still some significant time to go until then. I am genuinely concerned about some matters that have been brought to my attention and I reflect on two letters I have received from Mrs Pat Thomas, a wonderful carer who has been recognised for her amazing work in Temora. Mrs Thomas was awarded the Order of Australia medal on Australia Day this year, a mark of how much she is respected by her

community. Mrs Thomas said she had had two visits from the Australian Disabled Access Consultants [ADAC] after our meeting with Minister Ajaka. She wrote:

Our situation for our 2 most desperate carers is desperate. Mrs Loader (dementia) gave her son her medication—and she took his—thus she is being transported to Wagga Hospital in intensive care. Poor Toni remarked "I can't do this much more." Marie Williams (twin's mother) fell in Wagga Dec. and broke her wrist badly—skin off face arms, legs bruised badly. Still recovering. Group home is a desperate need. Thank you for your help. Within the last week Ms Thomas wrote to me stating, "We have a very desperate need. Now we have two very frail mothers, one with twin boys aged 45 and another aged mother with early dementia and a son who is 51 who is legally blind. If these young men had to leave Temora they would die." The letter includes further comments about their plight. As the National Disability Insurance Scheme will not come into effect until next year, Temora Shire Council is keen to achieve a short-term solution. Temora is relatively isolated; it takes more than one hour to travel to Young or Wagga Wagga. It is a self-sufficient town. The need for supported accommodation in this wonderful community has never been greater. I encourage Minister Ajaka to provide assistance to set up a short-term solution until the commencement of the NDIS on 1 July 2017. It is challenging to care for people aged in their late forties and fifties. A solution must be found to this serious issue during the period prior to the introduction of the NDIS. I thank Temora mayor Rick Firman and general manager Gary Lavelle and all those involved in the care of these vulnerable people in our community.

### GOULBURN ELECTORATE COMMUNITY ORGANISATIONS

**Ms PRU GOWARD (Goulburn—Minister for Mental Health, Minister for Medical Research, Assistant Minister for Health, Minister for Women, and Minister for the Prevention of Domestic Violence and Sexual Assault) (13:01):** This afternoon I bring to the attention of the House a number of wonderful community groups and organisations in my electorate of Goulburn. It has been an extremely wet winter, with the southern region experiencing rain for more than half of July. A number of properties, roads and bridges have been flooded. Our local State Emergency Service teams have been kept extraordinarily busy; in many cases they have risked their own lives to save the lives of others. Many of the local volunteers have families and full-time jobs. These women and men have given up shifts at work and precious time with their children to keep the community safe. It is testament to their selflessness, compassion and determination. I am so proud that communities across my electorate have these brave people to call upon in times of need.

The treacherous conditions in areas around the Yass Valley, Cooks Vale, Goulburn and the Southern Highlands have resulted in the loss of cars, livestock, property and, sadly, human life. We are blessed with hundreds of volunteers at local SES stations. I thank the teams at Sutton, Collector, Yass, Gunning, Boorowa, Bigga, Goulburn, Crookwell, Windellama, Wingecarribee and Mittagong. Equally, I thank all our emergency service personnel, including paramedics, firefighters and police, for keeping our community safe during this wet and chaotic winter. I acknowledge their stoic response to recent traumatic accidents on the Hume Highway and local roads. We are eternally grateful for their willingness to serve the community and the many visitors to the area. I thank the front-line police and staff of the Hume and Cootamundra local area commands and the paramedics in Yass, Boorowa, Bigga, Goulburn, Crookwell, Windellama, Canyonleigh, Bundanoon, Moss Vale and Bowral. Thank you, thank you, thank you.

I congratulate Lauren Brook, Taylor O'Brien and Amelia Brook from the Moss Vale Girl Guides on their selection to represent Australia at two international girl guide jamborees next year. These fearless, extraordinary young women will be travelling to England as part of a 20-strong Australian Girl Guides contingent. I am proud that they have been chosen to represent us. I understand that only six women are selected from New South Wales. For Moss Vale to fill three of those six positions is a true honour. Lauren, Taylor and Amelia are a credit to their families, the local guiding community and the wider Moss Vale community. Their selection is another step forward in their leadership journeys, and I am proud to support them. I encourage the local community to support them through sponsorship. I wish them all the very best as they collect sponsorship money and prepare for their trip.

I thank the Goulburn community for its unwavering support and generosity toward the Goulburn St Vincent de Paul on Auburn Street. Its premises suffered irreparable damage from a deliberately lit fire at the rear of the Centrelink building. I am proud to tell the House that the community responded immediately with bags and bags of donations of winter woollies and blankets to the Verner Street warehouse and my electorate office. My meeting room rapidly filled and was overflowing with the goods donated by Goulburn residents. A couple of trailer loads were required to transport the goods back to the warehouse. It is important for me to recognise this goodwill in the House. I thank the residents of Goulburn and the surrounding villages for their generosity and community spirit.

Last Saturday night the Goulburn community stumped up over \$32,000 at a charity auction in support of SouthCare patient retrieval service. The auction formed part of the SouthCare community ball. I congratulate Tamara Creagh, Kylie Wilson, Troy Cook and Amy Cook on their efforts in organising a great night. I congratulate Moss Vale business Highlands Drive Safe on being nominated as a finalist in the micro business category of the New South Wales Telstra Business Awards 2016. Sue and Murray Tyler, together with their son, Chris, established this local business. Over several years of operation they have received a number of significant business

accolades for the professional service they provide to trainer drivers in the Southern Highlands. Their ability to adapt and innovate through legislative, regulatory and industry change is a wonderful achievement. I am pleased that this family business has been recognised as an important part of life in the Southern Highlands.

**Mr GARETH WARD (Kiama) (13:06):** No community understands the value of giving better than regional communities and no-one understands the Goulburn electorate better than its local member. I pay tribute to the member for Goulburn for recognising important regional community organisations in her electorate, such as the State Emergency Service. Every member of this House appreciates the extraordinary efforts that volunteers invest in times of crisis. I pay tribute to Moss Vale Girl Guides Lauren, Taylor and Amelia. There is no greater example of women in leadership than the member for Goulburn. The member is an extraordinary representative of her electorate and a great ambassador who encourages young women into leadership. I wish those three girls luck as they represent Moss Vale and New South Wales overseas. I recognise SouthCare and the wonderful work it does in the community. I congratulate the member for Goulburn on being such a fierce advocate for these community groups in this place today.

#### PORT OF NEWCASTLE

**Mr TIM CRAKANTHROP (Newcastle) (13:07):** Since October 2014, when I was elected to this Parliament, I have been working to obtain answers from this Liberal Government about the detail of the dodgy deal done to privatise the Newcastle port. That dodgy deal penalises the Port of Newcastle if it competes against other privatised ports in the State in relation to shipping containers coming into Newcastle. I have asked 37 questions in Parliament about this issue only to receive non-answers, redirections and contradictory responses. In total, 160 questions have been asked and ignored. This Government has been lying through its teeth for a long time, but now we have the answers.

The *Newcastle Herald* has exposed this strictly confidential port commitment in a document that explains how the operator of any future Newcastle container terminal will have to pay compensation to the Government, and ultimately to Port Botany and Port Kembla. The document states, "The State of New South Wales has made contractual commitments to the private lessee of Port Botany and Port Kembla to make certain payments to New South Wales ports in respect of future container capacity development at the Port of Newcastle." This document reveals that Newcastle will have to pay compensation of more than \$1 million per ship to rival ports if it moves more than 30,000 containers per year. That amounts to only three ships before payments have to be made.

What was the Treasurer's response to this dodgy deal? It has been to provide more non-answers, more redirections, and more contradictory statements. It is outrageous that the Treasurer has failed to acknowledge the dodgy deal that the Government has done to the detriment of the people of Newcastle but it is not surprising, given this Government's past behaviour. On face value, this dodgy deal could rob Newcastle of jobs, investment and opportunities. The Government would have the Parliament and my constituents believe that it is trying to revive Newcastle and make it a world-class city, but it is simply robbing us blind. Not only has it given the job of manufacturing the light rail components to Spain, closed down regional State government offices, and continued to slash and burn TAFE to the ground it also has destroyed future jobs, industry and opportunities in Newcastle.

Newcastle is home to a major port that could be developed as a container terminal that would supercharge local job opportunities, improve linkages across the State and provide new commercial opportunities. This document demonstrates that the privatisation process includes provisions designed to restrict the development of container capacity in Newcastle by imposing a financial penalty that would make such a development uneconomical. I was concerned when I read this document because it is designed to present a serious obstacle to the development of a container terminal and to prevent job creation in Newcastle. It will also have an anti-competitive effect on the provision of port services in New South Wales.

The Opposition is calling for a parliamentary inquiry into this secret government agreement because it penalises the Port of Newcastle for competing against other ports in the State. We need an inquiry into all the terms of the deal so that the public is fully aware of any other details the Government has hidden. It is time that the Government set the record straight. The only way that the people will know how they are being ripped off by Mike Baird is if we have a parliamentary inquiry. Mike Baird was the Treasurer when the ports were sold. Were these secret agreements drafted by his team? He must step up, face the music and be clear about what happened.

Mike Baird would rather treat Novocastrians as mushrooms—forever kept in the dark. We will not accept that and nor should we. This dodgy deal is an outrage, and it has Mike Baird's fingerprints all over it. The Premier should tell the people of Newcastle the truth, and establishing a parliamentary inquiry is the only way to ensure that happens. Newcastle has been artificially restrained for the benefit of the private owners of Port Kembla and Port Botany. This is an absolute disgrace.

**Mr GARETH WARD (Kiama) (13:12):** I will not be lectured to by the Labor Party about dodgy privatisation deals. It was the Labor Party that shut down Parliament to stop an inquiry into its sale of the State's electricity generators in the dying days of its last term in government. The Labor Government sold NSW Lotteries and the electricity retailers without any recourse to the public. The member for Newcastle continues to oppose a transaction that shifted old capital from one side of the balance sheet to the other so that the proceeds could be reinvested in his community. He opposed and voted against investment in his community. He talks in this place about dividing communities while supporting the retention of the rail line running through the middle of Newcastle and voting in his capacity as a local councillor to extend the light rail. The member for Newcastle is a basket of contradictions and what we have witnessed today demonstrates that he is a basket case in action.

### **O'SULLIVANS GARAGE, QUEENS PARK**

**Mr BRUCE NOTLEY-SMITH (Coogee) (13:13):** The electorate of Coogee has some outstanding family-owned businesses that are committed to delivering quality services to our community. On the weekend I had the privilege of joining the Mayor of Waverley, Sally Betts, and many others in celebrating the ninetieth anniversary of one such business—O'Sullivan's Garage in Queens Park. It has always been a family-owned business and has helped countless apprentices to get a start in the motor vehicle repair industry. Like many small businesses, O'Sullivan's Garage began its days as a backyard business. Eugene and Ellen O'Sullivan started the business at their home at 182 Denison Street in 1926, but it was not long before they had to move it to bigger premises. The business found a new home in a former stable that had been used as a bus depot, and it still operates at that site at 198 Denison Street.

Eugene and Ellen's son, Phil, joined the business in the 1950s as an equal partner and took over the business in 1962 when Eugene retired. In 2006 another Phil took over the business—Eugene and Ellen's great grandson and the first Phil's grandson—and he continues to run the business to this day. The anniversary celebrations were held at the wonderful garage, which has a long and fascinating history. Some of the machinery kept there dates back to the nineteenth century, but I am not sure whether it is still used. My family had a small printing factory when I was a child, and I had a wonderful childhood playing around the printing machinery and watching what the printers did.

In the early days, the O'Sullivan's secured a contract with Golden Fleece petrol, which is no longer with us. At one stage they even offered their own brand—Sullo Petrol—which sold for sixpence a gallon. Like many other businesses at the outbreak of the Second World War, O'Sullivan's Garage was subject to the Manpower Act and contributed to the war effort by keeping our country safe. The O'Sullivan's made parts for the Spitfire Merlin engines and Owen machineguns, and also provided the material used to protect the hull of the troop carrier the *Queen Mary*. They even made components for the boom nets used to protect Sydney Harbour from submarines.

The family continued to offer services to locals and at the end of the war it expanded to offer a new wheel alignment service, which was revolutionary at the time. That expansion enabled the business to help more apprentices to pursue a career in automotive repairs. On Saturday I was privileged to meet some of those former apprentices, many of whom are now senior citizens. O'Sullivan's Garage has been providing opportunities for apprentices for many years and it continues to go from strength to strength and to expand. Over the past 90 years it has become a well-known business in the area, and it has many loyal customers.

I committed on Saturday to taking my car there for a service, which is long overdue. I had to admit that every car I have owned has been towed away at the end of its life, which is evidence that I do not treat cars well. I am looking forward to my current car getting some tender, loving care at O'Sullivan's Garage. For a business to have provided unbroken service to the community for so long and to have been managed by the one family is a tribute to the family's business acumen and its commitment to quality service. I thank the O'Sullivan's for their warm hospitality on Saturday, and I look forward to celebrating the 100<sup>th</sup> anniversary in 10 years.

### **GERALDINE MORAN, LAKE MACQUARIE CITIZEN OF THE YEAR**

**Ms JODIE HARRISON (Charlestown) (13:18):** The role of non-government organisations in supporting our community is becoming more and more important as cuts are made to vital government services. Earlier this year, my constituent Geraldine Moran was honoured as Lake Macquarie's 2016 Citizen of the Year. Geraldine has now also been chosen as the Regional Youth Services Youth Sector Worker of the Year. Geraldine Moran is the chief executive officer, founder and driving force behind Centre For Hope. Five years ago Geraldine Moran saw a need to help young people aged between eight and 16 years who are not otherwise supported by government departments such as Juvenile Justice, Family Services, the Department of Aging, Disability and Home Care, and similar bodies. These are young people who are suffering adversity such as financial hardship, mental disorders, physical and learning disabilities, substance abuse, and suicidal tendencies, and who have experienced mental, physical and sexual abuse, school pressure or bullying and who, because of their circumstances, are suffering a significant degree of helplessness.



We know that up to 30 per cent of hospitalisations for teenagers aged 14 to 19 years are for intentional self-harm, assault and injury from accidents due to their predilection for risk-taking behaviour and substance abuse. Youth suicide accounts for nearly 20 per cent of all teenage deaths. In light of this, in 2011 Geraldine established the not-for-profit organisation Centre for Hope, which offers a program that aims to alleviate the psychological distresses and dislocation from the wider community that leads to self-harm and suicide in young teenagers. Centre for Hope assists both Indigenous and non-Indigenous young people who are considered to be in need of intervention to improve their educational and life outcomes. The aim of the centre is to empower young disadvantaged Australians to respect themselves, to connect to the wider community and to create an inspired life.

Centre for Hope has created several highly successful programs such as student mentoring, Wheels for Hope and the drop-in centre—both located at Lake Macquarie shopping centre—a Homework Centre at Windale library and the Supporting Families program. Centre for Hope has spread its wings to have a presence in Kurri Kurri, Raymond Terrace, Marrickville and Gilgandra. Centre for Hope is unique in that it provides young people who often have been identified as being at risk by their school with a coach and mentor—strong role models for these young people—who also support their families or carers. Mentors actively seek to link students to programs in the community such as surfing schools, sporting clubs, and boxing clubs, and they encourage students to participate in vocational activities.

Having a coach and a mentor dedicated to each young person's wellbeing, and listening without prejudice, means children and young people can express themselves, be heard and be connected with the right services and support. The coach and mentors focus on developing self-esteem and emotional intelligence, and on setting achievable goals. The coaching and mentoring programs consist of individual and group sessions in which young people are empowered to find direction in their lives. The group sessions involve work on emotions and how to deal with them, brain-gym exercises to improve learning, and self-esteem building exercises to help young people find purpose and direction in their life. It is wonderful, and a tribute to the program, that children who were previously mentored have become mentors.

Geraldine is committed to all the children and young people with whom she works. She is making a genuine difference in so many people's lives, and in their approach and attitude to life. Geraldine has dedicated, and continues to dedicate, her time and energy to assisting and empowering those around her and in doing so she has strengthened our whole community and transformed the lives of many. Geraldine is an inspiring woman and a worthy recipient of both Lake Macquarie's 2016 Citizen of the Year award and the Regional Youth Services Youth Sector Worker of the Year award. I wish Geraldine luck with her Telstra Business Women's Award nomination and I commend her for all the vital work she does for the people in the Charlestown electorate.

### SEVEN HILLS COMMUNITY ORGANISATIONS

**Mr MARK TAYLOR (Seven Hills) (13:23):** Today I commend three fantastic organisations operating in my electorate of Seven Hills, specifically for their work in assisting members of our local community: Sri Om Care foundation, St Clement's Anglican Church and TAD Disability Services. They all provide services to our locals that bring great benefit. Recently I had the pleasure of engaging with all three. Last week I presented the Sri Om Care foundation with a government grant of \$4,000. I thank the Sri Om Care foundation in Toongabbie for all its good work. It is a great privilege to acknowledge the foundation in this Chamber today.

The foundation does a fantastic job in bringing the community together through a variety of services, including delivering healthy living initiatives to more than 400 seniors per week; centre-based respite services and support; home care, including home visits and social support; culturally appropriate services to the culturally and linguistically diverse community; and advocacy services. I had morning tea with Sri Om and the participants in its activities in Toongabbie and I was delighted to take part in the senior morning yoga exercise. Any group that can find a way to bring the elderly in our community together for a healthy purpose deserves our praise in this House. It is groups like Sri Om that form the bedrock of our local community.

Just one week ago I visited Senior Minister Mark Tough at St Clement's Anglican Church in Lalor Park to see the upgrades to its facilities afforded to the church by a New South Wales Government Community Building Partnership grant. I am proud to have been able to secure funds to upgrade the church hall, which will mean that the church can expand its capacity to host not only its own congregation for informal events but also many community groups across the area. Whether it is running the Open Door morning teas or hosting Overcomers Outreach each month, St Clement's truly is an essential part of the Lalor Park and Kings Langley communities.

The grant will ensure that even more members of our community can get involved with the great work the minister is doing for the area. I especially congratulate and thank Minister Tough on the progress he has made in improving community unity by convening the Lalor Park Facilitating Opportunities for Community Unity and Strength group [FOCUS] which brings together community and service organisation leaders to advance the

interests of this community and the people who call it home. Lalor Park FOCUS is but another organisation that will greatly benefit from the upgrading of the hall facilities at St Clement's Anglican Church.

Last week I also visited TAD Disability Services in Northmead with Minister John Ajaka, the Minister for Ageing, Minister for Disability Services, and Minister for Multiculturalism to announce a New South Wales government grant through the Transition Assistance Program to assist with the transition of organisations such as TAD at Northmead to the National Disability Insurance Scheme, which officially launched in Seven Hills and Western Sydney at the beginning of last month. I met TAD's chief executive officer, Danny Kapustin, and his team—many of whom are local constituents—on site at Northmead. There could not be a more deserving organisation, especially for its work with kids with special needs.

The funds provided to TAD represent a portion of the \$4 million committed to this program by the New South Wales Government. This money will give TAD the opportunity to update its business plans and software capacity. TAD will then be able to expand its personalised assistive technology services to regional New South Wales. This is a truly great initiative by a government committed to ensuring that the transition to a once-in-a-generation support scheme runs as smoothly as possible. I thank the Minister for his efforts and for his attendance at Northmead. I commend the work of TAD to the House.

**TEMPORARY SPEAKER (Ms Melanie Gibbons):** It is always nice to hear my former workplace TAD get such a rap in the House. It is nice to hear the respect the member for Seven Hills has for TAD.

### **GYNAECOLOGICAL CANCER**

**Ms TANYA DAVIES (Mulgoa) (13:27):** Every two hours a woman in Australia is diagnosed with a gynaecological cancer. More disturbingly, every five hours an Australian woman dies from a gynaecological cancer. These are the very real and confronting statistics that signify the substantial toll and impact that this type of cancer is having on women throughout our country, our State, our communities, and within our households and families. Yet, sadly, they are cancers that fail to attract the attention and focus they warrant. They are the silent killers that persist. Gynaecological cancers involve the female reproductive organs, including the vulva, cervix, uterus, fallopian tubes and ovaries.

The fact that a woman living in Australia currently has a one-in-22 chance of being diagnosed with a gynaecological cancer during her lifetime should cause every member in this place to pause and reflect critically on that statistic and should spur us all on to ensure that girls and women in this State and beyond are better informed, supported and resourced. One such organisation whose mission is to do precisely that is the Australian Gynaecological Cancer Foundation, which is the peak national body for gynaecological cancers in Australia. As the foundation details, the impact of gynaecological cancers goes far beyond the individual woman who is affected. The silent killer impacts all aspects of a woman's life: her marriage, her partner, her children, her wider family and the community.

To tackle this dreadful disease, the Australian Gynaecological Cancer Foundation is actively raising funds and promoting events to educate the community about this cancer. In support of this important cause, it was a privilege that some of my staff and I attended the Australian Gynaecological Cancer Foundation's Vivid Retro Harbour Cruise on Friday 27 May. By doing so, we helped raise awareness and vital funds for research, preventative measures and treatments. Throughout the night, those in attendance were treated to various forms of entertainment, from dancing and karaoke to games and activities. I cannot emphasise enough how much I revelled in the relaxed and friendly environment that was borne from the positive company and collective sense of purpose that united all the guests on the cruise. I have to admit that I am not a fan of some of the great classic songs that we heard on the night from the likes of ABBA, no less, being referred to as "retro"—I grew up with those songs and I do not feel retro. Nevertheless, being able to dance or trying to dance while the dance floor was swaying on the waves and attempting to sing along to the hits made for a wonderful night. It was enhanced by the fact that the cruise coincided with the opening of the 2016 Sydney Vivid Festival.

I take this opportunity to extend my sincere thanks and congratulations to Ms Victoria Green, Ms Liana Bowes and Ms Rosemarie Church for hosting the Vivid Retro Harbour Cruise. Their collective efforts and the care that they exacted to execute this event were on display for all to see. Without hesitation I thank all the volunteers and supporters on the night who utilised their energy, various skills and talent for an important event. In particular, I recognise Ms Carmen Duncan, an Australian Gynaecological Cancer Foundation ambassador; Mr Michael Mannington of Volunteer Photography; our Rhythmboat operators Mr David Lazarus, Ms Elsa Barbarosa-Santos and Mr Glenn Ware; Mrs Betty Lee of Bowerhaus Jewellery; Mr Greg Green of Beverley Park Golf Club; Ms Lisa Banfield; Ms Miriana Bandeski-Krimizis of MBK Makeup, Peakhurst; Ms Tina Petrovski of Yours Truly Xo, Kogarah; and Ms Robin Yazbeck. The night would have been much less fun without the entertainment provided by Ms Rosie Campanella and Ms Dayna James-Gazi from Azura Music;

and Mr Brett Thomas of the Echidnas. Finally, I thank Mr Glenn Ware for being Master of Ceremonies and for his audio work.

Gynaecological cancers account for 9 per cent of all reported cancer cases in women in Australia. With an ageing and growing population, it is expected that the number of women diagnosed with a gynaecological cancer and relative to other forms of cancer will markedly increase. In light of this, we must continue to ensure that all that can be done is being done at a public policy level and at a government level to support research into the detection, prevention and treatment of gynaecological cancers, to raise and increase the awareness of this type of cancer, and to support research findings and publish results. I commend all those involved in the fundraising cruise for making it a memorable and successful evening.

**Mr GARETH WARD (Kiama) (13:32):** I commend and thank my friend the member for Mulgoa for bringing gynaecological cancer to the attention of the House. There is no doubt that all members, including me, have had a family member touched by cancer in some way, shape or form. There are many varieties of cancer. Today I learned that 9 per cent of women are affected by gynaecological cancer. It is important that we use this forum, as the member for Mulgoa has so ably done, to bring these concerns to the attention of members so that the support and resources provided through the health sector can reach those women who need assistance. Cancer is a great evil and an extraordinary disease. I am certain there will be a collective sigh of relief when a cure is found. Until then, I am glad that we have great champions in this place such as the member for Mulgoa, who is raising these issues to ensure they are brought to the attention of the Government so that they receive the support and resources they deserve.

**TEMPORARY SPEAKER (Ms Melanie Gibbons):** I will now leave the chair and the House will resume at 2.15 p.m.

#### *Visitors*

#### **VISITORS**

**The SPEAKER:** I welcome guests to the gallery this afternoon. I extend a very warm welcome to Dominic and Emily Smith, the brother and sister-in-law of the member for Ballina. I also welcome Mr Scot MacDonald, MLC.

#### *Commemorations*

#### **CENTENARY OF FIRST WORLD WAR**

**The SPEAKER (14:18):** A century ago, the Battle of Pozières in northern France had entered its second week. There can hardly be a name in the history of our nation so redolent with the idea of sacrifice. The Anzac forces were part of an heroic effort to capture the French village of Pozières and the adjacent ridge, and then hold that territory against a massive German counterattack. The Australians suffered 23,000 casualties, 6,800 of whom lost their lives. The scale of the disaster was, and remains, unprecedented in Australian military history.

Three Australians were awarded the Victoria Cross for their heroic actions during the battle. Private John Leak was cited for capturing an enemy stronghold by running forward under heavy machine gun fire at close range, throwing bombs into the enemy post, and then jumping into the post and bayoneting three unwounded enemy soldiers. Lieutenant Arthur Blackburn was honoured for capturing an enemy trench by personally leading his 50 men in five separate attacks. Claud Castleton was posthumously cited for venturing into no-man's-land one night under machine gun fire to retrieve wounded men from shell craters and bring them back to the trenches. He was shot and killed attempting a third such rescue. It is fitting to conclude today's statement with the words of the official war historian, Charles Bean, who wrote that the ridge at Pozières "is more densely sown with Australian sacrifice than any other place on earth". Let us not forget.

#### *Members*

#### **TEMPORARY SPEAKER**

**The SPEAKER:** I seek the indulgence of the House for Adam Sibery Crouch to serve as a sixth Temporary Speaker from today.

*Bills***MARINE LEGISLATION AMENDMENT BILL 2016****TAXATION ADMINISTRATION AMENDMENT (COLLECTION AND DISCLOSURE OF INFORMATION TO COMMONWEALTH) BILL 2016****APPROPRIATION BILL 2016****APPROPRIATION (PARLIAMENT) BILL 2016****STATE REVENUE LEGISLATION AMENDMENT (BUDGET MEASURES) BILL 2016****CRIMES (DOMESTIC AND PERSONAL VIOLENCE) AMENDMENT (REVIEW) BILL 2016****POINT TO POINT TRANSPORT (TAXIS AND HIRE VEHICLES) BILL 2016****LOCAL GOVERNMENT AND ELECTIONS LEGISLATION AMENDMENT (INTEGRITY) BILL 2016****Assent**

**The SPEAKER:** I report the receipt of messages from the Governor notifying His Excellency's assent to the abovementioned bills.

*Governor***ADMINISTRATION OF THE GOVERNMENT**

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

T F BATHURST  
Lieutenant-Governor

Government House  
Sydney, 12 July 2016

The Honourable Thomas Frederick Bathurst, AC, 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, His Excellency General The Honourable David Hurley, AC, DSC (Ret'd), being absent from the State, he has assumed the administration of the Government of the State.

**ADMINISTRATION OF THE GOVERNMENT**

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

DAVID HURLEY  
Governor

Government House  
Sydney, 26 July 2016

General David Hurley, AC, DSC (Ret'd), Governor of New South Wales has the honour to inform the Legislative Assembly that he has re-assumed the administration of the Government of the State.

*Motions***NOTICES OF MOTIONS**

*[During the giving of notices of motions to be accorded priority]*

**The SPEAKER:** Opposition members should take note that during the last session members who interjected were removed from the Chamber for the entire day. That ruling will apply to members who interject today. I will not use Standing Order 249A; I will use Standing Order 249, which removes members for the rest of the day.

*Question Time***HOSPITAL CHEMOTHERAPY TREATMENT**

**Mr LUKE FOLEY (Auburn) (14:22):** My question is directed to the Minister for Health. Given that inappropriate dosage of chemotherapy treatment has now been identified in six New South Wales hospitals, will the Minister assure this State's cancer patients and their families that chemotherapy dosage errors have not occurred in any other New South Wales hospitals?

**Ms JILLIAN SKINNER (North Shore—Minister for Health) (14:23):** Members know that the review into the underdosing or flat dosing of a particular chemotherapy medication was released today. This review was conducted by Professor David Currow, the Chief Cancer Officer of New South Wales and the Chief Executive Officer of the Cancer Institute NSW. It was a comprehensive review, which has made a number of recommendations in particular about St Vincent's Hospital. As a consequence of that review I have ordered a number of things to be put in place to provide assurance to patients right throughout the public hospital system in New South Wales. They include the Government providing \$6 million to fast-track and extend the rollout of an

electronic medications management system called Oncology Medication Information System, which will be used in conjunction with a program called eviQ, which provides the protocols for prescribing different doses of chemotherapy for patients with different cancers.

If any clinician underprescribes or goes off protocol a red flag will be raised, which would then be identified by the multidisciplinary team that is responsible for oversighting cancer patients. These multidisciplinary teams involve doctors of different specialties, pharmacology people, allied health professionals and nurses. The red flag will indicate whenever there is an off-protocol treatment and an investigation will be carried out. I have asked the Cancer Institute to be in touch with every chief executive of every local health district throughout New South Wales to get an assurance from them in writing that they have checked the protocol treatments of every public cancer patient in New South Wales for the past five years. That will be provided in written form and they will also give written confirmation that patients have provided consent to these treatments. That will be monitored by the Chief Cancer Officer, Professor Currow.

I have stated today and I will restate it for everybody: Anyone who has any concern about any doctor or any clinician treating them is required to, and should, report it to the Health Care Complaints Commission. If anybody in this place has a concern about the competence or treatment provided by a doctor their avenue of complaint is the independent Health Care Complaints Commission, which is continuing its investigation into Dr John Grygiel, the doctor in question at St Vincent's Hospital. If members of the public have any concerns about a treating doctor they should refer those concerns to the Health Care Complaints Commission for investigation.

**The SPEAKER:** I extend a very warm welcome to the Chief Executive Officer of the RSPCA NSW, Steven Coleman, who is in the public gallery.

#### **GREYHOUND RACING INDUSTRY BAN**

**Mr RAY WILLIAMS (Castle Hill) (14:26):** I address my question to the Premier. How is the Government acting to protect animal welfare in light of overwhelming evidence of systemic animal cruelty within the greyhound racing industry?

**The SPEAKER:** I warn members that if they interject during the subject matter of the question they will be removed from the Chamber. I will not tolerate that type of behaviour today or for the rest of this week.

**Mr John Robertson:** Zero tolerance.

**The SPEAKER:** The member for Blacktown is quite right: zero tolerance. I call the member for Blacktown to order for the first time. I remind members of my earlier warning: Those who continue to interject will be removed from the Chamber.

**Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:27):** I thank the member for his question. Importantly, he is a member who is prepared to stand up for his principles and beliefs.

**The SPEAKER:** I call the member for Blacktown to order for the second time. The member for Prospect will come to order.

**Mr MIKE BAIRD:** This has been a very tough decision. I can assure members that when I came into this place, as did probably every member of my Government, I had no intention of shutting down the greyhound industry—zero. It was the furthest thing from my mind. On the back of a comprehensive review, this Government has listened and responded in the only way it should—with a humane response. There is no doubt that some good people have been let down by the industry, but live-baiting was banned more than 60 years ago and it continues to this day.

**The SPEAKER:** The member for Maroubra and the member for Keira will come to order.

**Mr MIKE BAIRD:** It is time we drew to an end the animal cruelty that we have seen.

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

**Mr MIKE BAIRD:** I also make the point that some argue that this is the thin edge of wedge; it is not.

**The SPEAKER:** The member for Swansea will cease interjecting.

**Mr MIKE BAIRD:** This is about a specific industry on the back of a specific report. That is what we are responding to and that is it.

**The SPEAKER:** I call the member for Maroubra to order for the first time.

**Mr MIKE BAIRD:** Ask the question. I would not be going near this, mate.

**The SPEAKER:** The member for Maroubra will cease interjecting.

**Mr MIKE BAIRD:** There is an opportunity for the member for Maroubra in this. I would not be touching it, champion. We have responded this way because the commissioner said, "It is the view that the practices of animal cruelty are entrenched and the scale of animal death is unlikely to change." He said, "The culture of the industry has accepted that the destruction of large numbers of healthy greyhounds is simply an unavoidable feature of its operations." He then goes on to the question, "Can they be reformed?" Every member of the Opposition should listen to what he said: "It is one thing to formulate plans for the betterment of the industry; it is another matter to carry them out in the face of a recalcitrant industry."

The interim Chief Executive Officer [CEO] of Greyhound Racing NSW, Paul Newson, has supported the commissioner saying, after the *Four Corners* live baiting video was shown and the special commission of inquiry was put in place so the industry was under his stewardship, "It is frustrating to see the support that has emerged to defend the industry since the Government's announcement when we often had to deal with the outright denial of the significant animal welfare issues in the industry. On many occasions proposed reforms were dismissed and resisted by industry participants." That is what we have seen. There have been opportunities time and again for the industry to reform, but it has not reformed, so we have made the decision to stand up against animal cruelty. We want to ensure that cruelty does not happen. It must end. I know that many of those on the Opposition benches think the same, as they should.

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

**Mr MIKE BAIRD:** If one looks at the industry overall one sees that it is declining. The number of participants is declining—indeed, over the past few years it is down about 20 per cent. Attendance at tracks is down 26 per cent. The industry's own analysis shows that it is not sustainable into the long term from an economic point of view. It is shrinking; it is declining. We are seeing the wastage—that is, slaughtering innocent, healthy greyhounds. The estimate is between 48,000 and 68,000—that is 60,000 greyhounds that have been euthanised on the back of this.

**The SPEAKER:** Order! Opposition members will cease interjecting.

**Mr MIKE BAIRD:** We have seen evidence of live baiting. The words in this report on live baiting are, "common practice", "rampant", "extremely widespread". That means possums, kittens, piglets and rabbits have been used as part of the overall practice. About 20 per cent of the dogs that get to the track are found to be injured—2,300 a year. We have taken these actions very seriously on the back of this report; it has not been an easy thing to do. I would have thought that the Leader of the Opposition would think the same, the man of principle that he is—the "MoP". There he is, the MoP—man of principle. This bloke is unbelievable. Let me tell members why. One of the first policies he brought out was an animal welfare policy. "I believe in animal welfare. Look at me, look at me." Look at him. He put this policy out there. [*Extension of time*]

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

**Mr MIKE BAIRD:** On top of that, the Leader of the Opposition not only is a patron of the RSPCA and works for the Guide Dogs NSW/ACT but also when asked about greyhound racing at an animal welfare fundraiser with Verna Simpson, the director of the Humane Society, he said, "I would love to end greyhound racing."

**Mr Paul Lynch:** Point of order: My point of order is taken under Standing Order 73. If the Premier wants to launch a substantive attack he should do so by way of substantive motion.

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

**Mr MIKE BAIRD:** What a Leader of the Opposition. He believes in one thing: political opportunity—"Hello; see you later"! Forget principles; put them aside. He thinks, "If we can keep the industry going, we can support animal cruelty." That is what he wants to do. I do not know how it is going to play out—Labor: the party for animal cruelty. That is going to be cracking, brilliant.

**The SPEAKER:** Order! I call the member for Keira to order for the first time. I call the member for Cessnock to order for the first time. I remind Opposition members of my earlier warning regarding interjections.

**Mr MIKE BAIRD:** This is a difficult decision, and we will ensure that we work closely with the industry through the transition. We will look after participants as well as we can in the transition.

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

**Mr MIKE BAIRD:** We are a party that stands up for what we believe in.

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

**Mr MIKE BAIRD:** We are true to our word.

**The SPEAKER:** Order! The member for Maitland will stop shouting.

**Mr MIKE BAIRD:** We respond to the facts that are presented. We are not after political opportunity, which is what we get from the Leader of the Opposition.

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

#### **CANCER TREATMENT AT ST VINCENT'S HOSPITAL**

**Ms KATE WASHINGTON (Port Stephens) (14:35):** My question is directed to the Minister for Health. Will the Minister give the House an assurance that neither she nor her office was alerted to the chemotherapy underdosing at St Vincent's Hospital prior to February 2016?

**Dr Hugh McDermott:** You think babies dying is funny, do you? That would be right.

**The SPEAKER:** Order! The member for Prospect should not make those types of comments; he should restrain himself.

**Ms JILLIAN SKINNER (North Shore—Minister for Health) (14:35):** Yes, I became aware for the first time of the chemotherapy dosing when it was exposed in the media in February. At that point Professor David Currow from the Cancer Institute was asked to set up an independent review. He put out an interim report some time ago, and today he brought out his final report. That was the first I had heard of it. I know there are counterclaims, but they are wrong. This was the first time that I became aware or my office became aware of the underdosing of patients at St Vincent's Hospital. Professor Currow's report is comprehensive and it is easy to read, although it is full of clinical terminology, et cetera. It is on the NSW Health website. I suggest that people go on to the website and read the report if they are genuinely concerned about this incident or the protocols in respect of patient treatment.

#### **GREYHOUND RACING INDUSTRY BAN**

**Mr GEOFF PROVEST (Tweed) (14:36):** My question is addressed to the Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing. Given the overwhelming evidence of animal cruelty and culture of cover-up in the greyhound industry, where to from here?

**The SPEAKER:** Order! Opposition members will cease interjecting.

**Mr TROY GRANT (Dubbo—Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing) (14:37):** I thank the member for Tweed for his question and I acknowledge his interest in and knowledge of this issue that is before the Government and ultimately will be before the Parliament. The member has read the report and I am aware that he has met with numerous local stakeholders on this issue, not just in recent weeks or months but for some time. The member made a strong contribution to our discussions about this issue and raised questions about the Government's decision concerning the industry in The Nationals' party room last night, as did each and every member of The Nationals' team. I thank them all for their contributions relating to the industry and the way forward.

**The SPEAKER:** Order! Members will come to order, including the member for Balmain.

**Mr TROY GRANT:** The issue before this Government is an important one for the community to digest. It is a significant issue and I acknowledge that there are many different views on the decision that has been taken by this Government. The Nationals have taken the time to come together and discuss the impacts fully from every perspective. I thank my colleagues for their contributions.

**The SPEAKER:** Order! I warn members who interject that I will have them removed from the Chamber.

**Mr TROY GRANT:** In the time since the decision was taken to ban greyhound racing in New South Wales I have been talking to The Nationals members and to other members of the Government as well as the community. Last night's party room meeting was another opportunity for discussions to take place.

Two weeks ago the Premier and I, together with Dr John Keniry, AM, met with representatives of the greyhound industry. Dr Keniry is the Coordinator General of the Greyhounds Transition Taskforce. As the Premier articulated in the media, the Government cannot pretend to understand the shock and impact at a personal level but from day one it has acknowledged that there will be significant impacts. It is committed to ensuring that support is available for the industry from the beginning through packages and support.

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

**Mr TROY GRANT:** Dr Keniry is a man beyond reproach and well known to both sides of politics. Dr Keniry has served this State through a number of roles and has a proven track record of delivering balanced and fair advice to government on a range of important issues, which he will do on this issue. Both the Government

and Dr Keniry acknowledge that the work required to guide the industry to a humane and orderly closure while providing human support may well be the greatest task he has performed on behalf of government. Dr Keniry has started to engage with industry on how to best assist it and how the Government can wind down the industry in an equitable and fair manner.

Dr Keniry's terms of reference are simple: to be thorough and to be fair. I have absolute faith that he will deliver that outcome with the advice he provides to government. The Government is determined to help owners, trainers and breeders obtain alternative work and to keep their dogs if they choose to do so. It will give every dog that the industry does not retain the best chance of survival. The Government will partner with animal welfare agencies wherever possible to rehome the dogs. Once Dr Keniry has completed his consultation, his work will be made available to both the Liberal Party and The Nationals party rooms and to the community. I look forward to the community contribution that will assist Dr Keniry to understand the broad range of impacts.

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

**Mr TROY GRANT:** The Premier has outlined the reasoning behind Cabinet's decision. It was a difficult decision and taken with a heavy heart.

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

**Mr TROY GRANT:** As I repeated last night in The Nationals party room, there is no other viable alternative. If there were this Government would pursue it.

**The SPEAKER:** Order! I call the member for Maitland to order for the first time. [*Extension of time*]

**Mr TROY GRANT:** Every other publicly ventilated proposal for winding up the industry is deeply flawed. The Opposition wants to pick and choose from recommendations in the report numbered 2 to 80. The fact is that all 79 recommendations have to be adopted for the industry to continue, and it would still face major viability and animal welfare problems.

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

**Mr TROY GRANT:** The Labor Party has offered picture opportunities, misinformation and false hope. No workable proposal has been offered by those opposite to fix the industry and remove the animal cruelty. Since the Government's announcement it has become clear it was the industry's own submission to the Legislative Council inquiry in 2013 stating that without taking money from the thoroughbred and harness industries through the Inter-Code Agreement formulated in 1998 and 1999, 19 non-TAB tracks in the bush would be closed. Greyhound racing in the country would be gone.

What is the Opposition's workable viable option for country greyhound racing? It has none. This remains the industry's position. The Opposition would see an end to greyhound racing in the country without providing support, adjustment packages, or a plan for the humane treatment of those animals. It has no plan to support the people affected. Discussion about the decision has occurred and will continue in the days and weeks to come. It is a tough issue. This Government has the courage to make a decision for the betterment of animal welfare in New South Wales.

### HOSPITAL CHEMOTHERAPY TREATMENT

**Mr MICHAEL DALEY (Maroubra) (14:44):** My question is directed to the Minister for Health. Will the Minister explain to the House—given the errors in the dosing of chemotherapy treatments was first discovered at St Vincent's Hospital and has now been discovered at Orange, Bathurst, Macquarie University, St George and Sutherland hospitals—why a special commission of inquiry has not been called to comprehensively examine the issue and give absolute confidence to cancer patients in New South Wales?

**Ms JILLIAN SKINNER (North Shore—Minister for Health) (14:45):** I have previously addressed that question. There are ongoing investigations of treatments in those hospitals and they refer to the treating doctors that I have identified. The Cancer Institute will review current practice and practices for the previous five years to provide assurance to the public that cancer treatments are within protocol and appropriate. Should there be any deviation from those protocols an alert will occur through enhanced investment in the electronic medications management system.

### TAFE NSW

**Mr THOMAS GEORGE (Lismore) (14:45):** My question is addressed to the Minister for Regional Development, Minister for Skills, and Minister for Small Business. How is the New South Wales Government securing the future of TAFE NSW?



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

**Mr JOHN BARILARO (Monaro—Minister for Regional Development, Minister for Skills, and Minister for Small Business) (14:46):** I thank the member for Lismore for his question. I visited the member's electorate last week. It is a fantastic electorate. I had an opportunity to visit TAFE campuses and to meet with staff to talk through some of the changes outlined for the future of TAFE. Out of all the former TAFE institutes the North Coast is telling a great news story. For three consecutive years enrolments have risen.

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

**Mr JOHN BARILARO:** It has changed the way it delivers education to meet industry needs. It has become flexible with training in the workplace.

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

**Mr JOHN BARILARO:** They are looking at a variety of ways to deliver blended training. That is why the North Coast, through the leadership of institute director Elizabeth McGregor, is creating opportunities off the back of the Government infrastructure investment such as the Pacific Highway. The billions of dollars spent on that infrastructure will create a legacy of opportunity for young people to master the skills and training for a job today and into the future. I announced a new vision for TAFE NSW 2½ weeks ago. The announcement sought to debunk some of the myths and mistruths that have been placed in the public domain by those opposite.

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

**Mr JOHN BARILARO:** First and foremost, I made it absolutely clear that TAFE will continue to be the public provider.

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

**Mr JOHN BARILARO:** There is no privatisation plan for TAFE today or in the future.

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

**Mr JOHN BARILARO:** That has not stopped those opposite from saying that the Government plans to privatise TAFE. I made it clear that where there is a TAFE located today there will be a TAFE in the future. TAFE is not leaving town. The Government has committed to maintain TAFE as the heart of rural and regional New South Wales.

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

**Mr JOHN BARILARO:** The Government has spoken of moving the digital entity headquarters to regional New South Wales. Each and every month in 2017 the Government will open one new connected learning centre in regional New South Wales. This Government will ensure that students in remote and regional areas have the opportunity to access the best training available through the best provider, being TAFE NSW. Those opposite have criticised me and the Government, saying that TAFE was top-heavy and managers were being hired at the cost of teachers. This reform is about dealing with the overheads of TAFE.

**The SPEAKER:** Order! Opposition members will come to order and cease interjecting. Opposition members are obviously not interested in this subject matter.

**Mr JOHN BARILARO:** In 1998, 18¢ of the training dollar was spent on administration. Today that can be anywhere from 40¢ to 60¢. That is money spent on administration before one teacher is employed, one textbook is opened and one student enters a classroom. That is unsustainable. The Government has a responsibility to run an efficient organisation. It has repeatedly stated that every dollar saved as a result of efficiencies will remain in the skills bucket to create more opportunities. This Government will create more opportunities for people to enrol in vocational education in this State. However, in doing that, we must have fantastic, modern and flexible learning and teaching environments in TAFE. The average age of TAFE infrastructure is 29 years, and members have seen that ageing infrastructure.

This Government wants greater investment in new facilities, information technology and new opportunities to ensure blended training delivery. Of course, teachers and staff must be at the centre of that journey. In due course TAFE NSW will release an asset management plan. Members opposite have claimed that the Government will close campuses. Where there are surplus assets and an opportunity to recycle them, every dollar delivered will be invested in new TAFE assets—new classrooms, new theatres, new libraries, and new

technology—which will position the organisation for the future. TAFE has been around for about 130 years—*[Extension of time]*

**The SPEAKER:** I remind Opposition members that many of them are on one or two calls to order. They are now all on three calls to order. If members continue to interject they will be removed from the Chamber for the rest of the day. The House will come to order.

**Mr JOHN BARILARO:** We have probably been wrong over the past five or six years in not including in the journey the passionate teaching staff who are committed to training the young people of this State. I have committed that from now on we will include the teachers, administrators, managers and students in ensuring that we have a public vocational education provider that meets today's needs. More importantly, we must set up the organisation for the future. The Government has committed to continuing to support the most disadvantaged people in our community by providing fee-free access to those who cannot pay fees. However, the Government also believes that students who can pay should pay modest fees. Members opposite complain about what this Government has done with regard to fees. We need a modest co-investment by those who can afford it so that we can look after the most disadvantaged in our community.

I draw members' attention to an article in the *Illawarra Mercury* which refers to a 300 per cent increase in TAFE fees and which states that the Government is ripping apart TAFE, that there will be no exempt courses, that Aboriginal access to further study will cost up to \$350, and that the most disadvantaged in our community will no longer have access to free training. I point out that the article is dated 19 August 2003—that is, when Bob Carr was Premier of this State. It is disturbing that one of his advisers at that time is now the member for Londonderry. The member was an adviser to Uncle Bob, who presided over a 300 per cent increase in TAFE fees while neglecting the most disadvantaged people in the State. Despite that, members opposite criticise this Government's plans for the future management of TAFE. I have announced one TAFE that includes the people of New South Wales.

#### **BANKSTOWN-LIDCOMBE HOSPITAL**

**Ms TANIA MIHAILUK (Bankstown) (14:54):** I direct my question to the Minister for Health. The family of baby John Ghanem is reported in the *Daily Telegraph* as stating that Minister Skinner:

... told everyone she didn't speak to us because we asked for privacy but that is not true. We wanted to speak to her, to find out what has happened and know the truth.

Did the Minister mislead the public about the family's wishes?

**Ms JILLIAN SKINNER (North Shore—Minister for Health) (14:54):** No. This is an absolutely tragic event. Every time I have spoken about this issue I have begun by extending my sympathy and regrets to the families concerned: the Ghanem family and the other family, who wish not to be named. I have spoken to both families and I assure members that those conversations have been courteous. I found out about the issue at 5.00 p.m. on Thursday 21 July, and immediately put in place measures to find out what went wrong. I also ensured that the families were appropriately advised. The family of the injured baby was called into the hospital on the Friday, and the Ghanem family was seen on the Saturday. Those discussions were conducted by expert clinicians, doctors, counsellors and others.

I was advised that the first family wanted privacy, and that has been confirmed with me when I have spoken to them personally. The consultations with the second family, who experienced a great deal of distress, were conducted over the weekend. I was led to believe that that family also wanted privacy. If they have changed their mind and that is no longer the case, I will respect their wishes. The first family has been explicit that they do not want any publicity, they want their privacy respected, and I will honour that until my dying day. I am sure that every member of this place would do likewise. I have established a number of mechanisms to ensure that the families are looked after.

As I have said previously, I went to the hospital to inspect the theatre in question and the gas lines and outlets, and I have spoken with the nurses, doctors and counsellors in the birthing unit. Deidre, one of the nurses to whom I spoke, has been a midwife for 40 years, all of which she has spent at Bankstown-Lidcombe Hospital. She had eight years off to have her own children, who were all born at the hospital. The hospital provided extensive support to both families, and I have offered that support on a continuing basis. The Ghanem family has asked that any further contact with them be made through their lawyers. That was done today when we provided the lawyers with a copy of the interim report at 11.00 a.m., an hour before I spoke to the media.

First and foremost, I have tried to ensure that support for those families is the top priority. Independent investigations will be conducted into the installation, and a root-cause analysis team will be established, led by Professor Mike Nicholls, who is head of obstetrics at a northern Sydney hospital—he has no relationship with Bankstown-Lidcombe Hospital—and including engineers and other clinicians and representatives from the

Clinical Excellence Commission, which is charged with monitoring errors. That report is due to be tabled by the end of August. The Coroner has also been investigating the death of baby John, and the NSW Police Force has removed components of the gas fittings. I believe that everyone involved in this case is doing what they can not only to support the families but also to investigate what happened and to put in place measures that ensure it does not happen again, not only at Bankstown-Lidcombe Hospital but also at every hospital across the State.

**The SPEAKER:** I welcome participants in the Australasian Union of Jewish Students Annual Conference. Welcome to question time.

#### WESTERN SYDNEY PLANNING

**Ms TANYA DAVIES (Mulgoa) (14:58):** I address my question to the Minister for Planning. How are the Government's improvements to the planning system helping to boost jobs growth in Western Sydney?

**Mr ROB STOKES (Pittwater—Minister for Planning) (14:59):** The former Minister for Planning wanted me to commend him for his great work in the portfolio and for his role in boosting jobs in Western Sydney. But, first, I thank the member for Mulgoa for asking me this question and for her interest in jobs and growth and productivity in Western Sydney. In fact, she stands as a great example of promoting growth in Western Sydney; she goes on maternity leave with the best wishes of everyone in this place. To misquote Peter Costello: she has had one for mum and dad and now she is having one for Western Sydney—something I think all of us should seek to emulate.

**The SPEAKER:** The member for Blacktown has declined.

**Mr ROB STOKES:** Sydney is fast growing and fast changing. We are no longer a provincial city lost somewhere in the Southern Hemisphere. We are now becoming a great global city, and with great global-city status comes great challenges. Only the other day the Australian Bureau of Statistics indicated that our population has passed the five million mark. That provides a great challenge in regard to homes, but also a great challenge in regard to jobs. We have now surpassed in size some of the great global cities, such as Boston, Berlin and Barcelona; we are now bigger than all of those and we are fast catching up with Singapore, San Francisco and St Petersburg—or, as the member for Liverpool likes to remember it, Leningrad. The jobs challenge in Western Sydney is particularly real and stark. The population of Western Sydney is already 2.2 million and we know that it is likely to grow by a further million over the next 15 years. While we have seen great jobs growth in Western Sydney—between April 2011 and June 2016 we saw an increase in jobs in Western Sydney from 1.15 million to 1.24 million, which is an additional 90,000 jobs—

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

**Mr ROB STOKES:** —we still have a lot of work left to do. We know that currently about 320,000 people domiciled in Western Sydney need to travel outside the region every day to access employment opportunities. That provides a great challenge for us in regard to infrastructure to better connect homes and jobs. But it also provides a great incentive for us to create industry clusters and conglomerations right in the heart of Western Sydney. That is the vision behind the creation of the Western Sydney Employment Area. It was great to be out in Western Sydney with the member for Mulgoa and the member for Parramatta only the other day at Horsley Park to note the great development work proceeding there. We visited the premises occupied by DHL and owned by Goodman and we heard about expansion plans for this area of Horsley Park, which will generate around 2,000 new jobs. There have already been pre-commitments in this sector by great Australian companies such as Sigma Pharmaceuticals and by big international companies such as Toyota. That is just one example.

A little further down the road, supported by infrastructure provided by the Baird-Grant Government, is a \$100 million improvement to Wallgrove Road, which is fast nearing completion, and the Erskine Park Link Road, which was completed a short time ago at a cost of \$45 million. All these infrastructure improvements provide opportunities for the development of new industrial precincts—new conglomerations of skilled and semi-skilled jobs and all sorts of different types of employment. Also, we note last week the amendment to the Western Sydney Employment Area State Environmental Planning Policy to effect the rezoning of peri-urban land at Orchard Hills. *[Extension of time]*

The rezoning from rural to industrial will be effected in a well-located precinct to support the development of another 500 jobs right in the heart of the Western Sydney Employment Area, which will be the site of tens of thousands of jobs over coming decades, particularly with the development of Western Sydney airport. The member for Mulgoa, the member for Parramatta and I were able to have a great conversation with one of the workers currently at DHL. She is a delightful lady who told us that she lived at Greystanes and was not able to find work until the opening of these new facilities. She identified herself as an older worker and said that it was difficult for someone like her to find a job and that these new developments gave her the opportunity to find a job closer to home. In fact, her commute to work went east from one part of Western Sydney—Greystanes—

further east to Horsley Park, going against the trend that has dominated Western Sydney for too long. This lady was excited about her job, the people she worked with and the opportunities it provided to her and her family.

These are the sorts of jobs and opportunities we want to provide to our growing population—opportunities for people not to spend dead hours commuting but, instead, to work closer to where they live and be able to invest more time in their families and to build their communities. We are determined that as Sydney gets bigger it will get better as well. While we need to focus on greater housing supply we need to focus also on those connections between homes and jobs so that Sydney becomes a more sustainable city, a more liveable city and a more productive city. We are getting on with building tomorrow's Sydney and at the heart of tomorrow's Sydney will be jobs in Western Sydney.

#### **BANKSTOWN-LIDCOMBE HOSPITAL**

**Mr LUKE FOLEY (Auburn) (15:06):** My question is directed to the Minister for Health. Last Tuesday 26 July, 2GB's Ben Fordham said:

When this radio station made inquiries yesterday afternoon of the Health Minister's office we were told very, very clearly not to run the story.

Why did the Minister attempt to conceal from the public the tragic events at Bankstown-Lidcombe Hospital?

**Ms JILLIAN SKINNER (North Shore—Minister for Health) (15:06):** I have done more interviews in relation to this matter than any other matter that I have spoken about. I find it very hard to believe that my office said it, but I will check. But one of the things that really disturbs me is the fact that Opposition members are trying to politicise this issue. I am astonished at their behaviour, frankly. This issue concerns the death of a baby and serious injury to another. I have spoken to members of the media on every occasion they have asked me to. If I was not available to speak to Ben Fordham I am very sorry. I spoke to Chris Smith just before Ben Fordham's program, I have spoken to television, to radio and to all the print media. So it is certainly not true that I have been trying to avoid anyone.

#### **HIGHER SCHOOL CERTIFICATE REFORMS**

**Ms MELINDA PAVEY (Oxley) (15:07):** My question is addressed to the Minister for Education. How will the Government's reforms to the Higher School Certificate ensure students are well prepared for the demands of a changing workforce?

**Mr ADRIAN PICCOLI (Murray—Minister for Education) (15:07):** This Government is getting on with the job of reform in New South Wales. There is lots of media and lots of noise about all kinds of things but that does not divert the Ministers in this Government and all of the members from getting on with the job of improving what we do in New South Wales, and the area of education is no exception. Last week I was at Cherrybrook Technology High School to announce changes to the Higher School Certificate. This is the first time that significant changes have been made to the Higher School Certificate in more than 17 years. We were at the school with a fantastic group of young students who were doing science. We had a little look around the school at the \$5million worth of capital works that we are doing. The member for Epping joined me—he is doing a great job representing that school. The school is very happy with the reforms that we introduced. The *Daily Telegraph* reported:

Once these changes are fully in place by 2018, NSW graduates might end up with clear advantages over graduates from other states.

These changes will be welcomed by employers ... They should also be welcomed by students themselves. The NSW Business Chamber stated:

Making minimum literacy and numeracy standards an HSC requirement is a victory for young people and their employability.

The NSW Government's decision to introduce minimum literacy and numeracy standards for the HSC is overwhelmingly supported by the business community.

Remember that these are HSC changes across all three sectors. The Council of Catholic School Parents said it is pleased:

... these are changes across all three sectors, the council of Catholic school parents said they are blessed to see that the reforms name reduction of student stress as one of the aims of the reform.

**Mr Jihad Dib:** They will increase stress, Minister.

**Mr ADRIAN PICCOLI:** I will get to the Opposition spokesman in a moment. The *Sydney Morning Herald* editorial stated:

Employers can expect more job applicants with greater knowledge of maths, science and technology. Whilst many have already flagged fears of greater pressure performing year 9, that is hardly a reason to keep allowing students to fall through the cracks and study for the HSC without the necessary basics.

These are significant reforms to the way we will assess mathematics. It provides an incentive for students to study high-level mathematics courses and the subjects we want them to study if they have the ability. We have released updated syllabuses in English, maths, science and history. The number of assessments required per subject has been capped at four assessment tasks. We are updating and changing the way in which exam questions are asked during the HSC not only to encourage deeper analysis, but also to minimise the ability of students to memorise essays that have been prepared for them by others and to regurgitate them in exams. I said that I would reply to the Opposition spokesman and we in this Government always honour our commitments. The shadow Minister for Education said:

The State Opposition is concerned the Government has not flagged additional budget to help students meet the new Higher School Certificate standards.

**The SPEAKER:** Order! The member for Lakemba will cease interjecting.

**Mr ADRIAN PICCOLI:** Disadvantaged schools and students will need extra help to turn their results around. I remind the member for Lakemba of a significant event that occurred six or seven weeks ago. It is called the New South Wales budget. It occurs every year around the same time in June. He should read it; there are a few books about so big. I know he is relatively new to Parliament. He should have a look at the New South Wales budget; it is up by 7.5 per cent. Next year this Government, which signed up to Gonski first, will proudly see additional funding of \$889 million—\$313 million from New South Wales and \$575 from the Commonwealth.

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

**Mr ADRIAN PICCOLI:** Far from there being no additional funding, that \$889 million is on top of the indexation we make to our base contribution to education.

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

**Mr ADRIAN PICCOLI:** The resource allocation model, which is a needs-based funding allocation, gives additional funding to those schools that will require assistance to allow students to meet the minimum standard.

**The SPEAKER:** Order! I call the member for Lakemba to order for the third time. The time for questions has expired.

#### *Documents*

### **EXPERT PANEL ON POLITICAL DONATIONS**

**The SPEAKER:** I table a copy of correspondence from the Premier, and Minister for Western Sydney, to the Presiding Officers regarding implementation of the recommendations for the Expert Panel on Political Donations, chaired by Dr Kerry Schott, dated 30 June 2016.

### **FOREST AGREEMENTS AND INTEGRATED OPERATIONS APPROVALS**

#### **Amendments**

**The SPEAKER:** I announce receipt, in accordance with section 69H of the Forestry Act 2012, of Amendment No. 6 to the Integrated Forestry Operations Approval for Riverina Red Gum, dated June 2016, received out of session on 5 July 2016. I order that the document be printed.

### **AUDITOR-GENERAL**

#### **Reports**

**The CLERK:** I announce the receipt, in accordance with section 63C of the Public Finance and Audit Act 1983, of the Auditor-General's Financial Audit Report, Volume Three 2016, received out of session on 30 June 2016 and authorised to be printed.

#### *Committees*

### **LEGISLATION REVIEW COMMITTEE**

#### **Report: Legislation Review Digest No. 21/56**

**Mr MICHAEL JOHNSEN:** As Chair: I table the report of the Legislation Review Committee entitled "Legislation Review Digest No. 21/56", dated 2 August 2016. I move:

That the report be printed.

**Motion agreed to.**

**Mr MICHAEL JOHNSEN:** I also table the minutes of the committee meeting regarding Legislation Review Digest No. 20/56, dated 21 June 2016.

*Petitions*

**PETITIONS**

**The CLERK:** I announce that the following petitions signed by fewer than 500 persons have been lodged for presentation:

**SAFE SCHOOLS COALITION**

Petition requesting that the Government prevent the use of the Safe Schools Coalition program in government schools and support for holistic anti-bullying approaches, received from **Mr Thomas George**.

**SURRY HILLS LIGHT RAIL STATION**

Petition calling on the Government to build a second light rail station in Surry Hills at the Wimbo Park-Olivia Gardens site, using appropriate landscaping to minimise visual and noise impacts and provide a quality park for the local community, received from **Ms Jenny Leong**.

**ABORIGINAL CULTURE AND HERITAGE RECOGNITION**

Petition requesting legislation recognising Aboriginal people as the rightful owners of Aboriginal culture and heritage, and reforms of Aboriginal culture and heritage laws in New South Wales, received from **Ms Tamara Smith**.

**The CLERK:** I announce that the following petition signed by more than 500 persons has been lodged for presentation:

**LOCAL GOVERNMENT MINING VETO**

Petition requesting the provision of more powers to local councils to veto mining activities in their local government area, received from **Ms Tamara Smith**.

**The CLERK:** I announce that the following Ministers have lodged responses to petitions signed by more than 500 persons:

The Hon. Rob Stokes—Parramatta War Memorial Swimming Pool—lodged 31 May 2016 (Mr Geoff Lee)

The Hon. Duncan Gay—Warners Bay Traffic Lights—lodged 1 June 2016 (Ms Jodie Harrison)

The Hon. Duncan Gay—Marrickville West Public School Flashing Lights—lodged 2 June 2016 (Ms Jo Haylen)

The Hon. Paul Toole—Local Government Amalgamations—lodged 2 June 2016 (Mr Adam Marshall)

The Hon. Troy Grant—Powerhouse Museum Ultimo—lodged 21 June 2016 (Mr Alex Greenwich)

The Hon. Paul Toole—Pensioner Rebates—lodged 21 June 2016 (Mr David Mehan)

*Motions Accorded Priority*

**TAFE NSW**

**Consideration**

**Mr ADAM MARSHALL (Northern Tablelands) (15:15):** The recent Federal election saw a despicable campaign by those opposite peddling mistruths about TAFE in this State.

**The SPEAKER:** Order! Members will come to order. There will be no interjections during the three-minute speeches to establish priority. I will extend the speaking time of the member for Northern Tablelands if necessary.

**Mr ADAM MARSHALL:** Those opposite used our State's TAFE for political pointscoring in a Federal election, promoting the lie that there would be an apocalyptic demise of our public vocational education provider.

**The SPEAKER:** Order! I remind members that many of them are on three calls to order.

**Mr ADAM MARSHALL:** It was a disgrace; a dirty campaign that I thought would be repugnant even to members opposite. I know that a number of members opposite were not comfortable with the dirty campaign—and with good reason.

**The SPEAKER:** Order! Members will resume their seats and come to order. The member for Prospect will come to order.

**Mr ADAM MARSHALL:** This motion deserves priority so we can proudly say that TAFE should not be used for political purposes and the Opposition, instead of trash-talking TAFE and prophesying its demise, should be joining with members on this side of the House and backing TAFE. We should be lauding its achievements, promoting its value and championing its future. This motion deserves priority because during the recent Federal election campaign those opposite again publicly and embarrassingly demonstrated their ignorance of TAFE reforms. If it was not ignorance, they chose deliberately to mislead the public. Therefore, we have an obligation in this House to give them a little help, apply some Smart and Skilled and educate them about the true situation and the strong and vibrant future for TAFE in this State. We have to debate this motion today. We owe it to the wonderful institution of TAFE to set the record straight and to defend its honour, which has been besmirched by those opposite.

**The SPEAKER:** Order! The member for Londonderry will come to order. She will have a chance to contribute to the debate.

**Mr ADAM MARSHALL:** Opposition members are in desperate need of some education when it comes to TAFE and this motion provides that opportunity today. I ask the House to give this motion priority.

### BANKSTOWN-LIDCOMBE HOSPITAL

#### Consideration

**Ms TANIA MIHAILUK (Bankstown) (15:18):** I extend my heartfelt sympathy to the families who are experiencing immeasurable grief as a result of events at Bankstown-Lidcombe Hospital. It is nothing short of a tragedy. Bankstown hospital has one of the busiest maternity wards in New South Wales. More than 2,000 babies are delivered at the hospital each year. My three children were born there. I cannot fathom the pain that those families must feel. Over the past two weeks I have been approached by a number of constituents who are devastated by what has occurred. They are outraged at the Minister's response. Their confidence in their local hospital has been shaken. The other day I had to reassure a 60-year-old woman that it would be okay to have a gall bladder operation at Bankstown hospital this week. That is why my motion deserves priority. We need to reassure the community of Bankstown and Western Sydney that the health system is intact and can support families. The Minister for Health should establish an independent external investigation into the tragedies. It should not be NSW Health investigating NSW Health. The Minister conceded the following in her press release earlier today:

It is my strong belief that BOC Limited, which installed and certified the medical gas outlet, and Bankstown-Lidcombe Hospital, which was required under Australian standards to check it, will share responsibility for this tragedy.

Those are the Minister's own words. The Minister concedes that NSW Health will be investigating NSW Health. The Minister concedes that Bankstown hospital will share the responsibility. It should be an external investigation. The families deserve answers and our community deserves assurances that these events will never be repeated. We need to restore integrity and confidence in the New South Wales health system. The Minister for Health might recall that when she was in opposition she called for an independent inquiry into the tragic miscarriage of a child at Royal North Shore Hospital.

The member for North Shore demanded at the time that a full, open and independent inquiry be conducted, not by NSW Health. The then Labor Government agreed and established a joint select committee of inquiry of which the Minister was a member. What was good enough for the member for North Shore in opposition is not good enough for her now. Why does the gassing of two babies by poisonous nitrous oxide not warrant such an independent inquiry? One child is dead and another is critically injured. We now know of another baby who was similarly affected in 2014. The Minister said earlier that staff asked the family of baby Ghanem to come to the hospital on Saturday. That in itself should be investigated. Those family members are heartbroken that no-one visited them— [*Time expired.*]

**The SPEAKER:** Order! The question is that the motion of the member for Northern Tablelands be accorded priority.

**The House divided.**

Ayes .....49

Noes .....34

Majority.....15

AYES

Anderson, Mr K  
Baird, Mr M  
Bromhead, Mr S (teller)

Aplin, Mr G  
Barilaro, Mr J  
Brookes, Mr G

Ayres, Mr S  
Berejiklian, Ms G  
Conolly, Mr K

## AYES

Constance, Mr A  
 Davies, Ms T  
 Evans, Mr L  
 Grant, Mr T  
 Henskens, Mr A  
 Johnsen, Mr M  
 Maguire, Mr D  
 O'Dea, Mr J  
 Perrottet, Mr D  
 Roberts, Mr A  
 Skinner, Ms J  
 Taylor, Mr M  
 Upton, Ms G  
 Williams, Ms L

Coure, Mr M  
 Dominello, Mr V  
 Fraser, Mr A  
 Gulaptis, Mr C  
 Hodgkinson, Ms K  
 Kean, Mr M  
 Marshall, Mr A  
 Patterson, Mr C (teller)  
 Piccoli, Mr A  
 Rowell, Mr J  
 Speakman, Mr M  
 Toole, Mr P  
 Ward, Mr G

Crouch, Mr A  
 Elliott, Mr D  
 Goward, Ms P  
 Hazzard, Mr B  
 Humphries, Mr K  
 Lee, Dr G  
 Notley-Smith, Mr B  
 Pavey, Ms M  
 Provest, Mr G  
 Sidoti, Mr J  
 Stokes, Mr R  
 Tudehope, Mr D  
 Williams, Mr R

## NOES

Aitchison, Ms J  
 Car, Ms P  
 Crakanthorp, Mr T  
 Doyle, Ms T  
 Harris, Mr D  
 Hoenig, Mr R  
 Lalich, Mr N (teller)  
 McKay, Ms J  
 Minns, Mr C  
 Piper, Mr G  
 Warren, Mr G (teller)  
 Zangari, Mr G

Atalla, Mr E  
 Catley, Ms Y  
 Daley, Mr M  
 Finn, Ms J  
 Harrison, Ms J  
 Hornery, Ms S  
 Lynch, Mr P  
 Mehan, Mr D  
 Park, Mr R  
 Robertson, Mr J  
 Washington, Ms K

Barr, Mr C  
 Chanthivong, Mr A  
 Dib, Mr J  
 Greenwich, Mr A  
 Haylen, Ms J  
 Kamper, Mr S  
 McDermott, Dr H  
 Mihailuk, Ms T  
 Parker, Mr J  
 Smith, Ms T  
 Watson, Ms A

## PAIRS

Gibbons, Ms M  
 Hancock, Ms S  
 Petinos, Ms E

Smith, Ms K  
 Foley, Mr L  
 Hay, Ms N

**Motion agreed to.**

**The DEPUTY SPEAKER:** Order! Before I call the member for Northern Tablelands, I remind members that in excess of 12 of them are on three calls to order.

**TAFE NSW****Priority**

**Mr ADAM MARSHALL (Northern Tablelands) (15:28):** I move:

That this House:

- (1) Notes the Government's record \$73 billion investment in infrastructure over the next four years will continue to support a skilled workforce and secure a strong future for New South Wales.
- (2) Recognises the importance of TAFE NSW as the public provider for vocational education and training that provides career pathways for half a million people each year.
- (3) Supports the Government's plan to bring TAFE NSW out of the Dark Ages and become a modern, flexible and agile educational institution that meets the needs of students, teaching staff and employers. The New South Wales Government has an impressive record when it comes to the economy. We have built the strongest economy with the strongest jobs growth in the nation: more than 154,000 jobs created since April 2015, including 61,700 in regional New South Wales. That is more than the number created in Queensland and in Victoria. We have an ambitious infrastructure agenda, with a record \$73.4 billion investment over the next four years—building the bridges, roads, hospitals and schools that our wonderful State deserves. This Government is focused on securing a strong future for New South Wales. Along with providing the infrastructure and quality services that our State deserves, our legacy will also include a strong and skilled workforce.



Despite the noise made by those opposite in recent times, Government members are committed to TAFE NSW. TAFE is, and will always be, the public provider in New South Wales. After being neglected for years this Government has a bold vision that will bring TAFE NSW out of the Dark Ages to become a modern, flexible and agile institution that will train the workforce of the future. For more than 130 years TAFE NSW has met the changing skills needs of our community and economy. With a rapidly changing economy and technological advancements, TAFE NSW must again adapt. Twenty-five years after the TAFE institute model was created, more money is being sucked up into administration and back office management and less money is being invested in skilling and training our young people.

In 1998, 73¢ of every TAFE dollar went to teaching activities, and 18¢ went to administration. Today, anywhere between 40¢ to 60¢ of the TAFE dollar is being spent on administration, which is simply unacceptable. Under the reforms announced by Minister Barilaro about three weeks ago, the New South Wales Government will open a series of brand new flexible learning centres continuously from February 2017, giving remote and disadvantaged students access to TAFE training and teaching across the network; create a new TAFE digital education headquarters in regional New South Wales; and reinvest any money from land or asset sales into TAFE NSW. There will be no leakage; every dollar earned will be reinvested into TAFE NSW.

Our teaching staff and students deserve a TAFE NSW that is well-equipped to deliver quality, industry relevant and innovative training which will lead to a job. Additionally, with every \$1 million saved, the New South Wales Government can train a further 250 students, providing greater opportunities for jobseekers. TAFE NSW has a proud history as the largest vocational education provider in Australia and has a well-recognised and respected reputation for delivering job-ready graduates. The New South Wales Government has no plans to privatise TAFE NSW—not now and not in the future. TAFE NSW will remain the public provider of vocational education throughout this State. These transformative changes will ensure that TAFE NSW has a strong future and that it continues to deliver a skilled workforce for New South Wales. I commend the motion to the House.

**Ms PRUE CAR (Londonderry) (15:32):** I am glad that the member for Northern Tablelands saw fit to move this motion as it gives Opposition members an opportunity, once again, to put on the record what this Government is doing to TAFE. It is no wonder that the Government does not want to hear these facts and truths. If what the Government is doing to TAFE was not criminal, this motion would be laughable. This motion refers to 500,000 students training in TAFE in New South Wales. In the past 500,000 people were training in TAFE but the Government's June budget tells a different story. The budget states that since 2012 there has been a loss of 126,000 enrolments in TAFE NSW. It is beyond me how this Minister or Government members can claim that as a victory.

As well, 5,200 teachers and support staff have been sacked. Most disgracefully, 14,500 students with disabilities who need TAFE to put them on a pathway are not enrolled in TAFE. As an insult to those hardworking students, the Government is cutting courses, sacking teachers, increasing fees and its budget reveals that it spent \$314 million less than it promised in the previous year's budget. Every college that I go to and every TAFE teacher and student to whom I speak has told me this story. The Government's response to the Opposition's defence of TAFE teachers is predictable. Government members heckle Opposition members about their support for TAFE teachers. As the Opposition spokesperson on education it is something I wear as a badge of pride, as do all Opposition members. It is not brain surgery: TAFE teachers teach TAFE students.

The Government likes to crow about the transformation that students go through and TAFE teachers, these highly skilled professionals, are transforming students' lives. What does the Government think about them? It is sacking 5,200 teachers and support staff and putting them on the scrap heap. Most disgracefully, teachers of core trades are being shown the door. Recently the *Sydney Morning Herald* uncovered the fact that the Government is sacking teachers in core trades—carpentry and plumbing—when we know there are building booms and skills shortages. The Government is sacking teachers in the core trades of bricklaying, carpentry, plumbers and builders, which is sheer madness. The Government crows about housing approvals and infrastructure but who will build this infrastructure if the Government continues its destruction of TAFE?

Recently the Government announced a corporate restructure—a shuffling of deck chairs—but that will not fix what it has done to TAFE. It has talked about the recycling of assets but we all know that that means selling TAFE campuses. The Government also talks about connected learning centres. Dapto's connected learning centre is a shopfront. The Government shuts TAFE campuses and it opens shopfronts. Recently the Minister said that it was good that the Dapto connected learning centre had wi-fi, but so does McDonald's. When a TAFE college is shut down and a shopfront is opened the Government says, "We believe in TAFE so much that we will sack all the teachers, close TAFE campuses and open shopfronts in their place." No wonder the community does not trust the Government in relation to TAFE. We cannot go past the Government's record. This year 126,000 fewer students are enrolled and this Government is hell-bent on destroying TAFE. The numbers tell the story. The students tell the story. The Government is destroying TAFE and only Labor will repair it.

**Mr ADAM CROUCH (Terrigal) (15:37):** TAFE NSW is too valuable and too important to be left as it is, as the Minister explained during question time today. Labor left TAFE in a mess with operating costs in New South Wales 40 to 60 per cent higher than the costs in other States. This has had the effect of locking young people out of training and education opportunities and diverting valuable government funding away from the most important job TAFE has—that is, training our workforce of the future. This Government's once-in-a-generation reforms will see the independent TAFE institute structure replaced with the single multicampus TAFE NSW.

While those opposite continually tarnish the TAFE brand—we have witnessed the fear and smear campaigns that have damaged TAFE—they are the ones who are hurting TAFE. The 2016-17 budget includes \$97 million in new and ongoing major capital works; \$64.6 million in ongoing major projects; and \$15.3 million in new major works. We will invest heavily in improving course delivery and content so that regardless of whether a student walks into TAFE in Castle Hill, Cobar, Cooma, Gosford, Wyong or Ourimbah, students, teaching staff and employers can expect the same high-quality industry-relevant content. Additionally, for every \$1 million saved, TAFE NSW has the potential to train a further 250 students.

New South Wales continues to have the strongest economy of any State in the country and the highest jobs growth, which is no more evident than on the Central Coast. To ensure that our economic advantage is supported and sustained, we need to continue to strengthen our skills base by providing vocational education and training options that connect students with jobs. I had the pleasure of hosting the Minister for Education on the Central Coast recently when he met with staff and students at the Central Coast campus in Gosford. The first thing he did was to dispel the myths put out on Facebook by the member for Wyong, who claimed that the Government was closing TAFE campuses. The member then had to make a retraction on his Facebook page.

**Mr Mark Coure:** Another Labor lie.

**Mr ADAM CROUCH:** Another one. I am pleased that the Minister is in the Chamber to hear another Labor lie. We are providing state-of-the-art campuses and technology-driven learning platforms for our students, whether in the form of information and communications technology [ICT] upgrades across the board or the refurbishment at the Ourimbah and Wyong campuses. This Government is making the changes that those opposite ignored for 16 years. I commend this motion to the House.

**Mr DAVID MEHAN (The Entrance) (15:40):** I thank the member for Northern Tablelands for moving this motion as it allows me to talk about the record of the Baird-Grant Government and its handling of TAFE in the Central Coast region—namely, the handling of the Hunter Institute and Central Coast TAFE. This Government does not deserve the endorsement of this House for the way it has handled TAFE NSW. Further, the Government's track record on TAFE should give this House no confidence in the future of TAFE in this State if TAFE continues to be handled in the way it has been handled in the past by the Baird-Grant Government. In my local area, the recent record at Hunter Institute is stark in showing a diminished TAFE, not a stronger TAFE.

It is a shame that the member for Terrigal did not touch on the point that enrolments have simply collapsed. In 2010, under Labor, Hunter Institute had 64,324 enrolments. In 2015 there were 38,737 students and in 2016 there were 24,205 students. This is a collapse in student numbers. These people have not enrolled somewhere else; they are not being catered for by the system the Government is managing. This is a terrible reflection of the attitude of this Government to the Central Coast and Hunter area. These collapsing student numbers show that TAFE campuses are not being supported.

In addition, staff numbers at Hunter Institute have collapsed by 120. Higher Education Certificate [HSC] courses ceased to be delivered by Hunter Institute in 2013. This course was aimed at students who could not complete their education at school and mature-aged students who wanted to return to the classroom. The record of the Baird-Grant Government on the Central Coast and in the Hunter region is appalling. It is good that the member for Terrigal started to leave the Chamber but has now changed his mind. He needs to hear my contribution and tell his Government that it has diminished TAFE on the Central Coast. The Government should be building TAFE and not diminishing it. This Government has a bad track record. This motion does not deserve the support of members of this House.

**The DEPUTY SPEAKER:** Order! Opposition members are making far too much noise.

**Mr ADAM MARSHALL (Northern Tablelands) (15:43):** In reply: I thank members on both sides of the Chamber who contributed to this spirited and sometimes uplifting debate on TAFE NSW. This is an important issue. As I said in my opening remarks, the transformation that TAFE is undergoing is essential as it will enable it to better train students well into the future. Moving away from an institute model to a TAFE NSW model will be very positive for TAFE. Indeed, in talking to institute directors I have found them to be very excited by the change in that regard.

**The DEPUTY SPEAKER:** Order! The member for Northern Tablelands will be heard in silence.

**Mr ADAM MARSHALL:** The changes the Minister announced three weeks ago mean that TAFE NSW will move away from the institute model, which was brought in 25 years ago. This will definitely be positive for TAFE and for the people who work for TAFE as well as for current and future students. I acknowledge the Minister's presence in the Chamber and his announcement. I look forward to seeing those reforms pay dividends for country students, who will enjoy receiving training to meet the skills needs of our communities well into the future. I commend the motion to the House.

**The DEPUTY SPEAKER:** The question is that the motion be agreed to.

**The House divided.**

Ayes .....48  
Noes .....34  
Majority..... 14

**AYES**

Anderson, Mr K	Aplin, Mr G	Ayres, Mr S
Baird, Mr M	Barilaro, Mr J	Berejiklian, Ms G
Bromhead, Mr S (teller)	Brookes, Mr G	Conolly, Mr K
Constance, Mr A	Coure, Mr M	Crouch, Mr A
Davies, Ms T	Dominello, Mr V	Elliott, Mr D
Evans, Mr L	Fraser, Mr A	Gibbons, Ms M
Goward, Ms P	Gulaptis, Mr C	Hazzard, Mr B
Henskens, Mr A	Hodgkinson, Ms K	Humphries, Mr K
Johnsen, Mr M	Kean, Mr M	Lee, Dr G
Maguire, Mr D	Marshall, Mr A	Notley-Smith, Mr B
O'Dea, Mr J	Patterson, Mr C (teller)	Pavey, Ms M
Piccoli, Mr A	Provost, Mr G	Roberts, Mr A
Rowell, Mr J	Sidoti, Mr J	Skinner, Ms J
Speakman, Mr M	Stokes, Mr R	Taylor, Mr M
Toole, Mr P	Tudehope, Mr D	Upton, Ms G
Ward, Mr G	Williams, Mr R	Williams, Ms L

**NOES**

Aitchison, Ms J	Atalla, Mr E	Barr, Mr C
Car, Ms P	Catley, Ms Y	Chanthivong, Mr A
Crakanthorp, Mr T	Daley, Mr M	Dib, Mr J
Doyle, Ms T	Finn, Ms J	Greenwich, Mr A
Harris, Mr D	Harrison, Ms J	Haylen, Ms J
Hoenig, Mr R	Hornery, Ms S	Kamper, Mr S
Lalich, Mr N (teller)	Lynch, Mr P	McDermott, Dr H
McKay, Ms J	Mehan, Mr D	Mihailuk, Ms T
Minns, Mr C	Park, Mr R	Parker, Mr J
Piper, Mr G	Robertson, Mr J	Smith, Ms T
Warren, Mr G (teller)	Washington, Ms K	Watson, Ms A
Zangari, Mr G		

**PAIRS**

Grant, Mr T	Foley, Mr L
Perrottet, Mr D	Smith, Ms K
Petinos, Ms E	Hay, Ms N

**Motion agreed to.**

*Bills***LOCAL GOVERNMENT AMENDMENT (GOVERNANCE AND PLANNING) BILL 2016****Second Reading****Debate resumed from 22 June 2016.**

**Mr GUY ZANGARI (Fairfield) (15:54):** Today I represent the New South Wales Labor Opposition and the shadow Minister for Local Government, the Hon. Peter Primrose in the other place, in debate on the Local Government Amendment (Governance and Planning) Bill 2016. This bill is the first phase of the Baird Government's proposed changes to the Local Government Act. The Opposition recognises that following consultation it is appropriate to update such complex legislation. But that update should be based on evidence, not on political bias, and it should make the legislation better, not worse. There are so many problems with this bill that the Opposition cannot support it. We will be opposing the second reading of the bill. If the Opposition is unsuccessful in sending the bill back to be totally remade, it will be moving amendments at the consideration in detail stage in order to improve it.

Broadly, the bill amends a number of provisions in the current Local Government Act, specifically focusing on the purpose of the Act and principles for councils, council governance, wards, councillors and election matters, auditing, and disciplinary matters and disclosure of pecuniary interest. Schedule 1 item [1] omits the current purposes of the Act in section 7 and inserts revised purposes. There is a very clear and distinct shift in the language used to describe these purposes. Under this bill, councils will be distinctly separate from their communities. Rather than perceiving the community as a direct participant in the affairs of council, the community is now to be envisaged as an external stakeholder to be managed and engaged with. For example, the bill omits the words "encourage and assist the effective participation of local communities in the affairs of local government" and replaces them with "to facilitate engagement with the local community by councils".

The downgrading of council's role as a local provider is also very apparent in new section 7. This bill specifically deletes giving councils the ability to provide goods, services, facilities and activities appropriate to the current and future needs of local communities. Providing a framework for an "environmentally responsible" system of local government is also omitted. The system must now only be "sustainable and flexible". Item [2] omits a council's charter and inserts a new set of principles. Again, there is a shift in language which degrades council's role as community activist to the status of passive observer.

Reference to council exercising its functions "in a manner that is consistent with and actively promotes multicultural principles" is replaced with merely "recognising diverse local community needs and interests" and "meeting diverse needs". Specific reference to "promote and to provide and plan for the needs of children" is also omitted. Nor is it any longer the role of council to protect the environment. The reference "to properly manage, develop, protect, restore, enhance and conserve the environment in a manner that is consistent with and promotes the principles of ecologically sustainable development" is omitted. Council need only "consider the principles of ecologically sustainable development".

Council is no longer the protector of public assets but merely the manager of them. The bill omits "to bear in mind that it [council] is the custodian and trustee of public assets and effectively plan for, account for and manage the assets for which it is responsible" and replaces it with "manage lands and other assets so that current and future local community needs can be met in an affordable way". Council is no longer a promoter of social justice required "to exercise its functions in a manner that is consistent with and promotes social justice principles of equity, access, participation and rights." It is merely required to "consider" social justice principles. Again, the community is kept at arms-length from council's work. The requirement "to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and coordination of local government" is omitted.

The State Government's privatisation agenda is clearly demonstrated in the removal of the charter point to provide "directly or on behalf of other levels of government, adequate, equitable and appropriate services and facilities for the community" and replace it with "councils should work with others to secure appropriate services for local community needs". Finally, the strategic organisational shift away from "local" government to "regional" capacity building is apparent with the introduction of a requirement to "consider regional priorities beyond local community needs and aspirations and to collaborate with others to maximise achievement of strategic goals". One can assume that the strategic goals will be the State Government's goals.

Chapter 3 of the bill is important because it details the guiding principles for councils, the principles of sound financial management, and integrated planning and reporting principles. However, item [82] of schedule 1 inserts new section 674A which states that none of these give rise to or affect legal proceedings. I appreciate that in the original Act civil action could not be taken in relation to a council pursuing its charter. However, the original

Act also specified that a council must pursue its charter. This bill appears to fail specifically to place any such duty or obligation on meeting the principles that it specifies in chapter 3. At the same time that it increases the scope of the principles in chapter 3, the bill paradoxically specifies that they are not subject to legal recourse.

Under item [82] the expansion of freedom from civil action grows exponentially. The bill provides that such exemptions will also apply to provisions relating to the role of the governing body, the role of the mayor, the role of a councillor, and the conduct of councillors, staff, delegates and administrators. Overall, the bill is full of buzzwords that have no specific meaning, or at best a contested one, such as listing "achieving intergenerational equity" as a principle of financial management, as proposed in new section 8B (d). The Opposition accepts that this term is used in other financial legislation, but it is now widely contested as a concept, and more appropriate terminology should be used in 2016.

While new section 674A chapter 3 does not give rise to civil legal proceedings, the actions and policies of council and its auditors will be guided by them despite the lack of clarity or enforceability. The lack of clarity with regard to how these so-called principles are to operate between council and auditors and legal enforceability seems to make this a pretend reform—the reform we are having when there is no real reform. While these buzzwords and contested terms are appropriate for a speech, they are not appropriate in modern legislation. Members should remember that this is coming from the same Government and the same Minister that assessed councils according to equally meaningless and vacuous terms like "Fit for the Future" and "Scale and Capacity". It would seem that buzzwords, not legislative reform, are really what this Government and the Minister know how to do best.

Item [3] schedule 1 amends section 210B to allow a council that has been prescribed by the regulations, and within certain time limits, to apply to the Minister for approval to abolish its wards, thereby avoiding the need for approval by local residents at a constitutional referendum. Again, the community is sidelined. Many residents believe that abolishing wards makes it more difficult for residents to have personal contact with councillors. Item [5] amends section 224A to allow a council that has been prescribed by the regulations, and within certain time limits, to apply to the Minister for approval to decrease its number of councillors, again avoiding the need for approval at a constitutional referendum. Again, the community is sidelined.

The prohibition on a ward having fewer than three councillors is omitted. Many residents believe that having fewer councillors makes it more difficult for them to have personal contact with councillors. Item [6] specifies that the role of the mayor will now include "to promote partnerships between the council and key stakeholders". Apparently, unlike all the other largely passive proposed activities of councillors, the mayor can be an activist but only when pursuing outsourcing and public-private partnership opportunities. Labor supports the policy of mayors being popularly elected by their local communities, and during the consideration in detail will move an amendment accordingly.

Item [8] significantly downgrades the role of councillors who, it is envisaged, will no longer be seen as representatives of their communities, advocates or community leaders but merely as members of the governing body—one could say board of directors—charged with upholding the decisions of that body. The bill omits the role "to provide leadership and guidance to the community". It also omits the role "to represent the interests of the residents and ratepayers" and replaces it with "to represent the collective interests of residents, ratepayers and the local community". It is difficult to understand how this would work in the event of competing interests, for example, between residents and developers.

Proposed section 232 (1) (f) states that one role of a councillor is "to uphold and represent accurately the policies and decisions of the governing body". Does this mean that a councillor will no longer be free to criticise a council decision with which he or she does not agree? That is fine for public servants, or a member of a board of directors, but councillors in local government have been elected by and are responsible to a constituency and not the council. Councillors should be able to continue to argue against a decision of the majority on the council on behalf of their constituents. This provision should be deleted from the bill.

Item [19] removes the requirement for a council to be prescribed by the regulations before it can decide to use a universal postal voting system at its elections. This makes it easier for councils to institute a postal voting system. The proposed amendment to section 310B will allow elections to be conducted exclusively by postal voting if a council resolves to do so. The Opposition has always maintained the position that local, State and Federal elections should all be conducted as near as possible on the same basis to make democratic participation simple and easy for a voter. Accordingly, we do not support exclusive postal voting. However, section 310B (2) requires "a resolution made at least 18 months before the next ordinary election of councillors" before universal postal voting can be conducted, and this requirement is not proposed to be amended by the bill.

Some community groups believe the Minister still wants to try to have the Government's handpicked administrators agree to universal postal voting so that it will apply at the September 2017 polls. However, no

amendments are to be made to change the current requirement for a council to pass a resolution made at least 18 months before the next ordinary election of councillors. The Minister, the Premier and the Deputy Premier must clarify whether this is their intention and, if so, how they plan to overcome the 18-month restriction. The general manager's role is significantly expanded by the bill. Item [21] specifies that the general manager, rather than the council, is to determine the organisational structure of the council.

The council will only determine senior staff positions and reporting lines. New schedule 1 [25] omits the current functions of the general manager and replaces them with a revised list of functions, which now significantly includes advising the governing body on the appropriate form of community consultation to adopt for the development of plans, programs, strategies and policies. Once again, these amendments shift the view of local government from being integral to the community to one where it is a business transaction to be managed. The Opposition will oppose these amendments.

With regard to council meetings, new schedule 1 [29] will allow a council that has been prescribed by the regulations, and within certain time limits, to apply to the Minister for approval to hold fewer than the prescribed number of meetings a year. New schedule 1 [36] and [37] omits all references in the community strategic plan that address civic leadership, social, environmental and economic issues in an integrated manner, being based on social justice principles of equity, access, participation and rights. All are gone. Reference to the community engagement strategy being based on social justice principles is also omitted. The criteria for community strategic plans will now be in regulation and so will become a matter for the Minister rather than for the Parliament, as per schedule 1 [87]—the amendment to schedule 6 [18]. The bill proposes to delete the requirement that councils produce a State of the Environment report every four years. Labor will move an amendment to retain this important requirement.

Moving to the role of the Auditor-General, under schedule 1 [40] the Auditor-General will become the auditor for all councils but may appoint others to carry out the auditor's functions. There is a requirement on the Auditor-General to report significant matters to the Minister and to report annually to Parliament. The Opposition does not support the proposed amendment in new section 422 (2) that will enable the Auditor-General to appoint another person or firm to be auditor for the council. The bill also requires in schedule 1 item [43] the establishment of an internal Audit, Risk and Improvement Committee. Labor will move an amendment requiring at least one member to be fully independent of the council and to be neither an elected councillor nor a staff member. This is an important measure to ensure the process is robust. Schedule 1 [47] enables the Minister to appoint a financial controller for a council when a performance improvement order has been issued. If appointed, no payment may be made from any of council's funds unless authorised by the financial controller.

With regard to pecuniary interest, schedule 1 [30] allows the Minister to approve a councillor with a pecuniary interest to attend, speak and vote at a council meeting to maintain a quorum and not fall foul of councillor misconduct. Labor accepts that the quorum issue is a real one for local government, but it has been brought about by the Government's refusal to ensure that real estate agents and property developers are not banned from being elected to local councils. Ban them from standing and the quorum issue would disappear overnight. The Opposition would readily move again in this bill that real estate agents and property developers be so banned, but the Opposition recognises that to do so would be beyond the leave of the present bill. Therefore, we will return to this at a future time. In the meantime, we will move amendments to delete this item from the bill. This specific proposal sends a message that it is okay in some circumstances, driven by administrative convenience alone, to break the rules, and to speak and vote on issues where there is a pecuniary interest. We believe that this provision in the bill will be conducive to a climate of corruption and we will not support it.

In schedule 1 [42] the bill proposes to delete section 428A, which requires councils to produce State of the Environment reports every four years. We oppose this. While we acknowledge that councils are asked to do many reports on a diverse range of issues, the state of the local environment is a critical issue, especially as the bill in schedule 1 [2], chapter 3 section 8A (2) (c) and (d) specifies that local decision-making should consider "the long term and cumulative effects of actions on future generations" and "the principles of ecologically sustainable development." Given the magnitude of the issues that have been identified in this bill, Labor cannot support the bill in its current form.

**Ms MELANIE GIBBONS (Holsworthy) (16:15):** I support the Local Government Amendment (Governance and Planning) Bill 2016. This bill continues the work the New South Wales Government has been doing to make our councils fit for the future. The bill proposes a range of changes including: streamlining the integrated planning and reporting framework and increasing its prominence in the Act; the introduction of new purposes for the Act and guiding principles for local government; clarification of the roles and responsibilities of councillors, mayors, administrators and general managers; improving the governance of councils and professional development for councillors; the consolidation of the ethical conduct obligations of councillors; the appointment of the Auditor-General as the auditor of all councils; and new methods of performance management.

As a former councillor of 8½ years, and as someone who has served as Deputy Mayor on Sutherland Shire Council, I welcome this bill as it provides a stronger, modernised and streamlined legislative framework for local government in New South Wales. This is the level of government that is closest to the people and that deals with issues that matter in their homes: the building of their own house, their roads, their rates, their local services and even their rubbish. This Government has proven time and again that it is committed to providing an updated framework for the local government system, and it will continue to work and legislate towards this goal so that it is able to meet the needs of councils and their communities in the future. As the Minister for Local Government, the Hon. Paul Toole, said when introducing this bill:

The bill starts the journey away from process-focused local governance towards principle-focused governance. As our councils develop proficiency in using the tools this bill offers them, communities across New South Wales stand to benefit from local representation and governance that better reflects their values, their concerns and their priorities.

When this Government was first elected in 2011 it created the Independent Local Government Review Panel to conduct a wide-ranging review of local government. On 21 October 2013 the panel released its final report, *Revitalising Local Government*, and said "no change is not an option". The report claimed:

Local government in New South Wales needs a new agenda and a fresh start. The same applies to its relationship with the State government and how the two work together in practice.

A change that was identified and deemed beneficial by the Independent Local Government Review Panel was to increase role clarity within councils. This bill assists with that suggestion and establishes distinct roles for our councils' mayors, general managers and councillors to address concerns with a lack of clarity about these roles. It is intended that improved role definitions and clarification will help to reduce confusion and assist people to get on with their jobs more efficiently and more effectively. The specified roles located within the bill are intended to provide useful guidance to council operators, councillors and the community.

The bill also contains a number of key measures to delineate who should do what in local government, and to support councillors doing their jobs and delivering for their communities. In particular, the bill sets out the features of the governing body of councils, which comprises the mayor and councillors, and makes collective decisions of the council. This bill sets out that the governing body, as a collective, directs and controls the affairs of the council and, in doing so, should consult with the general manager.

It also states that the governing body has the function of appointing the general manager and monitoring the performance of the general manager. The bill inserts specific features of the governing body, such as the governing body of council should provide strong civic leadership, review the council's performance and consider measures to ensure continuous improvement, particularly informed by the council's integrated planning and reporting framework. The governing body should ensure that regular community and key stakeholder consultation occurs and the governing body should make decisions that result in the council achieving financial sustainability that fit within the council's resources and that properly fulfil the council's functions, including regulatory functions.

The bill also specifies that the governing body should be responsible for ensuring that the council acts honestly, efficiently and appropriately. Through ensuring that there are clearly defined functions of a council, the community and the council are more easily able to track the success of a council and see where improvements may be needed. In providing this clarity of roles, the bill supports a local government sector that is innovative, agile and service-focused. The serious nature of the role of a councillor will be reinforced by this bill with a new requirement to take an oath or affirmation of office. The oath or affirmation requires a personal commitment from a councillor that he or she will serve the community with integrity and diligence. This requirement is based on a recommendation of the task force of the Local Government Act as a tool to reinforce the serious nature of the role of councillor, including his or her chief responsibilities and duties.

This bill also contains a number of necessary measures to support the financial transparency of councils. A recommendation from the Independent Local Government Review Panel was to establish internal audit functions within all councils in New South Wales, which this bill introduces. The internal audit process provides important firsthand insight into the performance and efficiency of the council. This new requirement will give councils the opportunity to develop appropriate internal financial governance practices by reference to prescribed principles of sound financial management. Additionally, smaller councils will be able to share internal audit committees to contain costs and a new regulation-making power will offer further flexibility, if required, for smaller councils to adopt more streamlined community processes than larger councils.

The bill also establishes an option for the Minister to appoint a financial controller to councils at financial risk. This power will be available where a council is at high financial sustainability risk, but may only be exercised in the context of the Minister's current powers to issue a performance improvement order. The intent of the new power is to support councils that are not financially performing to get back on track without needing to dismiss a

council that is otherwise operating effectively. Most importantly, councils will become subject to external oversight by the Auditor-General for general council audits under the bill. In making the Auditor-General the auditor for councils and county councils, the bill promotes consistency and certainty of financial management practices across the whole level of local government.

The changes outlined in this bill are important for the future governance of our local councils. I acknowledge the countless councillors who already do their job effectively without issue and who provide essential advocacy for our communities. I thank the Minister and his staff for all the work they have done in creating this amending bill and providing a stronger, modernised and more streamlined legislative framework for local government in New South Wales. I commend the bill to the House.

**Ms JODIE HARRISON (Charlestown) (16:23):** The Local Government Amendment (Governance and Planning) Bill 2016 proposes a range of changes to the current Local Government Act. These changes include streamlining the integrated planning and reporting framework and increasing its prominence in the Act—the integrated planning and reporting framework was a Labor initiative—introducing new purposes for the Act and guiding principles for local government; clarifying roles and responsibilities of councillors, mayors, administrators and general managers; improving governance of councils and professional development for councillors; consolidating the ethical conduct obligations of councillors; appointing the Auditor-General as the auditor of all councils; and introducing new methods of performance management. The ramifications of the Baird Liberal-Nationals Government's local government policy have been extensive. Confusion and chaos are being felt in areas across New South Wales from Newcastle, Port Stephens and Dungog in the Hunter to Strathfield, Burwood and Canada Bay in Sydney.

Since coming to office the Liberal-Nationals have spent millions of dollars on different reviews into local government. Those reviews include the assessment of councils for Fit for the Future proposals by the Independent Pricing and Regulatory Tribunal; the Independent Local Government Review Panel, which cost \$1.8 million and commissioned at least seven different consultant reports; TCorp's assessment of the financial sustainability of councils, which cost taxpayers \$2.5 million; the Local Government Acts Taskforce, which cost taxpayers \$880,000; an audit of council infrastructure needs, which cost taxpayers \$425,000; Destination 2036, which cost taxpayers \$270,000; a review of the intergovernmental agreement; and a review of the New South Wales planning system.

In an attempt to convince a sceptical community that bigger is better, the Baird Liberal-Nationals Government has also spent approximately \$2.2 million on its Stronger Councils, Stronger Communities advertising campaign. In addition, councils have also needed to spend hundreds of thousands of ratepayer dollars in preparing submissions to prove that they were fit for the future. In December 2015, the Premier released a report entitled "Local Government Reform: Merger Impacts and Analysis". However, this report was not based on the extensive list of reviews I have mentioned. The vast majority of the consultants' reports and recommendations were ignored and millions of dollars of work has been completely disregarded. The Premier's forced merger announcement and subsequent legislation was instead based on the now infamous \$400,000 KPMG report—the same report that the Premier refuses to release to the public or Parliament and the same report that was prepared without any public consultation or local government involvement.

In May this year the Premier announced 19 new forcibly merged mega councils with nine more mega councils pre-approved. It is clear this is only stage one and ongoing forced amalgamations are planned. Despite what the multimillion-dollar ad campaign of the Baird Liberal-Nationals Government might say, bigger is not guaranteed to be better. In fact, the bipartisan parliamentary inquiry concluded that there was a lack of empirical evidence to support the view of the Baird Liberal-Nationals Government that bigger councils do a better job of serving the community. The inquiry stated:

Much of the available evidence appears not to support claims of cost savings and efficiency. The committee finds that the projected economic benefits of council amalgamations have been consistently overstated by the proponents of forced amalgamations.

The inquiry was of the view that "the case for amalgamations, and in particular, forced amalgamations, has not been made". It also recommended that there should be no forced amalgamations of councils unless they are bankrupt or otherwise unable to service their communities, stating that the benefits of amalgamations had been overstated and inadequately explained. Ratepayers are sick of being sold the Government spin that amalgamation will herald a new dawn of lower rates, cheaper services, improved service quality, enhanced financial viability and superior administration and planning. Instead, people understand that they will get increased unemployment, lower economic activity and a loss of services, all of which will particularly affect small communities.

Councils play an important role in local communities. They enhance people's sense of place and identity within their towns and regions. Smaller councils allow constituents to influence local outcomes. Community members are able to use their detailed local knowledge to improve the quality of decisions made. As



mayor of Lake Macquarie I particularly understand the crucial role that local government plays in creating a sense of community, as well as providing vital services for residents. Forcibly merged mega councils will see a loss of local identity, community uniqueness and local decision-making. We will see communities become ungovernable because of division and distrust.

I am proud to stand on this side of the House with my fellow Labor colleagues, who have opposed and fought hard to stop these recent forced council amalgamations. At our last annual conference, NSW Labor recognised past mistakes and unanimously resolved to oppose any policy of forced council mergers. While Labor is not opposed to amalgamations, it believes that they should be done in a democratic and consultative way. Communities should be able to determine their future and merge if they choose to do so. As the forced amalgamations continue, we see hundreds of millions of dollars in taxpayer and ratepayer funds squandered because the Baird Liberal Government has relied on dogma instead of on the vast amount of empirical evidence available to it to make sensible decisions for the good of our local communities.

Labor is proposing sensible, practical and essential amendments to this legislation. Labor supports the Fit for the Future recommendation by the Independent Local Government Review Panel for the appointment of full-time mayors. The amendments proposed by the bill in relation to mayoral roles do not go as far as the panel recommended. They omit many of the recommendations designed to grant the mayor greater authority over other councillors and make no reference to the provision of full-time mayors. Labor supports the independent panel's recommendation to increase mayoral terms. Under the amendment to section 230, the term for mayors elected by councillors would increase from one to two years. That ignores the panel's recommendation.

The panel, while supporting longer terms, believes that—as in other jurisdictions including Queensland, Tasmania and New Zealand—mayors should be popularly elected. At present the majority of mayors in New South Wales are elected by councillors, as opposed to being directly elected by their communities. Overall, the independent review panel called for the mandatory direct election of mayors in all metropolitan councils, in other councils with populations of 40,000 or more and in designated regional centres. Elsewhere it called for the election of the mayor to be either directly by voters or by councillors, with the default position remaining election by councillors. It also proposed the requirement that all councillors vote in an election to choose the mayor. Whilst the Government has stated that it supports these suggestions in principle, the panel's recommendations were not incorporated into the bill. Labor has listened to the recommendations and is proposing that all mayors be popularly elected and retain office for the full term of the council. This will allow mayors to concentrate on governing and will promote stability at a local government level.

The amendment to section 310B will allow elections to be conducted exclusively by postal voting if a council resolves to do so. Labor proposes that this section be deleted. Labor has always maintained the position that local, State and Federal elections should be conducted in a similar way to make democratic participation as simple as possible for voters. New South Wales and Federal elections are not conducted using the postal method exclusively, and nor should local government be. While we on this side of the House support the Auditor-General as the auditor for all councils, we oppose new section 422 (2), which allows the Auditor-General to appoint another person or firm to be the auditor for a council. This important role should not be delegated. The Audit Office should be properly resourced to fulfil that function.

An essential aspect of the role of a local council is to ensure the management of the local environment. It is disturbing that the bill before the House proposes to delete section 428A, which requires councils to produce a State of the Environment report every four years. Labor opposes this. Labor recognises that, while councils are asked to report on a diverse range of issues, the state of the local environment is too important to escape report. I urge the Baird Liberal Government to consider and adopt the sensible and practical recommendations proposed by Labor.

**Mr LEE EVANS (Heathcote) (16:33):** I support the Local Government Amendment (Governance and Planning) Bill 2016. The bill contains a set of important changes that begin the process of streamlining the Local Government Act. The changes in the bill will help councils to better engage in integrated planning and reporting and will assist both councils and the communities they serve. All organisations benefit from robust strategic planning. Local governments have been using integrated planning and reporting [IP&R] for at least one full term of office, and it is clear that it is working and delivering positive outcomes for local people.

Properly used, IP&R gives communities control in determining local identity, local priorities and local services. It gives them a direct say in what their future will be like. It is through IP&R that each community works with its local council to set its long-term direction and agreed priorities for providing community services, managing local facilities, protecting the environment and strengthening the local economy. Each newly elected council agrees, in consultation with its community, on a four-year program to deliver these priorities. Each council is called to account at the end of its term for its performance in this regard. IP&R helps communities to have important discussions with their council, not only on what they want but on what they can afford and are prepared

to pay for local services. These are important long-term plans for councils and communities, and the IP&R framework ensures that these plans work together to achieve results and deliver real outcomes.

After the 2011 election the Government appointed the Independent Local Government Review Panel, and then the Local Government Acts Taskforce, to advise on specific reforms that could be made. Both the panel and the task force made recommendations to improve strategic planning and to allow councils to more effectively partner with State agencies. The Government is taking the opportunity, through the amendments in this bill, to strengthen this important strategic framework and set out the principles that should guide council operations in the future. In particular, the Government believes that the principles and practices of IP&R should form the central framework of the Local Government Act.

To achieve this, the bill introduces a principles-based approach that better links IP&R with other activities of councils under the Act. In new section 8C the bill introduces a set of new principles that will guide all councils when they engage in IP&R. The new principles describe what councils should be thinking about when they discharge their planning and reporting functions under the Act. Through new section 232 (1) (c) individual councillors would have a clearly articulated responsibility to participate in IP&R. Giving such prominence to IP&R will mean that every council's elected representatives understand their individual and collective roles in planning for the success of the local community.

The bill also makes targeted amendments to the Act that will expand the responsibilities of councils to engage with their communities and to work proactively with others to deliver outcomes to achieve the full potential benefits of IP&R. Councils will be directed, for example, to consider regional priorities under new section 8C (a) in the bill. Under new section 402A councils will also need to adopt a community engagement strategy that will inform all their non-routine activities. Similarly, under the proposals in this bill, the existing requirement to ensure that all council activities are addressed in the delivery program will be strengthened and clarified. While a large number of councils already successfully use IP&R to focus on outcomes and better engage with local communities, the changes in the bill will help to avoid any residual box-ticking on community engagement and other aspects of the framework. Linking IP&R with other key new principles in the Act should also assist councils to better understand and benefit from the framework. The bill is a key part of the New South Wales local government reform program, which is building stronger councils and stronger communities throughout New South Wales.

The bill establishes distinct roles for mayors, general managers and councillors to address concerns over a lack of clarity about these roles. This issue was identified as one requiring change by the Independent Local Government Review Panel. Improved role definition is intended to reduce confusion and to help people get on with their jobs. The specific roles in the bill are intended to provide useful guidance. The bill contains a number of key measures to delineate who should do what in local government, and to support councillors doing their jobs and delivering for their communities. In particular, the bill sets out the features of the governing body of councils, which comprises the mayor and councillors, that makes collective decisions of a council.

The bill sets out that the governing body, as a collective, directs and controls the affairs of council and in doing so should consult with the general manager. The governing body has the function of appointing the general manager and monitoring the performance of the general manager. The bill inserts specific features of the governing body. The governing body of council should provide strong civic leadership, review the council's performance and consider measures to ensure continuous improvement, particularly informed by the council's integrated planning and reporting framework. The governing body should ensure that regular community and key stakeholder consultations occur. The governing body should make decisions that result in the council achieving financial sustainability, that fit within the council's resources and that properly fulfil council's functions, including regulatory functions.

This bill also specifies that the governing body should be responsible for ensuring that the council acts honestly, effectively and appropriately. In providing this clarity of roles, the bill supports a local government sector that is innovative, agile and service-focused. The serious nature of the role of councillor will also be reinforced by the bill with a new requirement to take an oath or affirmation of office. This requirement is based on the recommendations of the Local Government Acts Taskforce as a tool to reinforce the serious nature of the role, including the chief responsibilities and duties. I am confident that the amendments in this bill will improve local government. I commend the bill to the House.

**Mr DAVID HARRIS (Wyang) (16:41):** I make a contribution to debate on the Local Government Amendment (Governance and Planning) Bill 2016. While many parts of the bill are welcomed, I cannot support it without significant amendment. I come here as someone who has lived for the past three years under the regime of the wonderful Wyong Shire Council and what we call "the six pack". It became "the five pack" when one of them moved to Canberra. I was able to see firsthand what can go wrong when power is put into the wrong hands, and I will refer to that shortly. The purpose of this bill is to flag phase one of the proposed changes to the Local

Government Act, including to extend the purpose of the Act and to set out principles for councils, council governance, wards, councillors and election matters, auditing, disciplinary matters and disclosure of pecuniary interest. A lot of these proposals are welcomed and will strengthen how local government will work.

I will focus on areas about which I am concerned. The first is around councillors continuing to be able to elect mayors. We held a referendum in the Wyong local government area at the last election. The community overwhelmingly voted for a popularly elected mayor. After that vote took place the community looked forward in the upcoming elections in September to being able to elect its own mayor. Unfortunately, under council amalgamations the community had to wait until September 2017 and people are very upset to learn that in that election there will not be a popularly elected mayor.

For the past three years we have been left with a mayor who was elected by a number of councillors with the lowest vote. The mayor was elected to council with the lowest vote, and through various means—including setting up the Save Tuggerah Lakes Party, which he funded together with another councillor who also stood as an Independent in opposition to Save Tuggerah Lakes—formed a bloc with the two Liberal members of the council and voted the least popular councillor as the mayor.

People were rightly outraged that the least popular councillor was running the shire. As time went on the policies being put in place under that regime very much upset the local community. They welcomed the termination of councillors from their positions because they thought they were getting rid of that regime, but unfortunately the administrator has kept a lot of those policies in place. There are a lot of angry people not only in the Wyong electorate but also across the Central Coast. I could not possibly support the proposition that councillors continue to elect mayors, let alone increase that time from one year to two years. I foreshadow that the Opposition will quite rightly move an amendment to allow for a popularly elected mayor.

Another part of the bill causes me great concern. I know that councillors who have been appointed in honorary positions, or whatever they are called these days—the pseudo not-really councillors—have a clause that says that they are not allowed to publicly criticise anything being done by the council. Proposed section 232 (1) (f) states that one role of a councillor is to "uphold and represent accurately the policies and decisions of the governing body" and I think that is undemocratic. People are elected by community members to represent their views. In Parliament we can advocate on behalf of community views even though it could be in opposition to what the rest of the council is saying. To legislate that that cannot be done is a disservice to the community and is undemocratic. I think that provision needs to be looked at very closely.

Like other members of the Opposition, I have problems with the proposal to delete section 428A, which requires councils to produce State of the Environment reports. This an important role of councils. Even though councils have to produce a lot of reports and report back to the community, the State of the Environment report is the most important report. I would certainly advocate that it be retained. I briefly touch on the point that local councils should be there for the local community, which is essentially their role. I welcome the intent of the bill to have greater community participation.

I again refer to the regime that was in charge of Wyong Shire Council, which had precinct committees comprising local community groups who got together to advocate for local issues. Once those community groups started to criticise the council and get offside with certain councillors, all those groups were abolished. I welcome the fact that local consultation is written into the bill. As I said, whilst I have problems with several sections of the bill, I do not have problems with that one. It is important to put on the record what Local Government NSW said about the consultation process. Local Government NSW made general comments on the consultation process in its submission on this bill. While it welcomed its engagement with the Minister and the Office of Local Government on this legislation it said:

LGNSW also appreciates the concise nature of the Explanatory Paper. However, meaningful consultation requires:

- Early engagement with stakeholders;
- Sufficient time for all stakeholders to consider relevant proposals;
- Opportunity to consider proposals in context;
- Sufficient detail and specificity, particularly being able to consider the actual terms of draft legislation;
- Availability of associated regulatory impact statements articulating the costs and benefits of the proposals;
- An appropriate way of providing feedback on the proposals; and
- A subsequent feedback loop to indicate how the proposals were changed (or not) as a result of consultation, and how and why that conclusion was reached.

Most of these elements are missing in the current consultation.

While the NSW Government has been discussing legislative reform of the Local Government Act for a number of years, the nature and process of that reform has changed over time. Previous proposals have been refined or changed, and others are completely new.

The Government has also adopted a phased approach, rather than undertaking a more holistic review of the Act. The only information released to date relates to Phase 1, with no information available about the matters that subsequent phases will address, and associated timeframes.

It is important to note that Local Government NSW has concerns about the consultation process around this legislation. Once again, having learned the lessons from what happens when a group of people without popular support tries to run a council through the creation of parties that do not really exist and are made up of the same people in an attempt to trick the electorate, we have to be very careful. That is why the proposition that we have popularly elected mayors serving for four years is the way to go. In a referendum in my electorate, that is what people said they want and they are disappointed that the Government has chosen not to take this path in next year's local government elections. People fear that some tyrants who have been in charge through mischievous means will once again get control of local councils. I will always speak out against that.

**Mr JONATHAN O'DEA (Davidson) (16:52):** I speak in debate on the Local Government Amendment (Governance and Planning) Bill 2016. This is a modern, principle-based piece of legislation to update the Local Government Act. As has been enunciated, the process by which we reached this point involved councils coming together in 2011, at Destination 2036, to discuss their long-term future. Following that there was an Independent Local Government Review Panel and a Local Government Acts Taskforce. An explanatory paper was put together by the New South Wales Government, which went out for public release in January 2016. There was feedback on that paper and we now have before us a piece of legislation that involves, in particular, amendments across nine areas.

First, there is a reduction in the overlap and confusion between roles within councils by clarifying the responsibilities of councillors, mayors, administrators and general managers. Second, there is increased stability of councils by increasing the minimum term for councillor-elected mayors from one year to two years. Third, there is improved financial management of councils by making the Auditor-General the auditor of all councils. I will return to this point as it is the main point I will address in my contribution. Fourth, there is support for councils in financial distress by allowing for the appointment of a financial controller, where appropriate.

Fifthly, there is an emphasis on the importance of councils in a strong system of government by introducing new guiding principles for local government. Sixth, there is an attempt to improve councillor understanding about their ethical obligations, including by mandating councillor induction and consolidating all obligations into one prescribed code of conduct. Seventh, there is improved council capacity to deliver for our local communities by making the framework for strategic business planning and reporting central to council activities. Eighth, there is the prioritisation of community engagement by councils to ensure that local voices inform council decisions. Ninth, there is a streamlining of council administrative processes and governance, such as simplifying delegations and meeting processes and reducing some of the bureaucracy that all too often gets in the way of public service delivery.

I return to the issue of the Auditor-General and the auditing of all councils as the chair of the Public Accounts Committee in the last term of this Parliament. The committee specifically investigated and considered this issue. I note that the member for Charlestown, with no evidence, real rationale or explanation, indicated that the Labor Party opposed the contracting out by the Audit Office or the Auditor-General of financial audits that would now come within their purview. The member said that her position was sensible, but she gave no rationale or logical argument for her statement. I can tell members that it is not a sensible suggestion and it should not be pursued further if those opposite decide to put up amendments to this bill.

If this is the case, they would be better off leaving out such a suggestion. It is the view of the Audit Office and the Auditor-General that it is appropriate to have councils' financial audits come within the aegis of the Auditor-General, in the broad sense, and that these should be largely contracted out. It is also the view that was put forward by the Public Accounts Committee, a committee that includes representatives of the different political interests of this Parliament. I seriously suggest that the Labor Party think through any amendments before bringing them forward and making fairly shallow arguments that are not backed by any logic.

I turn to previous comments made by the Minister for Local Government and note that councils will become subject to oversight by the Auditor-General for general audits and those of subsidiary entities from this financial year. This reform brings New South Wales into line with most other Australian jurisdictions and, indeed, with New Zealand. It is important to note that bringing the audits within the broad responsibility of the Audit Office will create greater consistency and certainty across this sector. It will help to ensure that reliable financial information is available and that this information can be used to assess councils' performances and benchmark different councils in a more effective way. While the Auditor-General is directly accountable to the

Parliament in relation to the exercise of her functions, the Audit Office and the Auditor-General are independent of government and can play a coordinating role.

In that sense, the Auditor-General is perfectly free to engage private sector auditors to assist with those responsibilities. Indeed, the Audit Office itself has said it anticipates that such contractors would be engaged after a competitive tender process. As I said, this practice is similar in other jurisdictions and the Audit Office has indicated that it anticipates the majority of those audits will be outsourced to other entities, with the Audit Office playing a coordinating role. Obviously, the Audit Office is committed to working with current audit firms as appropriate, where those firms are accredited or where there is a contract in place at the moment, over the transition period.

The panel's report acknowledges the Public Accounts Committee inquiry stating the Auditor-General should have some oversight of local government affairs. In the context of universities the committee recommended that there should be at least a 30 per cent outsourcing of those audits. In the past there have been issues with the university sector and everyone agreed it was in the public interest to outsource the audits on a range of measures. Those measures included a degree of choice, a competitive tension and benchmarking of the Audit Office itself. The panel stated:

The panel is convinced that New South Wales should follow the example of Queensland and Victoria in placing local government audits firmly under the aegis of the Auditor-General. This is the best way to ensure consistency of approach and provision of reliable data that can be used for sustainability assessments and benchmarking. Most audits would continue to be carried out by private firms but under the supervision of the Auditor-General who would also prepare an annual overview report to Parliament.

I note the Public Accounts Committee recommended the Auditor-General have additional responsibilities and powers in relation to performance audits. Under this legislation, the Auditor-General will be empowered to conduct sector-wide performance audits to identify trends and opportunities for improvement across the local government sector. That is similar to the powers relating to State government agencies and is an important source of guidance for councils, State Government and the community. I note that in May 2014 the Audit Office pointed out that it was restricted in an examination of the block grant program and the regional road repair program funding. It indicated that because it did not have a mandate to audit local government directly, to follow the dollar, or powers to directly examine the quality of local government performance data, it was restricted. That situation will no longer occur. The Public Accounts Committee stated:

The committee considers there should be provisions made to allow the Auditor-General to undertake performance audits of local government activities.

It further stated that providing power to the Auditor-General to follow the dollar would be of benefit in ensuring State funds are spent appropriately and local government, acting as a service provider, is held to account. I support the reforms related to the Auditor-General. I commend the local government Minister on these excellent reforms. I commend the bill to the House.

**Ms KATE WASHINGTON (Port Stephens) (17:02):** I contribute to the debate on the Local Government Amendment (Governance and Planning) Bill 2016. As the Minister well knows, many members have a close interest in transparent and accountable governance in local government. On many occasions, over many years, I have raised with the Minister my concerns about Port Stephens Council, the opaque way in which it operates and its lack of accountability to the community. Local government, at its best, supports the communities it represents. Sensible decisions are made through consultation with affected residents and in accordance with the law. At its worst, local councils are corrupt. This means that the council and the councillors who control the decisions, are not operating in the interests of the community they are meant to serve. Decisions are made that are in the interests of councillors, be it their business interests or the interests of their developer mates, from whom they obtain benefit in other ways. It does not make for good governance.

My community has lived with a council that has, over many years, made decisions that have not been in its interests, but instead have been in the interests of developers. With this in mind, it is critically important that the laws are adequate to protect communities from corruption. Communities ought to have confidence that their council is acting in their interests, that the rates they pay are being returned to them in meaningful services and that those elected to council are not receiving any personal monetary benefit from their position. If this occurs either the laws are inadequate or they are not being properly applied. I would argue that both of these scenarios are true.

The current laws are inadequate and require reform. Presently, they do not prevent developers and real estate agents from seeking election to councils. The bill does not address this point. It is, nevertheless, an important reform. The bill does not cap expenditure on local government elections. This bill seeks to give effect to changes to the Local Government Act 1993 which will only reinforce bad behaviours in the guise of reform. This Government has not provided considered reform to local government regulation. The bill does not focus on supporting and improving democratic local councils and it is not focused on ensuring ratepayers are represented

by councillors who have their interests at heart. Instead, this Government has continued its legacy of local government reform by prioritising the needs of its property developer mates over the interests of ratepayers, and introducing chaotic and divisive reforms which undermine democratic councils.

Let me illustrate this statement with an example. The bill seeks to add section 370A to the Local Government Act. Proposed section 370A provides that the Minister may, conditionally or unconditionally, allow a councillor or a member of a council committee who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter. It will then be for the Minister to determine whether allowing this conflicted councillor to vote on the issue in which he or she has a pecuniary interest is in the interest of the local community. There is no guide in the bill as to how the Minister will form this view. It will also be for the Minister to decide whether allowing a conflicted councillor to vote on a matter would meet the threshold of misconduct.

I cannot imagine what could lead a local government Minister to want to give his or her consent to the likes of Auburn Councillor Salim Mehajer, to former Parramatta mayor John Chedid, to Liverpool Mayor Ned Mannoun, to Port Stephens Mayor Bruce MacKenzie, or to any of the other Liberal aligned councillors who have found themselves in trouble over their conduct. This will further erode community confidence in councils. Let us not forget that it was this Government that gave councillors permission to vote on an item in which they have a conflict of interest. The Government then had to sack Auburn council after councillors took this as the Government condoning their dodgy activities.

After all these stories across multiple councils of dodgy property developers exploiting existing loopholes, why would the Government want to explicitly let conflicted councillors vote on items they have an interest in, and do so with the explicit permission of the Minister for Local Government? It will be a brave local government Minister who allows a councillor to vote under section 370A, as any subsequent corruption causing the community detriment will fall on his or her head. Another concerning change under this bill is to section 332. It is aimed at further empowering the role of the general manager of a council. Many residents are surprised to discover how much power a general manager has and, conversely, how limited the power of an individual councillor or mayor has become. Gone are the days when the mayor could instruct staff directly or intervene to resolve matters. Instead, it is the unelected general manager who wields the most power in a council office.

One of the few remaining powers of a councillor is to select the general manager and approve the organisational structure of the council. Given it will be the elected councillors who wear the blame for any poor decisions of the organisation, it is only right that those councillors get a say in how the organisation is structured and where the resources of the organisation are being directed. We should also be concerned about reforms in this bill to section 232. I cannot imagine many candidates for local government would not be fully aware of the role of a councillor. However, in this section the Government seeks to require councillors, as part of their job description, "to uphold and represent accurately the policies and decisions of the governing body". Members can imagine minority councillors on a council controlled by a voting bloc being told that they are not complying with the Act if they speak out against a dodgy decision of a conservative-dominated council.

It will be used to control, quieten and put aside any opinions differing from those of the controlling bloc. Can members imagine what would happen if the Opposition in this place were required by law to uphold the Government's policy? This Orwellian provision seeks to remove the very real conflict of ideals that are found on local councils. While most councillors seek the best outcome for their community, there is often a very real difference in opinion as to how that can be achieved. That dynamic should not be quashed. Unlike Government members, I am not scared of that debate. Robust debate is part of achieving the best outcome for local communities, and our communities are mature enough to hear conflicting ideas from their councillors and to appreciate the variety of opinions that can be found on a local council. That diversity of opinion is found on councils precisely because they reflect the diversity of opinion found in our communities.

I could go on and on about different parts of this bill that seriously concern me and which expose the Government's failure to consider properly the reforms needed in the local government sector of New South Wales. Those reforms would uphold the democratic and community-minded values that councils should strive to achieve. I speak as a representative of a community that has had enough of this Government's failure to take local government seriously. My community's many complaints to the Minister and the Office of Local Government have fallen on deaf ears. It has had enough of its council putting the interests of its members and its developer mates ahead of the interests of our community.

My community has had enough of the state of limbo created by this Government while the powers that be determine what the council boundaries will look like next week or next month. Who knows when that decision will be made? Instead, we have a government that is seeking to make local government its plaything, from gerrymandering councils through forced amalgamations to allowing its developer mates to vote on issues in which they have a financial stake. Our communities deserve proper local government reform, not this chaotic,

thoughtless attempt at reform, which fails to keep the interests of local communities at the heart of local government.

**Debate adjourned.**

*Private Members' Statements*

**WILLIAMTOWN LAND CONTAMINATION**

**Ms KATE WASHINGTON (Port Stephens) (17:12):** Residents and businesses of Williamtown, Salt Ash and Fullerton Cove continue to live with uncertainty about the future value of their assets, about their way of life and, most critically, about the health impacts on them and their families as a result of contamination emanating from the Williamtown Royal Australian Air Force Base. Governments should strive to support people by ensuring that they have confidence in government decisions, which allows them to make decisions about their day-to-day lives and future with confidence. Given the manner in which the State and Federal governments have responded to the contamination crisis, affected residents have no confidence in the process or the government agencies involved, and uncertainties have only increased. While commitments were made during the recent Federal election, we await their implementation. At the same time, the former Assistant Minister for Defence, Michael McCormack, was promoted after telling the media that there were no health effects from perfluorooctane sulfonate [PFOS] and perfluorooctanoic acid [PFOA]. Is it any wonder that the local community has lost faith in the Government's ability to handle this mess?

I recently attended a forum organised by local residents to hear from chemical expert Dr Mariann Lloyd-Smith from the National Toxics Network. Dr Lloyd-Smith's message could not be clearer that the contaminants pose a serious risk to human health. Her message is also in complete contrast with that of all government agencies. Unsurprisingly, residents continue to be astonished by the lack of seriousness with which the Government appears to be taking this matter. Next month will mark the 12-month anniversary of residents being informed of the contamination of their property, despite various New South Wales government agencies, including the Environment Protection Authority [EPA], and the Department of Defence being aware of the contamination for a number of years.

In the past year I have witnessed the distress, worry, anger and disappointment of residents as they continue to learn more about what the Government knew and find themselves having to lobby repeatedly to have uncontaminated water and uncontaminated lives. Commercial fishers who have been banned from working are yet to be compensated adequately. Many of the fishers have not received any income other than a humiliating Centrelink handout for almost 12 months. I have met with other businesses that have been forced to put plans on hold while this contamination is investigated. I have also comforted anxious parents who are worried about what their children have been exposed to. Next week the Department of Defence will release its human health risk assessment, which is meant to be a comprehensive report addressing the pathways of risk for humans. However, the community's confidence in the report is low given that, first, it is being produced by the Department of Defence. While the department might have contracted AECOM to produce a report, it is paying for it.

The department has proved time and again that its interest lies in minimising liability rather than supporting the community. Secondly, it is a human health risk assessment that fails to address the humans involved, and affected residents have been denied blood testing. Thirdly, it is meant to be a comprehensive report, but the Department of Defence has not taken the time to test livestock in the region. Len O'Connell's family has offered up cows for testing on numerous occasions, but neither the Department of Defence nor the EPA has been bothered to do the tests. Len's cows have been standing for months in contaminated water and eating grass produced from his paddocks that have been flooded with contaminated water. Surely it is in everyone's interests to know whether the cows are carrying these toxic bio-accumulative compounds. Fourthly, the report's findings are to be assessed against the European standards, which are 75 times higher than the standards recently applied by the United States Environmental Protection Agency.

I acknowledge that the State Government has provided some positive responses. The Government and Hunter Water are connecting town water to residents who have been drinking bottled water for 11 months. However, the EPA appears to continue to rely on the excuse that the Department of Defence is outside its jurisdiction. I accept that the EPA has no authority over the base, but the community surrounding the base falls squarely within its jurisdiction. Given how underwhelming the authority's response has been, I was not surprised to hear the Minister for the Environment dismiss my call for an upper House inquiry into the role of government agencies—a statement that he delayed making until after the Federal election so that he did not upset the marginal seat campaign in Paterson. I remain convinced that a New South Wales upper House inquiry is required so that the community can get answers and begin to heal their distrust of government agencies.

Local residents and businesses are concerned about a number of issues. In what other situation would the polluter organise a human health risk assessment? Would we let Marlboro produce the health assessment for cigarettes? Why have the Environment Protection Authority and NSW Health allowed drinking water guidelines that are 78 times higher than those allowed by the United States Environmental Protection Agency? Why has the Department of Primary Industries pressed on with changes to the licensing system for Hunter-based fishers while many of them are caught up in the contamination and have been unable to work for many months? The contamination has been hidden from residents for too long. My community needs more clarity.

#### **TAREE LIONS CLUB SEMI-PERMANENT MARQUEE**

**Mr STEPHEN BROMHEAD (Myall Lakes) (17:17):** The Lions Club of Taree is organising the inaugural Taree TasteFest, which will be held on Saturday 14 January 2017. The club wants a semi-permanent marquee erected on the banks of the mighty Manning River, which is 156 kilometres of navigable waterway and the only delta formation in the Southern Hemisphere. The marquee will cost \$40,000, and the club would like the Government to contribute \$20,000 to this great project. The festival will highlight our fantastic local produce and will attract locals and tourists from across the State. The Manning Valley is a jewel in this State's crown. Exhibitors will include local food producers and brewers. The valley has the highest concentration of dairy farmers in New South Wales and produces one-third of the State's fresh milk. The mighty Manning River is also home to many oyster growers. Oyster growers on Wallis Lake produce one-third of the country's Sydney rock oysters.

Great local food and great local wine will be available. There will be cooking demonstrations by recognised master chefs—and I note that Donna Carrier from Bent on Food won the tourism award only the other night for one of the best restaurants in Australia. There will be musical interludes by talented local musicians and spot entertainment including spray artists, tumble clowns, and musical and action buskers. So we have the venue—the bank of the mighty Manning River—and we have an enthusiastic organising committee in the Lions Club of Taree. The outgoing president, Danny Patch, did an absolutely fantastic job as president of the Lions Club in the past 12 months. John Lenton is the chairman of the Taree TasteFest committee and the new president is Phillip Grisold. Phillip came to see me several months ago about this project and the concept of a semi-permanent marquee. The marquee has to be semi-permanent because when the mighty Manning River floods nothing can stand in its way. So having a structure that has anchor points in the ground but which can be removed quickly is essential.

I congratulate the Lions club on coming up with this idea. Only recently the Rotary club held a district convention and hundreds and hundreds of Rotarians from across the district came to Taree. The club hired a marquee on the riverbank at great expense. The Lions club's proposal for a semi-permanent marquee at that location could also be used by Rotary and other community organisations at other times, such as during speedboat championships on the river or rowing regattas. A marquee is important because when an event is held—particularly outdoors events—one can have the greatest, most enthusiastic committee in the world, with great produce, wine and crowds, but the one thing one cannot control is the weather. This marquee would solve that problem and ensure the success of all such events.

As I have said before, the Manning Valley has a number of issues. Event-led tourism generates jobs; it brings people into the community—people who stay overnight and spend money on accommodation, in restaurants, food outlets and shops. Event-led tourism is most important, particularly to a city like Taree, and I commend the Lions Club of Taree for this proposal. I implore the Premier and the Minister to give this grant serious consideration.

**Mr RAY WILLIAMS (Castle Hill) (17:22):** As a card-carrying member of the Kellyville Lions Club for the past 15 years, I commend the member for Myall Lakes for bringing this issue to the House on behalf of the Lions Club of Taree. As Parliamentary Secretary to the Premier, I know, as would the member and, indeed, all members of this House, that the Government provides to electorates almost \$40 million in funding through the Community Building Partnership program each and every year. Provided the marquee that has been suggested meets the requirements for a Community Building Partnership grant, I encourage the member for Myall Lakes to advise the Lions Club of Taree to make an application for a grant through that program. The member would then have the opportunity to support that application for a mere \$20,000. From what the member has said, I believe it would be \$20,000 well spent and I am sure the Government would consider it a project worthy of support.

#### **NIELSEN PARK**

**Ms GABRIELLE UPTON (Vaucluse—Attorney General) (17:23):** Nielsen Park in my electorate of Vaucluse is one of Sydney Harbour's most popular recreational spots with significant historical and environmental importance. On the traditional land of the Birrabirragal people of the Eora nation, it was previously part of the Vaucluse estate of William Charles Wentworth—who can be seen in the oil painting hanging in this Chamber,



which was painted by Richard Buckner. Nielsen Park is named after the Hon. N. R. W. Nielsen, the New South Wales Secretary—otherwise known as the Minister—for Lands, who served from 1910 to 1911.

The 22.9 acre park is blessed with glistening Shark Beach, Bottle and Glass Point and Steele Point—all with glorious harbour views. The oddly shaped Bottle and Glass Rocks were so named in 1799 as the sandstone columns resembled glassware. Once much taller than they are today, the columns were eventually shattered because it is said that passing ships used them for target practice. The historic 1851 residence Greycliffe House lies within the grounds of Nielsen Park. After 1911 the house served as a neonatal hospital and a mothercraft residence before it became an office for the New South Wales National Parks and Wildlife Service [NPWS] and a visitors centre for the Sydney Harbour National Park.

I have childhood memories of sitting on the sand in the glaring sunshine at Nielsen Park and then swimming out to the shark net, always slightly nervous that there might be a shady predator beneath the water on the other side. Today Nielsen Park remains an ideal picnic spot with fantastic opportunities for snorkelling, swimming, sightseeing and relaxing. Over the past two years the New South Government has spent more than \$600,000 on maintenance and projects within Nielsen Park. Since 2000, the National Parks and Wildlife Service and the Nielsen Park volunteer bush regeneration team have significantly improved the natural environment, and I congratulate them on that work. Both the NPWS and the volunteer team have helped to restore native vegetation on Mount Trefle and Bottle and Glass Point. They also work to protect the Nielsen Park She-oak, which is listed as endangered under the New South Wales Threatened Species Conservation Act 1995. The shrub was discovered in 1986 and has only ever been recorded as growing at Nielsen Park.

I am pleased that the National Parks and Wildlife Service proposes to list Nielsen Park and include all structures from Steele Point Road in the south to Bottle and Glass Point in the north on the New South Wales State Heritage Register in recognition of their historic importance and cultural significance. I strongly support this proposal and I look forward to working with the Minister for the Environment, the Hon. Mark Speakman, to ensure that this special part of Sydney is treasured and protected by us all.

We must also continue to invest in Nielsen Park. With that objective in mind, I convened a meeting of local residents on 30 June 2016, together with Michael Wright, Deputy Chief Executive of the National Parks and Wildlife Service, and the Minister's office. Before this meeting local residents had expressed concerns to me about the plan of management for Nielsen Park and the occupancy of the houses including Steele Point Cottage, Gardener's Cottage and Margaret Harper wing. I am committed to ensuring that the area is managed for the benefit of our community and that any future use is sympathetic to its rich heritage. I look forward to working with the National Parks and Wildlife Service and keeping the community involved throughout the consultation process.

Residents were also concerned about the ongoing maintenance of the park. At the meeting we learnt that the work of the National Parks and Wildlife Service includes daily inspections focused on attending to facility cleanliness, repairs, visitor safety and maintenance works on the toilet blocks. Prior to the peak summer season its work includes painting and major services. Recently the NPWS has prioritised a number of works such as roofing screw replacement and the repair of concrete cancer at the life saving club, roof repairs to the women's amenities block at Bottle and Glass Point, and upgrades to the toilet building interiors. These and other works brought to the attention of the NPWS by local residents must continue, and we look forward to a progress update by the NPWS soon.

Nielsen Park has a wider importance—it is part of Sydney Harbour National Park, which is characterised by massive sandstone headlands at the entrance to the harbour, near the beginning of my electorate, at Watsons Bay, with gentler slopes and beaches inside the harbour. The park provides a scenic harbour backdrop of rocky cliffs, natural vegetation, cultural plantings and grassed sea clearings. Nielsen Park is a "gem" not only for my local community but also for the State and for the nation, and we must continue to treat it as such.

### ELECTIVE SURGERY WAITING LISTS

**Mr GREG WARREN (Campbelltown) (17:28):** The Attorney General is always a hard act to follow. However, I am delighted to bring to the attention of the House the issue of elective surgery waiting times across the State and in my electorate of Campbelltown. Despite the goodwill and professional contribution of many wonderful staff in hospitals around the State and at Campbelltown Hospital, waiting times for elective surgery have continued to increase.

In 2011 more than 66,000 people were on the waiting list for elective surgery in New South Wales. Today more than 74,000 people are on the waiting list. More than 1,600 people are on the waiting list for elective surgery at Campbelltown Hospital. On average, people are waiting 237 days before receiving surgery. All members in this Chamber, including the Premier, should be as alarmed as I am at those statistics. I am further alarmed at the statistics for emergency waiting times at Campbelltown Hospital: approximately 35 per cent of

people are waiting four hours and more to receive emergency care. Those statistics continue to be reported to my electorate office in Campbelltown as well as in the local media.

Campbelltown is one of the fastest growing areas in New South Wales. I note the Minister's announcement that further development is flagged for the south. It is of great concern to me and many in our community that, based on those statistics, the main hospital is going backwards. As the Minister for Health is no doubt aware, many constituents have contacted me about the Campbelltown Hospital and some of the issues they have raised are alarming. I have heard complaints about children with severe disabilities being forced to wait for three days, in pain, for a feeding tube to be correctly inserted. I have heard complaints that malfunctioning equipment has forced patients to travel outside the area to Liverpool for treatment, and there are many more complaints.

Those statistics are not a reflection of the goodwill and relentless effort of staff, many of whom deliver a high standard of care to their patients. I give credit to the hospital staff, but I note that they can only do as well as they can with the resources and funding that the Government provides them. I acknowledge and commend the Baird Government for following through with the stage one upgrade of Campbelltown Hospital when it came to office in 2011. However, I am still shocked that we have not received the appropriate funding allocation in respective budgets for the required additions that have been promised, and we are seeing the consequences as a result of the lack of services.

At the 2015 election the Premier stated that, if elected, Campbelltown would be a priority for his Government. The Minister for Health stated that the second stage of the upgrade would be completed by this Government as a priority. If that is its commitment to the people of Campbelltown, I am disappointed that we have not seen the appropriate funding in two consecutive budgets. A lot of revenue in the budget has been fuelled by rivers of gold from stamp duty that was paid by first home buyers and new home buyers coming into the housing market. A lot of those people are in our region and they are entitled to receive the services that we need and deserve.

This issue must transcend partisan politics. I would be more than happy to not make a vast number of representations to the Minister for Health, but I will continue to do so. I am more than happy to talk with anyone about the issues and how we can appropriately fund the areas that need it, particularly mental health and elective surgery. Whether it be a hip replacement, knee replacement or cataracts, the most vulnerable in our community are affected, particularly the elderly. It upsets me to know that many people are living in pain while they are waiting for surgery allocations. I call on members in this Chamber to consider the implications of allowing the fastest growing regions in New South Wales—Campbelltown and Macarthur—to have the standards of its hospital drop below community expectation and to a level that is well below the State average.

**Mr RAY WILLIAMS (Castle Hill) (17:33):** In acknowledging the contribution by the member for Campbelltown, I also represent one of the fastest growing areas in residential growth in the north-west sector. In addition to the record investment in health services and in every hospital in New South Wales that this Government has made since coming to office in 2011, it also made a commitment prior to the 2015 election to improve health facilities in the south-west and north-west—namely at Campbelltown and Rouse Hill. I am advised that funding for my area will be announced in the 2017-18 budget. We made a commitment based on the lease of the New South Wales poles and wires and I place on record that this Government pledged that commitment on behalf of health services in New South Wales, which was not supported by the Opposition.

#### NATIONAL ART SCHOOL

**Mr ALEX GREENWICH (Sydney) (17:34):** The National Art School provides a unique form of arts education that has produced generations of successful Sydney artists and is essential to a thriving Sydney arts scene. Tonight I speak in support of protecting the future of this vital institution, which is again under threat, and that threat is of great concern to many of my constituents. The National Art School teaches under the atelier model of arts education, which is based on dedicated studio space, high contact hours with teachers and small class sizes. The intensive studio education helps students develop discipline, technique and individual style. Many students thrive under this model and I have heard from a number of past and present scholars who tell me they enrolled at the National Art School over other art schools across the country because of its unique teaching style.

National Art School students have shown a high level of support for their education with recent surveys showing an 89 per cent satisfaction rate for teaching, which is higher than other schools. Students have come out strong in support of keeping the school independent in response to past threats and have joined the recent campaign. The National Art School has nurtured many famous Australian artists with alumni names, including Martin Sharp, Tim Storrier, Kevin Connor and Elisabeth Cummins. The Museum of Contemporary Art collection includes works from more recent National Art School graduates such as Ildiko Kovacs, Joan Ross and Craig Waddell. and its current Telling Tales exhibition includes graduate Jumaadi. Upcoming artists who are

attracting international recognition and winning awards include graduates such as Juz Kitson and Mason Kimber. Graduate Fiona Hall featured in the recent Venice Biennale and two of the 2016 Archibald finalists come from the National Art School.

Not only does the school provide a purpose that complements the heritage values of the site; it also provides the perfect facilities needed for the school's teaching model, including small light-filled studios and gallery spaces with architecture and gardens that motivate and inspire creativity. Occupation of the site is fundamental to the success of the National Art School. I am concerned about the proposal to close the Sydney College of the Arts and send students to the University of New South Wales Art and Design school. While that proposal is not proceeding at this stage, I understand talks are happening on future National Art School funding with proposals to bring it under the university system again, which is a model I strongly oppose. Opportunities to study under different approaches, styles and practices are essential to fostering the diverse artistic and creative talents needed in the emerging innovation and entrepreneurship-based economy. A diverse range of artistic talents will give us an edge over our international competitors and an independent National Art School is essential for that reason.

The National Art School accepts students based on their interviews and portfolios as opposed to university-based schools that use the Australian Tertiary Admission Rank. This different approach allows the school to train students with significant artistic talent who may not meet university entry criteria. Alarming, there are indications that a merger would be followed by a sale of the site, potentially to a developer. The National Art School has been located within the old Darlinghurst jail site since 1921 and has been its sole occupant since becoming independent in 1996. The inner city needs to provide more than just residential apartments and the Government's disturbing trend to flog off inner city assets, including social housing and the Powerhouse Museum, shows a disregard for the inner city community and liveability.

As a school, the public is able to access the site, including the grounds and the galleries. It is used for public events that complement the school such as Art Month nights. The National Art School should be modelled on the National Institute of Dramatic Art and the Australian Film, Television and Radio School in recognition of its unique place in Australian arts education. Those institutions have independent legal status, secure funding and strong links to industry, arts writers, training bodies and professional practitioners. Although the model would require Federal funding, State funding would need to continue until this is achieved. The State Government should pursue this option to raise Sydney's status as a destination for arts education and protect this vital art school in the long term.

Art that captures and creates contemporary beauty can challenge thoughts and societal structures. It inspires and engages people so that they become better citizens. It also adds to a city's liveability, helping to attract and retain an intelligent workforce. We need to nurture and establish local artists who can tell the stories that matter to us. Without an independent National Art School, Sydney's cultural wellbeing would suffer. I call on the State Government to maintain the National Art School's independence, funding and occupation of the old Darlinghurst jail site and to work to achieve national funding with Government colleagues in Canberra.

**The House adjourned at 17:40 until Wednesday 3 August at 10:00.**