



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Sixth Parliament  
First Session**

**Wednesday, 19 October 2016**

Authorised by the Parliament of New South Wales



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# LEGISLATIVE ASSEMBLY

**Wednesday, 19 October 2016**

**The SPEAKER (The Hon. Shelley Elizabeth Hancock)** took the chair at 10:00.

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

*[Notices of motions given.]*

*Visitors*

## VISITORS

**The SPEAKER:** I welcome to the gallery this morning Mr Glen Handford, Interim General Manager, MidCoast Council, and Mrs Jan McWilliams, Chair of Local Community Committee, MidCoast Council, guests of the member for Myall Lakes, the member for Upper Hunter and the member for Port Macquarie.

*Bills*

## JUSTICE PORTFOLIO LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2016

### Second Reading

**Ms GABRIELLE UPTON (Vaucluse—Attorney General) (10:12):** I move:

That this bill be now read a second time.

This bill was introduced in the other place on 12 October in the same form. The second reading speech appears at pages 11 to 16 in the proof of *Hansard* for that day. I commend the bill to the House.

**Mr DAMIEN TUDEHOPE (Epping) (10:12):** As is usual with omnibus legislation, the bill deals with procedural amendments to a number of Justice portfolio bills. By virtue of the nature of those bills, they are very important to consolidating and introducing into legislation amendments that are essential for the proper operation of justice in the State. This bill deals with a variety of issues, including extensions to the child sexual assault evidence pilot. It deals with anomalies in the drafting of bail laws, improving criminal procedure and enforcement—with which I will deal in greater detail shortly—and with ensuring that the entitlements of judicial officers are fair and transparent. The bill will make the justice system fair and accessible by allowing appeals from District Court registrars. It will improve the operation of the strata scheme. It makes amendments to the operation of the legal profession's uniform law and makes technical adjustments to sentencing procedures. All of those issues are covered by the bill. However, I will concentrate on a small part of the bill and deal with amendments.

It is to the Attorney's great credit that these amendments have been made, brought forward today and approved by the other place. I concentrate on a few things, the first being that joint committal proceedings for a child and adult are to be conducted in the Children's Court. On the face of it that would seem to be a sensible amendment because we are seeking here to improve criminal procedure by allowing an amendment to the Children (Criminal Proceedings) Act 1987 to allow for committal proceedings for a child co-accused and an adult accused to be joined in the Children's Court unless the Children's Court is of the opinion that it is not in the interest of justice to do so.

Currently where an adult and a juvenile co-accused are allegedly involved in the same indictable offence the justice system embarks upon two sets of committal proceedings, one to be held in the Local Court and the other in the Children's Court. Section 29 of the Children (Criminal Proceedings) Act 1987 creates an exception to this rule where the adult co-accused is less than three years older than the juvenile. In these cases the adult can be joined to the juvenile in one committal proceeding in the Children's Court. This amendment will reduce trauma for victims by reducing the number of committals. If two separate committal hearings are held the complainant and other witnesses may be called to give evidence three times, twice in committal proceedings and then at the District Court trial.

Recent legislative changes have been designed to reduce the need for victims and complainants to give evidence multiple times. This amendment will only allow for committal proceedings to be joined in the Children's Court so as to maintain important safeguards to protect juvenile defendants. The Director of Public Prosecutions [DPP] suggested this commonsense amendment, which is supported by all key stakeholders, including the President of the Children's Court. On the face of it that appears to be an excellent and sensible amendment. The second amendment is the provision relating to the extension of the limitation period for prosecution of computer hacking summary offences. Generally the limitation for summary offences is six months. By virtue of this

important and improved amendment to criminal procedure and enforcement it is proposed to extend the time for prosecuting computer hacking offences from six months to 12 months. Section 308H of the Crimes Act 1900 creates an offence of unauthorised access of a computer. The summary offence carries a maximum period of two years.

Section 179 of the Criminal Procedure Act 1986 provides that a prosecution for a summary offence must be commenced within six months of the alleged commission of the offence unless the statute provides for a different time period. However, by the time a possible computer hacking offence is discovered, investigated and referred to the DPP it is often statute barred and cannot be pursued. The policy in relation to the six-month statute of limitation on summary offences is based on a number of principles: first, prosecution should be brought promptly and summary justice should be swift; second, there should be some finality for minor matters that brings peace of mind to victims of crime and certainty for offenders; third, evidence and memory deteriorates and as time passes a person is consequently less capable of effectively defending themselves; and, fourth, courts of summary jurisdiction should not be clogged up with historical minor matters.

It is not uncommon for the standard six-month limitation period to be varied if there are sound reasons for doing so. For example, there are many regulatory offences that carry longer limitation periods as the breach may not be discovered within the six-month period. As a general rule an extension of the statute of limitations for a summary offence should not exceed three years. The offence under section 308H is the most serious end of the range of summary offences carrying a maximum penalty of two years imprisonment. The alleged offence is often hard to detect because significant technical analysis needs to be undertaken and the primary evidence is usually data based and therefore is less susceptible to deterioration. Due to the complex nature of this offence, extending the limitation period is necessary to allow for proper detection and investigation. I note that in the United States the limitation period for computer hacking offences has been extended to five years.

The next issue is ensuring that regulations can be made to provide for the new plain English apprehended violence order [AVO] forms. Earlier this year changes were made to the Crimes (Domestic and Personal Violence) Amendment (Review) Act 2016 to enable the regulations to provide that new plain English apprehended violence order forms are to be used for all orders made after the commencement of that Act. The New South Wales Government has made a clear commitment to reduce domestic violence reoffending and improve protections to victims of violence. That would mean that people who breach domestic violence orders cannot return to court and use as a defence that they did not properly understand the terms of the order.

The Crimes (Domestic and Personal Violence) Amendment (Review) Act 2016 is due to commence soon. It will introduce plain English apprehended violence order forms. These have been designed to improve understanding of the conditions of apprehended violence orders by both defendants and victims. Defendants should increasingly comply with the orders because they are in plain English. The Crimes (Domestic and Personal Violence) Amendment (Review) Act 2016 also introduces amendments to the mandatory conditions of all apprehended violence orders by automatically prohibiting intentional or reckless damage of the victim's property. It adds an additional optional condition prohibiting the defendant from attempting to locate the victim. These are sensible conditions.

Supporting technology has been developed to provide for new plain English forms for all apprehended violence orders made after the commencement of the Crimes (Domestic and Personal Violence) Amendment (Review) Act 2016. Currently, the plain English apprehended violence order forms and new conditions would not be available if the application was made prior to the commencement of the amendments. There is a risk that some victims and defendants would not benefit from the amendments. The proposed amendment in this bill corrects that drafting error. The amendments introduced in the Crimes (Domestic and Personal Violence) Amendment (Review) Act 2016 will not apply to apprehended violence orders made prior to the commencement of that Act. However, they will apply to all pending and future applications for apprehended violence orders, and this will ensure that as many victims and defendants as possible benefit from the improvements.

Additionally, there is a provision to allow police to videorecord all lawful searches. The amendment to allow police to videorecord all lawful searches is yet another improvement to criminal law procedure and enforcement. Ordinarily it is an offence under the Surveillance Devices Act 2007 for any person to use a video camera on premises without consent. Exceptions to this offence include certain types of police searches. Since October 2014 the NSW Police Force search warrant standard operating procedures have required police to make a continuous video recording of all entry and search powers, including all people present and any evidence found. [*Extension of time*]

Filming searches is an accountability measure. Video recordings provide the most reliable account of police activities while also addressing evidentiary and behavioural risks. I note that the video recording of search warrants was recently applicable in a number of Independent Commission Against Corruption [ICAC] matters. The NSW Ombudsman has recently identified that this practice is unlawful because the exceptions to the offence

provision in the Surveillance Devices Act 2007 does not cover all powers of entry and search. This means that police do not have the power to videorecord all lawful searches, and police who record certain searches may be committing an offence. Both the NSW Ombudsman and police have requested this amendment to permit videorecording of any lawful search. This appears to be an obvious amendment. This amendment ensures all lawful police searches may be videorecorded without breaching the Surveillance Devices Act 2007. I am sure other speakers in this debate will address other amendments in this bill, all of which are sensible. I congratulate the Attorney and commend the bill to the House.

**Mr GUY ZANGARI (Fairfield) (10:24):** I lead on behalf of the Opposition with regard to the Justice Portfolio Legislation (Miscellaneous Amendments) Bill 2016. The object of the Justice Portfolio Legislation (Miscellaneous Amendments) Bill 2016 is to make a number of miscellaneous amendments to the following acts:

- (a) the Bail Act 2013,
- (b) the Bail Amendment Act 2015,
- (c) Children (Criminal Proceedings) Act 1987,
- (d) the Crimes Act 1900,
- (e) Crimes (Domestic and Personal Violence) Amendment (Review) Act 2016,
- (f) the Crimes (Sentencing Procedure) Act 1999,
- (g) the Criminal Procedure Act 1986,
- (h) the District Court Act 1973,
- (i) the Drug Misuse and Trafficking Act 1985,
- (j) the Drug Misuse and Trafficking Amendment (Drug Exhibits) Act 2016,
- (k) the Land and Environment Court Act 1979,
- (l) the Legal Profession Uniform Law Application Act 2014,
- (m) the Local Court Act 2007,
- (n) the Statutory and Other Offices Remuneration Act 1975,
- (o) the Strata Schemes Management Act 2015, the Supreme Court Act 1970, and
- (q) the Surveillance Devices Act 2007.

The Opposition notes that 17 Acts will be amended under this bill. The proposed amendments in the legislation move to expand on definitions and provide greater clarification while implementing a few make-sense changes as per recommendations provided from industry reports and feedback. I will make minimal comments with regard to the amendments. There are minor clarifying amendments to the Bail Act and the Bail Amendment Act that do not unfairly impact people seeking bail. The Crimes Act creates a limitation period of 12 months in which proceedings can be commenced for a breach of section 308H, unauthorised access to or modification of restricted data held in a computer, and removes various attempt and conspiracy charges from the original jurisdiction of the Supreme Court. Amendments to the Crimes (Domestic and Personal Violence) Amendment (Review) Act 2016, will allow for transitional and savings regulations to be made concerning existing apprehended violence orders. The Crime (Sentencing Procedures) Act looks to reinstate the maximum Local Court sentencing jurisdiction for aggravated matters.

I note that amendments to the Criminal Procedure Act include: providing the means of replacing a judge in a criminal jury trial if the judge cannot continue, clarifying issues relating to proceedings concerning sexual offences, extending the child sexual offence evidence pilot, and clarifying the role and qualifications of children's champions. There are miscellaneous non-controversial changes to the Supreme Court Act. Amendments to the Surveillance Devices Act include: Law enforcement officers may use videos in the conduct of a search or inspection that is permitted without a warrant, provides that law enforcement officers may use video cameras in the execution of search warrants under schedule 2 of the Law Enforcement (Powers and Responsibilities) Act 2002 or covert search warrants provision of the Terrorism (Police Powers) Act.

I will turn my attention to other parts of the bill and make brief comment. I note the consequential amendments to the Drug Misuse and Trafficking Act 1985 No. 226 with the omission of the "Director-General of the Department of Industry and Investment" from section 43 (5) and the insertion instead of the "Secretary of the Department of Industry, Skills and Regional Development". I note the scheduled amendments in the Drug Misuse and Trafficking Amendment (Drug Exhibits) Act 2016 No. 6 that omit schedule 1 [7] and [8]. Section 70 of the Legal Profession Uniform Law Application Act 2014 No. 16 concerns the certificate as to determination of costs to parties. We note that after section 75 a section will be inserted that says:

- (5A) The regulations may make provision for or with respect to the forwarding of a certificate issued under this section (or a copy of the certificate) ...

**Debate adjourned.**

**CHILD PROTECTION (WORKING WITH CHILDREN) AND OTHER CHILD PROTECTION  
LEGISLATION AMENDMENT BILL 2016**

**Consideration in Detail**

**Consideration resumed from 18 October 2016.**

**The SPEAKER:** The House will now proceed with the deferred division on the question: That Opposition amendments Nos 1 and 2 on sheet C2016-096 be agreed to.

**The House divided.**

Ayes .....34  
Noes .....44  
Majority.....10

**AYES**

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	Foley, Mr L
Harris, Mr D	Harrison, Ms J	Haylen, Ms J
Hoenig, Mr R	Hornery, Ms S	Kamper, Mr S
Lalich, Mr N (teller)	Leong, Ms J	Lynch, Mr P
McDermott, Dr H	McKay, Ms J	Mehan, Mr D
Mihailuk, Ms T	Minns, Mr C	Park, Mr R
Parker, Mr J	Robertson, Mr J	Smith, Ms T
Warren, Mr G (teller)	Washington, Ms K	Watson, Ms A
Zangari, Mr G		

**NOES**

Anderson, Mr K	Aplin, Mr G	Ayres, Mr S
Barilaro, Mr J	Bromhead, Mr S (teller)	Brookes, Mr G
Conolly, Mr K	Constance, Mr A	Crouch, Mr A
Elliott, Mr D	Evans, Mr L	Fraser, Mr A
George, Mr T	Goward, Ms P	Greenwich, Mr A
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	Patterson, Mr C (teller)
Pavey, Ms M	Perrottet, Mr D	Petinos, Ms E
Provest, 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	

**PAIRS**

Smith, Ms K

Baird, Mr M

**Amendments negatived.**

**The SPEAKER:** The question is that schedules 3 and 4 be agreed to.

**Schedules 3 and 4 agreed to.**

**Third Reading**

**Mr BRAD HAZZARD:** I move:

That this bill be now read a third time.

**Motion agreed to.**

**JUSTICE PORTFOLIO LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2016****Second Reading**

**Debate resumed from an earlier hour.**

**Mr GUY ZANGARI (Fairfield) (10:37):** I continue my contribution to the Justice Portfolio Legislation (Miscellaneous Amendments) Bill 2016.

**Mr Gareth Ward:** Hear, hear!

**Mr GUY ZANGARI:** I thank the member for Kiama for his wonderful support of the Justice Portfolio Legislation (Miscellaneous Amendments) Bill 2016. I return to the part of the bill that deals with the Legal Profession Uniform Law Application Act 2014, Act No. 16 of 2014. The bill amends section 70 of that Act, "Certificate as to determination of costs to parties", as follows:

Insert after section 70 (5):

- (5A) The regulations may make provision for or with respect to the forwarding of a certificate issued under this section (or a copy of the certificate):
- (a) by the costs assessor to the parties to the costs assessment or the Manager, Costs Assessment or both, and
  - (b) by the Manager, Costs Assessment to the parties to the costs assessment.

The bill also amends section 83, "Application by party for review", as follows:

Omit "within 30 days after the issue of a certificate of determination by a costs assessor" from section 83 (1).

Insert instead "within 30 days after the certificate of determination by the costs assessor has been forwarded to the parties in accordance with the regulations or the costs assessment rules". I refer to the section of the bill that relates to the tabling of certain annual reports in Parliament when Parliament is not sitting. It is stated that this section applies in respect of a report that the Attorney General is required, by following provisions, to lay or cause to be laid before a House of Parliament. The sections referred to are sections 26 and 34 of the specific Act, and clause 26 (5) of schedule 1 or clause 10 (7) of schedule 2 of the Legal Profession Uniform Law (NSW). The second part states that if the House of Parliament is not sitting when the Attorney General seeks to lay the report before it, the Attorney General is to cause a copy of the report to be presented to the Clerk of the Parliaments. As I said, as spokesperson for the Opposition—

**Mr Gareth Ward:** And a very fine spokesperson, too.

**Mr GUY ZANGARI:** I thank the member for Kiama for that interjection. The Opposition will not oppose this bill.

**Mr STEPHEN BROMHEAD (Myall Lakes) (10:40):** I support the Justice Portfolio Legislation (Miscellaneous Amendments) Bill 2016. The bill makes a number of amendments to several Acts to improve the efficiency of our courts and other justice agencies. The Acts being amended are the Bail Act 2013, the Bail Amendment Act 2015, the Children (Criminal Proceedings) Act 1987, the Crimes Act 1900, the Crimes (Domestic and Personal Violence) Amendment (Review) Act 2016, the Crimes (Sentencing Procedure) Act 1999, the Criminal Procedure Act 1986, the District Court Act 1973, the Drug Misuse and Trafficking Act 1985, the Drug Misuse and Trafficking Amendment (Drug Exhibits) Act 2016, the Land and Environment Court Act 1979, the Legal Profession Uniform Law Application Act 2014, the Local Court Act 2007, the Statutory and Other Offices Remuneration Act 1975, the Strata Schemes Management Act 2015, the Supreme Court Act 1970, and the Surveillance Devices Act 2007.

I draw the attention of the House to the Criminal Procedure Act 1989, which is to be amended to allow the heads of jurisdiction of the District Court and the Supreme Court to replace a trial judge in criminal jury trial proceedings if a judge dies, becomes ill, or is otherwise unable to continue. It is in the interests of all involved, including both the prosecution and the defence, for a criminal trial to proceed expeditiously to completion once it has commenced. This amendment will safeguard jury trials from being aborted where the only issue is the incapacity of the trial judge. Currently, if a judge is unable to continue a trial due to incapacity, the jury must be discharged and the trial must be recommenced. This means that members of the jury have spent time away from work, family and their ordinary pursuits only to be discharged before the trial is finalised. If witnesses have already given evidence they will be required to do so again. This can be emotionally taxing, particularly in trials involving violence or sexual offences, or where extensive cross-examination has occurred.

Another factor is the distress and uncertainty experienced by family members as a result of the final resolution of the trial being delayed further. Aborted trials also have considerable financial and efficiency implications for justice agencies, including legal representatives, the NSW Police Force and the courts. This is a considerable but unavoidable cost to the community. In short, avoiding an aborted trial can have significant operational and cost benefits for the justice system and the community. Importantly, the amendment is limited to jury trials. In jury trials the ultimate finding of guilt on the facts of the case is for the jury to determine.

The role of the judge is limited to making rulings in relation to evidence, summing up for the jury, giving directions to the jury, and delivering the sentence. It is reasonable for those functions to be performed by another judge if the original judge is unable to continue. Parties will have the opportunity to make submissions to the head of jurisdiction about whether a substitute judge should be appointed or the trial recommenced. In some cases it will be appropriate for the trial to be recommenced. The decision is ultimately one for the head of jurisdiction, who must consider whether appointing a substitute judge would be in the interests of justice.

Another amendment that will improve efficiency is to the Strata Schemes Management Act 2015. The Strata Schemes Management Act 2015 is due to commence on 30 November 2016. This Act will replace the Strata Schemes Management Act 1996. Section 86 of the 2015 Act gives new jurisdiction to the NSW Civil and Administrative Tribunal—known as NCAT—to hear claims for unpaid strata contributions. Section 86 also preserves the Local Court's jurisdiction in this area. The amendments to section 86 will clarify that NCAT should hear claims for unpaid strata contributions only if there are other proceedings on foot in NCAT involving the same lot owner and owners' corporation. Where the only issue in dispute is an unpaid strata levy, owners' corporations should continue to file in the Local Court.

The purpose of this amendment is to ensure that claims for unpaid strata contributions are dealt with as quickly and efficiently as possible. The Local Court currently deals with approximately 4,000 claims for unpaid strata levies each year. Nearly half of these are resolved by default judgement, which means that the lot owner did not respond to the court action. Where this occurs, the owners' corporation receives a judgement in their favour without having to attend a hearing. In contrast, NCAT does not have default judgement provisions. If these claims are filed in NCAT, owners' corporations would need to attend a tribunal hearing even if the lot owner does not appear. This could result in claims for unpaid strata contributions taking longer than they currently do.

The amendment also clarifies that owners' corporations may recover interest and expenses only as part of a claim for unpaid strata contributions, and that expenses must be reasonably incurred and reasonable in amount. This is the current position at law under section 80 of the 1996 Act. Because the new Act has not yet commenced, no existing cases will be affected by this amendment. However, the amendment ensures that once the Act commences unpaid strata contribution matters will be dealt with by the jurisdiction that can deal most efficiently with those matters.

Yet another amendment that will improve the efficiency of our courts is to the Supreme Court Act 1970 to ensure that appeals from judicial registrars of the District Court no longer go to the Court of Appeal in the first instance. The amendment addresses the legislative technicality that is behind the current appeal route. Section 48 of the District Court Act 1973 contains a list of courts and tribunals from which an appeal is assigned to the Court of Appeal. One item on the list is "the District Court or a Judge of the District Court". This wording catches judicial registrars because they "constitute the Court" under section 18FB of the Act. The amendment truncates the item so that it refers only to a judge of the District Court.

It is more appropriate for appeals from judicial registrar decisions to be heard by a division of the Supreme Court in the first instance because judicial registrars deal with comparatively less serious and complicated matters compared with District Court judges. There is no reason for their decisions to go directly to the Court of Appeal, which consists of three judges. The amendment will preserve resources because the new route of appeal will involve one judge instead of three. I commend the bill to the House.

*Visitors*

## VISITORS

**TEMPORARY SPEAKER (Ms Melinda Pavey):** I welcome to the public gallery participants in the NSW Young Women's Education Forum, a program being run by the New South Wales Parliamentary Education Office. It is a pleasure to have you in our Parliament, Australia's oldest Parliament. I wish you well with your learnings today and hopefully we may see you on this side of the barrier at some time in the future.

*Bills***JUSTICE PORTFOLIO LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2016****Second Reading**

**Mr JOHN SIDOTI (Drummoyne) (10:48):** I have great pleasure in speaking in debate on the Justice Portfolio Legislation (Miscellaneous Amendments) Bill 2016. The amendments in this bill will reduce trauma for victims and witnesses in sexual assault matters and make other minor modifications to support the Child Sexual Offence Evidence Pilot. The Child Sexual Offence Evidence Pilot delivers on an election commitment and provides for specialist measures intended to reduce trauma experienced by child victims in child sexual assault proceedings by allowing those children to have their evidence in chief, cross examination and re-examination prerecorded in the absence of a jury; and to be supported by specially trained and accredited communication specialists, known as a children's champion, during their interview with police and in court. These special measures aim to reduce the stress and duration of court proceedings for child sexual assault victims.

The amendments in the bill will support the Child Sexual Offence Evidence Pilot by clarifying that the pilot will apply to evidence given by child victims in trials involving sexual offences even where the indictment also includes non-sexual offences and/or offences against adults—the pilot provisions do not apply to adult victims or witnesses—adding teachers to the list of professionals qualified to be children's champions; expanding the pilot to other child prosecution witnesses in addition to child victims; and clarifying that the pilot provisions apply to child sexual assault proceedings that have been re-listed for trial following the commencement of the pilot legislation. These changes were proposed by the child sexual assault pilot implementation and monitoring group, which includes District Court judges, the Office of the Director of Public Prosecutions, the NSW Police Force, Legal Aid, the Bar Association and the Law Society.

The bill also makes an important amendment to improve protections for victims by extending the current requirement to close the court while a sexual assault complainant is giving their evidence in person or via video link to situations where such evidence is being given by video recording. This amendment will prevent a video recording of a complainant's evidence being played in open court. Playing a video recording of a complainant's evidence in the presence of, for example, the defendant's family and friends would cause significant distress to the complainant. Amendments in this bill will ensure that where a complainant's evidence is being given, regardless of whether this is in person, via video link or recording, proceedings will be held in a closed court unless otherwise ordered.

I commend the Hon. Gabrielle Upton, the Attorney General, for this bill. It goes a bit further. The bill does a number of things and includes amendments to reduce trauma for victims and witnesses in sexual assault matters, as I mentioned. It also addresses drafting gaps and anomalies in bail laws and improves criminal procedure and enforcement in relation to reducing trauma for victims by allowing an adult co-accused to join a child co-accused in committal proceedings in the Children's Court. As well as tidying up, this legislation ensures that entitlements for judicial officers are fair and transparent. It makes the justice system faster, fairer and more accessible. It also improves the operation of the strata scheme. The bill also aims to improve the operation of the Legal Profession Uniform Law and makes technical adjustments to sentencing procedure. From time to time bills like this will address those sorts of issues. I commend the bill to the House.

**Mr LEE EVANS (Heathcote) (10:52):** The amendments in the Justice Portfolio Legislation (Miscellaneous Amendments) Bill 2016 improve criminal procedure and enforcement by allowing for joint committal proceedings for children and adults in the Children's Court. One important amendment to improve criminal procedure is an amendment to the Children (Criminal Proceedings) Act 1987 to allow for committal proceedings for a child co-accused and an adult co-accused to be joined in the Children's Court unless the Children's Court is of the opinion that it is not in the interests of justice to do so. Currently, where an adult and a juvenile co-accused are allegedly involved in the same indictable offence, two sets of committal proceedings are held—one in the Local Court and the other in the Children's Court. Section 29 of the Children (Criminal Proceedings) Act 1987 creates an exception to this rule where the adult co-accused is less than three years older than the juvenile. In these cases the adult can be joined to the juvenile in one committal hearing in the Children's Court.

This amendment will reduce trauma for victims by reducing the number of committals. If two separate committal hearings are held, the complainant and other witnesses may be called to give evidence three times—twice in committal proceedings and then again at the District Court trial. Recent legislative changes have been designed to reduce the need for victims and complainants to give evidence multiple times. This amendment will only allow for committal proceedings to be joined in the Children's Court so as to maintain important safeguards to protect juvenile defendants. The Director of Public Prosecutions [DPP] suggested this commonsense amendment, which is supported by all key stakeholders, including the President of the Children's Court.

Another important improvement to criminal procedure and enforcement is the amendment to extend the time for prosecuting computer hacking summary offences from six months to 12 months. Section 308H of the Crimes Act 1900 creates an offence of unauthorised access of a computer. The summary offence carries a maximum penalty of two years imprisonment. Section 179 of the Criminal Procedure Act 1986 provides that a prosecution for a summary offence must be commenced within six months of the alleged commission of the offence unless the statute provides for a different period. However, by the time a possible computer hacking offence is discovered, investigated and referred to the DPP, it is often statute barred and cannot be pursued.

The policy in relation to the six-month statute of limitations on summary offences is based on a number of principles: prosecutions should be brought promptly and summary justice should be swift; there should be some finality for minor matters that brings peace of mind to victims of crime and certainty for offenders; evidence and memory, and as time passes a person is consequently less capable of defending themselves effectively; and courts of summary jurisdiction should not be clogged with historical, minor matters. It is not uncommon for the standard six-month limitation period to be varied if there are sound reasons for doing so—for example, there are many regulatory offences that carry longer limitation periods as the breach may not be discovered within the six-month period.

As a general rule an extension of the statute of limitations for a summary offence should not exceed three years. The offence under section 308H is at the most serious end of the range of summary offences, carrying a maximum penalty of two years imprisonment. The alleged offence is often hard to detect because significant technical analysis needs to be undertaken. The primary evidence is usually data-based and therefore less susceptible to deterioration. Due to the complex nature of this offence, extending the limitation period is necessary to allow for proper detection and investigation.

The changes to the Crimes (Domestic and Personal Violence) Amendment (Review) Act 2016 will enable the regulations to provide that new plain English apprehended violence order forms are to be used for all orders made after the commencement of that Act. The New South Wales Government has made a clear commitment to reduce domestic violence reoffending and improve protections for victims of violence. The Crimes (Domestic and Personal Violence) Amendment (Review) Act 2016 is due to commence soon and will introduce plain English apprehended violence order forms. These have been designed to improve understanding of the conditions of apprehended violence orders by both defendants and victims. Defendants should increasingly comply with the orders. The Crimes (Domestic and Personal Violence) Amendment (Review) Act 2016 also introduces amendments to the mandatory conditions of all apprehended violence orders by automatically prohibiting intentional or reckless damage of the victim's property. It adds an additional optional condition prohibiting the defendant from attempting to locate the victim.

Supporting technology has been developed to provide for new plain English forms for all apprehended violence orders made after the commencement of the Crimes (Domestic and Personal Violence) Amendment (Review) Act 2016. Currently the plain English apprehended violence order forms and new conditions would not be available if the application was made prior to the commencement of the amendments. There is a risk that some victims and defendants would not benefit from the amendments. The proposed amendment corrects a drafting error. The amendments introduced in the Crimes (Domestic and Personal Violence) Amendment (Review) Act 2016 will not apply to apprehended violence orders made prior to the commencement of that Act. However, they will apply to all pending and future applications for apprehended violence orders. This will ensure that as many victims and defendants as possible benefit from the improvements.

The amendment to allow police to video record all lawful searches is yet another improvement to criminal law procedure and enforcement. Ordinarily it is an offence under the Surveillance Devices Act 2007 for any person to use a video camera on premises without consent—exceptions to this offence include certain types of police searches. Since October 2014, NSW Police Force search warrant standard operating procedures have required police to make a continuous video recording of all entry and search powers, including all people present and any evidence found. Filming searches is an accountability measure.

Video recordings provide the most reliable account of police activities while also addressing evidentiary and behavioural risks. The NSW Ombudsman has recently identified that this practice is unlawful because the exceptions to the offence provision in the Surveillance Devices Act 2007 does not cover all powers of entry and search. This means that police do not have the power to videorecord all lawful searches, and police who record certain searches may be committing an offence. Both the NSW Ombudsman and police have requested this amendment to permit video recording of any lawful search. This amendment ensures all lawful police searches may be video recorded without breaching the Surveillance Devices Act 2007. I commend the bill to the House.

**Mr JAI ROWELL (Wollondilly) (11:02):** I make a contribution to debate on the Justice Portfolio Legislation (Miscellaneous Amendments) Bill 2016. The purpose of the bill is to make amendments to various Acts in the justice cluster to clarify criminal procedure and improve the operation and efficiency of legislation

affecting the courts and other justice cluster agencies. I acknowledge that debate of these topics can be a little dry but it is important that these various Acts are reformed from time to time and I thank the Attorney General and her staff for their hard work. Indeed, it was only recently that the Attorney General visited my electorate of Wollondilly to make some fantastic announcements.

The bill includes amendments to the Bail Act 2013, Bail Amendment Act 2015, Children (Criminal Proceedings) Act 1987, Crimes Act 1900, Crimes (Domestic and Personal Violence) Amendment (Review) Act 2016, Crimes (Sentencing Procedure) Act 1999, Criminal Procedure Act 1986, District Court Act 1973, Drug Misuse and Trafficking Act 1985, Drug Misuse and Trafficking Amendment Act (Drug Exhibits) Act 2016, Land and Environment Court Act 1979, Legal Profession Uniform Law Application Act 2014, Local Court Act 2007, Statutory and Other Offices Remuneration Act 1975, Strata Schemes Management Act 2015, Supreme Court Act 1970 and the Surveillance Devices Act 2007. The Attorney General and her office have done a fantastic job in making sure that these reforms go right across the board. This will keep everything current and efficient.

Like other speakers before me, I will touch on a few of the changes in this bill. The amendments will make technical adjustments to sentencing procedure, including fixing a 2015 drafting error to enable intensive correction orders to be served consecutively, or partly concurrently and partly consecutively, to commence when appropriate, rather than immediately; implementing a recommendation of the NSW Law Reform Commission to clarify that courts can order a fixed term of imprisonment for offences that have a standard non-parole period, providing the fixed term is equal to or greater than the standard non-parole period; clarifying that courts may set a non-parole period for an aggregate sentence of more than six months imprisonment for multiple offences, even if the sentence the court would have imposed for each individual offence would have been six months or less; and implementing a recommendation of the NSW Law Reform Commission to clarify that the Local Court can impose an aggregate sentence of up to five years imprisonment for multiple offences.

The amendments will improve the operation of the strata scheme by clarifying when the NSW Civil and Administrative Tribunal and the Local Court each hear applications concerning unpaid strata levy contributions; and clarifying that owners' corporations may only seek expenses as part of an action to recover unpaid strata fees. We also want to ensure that entitlements for judicial officers are fair and transparent by enabling judges and magistrates to salary sacrifice a living away from home allowance when assigned to regional locations to create consistency with other private-public employee entitlements; allowing the Statutory and Other Officers Remuneration Tribunal [SOORT] to determine the pay for acting magistrates and acting commissioners of the Land and Environment Court for consistency with the SOORT process for permanent magistrates and commissioners; and clarifying acting judges can continue to be paid if they are finalising matters and their appointment expires.

I take this opportunity to note the excellent work that our magistrates and judges do. Many years ago I was a court officer in a number of local courts, including Campbelltown, Liverpool and Camden local courts, and I have seen firsthand the fantastic work they do. I note that the Attorney General is in the Chamber. As I have said, the bill contains many changes but I will finish with the amendment to reduce trauma for victims and witnesses in sexual assault matters. This is a very important amendment, which all members will no doubt support. Minor modifications will be made to the child sexual assault evidence pilot, which commenced in March 2016 as part of the Government's election commitment to reduce trauma to children during trials for child sexual assault by pre-recording their evidence and using children's champions to help them communicate their evidence.

The bill will allow tertiary qualified teachers to be children's champions, which will increase the pool of eligible Aboriginal and Torres Strait Islander children's champions; it will confirm child sexual assault trials that were listed for trial prior to the commencement of the pilot but have subsequently been adjourned and re-listed after the commencement of the pilot; and will expand the pilot to all child witnesses, not just victims, and to child sexual assault trials also involving non-sexual offences or other offences against adults; it will require the court to be closed to the public when a sexual assault victim's evidence is given by video recording—the court is already required to be closed if the victim is giving evidence in person or by audio-visual link; and it will clarify that a recorded interview with a child and a police officer from any jurisdiction in Australia can be used as evidence in a New South Wales trial. In conclusion, I again thank the Attorney General for visiting my electorate and for announcing a \$700,000 investment to ensure that victims in these types of cases have the utmost protection and are not intimidated by alleged perpetrators. The technology investment at Campbelltown Court is fantastic. I commend the bill to the House.

**Ms GABRIELLE UPTON (Vaucluse—Attorney General) (11:08):** In reply: I thank all members for their contributions to this debate, including the member for Epping, the member for Myall Lakes, the member for Drummoyne, the member for Heathcote, the member for Wollondilly, and the member for Fairfield. This important bill contains amendments to clarify criminal procedure and improve the operation and efficiency of legislation affecting the courts and other justice cluster agencies. They arise from the regular review of courts and

crimes legislation, and other legislation impacting the justice cluster, police, Corrective Services and the courts. I thank all the stakeholders who have contributed to the development of this bill, in particular the heads of jurisdiction of the Supreme Court, the District Court and Local Courts, the NSW Bar Association, the Law Society of NSW, the New South Wales Office of the Director of Public Prosecutions, the Public Defenders office, the NSW Police Force and Legal Aid NSW.

The amendments contained in this bill will assist agencies within the justice cluster to carry out their functions more effectively and efficiently, and that will benefit victims, offenders and the community of New South Wales. The bill includes amendments to improve the Child Sexual Assault Evidence Pilot, which commenced in March 2016 as part of the Government's election commitment to reduce trauma to children during trials for child sexual assault offences by pre-recording their evidence and using children's champions to help them communicate their evidence in court. This pilot is designed to reduce the added traumatisation of already traumatised children appearing before a court and supports them in that experience so that justice is achieved for them. We are recalibrating parts of the children's champion initiative to ensure that the most vulnerable members of our community are better supported when they appear before the courts. The pilot will be evaluated at both an interim stage and at its three-year conclusion.

Additional amendments will enhance existing safeguards for victims of sexual assault, both children and adults, when giving their evidence. The bill will also address gaps and anomalies in bail laws. Further amendments will improve criminal procedure and law enforcement, ensure entitlements for judicial officers are fair and transparent, improve efficiency in court procedure, improve the operation of the Legal Profession Uniform Law and make technical adjustments to sentencing procedure. Together, these miscellaneous but important amendments will update and improve the operation of our justice system in New South Wales. I commend the bill to the House.

**TEMPORARY SPEAKER (Ms Melinda Pavey):** The question is that this bill be now read a second time.

**Motion agreed to.**

### Third Reading

**Ms GABRIELLE UPTON:** I move:

That this bill be now read a third time.

**Motion agreed to.**

## HOUSING LEGISLATION AMENDMENT BILL 2016

### Second Reading

**Mr RAY WILLIAMS (Castle Hill) (11:12):** On behalf of Mr Brad Hazzard: I move:

That this bill be now read a second time.

It gives me the greatest of pleasure to speak in support of the Housing Legislation Amendment Bill 2016. I think the vast majority of people in New South Wales know that our Government is committed to implementing a variety of initiatives which will increase the supply of social and affordable housing in New South Wales and improve supports for the most vulnerable and disadvantaged people in our community. I have often said that a government is judged on the way it cares and supports the weak, the frail, the aged and the most disadvantaged people in the community, and this Government will be judged very fairly in the future when one looks at the work it has done in just a few short years.

We are making some remarkable inroads in social and affordable housing. Under this Government, people who require shelter will receive it. We will implement measures throughout the tenure of this Government that will provide social and affordable housing well into the future. I will not go into what some of those measures will be but this Government is working diligently to provide for all people in the community. It is not just about providing for the more affluent in society or about creating jobs; it is about providing for those who are disadvantaged. That is why I said that I have the greatest of pleasure in speaking in debate on this bill.

**Ms Tanya Mihailuk:** I thought you were doing policy there for a while.

**Mr RAY WILLIAMS:** I acknowledge the rude interjection by the member for Bankstown. I am sure she regrets making that comment. In addition to the Social Housing Management Transfers program, the Government has embarked on a major reform process to significantly improve tenant experience through social housing asset maintenance. A new social housing maintenance contract commenced in April 2016 and has a strong focus on social outcomes, including tenant employment and training. Once again I say with the utmost sincerity

that it is not just about providing homes for people or about giving people a handout; this is a genuine attempt by our Government to improve the lives of people and to improve opportunities for the next generation. We know that there are areas of disadvantage in Western Sydney where up to three generations of people have not held employment. We need to break that cycle.

This Government will do all it can not only to provide housing and shelter for those people who cannot afford a home but also to reach out and try to get people into gainful employment and, ultimately, to try to improve the lives of the next generation and the generation after that. By doing that, we will improve society for everybody. In 2015-16, of the order of \$500 million was allocated to maintenance for social housing properties in New South Wales. This increased to around \$517 million in 2016-17 for existing work programs and property upgrades; for example, new kitchens, improving bathrooms, roofing and gutters, hot water systems, carpets and painting—general maintenance that perhaps we in this place take for granted but which, sadly, in the past and during the dark 16 years of Labor rule in this State, was overlooked.

**TEMPORARY SPEAKER (Ms Melinda Pavey):** Order! I call the member for Fairfield to order for the first time.

**Mr RAY WILLIAMS:** Many of the public housing tenancies fell into disrepair. This Government will not overlook that; we recognise our responsibility, as we do in all areas of service delivery in New South Wales, and we will seek to improve the quality of life of those residents. To improve the efficiency of the maintenance program, new maintenance contractors have recently been employed to deliver maintenance services for social housing dwellings across New South Wales. The new contract includes regular monitoring of tenant satisfaction via contractor and independent reports, and promotes better quality first-time fixes.

How many times have members of this place, regardless of their political persuasions, been contacted by tenants in public housing who have said that their place of residence has fallen into disrepair, that the roof leaks and that the doors will not lock? It is endless. Every member of Parliament has heard those cries. Once again, this Government recognises its responsibility. We have now reformed the processes so we can have a direct conversation with tenants to ensure that the Government is applying itself diligently to upgrading those residences. Importantly, the contractors are required to train and employ tenants and to engage small and medium enterprises and disability service providers. These are positive measures to help tenants break the cycle of disadvantage.

I state clearly for the record, as the Minister for Finance has previously pointed out, that of course one would choose to build three new dwellings by selling one block. I will be quite candid because there has been a lot of controversy about some public housing tenancies and residences in and around Millers Point and other harbourside residences that are worth an enormous amount of money. The Government has made no secret of the fact that it has on-sold many of those properties and directed that money into building more residential accommodation for disadvantaged people. Telopea, Waterloo and Parramatta are other areas at which the Government has looked.

From a planning perspective the ability to knock down and rebuild is one of the greatest secrets of economic prosperity. Although I recognise and acknowledge the importance of heritage buildings, knocking down and rebuilding old public housing, with all the wonderful urban design that is available today to improve outdoor living areas and provide a mix of both public and private housing, is extremely important. The last thing we want is to create enclaves of disadvantaged people living together. It is important to get the balance right, with both public and private tenants living in refurbished and new apartments. This encourages public tenants to follow the example of private tenants who are driving or catching public transport to work, thereby improving their lifestyle. It can be infectious and may educate people to now believe that this is possible for them. Indeed, it is the aim of the Government to help people gain employment, encouraging generational change, which adds not only to their personal wealth but also to society.

Everybody who is capable of undertaking gainful employment should contribute to society. I have spoken many times about disadvantaged people, particularly people with disabilities. We no longer focus on disabilities; we focus on abilities. Many people with disabilities are able to work actively in and contribute to society. I have worked very closely with organisations such as NOVA, which provides opportunities to young people at Rouse Hill. Every parliamentarian could play a role in offering work experience opportunities to those people, helping to give them a leg up on the ladder of life and hoping they will find gainful employment in the future. Across every area of social disadvantage, but in particular in the area of housing, the Government is being diligent. I commend the Minister for playing an active role and for showing heartfelt concern for disadvantaged people.

The new maintenance contracts and social housing maintenance transfer programs enable much greater involvement of non-government departments in managing social housing assets. They also will support social housing tenants in the future, often the most vulnerable and disadvantaged people in our community who can expect to achieve greater outcomes through the Government's measures. As the bill was introduced in the other

place on 12 October 2016 and is in the same form, the second reading speech appears at pages 10 and 11 in the proof *Hansard* of that day. I commend the bill to the House.

**Ms TANIA MIHAILUK (Bankstown) (11:24):** On behalf of the Opposition I lead in debate on the Housing Legislation Amendment Bill 2016 in my capacity as shadow Minister for Social Housing. I note for the record my surprise that this bill was introduced in the other place by the Minister for Disability Services, Minister for Ageing and Minister for Multiculturalism rather than by the Minister for Social Housing in this House. I find that rather odd. As my colleague the Hon. Adam Searle indicated, the New South Wales Opposition will not oppose this bill. Broadly speaking, this bill proposes to amend the Housing Act 2001 and the Community Housing Providers (Adoption of National Law) Act 2012 to enable the Land and Housing Corporation to enter into concurrent leases with registered community housing providers and to provide for the establishment of a local scheme of registration for community housing providers that are unable to be registered under the Community Housing Providers National Law (NSW).

As members would be aware, the Housing Act 2001 was introduced by the former Carr Labor Government and this Act provides the legislative framework for social housing in New South Wales. The Land and Housing Corporation was established as a body under the Housing Act to own and manage the New South Wales Government's vast social housing portfolio, including all land, buildings and other assets. At present, this portfolio consists of approximately 130,000 in total, with an estimated value of over \$35 billion. I turn to schedule 1 to the bill, which proposes to amend the Housing Act 2001. These amendments propose to enable the Land and Housing Corporation to enter into concurrent leases with registered community housing providers. The practical implications of a concurrent lease would be the transfer of the rights and obligations of the Land and Housing Corporation as a landlord to a different party, in this case a registered community housing provider.

This legislation will provide for such a transfer of property rights, resulting in a tenant paying rent to the community housing provider rather than the Land and Housing Corporation. A community housing provider would also be responsible for property maintenance and the tenancy would cease to be a social housing tenancy. As such tenants would no longer be eligible for a rental rebate under the Housing Act but instead would be eligible for Commonwealth rental assistance. Schedule 1 to the bill also proposes various amendments relating to the transfer of a tenant's file and tenancy from the Land and Housing Corporation to a registered community housing provider. It is significant that the bill proposes such a transfer without the requirement for the consent of the tenant. A tenant's personal and health information could only be transferred by the Land and Housing Corporation if it is satisfied that the community housing provider receiving the file or tenancy has procedures in place to ensure privacy. It is critical that a proper register be in place for community housing providers because they are being handed the private files of housing tenants.

I turn now to schedule 2 to the bill, which proposes to amend the Community Housing Providers (Adoption of National Law) Act 2012. This legislation was adopted to create uniform State provisions that are consistent with Commonwealth legislation regarding the registration, monitoring and regulation of community housing providers. In New South Wales approximately 37,000 community housing tenancies are being managed by registered community housing providers. I place on record my great appreciation for the valued work of many community housing providers that are managing tenancies throughout New South Wales. The not-for-profit community housing sector has been providing high-quality tenancies for individuals on very low to moderate incomes for the past 30 years. It is my understanding that the sector as a whole has low rent arrears, vacancy rates and high satisfaction with its tenants. The community housing sector achieves excellent results in the management and provision of housing in its communities.

In July 2016 at the affordable housing conference I reiterated Labor's commitment to transfer the full title and deed of 20,000 dwellings to the not-for-profit sector. That is Labor's vision for this sector. Provided the sector continues to deliver the present outcomes Labor is committed to working with the community housing sector, which has indicated its willingness to build affordable housing dwellings to deliver better outcomes for its tenants in New South Wales. Schedule 2 to the bill will amend the Community Housing Providers (Adoption of National Law) Act to require the Minister for Family and Community Services, and Minister for Social Housing to establish a local registration scheme.

This legislative amendment will enable entities previously unable to register as a community housing provider under the national scheme to do so under a local scheme. It is my understanding that at present certain entities such as Aboriginal land councils and local government authorities are unable to register as part of the national scheme because they are unable to insert wind-up clauses in the governing documents. The bill intends the local scheme to follow the national scheme with consistent measures relating to the registration, monitoring and regulation of community housing providers. However, it should be noted that as the bill has been drafted the Minister is not required to provide the reason that an entity would be registered under the local scheme rather than the national scheme.

There must be an onus placed upon the Minister to ensure that only organisations unable to register under the national scheme due to structural reasons are registered under the local scheme, such as Aboriginal land councils and local government authorities. This will prevent for-profit entities registering under the scheme and accessing benefits currently provided only to community housing providers. I am disappointed that the Government did not support this simple but vital amendment in the other place. The purpose of the amendment was to add a layer of transparency to ensure that the Minister published in the Government *Gazette* the reasons why a community housing provider was being registered under a local scheme instead of the national scheme. I note that The Greens recognised the need for increased transparency.

The Hon. John Ajaka was requested by the Leader of the Opposition in the Legislative Council to pinpoint the legislative mechanism that requires the Minister for Family and Community Services, and Minister for Social Housing to provide specific reasons why a community housing provider would register under the local scheme rather than the national scheme. The Minister was not able to answer this simple question. The Minister contradicted himself by stating, "It would create further regulation, red tape and delays in registration". The Opposition will not oppose the bill. It recognises the need for a local scheme for organisations such as Aboriginal land councils, and local government associations and authorities to register as community housing providers. It is a reasonable expectation for the government of the day to explain why it is approving the local registration of an organisation. This is in the best interests of good governance and transparency. I acknowledge Ned Cutcher from Tenants NSW for providing my office with advice regarding the practical implementation of this bill.

**Mr ADAM CROUCH (Terrigal) (11:33):** I will make a brief contribution to debate on the Housing Legislation Amendment Bill 2016. I support this excellent bill. The Government is committed to delivering better social housing services for the most vulnerable and disadvantaged in our community. I will provide some background to this bill. The bill will enable key reforms announced earlier this year under the Government's Future Directions for Social Housing Strategy in NSW to transfer social housing tenancy management to community housing providers. The Minister announced details of the reform last week. The purpose of the bill is to amend that legislation to bring into effect key aspects of the Government's future directions social housing strategy.

It is aimed at delivering an improved and expanded social housing sector. It delivers on an agreement made in 2009 with the Council of Australian Governments to transfer up to 35 per cent of social housing to the community sector. The bill provides for the establishment of a local registration scheme for community housing providers in this State that are unable to be registered under the national regulatory system for community housing. This includes local Aboriginal land councils that are prevented from seeking registration under the national system because of wind-up provisions governed by the Aboriginal Land Rights Act 1983. The local scheme mirrors the national system with regard to practical criteria for registration.

The future direction for the social housing strategy sets out the Government's vision for social housing over the next decade. It will focus on driving better outcomes for tenants, including helping those who are able to transition out of social housing. It is key to assist people to transition back to the world outside the enclosure of social housing to enable them to move on with their lives and free those facilities for other people. There have been backlogs in social housing. This bill will relieve those backlogs on the Central Coast. Social housing is of great assistance to people who need the leg up. Future directions is underpinned by three strategic priorities. Logically the first is more social housing. Secondly, more opportunities and support incentives to avoid and/or leave social housing. It is a great lever to assist people requiring help through no fault of their own. It allows them to move on with their lives and assists with a new start.

Thirdly, to have a better social housing experience. The member for Castle Hill mentioned that the quality of past social housing had been poor. There are great improvements on the Central Coast. It is evident that the quality of social housing has improved to assist those who most need it. The achievement of these priorities is linked to three interconnected strategies. The first is a significant expansion and redevelopment of stock through partnerships with the non-government sector. The second is transferring the tenancy management responsibilities in certain areas to community housing providers. The third is ensuring wraparound services support tenants to build capabilities and take advantage of the economic opportunities in the strengthening economy.

Last week it was announced that net debt had been abolished in New South Wales. It is a good time to live on the Central Coast. Jobs figures on the Central Coast have improved through the hard work and diligence of the Government over the past five years. People who find themselves in difficult circumstances are provided with an opportunity to find employment on the Central Coast, rather than commuting. The ideal solution is for a person to work and live on the Central Coast. The regional plan, which was released last week, projected a growth in Central Coast population of 75,000 people by 2036.

Government must ensure that it cares for the most vulnerable in our society. The Central Coast is gathering momentum and is the destination of choice for first home buyers and those looking to retire. Public housing is there to assist the middle group of young aspirational people who have done it tough. The social housing

management transfer program will facilitate the transfer of significant management responsibilities to community housing providers and in doing so will support better outcomes for social housing tenants.

We have seen an increase in the structural support that is provided to people on the Central Coast who are doing it tough. A multi-service facility was recently opened by Minister Hazzard in Wyong. That is an outstanding facility. I hear positive reports about existing multi-service facilities, where services work under one roof to assist people in need. The Government is listening to the most vulnerable in our society. As we have said, we want to make sure that we protect them. At the same time, we want to enable them to move on with their lives and to have great opportunities for future employment. We want them to have the quality of life that we expect in New South Wales, and especially on the Central Coast. The management transfer program will be implemented through a commissioning process that will be open to existing registered community housing providers and new market entrants capable of achieving registration. This is a wise and sensible amendment to the existing legislation announced by the Minister. I support the bill and commend it to the House.

**Mr ALEX GREENWICH (Sydney) (11:40):** The Housing Legislation Amendment Bill 2016 will help the Government transfer the tenancy management of about 18,000 public housing properties to community housing providers, to bring the proportion of community housing to 35 per cent of the State's social housing. Housing in four regions will be transferred as part of this process. While these regions are outside my electorate, I make a brief contribution to debate on the bill because this model could be used for future transfers in other regions and my electorate has significant social housing communities that could be affected.

The bill does two things: It provides for concurrent lease arrangements between the Land and Housing Corporation and a community housing provider, and the community housing provider and the tenant; and it creates a new local register for community housing providers that do not meet the criteria of the national register. To date, tenants have generally been given a choice in whether to remain in the public system or to have their tenancies transferred to a community housing provider. This has been important for tenants with a basic continuing tenancy agreement from before the 2005 changes because they would be likely to be worse off if their lease were replaced with a new, fixed-term social housing lease. Because it would not be possible to provide choice to tenants in a wholesale stock transfer, a system of concurrent leases has been adopted so that the Government can transfer buildings, estates or areas to the community housing sector while maintaining tenants' existing lease conditions.

The concurrent lease arrangements will ensure that tenants will not lose any rights. They will be charged the same rent, the length of their lease will be the same, their rights and responsibilities will be the same and tenant eligibility will be based on the same social housing waiting list. This will help to ensure that no tenant will be worse off. It cannot guarantee that everything will remain consistent for transferred tenants. Different social housing landlords will have different tenancy management policies and approaches, and this may affect tenants' experience of their home. This could be for better or for worse. However, I note that social housing tenant satisfaction surveys continue to indicate high levels of satisfaction with community housing providers, often higher than with public providers.

One area that is unclear is that of maintenance responsibilities. In the Sydney electorate some dwellings are managed by Housing NSW and some by community housing providers. In the past it has been difficult to work out who has responsibility for the management of common areas. While this would not be a problem in a stock transfer, there is a broader question about who has the responsibility for maintenance in a transfer and whether in some instances the community housing provider will mediate between tenants and the Government to organise repairs, adding bureaucracy and potential delays.

Creating a new local registration system for community housing providers makes sense because local Aboriginal land councils should be able to access the scheme. However, tenant advocate groups want to see the detail to ensure that provisions do not broaden eligibility to for-profit providers. I understand this is not the intention of the Government. Given tenant satisfaction and the ability for community housing providers to increase funding for social housing by attracting rent assistance, there is no question that the Government should support growing the community housing sector and continue looking for innovative solutions to provide housing for those in need. I support the bill.

**Mr JOHN SIDOTI (Drummoyne) (11:43):** I support the Housing Legislation Amendment Bill 2016, which is an important step towards reforming the social housing system in our State. Future Directions for Social Housing in NSW, announced in January this year, sets out the Government's vision for social housing over the next decade. It relies on a number of supporting programs to deliver reform and achieve better outcomes for tenants. The social housing management transfer program is one such program and will result in the management of government-owned dwellings in some areas being transferred through long leases to the community housing sector. Community housing providers are generally well focused on providing local wraparound supports and services for their tenants. The delivery of local wraparound supports and services translates to tenants being given better opportunities to live up to their full potential.

In addition, under the Communities Plus program, the New South Wales Government will deliver up to 23,000 new and replacement social housing dwellings over the next decade. Communities Plus will be delivered through major projects and smaller neighbourhood projects in metropolitan Sydney and regional New South Wales. Major projects already announced include Ivanhoe Estate at Macquarie Park and dwellings at Waterloo, Telopea and Riverwood. Smaller neighbourhood projects are strategically located in metropolitan and regional New South Wales, from Tweed Heads in the north to Wagga Wagga in the south-west. Communities Plus has another component, the community housing provider program, which will see providers project manage the construction and provide tenancy management of select public housing redevelopments. That is in addition to the social housing management transfer program. The social housing management transfer program and the Communities Plus program are very positive initiatives that will result in better outcomes for social housing tenants in New South Wales.

I commend the Minister for Family and Community Services, and Minister for Social Housing. It is a very tough portfolio. I am glad that he has so much expertise, particularly having been the former Minister for Planning and Infrastructure. There are so many opportunities for improvement in community housing, and it must be managed by someone who is bold and willing to think outside the box. Minister Hazzard certainly does that. I had little involvement with social housing prior to entering Parliament, but I have since become keenly interested in it. There are approximately 810 public housing and social housing dwellings in my electorate. Many are quite run down. It is unacceptable to have maintenance backlogs over long periods. This Government is actively working to fix many of the problems that have existed for decades.

We have to move with the times. I was very glad to see some of the social housing blocks in the inner city being sold and the money then being used to provide more public housing. It could have easily been a milkshake tax cut, but this Government is committed to putting back into the sector the funds raised through the sale of public housing. It is crucially important, because over time things change. In my electorate there are numerous public housing dwellings along the waterfront. It is not just a case of building more public housing, because more is always needed. It is a never-ending cycle. The key is to have a strategy to transfer people from public housing into other forms of accommodation so that gradually they can be given the opportunity to own their own place. This Government has implemented many programs, particularly under Minister Hazzard, to promote that transition.

It is unacceptable to have to wait for more than a decade for public housing. There is something wrong with the system when people have been lingering on the waiting list for in excess of a decade. The private sector will play a big role in providing community housing. I visited the privately built public housing estate in Riverwood, which was built by the PAYCE group. Brian Boyd, the Managing Director of PAYCE, is a constituent of mine. I had the pleasure of going to Riverwood last year to look at that estate, and to see the outcome of the project.

The project basically involved the developer replacing under-utilised private dwellings with public dwellings. In essence it is private and public housing together. I have noted and seen the change in people who live in the new dwellings. The old style of public housing units lacked balconies and social areas for barbecues, which encourage the assimilation of residents. We have seen a change in the residents from their sense of ownership, being a member of a community and being proud of where they live. The units have lifts and inclusive areas, such as the common community gardens. It is a credit to the developer, who filled a void in the market. This model could be expanded throughout the State.

I have in mind a high-density area in my electorate where there are 50 public houses that have maintenance backlogs. In that estate probably 100 public housing dwellings could be built, but the reality is that to displace 50 tenants for a couple of years to build 100 units will never happen. The transfer of that extra floor space ratio could easily be relocated to sites that adjoin public housing estates. For instance, if 100 units were built on a 50-unit site, the 50 extra dwellings could be transferred to the adjacent site to a private developer at \$200,000 each, which equates to \$10 million just sitting there. That \$10 million could be spent on maintenance, but the reality is that the Government will never capitalise on the potential of that property. I believe there are so many untapped areas in public housing.

I am a local member of Parliament who says, "Give me more public housing". I have no problem with that, particularly in the inner west where a lot of people in public housing have complex health needs. The inner west seems to be the epicentre of areas that actually supply critical services such as medical, hospital and so forth. Public housing will play a huge role in my electorate, particularly in the Canada Bay area where there are a lot of two-storey buildings along the waterfront that could be developed to provide seven- or eight-storey buildings with a combination of public and private tenancies.

I support the Housing Legislation Amendment Bill 2016, which will go a long way to transferring a lot of social housing to providers who can do a better job, as earlier speakers have said. The Minister for Social

Housing has done a sensational job in a challenging area, with these social housing tenants being the most needy. A number of people come into my office daily and raise concerns associated with public housing. This Government is doing a great job with its limited resources and is trying to free up more resources to try to get rid of the backlog of maintenance and provide more public housing. I commend the bill to the House.

**Mr MARK COURE (Oatley) (11:53):** I support the Housing Legislation Amendment Bill 2016, which will amend legislation to bring into effect key aspects of the Government's Future Directions for Social Housing NSW strategy aimed at delivering an improved and expanded social housing sector across the State. I will refer shortly to Riverwood in my electorate, which was mentioned by the member for Drummoyne. The bill also delivers on a 2009 Council of Australian Governments [COAG] agreement to transfer up to 35 per cent of social housing to the community sector.

The bill also provides for the establishment of a local registration scheme for community housing providers in New South Wales that are unable to be registered under the National Regulatory System for Community Housing. This includes, for example, local Aboriginal land councils that are prevented from seeking registration under the national system because of wind-up provisions governed by the Aboriginal Land Rights Act 1983. As far as practicable, the criteria for registration under the local scheme mirror the criteria in the national system. The bill enables a key reform announced earlier this year under the Government's Future Directions for Social Housing NSW strategy to transfer social housing tenancy management to community housing providers. I put on the record the great work of community housing providers not only in my electorate but also across Sydney. Organisations like Bridge Housing and the St George Community Housing do a great job not only in the St George area but also throughout the inner west.

**Mr Guy Zangari:** Fairfield.

**Mr MARK COURE:** And in the Fairfield area. They have done an outstanding job for not just years but decades. I have been to many of their end-of-year presentations when they sponsor bursary awards and issue certificates to students and young kids who are living in community housing—another great job they do in our community. The Housing Legislation Amendment Bill 2016 addresses the need for more and better social housing, which is a primary aim of this Government. No-one can be failed to be moved by the fact that more than 60,000 households are on the social housing waiting list. People in my community in the south and south-west of Sydney have to wait 10 to 15 years for social housing. Unfortunately, it has been neglected for such a long time. This bill is just the Government's first measure towards clearing up that backlog for the 60,000-odd thousand people who are waiting for social housing.

Recently I read that the huge maintenance backlog is up to almost \$1 billion, which is certainly long overdue. I have been to the homes of many of my constituents, particularly those living in public housing, where in some cases I have noticed the urgent need for repairs to kitchens and bathrooms for which they have been waiting for more than five years. I am very aware of the need for more social housing to ease that backlog of people who want to get into the system, and more support for people in housing is certainly needed. While our Family and Community Services staff do their best to address the needs of social housing tenants, this bill seeks to extend the number of dwellings managed by the community sector.

Government members know, understand and firmly believe that the community sector does this a whole lot better. Community housing providers across the State have grown in capacity over the past 30 years and they bring a different perspective to the task of ensuring the best support for social housing tenants. In 2009, under the COAG agreement, all States and Territories agreed with the Commonwealth Government that they would move towards transferring up to 35 per cent of their social housing stock to the community housing sector. Currently in New South Wales more than 28,000 homes are very successfully managed by community housing sectors, such as Bridge Housing and St George Community Housing.

The bill will enable the transfer of approximately 18,000 additional homes to community housing providers in four regions: the Shoalhaven, mid North Coast, northern Sydney and Hunter New England. As a local member for 5½ years and a councillor before that I can say from experience that St George Community Housing gets it right. Like community housing providers in other electorates, including Kogarah, Rockdale and Fairfield, St George Community Housing has the right systems and practices in place and does a great job in ensuring that houses are managed in the best way possible. When maintenance needs arise from time to time those issues are dealt with as quickly as possible.

In the Shoalhaven, mid North Coast, northern Sydney and Hunter New England regions that I mentioned this legislation will enable the transfer of tenancies progressively over the next two to three years to community housing providers that will be able to tender for the management of those tenancies. It is anticipated that leases of up to 20 years will be negotiated with successful community housing providers. That length of time will allow community housing providers to leverage the income flow from rent to provide additional supports to tenants and

to address maintenance issues that come up from time to time. In addition, it will enable additional cash flow to the State through Commonwealth Rent Assistance. Tenants will receive Commonwealth Rent Assistance that will in turn be paid to the community housing provider. Those additional funds will enable community housing providers to provide better services to tenants, which is a priority for the Government as outlined in the Future Directions for Social Housing in NSW strategy that was announced in January this year.

For 16 years under the former Labor Government social housing was reduced in this State. I am fully aware that in my community the waiting list grew during the last 16 years of Labor. In fact, I understand the figure was reduced by around 700 to 900 in each area in the last few years of the Labor Government. Our policy as reflected through this bill brings an energy and enthusiasm not seen in years to the delivery of more social housing and better services to social housing tenants. [*Extension of time*]

In July this year I joined Minister for Social Housing, Brad Hazzard, and former member for Lakemba and Premier, Morris Iemma, across the border of my electorate in Riverwood, which is a suburb I share with the member for Lakemba. We were there to announce the building of 1,600 new social and affordable homes mixed with private housing in the Riverwood area. The initiative was begun while Morris Iemma was Premier—which I will come to in a moment. The plan the Minister announced to build the new social and affordable homes mixed with private housing in Riverwood is a \$3.4 billion project. The plan builds on the success of the Washington Park urban renewal initiative announced under the Iemma Government, which we are continuing with the building of the additional 1,600 houses over the next five to 10 years.

Over the years Washington Park has demonstrated what can be achieved through creating mixed communities. In that context, the member for Drummoyne mentioned Riverwood Park. As a result of boosting the number of social and affordable dwellings on the site we will be able to house more vulnerable families who are on the waiting list. As I mentioned, the waiting list is huge not only in the St George area but also in south and south-west Sydney. The remaining 30.5 hectares of Riverwood estate are being submitted as a State Significant Precinct, which will involve planning to identify the types of housing and community amenities needed. For example, in the Washington Park housing estate that was built, developed and redeveloped over the past five to 10 years there is a community hall, library, cafe and some lovely parkland. Moving forward there will be community consultation about what additional community amenities, services and infrastructure the local population needs in the rest of the estate.

This new social housing will look and feel like modern private housing, as has been built in other places. That represents a big shift in thinking driven by government over the past five years. Redeveloping taxpayer-owned land to maximise new social housing with a good mix of private and social housing to achieve better social outcomes is needed urgently and is a priority of this Government. I am advised that according to conservative estimates we can get at least 1,600 new social and affordable homes at Riverwood, but there needs to be a lot of planning and community consultation before we settle on the final number.

As I mentioned, the redevelopment project may inject up to \$3.4 billion into the State economy and create up to 1,000 construction jobs. There is little cost to taxpayers under the scheme because new social housing is paid for by private developers. The member for Drummoyne mentioned the great work of PAYCE at Washington Park. Existing social housing residents in the State will be able to continue to live in Riverwood after being temporarily relocated as the new housing is built. It will be two years before any resident will have to temporarily relocate to allow new building works to begin. The redevelopment in Riverwood shows the New South Wales Government's commitment to deliver more social housing, increase overall housing supply and create jobs.

This is a win not just for my community but also for the economy and those in the construction industry. More importantly, it is a win for those on waiting lists in our community, who are in desperate need of affordable housing. I again pay tribute to the community sector and the great work it has done in social housing, including St George Community Housing and Bridge Housing in my area. I also congratulate the Minister on his great work. I believe a 35 per cent target is only the beginning of many things to come. I would certainly like the percentage to be much higher. Allowing the community sector to manage social housing is a great initiative and this is a great bill. I commend the bill to the House.

**Mr JAI ROWELL (Wollondilly) (12:07):** I support the Housing Legislation Amendment Bill 2016. There are 60,000 households on the social housing waiting list. Just think of the number of children, mums, dads and people in the most disadvantaged circumstances who are on that list of 60,000 households. That is what we inherited from members opposite, who failed to increase the amount of housing stock in this State. They had 16 years to do it. I can talk with substance on this issue because for part of my life I grew up in a Department of Housing home at Ambarvale in Campbelltown. During that time I saw people in the most difficult circumstances not getting the support they needed because members opposite were too busy wasting money on all sorts of projects that never got off the ground. As a member of Parliament I am aware of what we need to do. That is why I support this legislation.

**Mr Guy Zangari:** Ridiculous.

**Mr JAI ROWELL:** I hear those opposite grumbling. But in 2009 all States and Territories agreed with the Commonwealth that they could do more and moved towards transferring up to 35 per cent of their housing stock. Last time I checked 2009 was when those opposite were in power. Labor's failure to focus strategically on this issue has caused a huge problem, but over the past five or six years the Government has made many reforms. This bill is yet another of those reforms. Currently, 28,000 homes are managed successfully by the community housing sector, which does a fantastic job. The bill aims to add 18,000 homes across regions such as northern Sydney, Hunter New England, Shoalhaven and the mid North Coast.

This will allow community housing providers, such as Argyle Community Housing in my electorate, to leverage off the income flow to provide even more community housing. It will mean that those in desperate need will get proper accommodation. In addition, eligible tenants will receive Commonwealth Rent Assistance, which will in turn be paid to community housing providers. The additional funds will enable those community housing providers to better service their tenants. As I said, for the 16 years that those opposite were in power there was a reduction, not an increase, in social housing in this State. I turn to reflect briefly on the Minto Renewal Project. I have no doubt that the member for Campbelltown, who is in the Chamber, would agree that that fantastic project revitalised the suburb.

**Mr Greg Warren:** A good Labor initiative.

**Mr JAI ROWELL:** I acknowledge that all sides of politics were supportive of the project. At that time I was a councillor on Campbelltown council and we worked with the government of the day. That project, which completely revitalised the local community, did not provide extra housing but is an example of the sorts of things that can be done when one is focused on doing a good job. The purpose of the bill is to amend legislation to bring into effect key aspects of the Government's Future Directions for Social Housing in NSW, which is aimed at delivering an improved and expanded social housing sector. It also delivers on a Council of Australian Governments agreement.

The bill also provides for the establishment of a local registration scheme for community housing providers in New South Wales that are unable to be registered under the National Regulatory System for Community Housing. This includes, for example, New South Wales local Aboriginal land councils that are prevented from seeking registration under the national system because of wind-up provisions governed by the Aboriginal Land Rights Act 1983. As far as practicable, the criteria for registration under the local scheme mirror the criteria in the national system.

The bill amends the Housing Act 2001 and the Community Housing Providers (Adoption of National Law) Act 2012. The Housing Act will be amended to enable the Land and Housing Corporation to enter into a lease arrangement with community housing providers, which are registered on a national register of community housing providers, over identified public housing properties owned by the Land and Housing Corporation. Entering into such an arrangement will have the effect of automatically transferring the existing tenancy agreement between the tenants in those properties from one between the tenant and the Land and Housing Corporation to one between the tenant and the community housing provider. This will mean that the community housing provider will be the new landlord for the properties transferred and will have all the responsibilities of a landlord in managing such properties. The tenants will pay rent directly to the community housing provider as the new landlord.

The Housing Act will also be amended to exclude from the definition of public housing in the Act housing that is leased to a community housing provider under such a lease arrangement. This will mean that tenants will no longer be eligible for a New South Wales rental rebate but will be eligible to apply for rental assistance from the Commonwealth. It will also provide for the transfer of information, including personal and health information of the tenant or other person, on the tenant's housing file held by Family and Community Services to the new social housing landlord. The Community Housing Providers (Adoption of National Law) Act 2012 will be amended to provide for the establishment of a State-based registration scheme for community housing providers in New South Wales that are unable to meet all the requirements for registration on the national register of community housing providers.

State-based registration is to mirror, as far as practical, the requirements of national registration and to expand the definition of a registered community housing provider in New South Wales to include community housing providers registered under either the national or the State-based registration scheme. This will enable housing agencies to provide assistance to a broader range of community housing providers. I know what it is like to grow up as part of an average family, in an average home, and to lose everything. I know what it is like to rely on public housing. I know what doing it tough is about. Many good people in community and public housing do a fantastic job but, as in life in general, a small majority give the majority a bad rap. I would not have

become a member of Parliament if I had not lived in public housing as a teenager. It taught me to make sure that I always try to do my best—and I teach this to my children—and to aspire to bigger and better things. My fantastic mum and dad also instilled those principles in me.

I have seen firsthand that all the big dollar figures announced by governments do not go to the places of greatest need. Conversely, I have seen how a little funding can help a community to thrive. In this day and age it is a disgrace that 60,000 households are on the social housing waiting list. Accommodation is a universal need for all people worldwide, not only for residents of New South Wales. I am proud to be part of a Government that has a heart. That is why we are doing what those opposite failed to do in 16 years in office. We are taking steps to increase community and public housing options in this State, but those living in public housing also have a responsibility. I will not listen to people who criticise those who live in community housing because the majority are doing a fantastic job raising their families in difficult circumstances. They are trying to ensure that their children have the best opportunities to live a great life. [*Extension of time*]

The member for Oatley referred to the property maintenance backlog. Unfortunately, that is another example of what Labor failed to do in its 16 years in office.

**Mr Guy Zangari:** You have been in government for six years, mate. Get over yourself.

**Mr JAI ROWELL:** I acknowledge the interjection by the member for Fairfield.

**TEMPORARY SPEAKER (Mr Adam Crouch):** Order! I remind the member for Fairfield that he is on one call to order.

**Mr JAI ROWELL:** I am absolutely passionate about this. When I lived in that estate, and when I was running for Parliament, I saw things like stoves that had not worked for years. The housing officer was not able to do anything because those opposite had underinvested in maintenance.

**TEMPORARY SPEAKER (Mr Adam Crouch):** Order! I remind members of Standing Order 52. The member for Wollondilly will be heard in silence.

**Mr JAI ROWELL:** Recently I saw 25-year-old pipes that should have been replaced years ago but were only just discovered. This Government has improved the maintenance cycle but more needs to be done. We are catching up on the maintenance backlog, worth tens of millions of dollars, because of the failure of those opposite. For example, I have seen houses with no front doors. Labor failed to invest in simple things to make those properties liveable and people's lives have been ruined. Imagine not having a stove for two years?

**TEMPORARY SPEAKER (Mr Adam Crouch):** Order! The member for Rockdale will come to order.

**Mr JAI ROWELL:** I will not be lectured by anyone in this place who has never lived in social housing, because I have seen it with my neighbours and I have seen it firsthand. I know the length of time it takes to get basic necessities fixed, and this Government is reforming the process. Yes, there is work to do; no-one has said that it can all be fixed overnight. It will never be fixed overnight because of the backlog. But things are improving and the vibrancy of those communities now is absolutely fantastic. I do not think there is a member of this House with public housing in their electorate who would not agree.

I come from the Macarthur area and I used to represent the Campbelltown part of the electorate before the redistribution of electoral boundaries. Those communities had one of the largest Department of Housing estates in the entire State and I know the issues they had. I commend the Minister and his staff for this bill. The improvements in the social housing sector will be amazing, but even more amazing will be community housing providers in the years to come leveraging off an additional 18,000 properties to provide even more stock. That is what this bill is all about, and I commend it to the House.

**Ms JENNY LEONG (Newtown) (12:20):** On behalf of The Greens I make a contribution to debate on the Housing Legislation Amendment Bill 2016. The bill amends the Housing Act 2001 and the Community Housing Providers (Adoption of National Law) Act 2012. The amendments will provide for the NSW Land and Housing Corporation to enter into concurrent leases with registered community housing providers for properties owned by the corporation. This effectively allows the management of the tenancies within designated public housing properties to shift from the government to the community sector. Due to this change, tenants will no longer be eligible for a rental rebate under the Act but may instead be eligible for Commonwealth Rent Assistance.

The amendments will also create a local system of registration, monitoring and regulation of entities that provide community housing but are unable to be registered under the Community Housing Providers National Law, which must be consistent with the national scheme as far as is reasonably practicable. This change was announced by the Minister for Social Housing when he declared the transfer of 18,000 properties from NSW Housing managed public housing to the community sector. The properties are in four areas across the State:

Shoalhaven, northern Sydney, the mid North Coast and Hunter New England—excluding Newcastle and the Lake Macquarie local government areas. The process is expected to commence in 2017.

There are already more than 28,000 properties managed by some 82 community housing providers across New South Wales. The bill does nothing to increase housing stock in New South Wales. That must be made clear, especially given the comments of members opposite. Yes, close to 60,000 people are sitting on the waiting list for public housing and, yes, this is a concern and a problem. But the bill does nothing to increase the housing stock or to reduce the waiting list. We know that tenants in public housing face many issues and challenges. We know that community housing providers—many of whom are incredible organisations that provide amazing support and services to people who access community housing—are very strong and good at what they do. But we know also that there can be challenges within the community housing sector, just as there are in any other sector.

The reality is that the issues we have faced with public housing are worse in the public housing area than in the community housing area because community housing somehow does it better, and we must consider why that is. It is because for years, under successive governments, investment in maintenance and the supply of public housing stock in New South Wales have been underfunded. The Government will say that 16 years of Labor government caused the maintenance backlog that it is trying to reduce. I say that after close to six years of the Baird Coalition Government it is no longer an excuse to blame the former Labor Government for the nearly 60,000 applicants on the waiting list. The Greens believe both sides are to blame for this failure. We need investment in public housing—increased public housing and community housing stock—not simply the introduction of another bill that will not address this serious issue.

The Greens do not oppose the bill because we recognise that the community housing sector does amazing work in supporting tenants who need community housing. But this bill will not meet the massive housing affordability challenge or address the public housing crisis in this State. We need a huge increase in investment. We must recognise that housing is a human right and that, as with schools, health care and hospitals, this State should be investing in public housing. At present there is inadequate investment and people wonder why the system is not working and is failing tenants. Last week the Social and Affordable Housing Fund was introduced, which will provide 3,000 new dwellings. But there are currently 59,000 applications for public housing in New South Wales. The legislation before the House will again attempt to address that situation but it will not provide additional stock.

I listened to members opposite say how tough it is to live in public housing and to hear from people who are on the waiting list. But the reality is this bill will not solve that problem. We need a serious shift, and that will not happen with small incremental changes such as this bill. We need a massive overhaul of public housing. We must recognise that people will no longer be able to afford to live in our cities if we do not address some pressing issues. Public housing has gone from accommodation for people on low incomes in our inner-city areas to, in many cases, crisis accommodation. We know that those who are the most desperate are eligible for public housing and that puts enormous pressures on communities. But before we bag out those communities too much, I must say that I have not seen a stronger, more resilient and more active community than those tenants who live in public housing in the inner city, ably supported by housing workers and local community services.

We must ask whether the bill addresses the problem of the 59,000 public housing applications. More than 100,000 people are currently waiting for what we consider to be a basic human right: access to safe, secure, affordable housing. While the *Daily Telegraph* may claim that my electorate of Newtown is full of latte- and chardonnay-sipping socialists, the reality is that there is an incredible amount of public housing in our area—in Redfern, Surry Hills and the communities at Northcott and around Poet's Corner. The majority of constituents who come to our office daily for help are public housing tenants who desperately need assistance. While community housing providers do an incredible job offering support, the reality is that the bill will not solve the problem. We need more public housing stock. [*Extension of time*]

I will now address some of the specific details in the bill and seek clarification from the Minister as to how it will work and how we will ensure that this is not a slippery slope to putting public housing into private hands. I am sure that all members have made representations to the Minister on behalf of public housing tenants in their electorates. The question is: What is their recourse? How will tenants within the community housing sector raise concerns about community housing providers? I ask the Minister to clarify that point in his reply. Another consideration is the transfer arrangements and Commonwealth Rent Assistance. I recognise that a number of people in the public housing sector have raised concerns about how tenants will be informed about the transfer; they will not have a choice. How will they be supported in the Commonwealth Rent Assistance transfer? How will we ensure that they do not see a massive increase on paper that causes them much stress and anxiety but which, in reality, they do not have to cover? I seek the Minister's assurance regarding how support will be provided.

It is important to note that the housing offices in each area will be closed down in these areas so those communities will not be an access point to the Government. That will mean community housing providers will be the experts in that area. Therefore it is important that community housing providers are given a seat at the table to feed in the local knowledge on what is happening in those areas and to ensure the Government responds to those support services across the whole area, as those areas will no longer have access to a Family and Community Services [FACS] housing office.

The closure of offices will affect in the order of 170 to 190 staff. The Public Service Association has raised concerns about the transfer and management of these properties because it means the closure of FACS housing offices. Many services are offered by those local FACS housing offices; they offer more than just direct housing support. Any member who goes to a public housing area would acknowledge that they provide other support. They connect to community development and other things so it is important to ensure that this connection with the Government, which is accountable and responsible for providing housing, is not lost in that mix.

Also of concern is the real risk of a transfer of public housing into private hands. Last week in this place we raised concern about Serco expressing an interest in public and social housing in New South Wales and Australia. We acknowledge that currently there is nothing to prevent the private-for-profit sector getting its hands on the management and running of housing in New South Wales. I recognise that previously there were restrictions around who could tender for what. It was restricted to the not-for-profit sector. There has now been a shift to the not-for-profit provider, plus it can also involve private-for-profit companies.

We need assurances that the establishment of a local registration scheme is not an attempt to water down access to for-profit providers being able to get their dirty hands on public housing in New South Wales. If that is not the intention, I ask the Minister to put on the public record that there is no intention to allow Serco and other private providers access to the management of tenancies or access to the public, and social and community housing sector in this State because people are worried; there are serious concerns.

While it is said that the local scheme is set up to allow Aboriginal land councils and Aboriginal land bodies to engage with this scheme, which is a welcome change, if that is the only purpose, I feel confident that the legislation or regulations can be written in such a way as to reassure the community, as strong advocates of public housing, that community and public housing providers maintain their sole purpose to serve the interests of the community to have the right to housing rather than to lining their own pockets with public money for private profit. If that is not the intention then I see no problem with the Minister ruling that out and for the regulations strongly making it clear that that is not an option.

We also must ensure we do not set ourselves up to fail if the Commonwealth Rent Assistance scheme is cancelled. Currently there is no requirement for that scheme to continue and there is a big risk that if we were to rely on providing public housing and community social housing to people in New South Wales based solely on a funding model that sits at the behest of the Commonwealth Rent Assistance scheme we might find ourselves in serious trouble down the track. It is a challenge for this Government, the community housing sector and us all to recognise that it is out of our control and could fall over. In conclusion, despite the challenges of the public housing sector, around maintenance and waiting lists, some of the most impressive, active, engaged and community-minded people I have met in the electorate of Newtown live and work in public housing.

We must not lose the value of public housing. We must continue to talk up the benefits of public housing and ensure that in our desire to move to a model of social, affordable and community housing we do not lose the inherent value of the Government funding, maintaining and managing public housing because public housing is there to protect the interests of vulnerable and low-income workers so that our city can remain a place where everybody can afford to live, not just those who are uber wealthy. That is something The Greens are committed to and I will continue to advocate for them in this place because public housing must be invested in and maintained.

**Mr STEPHEN BROMHEAD (Myall Lakes) (12:35):** I support the Housing Legislation Amendment Bill 2016 and commend the Minister for bringing it forward. In my electorate of Myall Lakes local community organisations are doing great work in this area and I commend them for it. The bill aims to encourage the community sector to be more involved because of the need for more public housing. To do nothing is not an option. Labor did nothing for 16 years, but this Government recognises that action needs to be taken and this bill is part of that approach.

I listened with interest to the comments of the member for Newtown about both sides of politics. For 16 years The Greens were hand in hand with the Labor Party. They were in lock-step with so many policies and constantly voted with the Labor Party during those 16 years. The member for Newtown said that the bill does nothing, does not change anything, does not help and it needs more money, but The Greens voted against just about every policy this Government has introduced to save money and get the economy in order so that we can spend money on social issues in this State—and we are doing that. On the one hand The Greens do not want to

save money but on the other they want to spend more. In one sense, it is a lot like Pauline Hanson and One Nation, saying "Do this, do that" but not suggesting any idea on how to achieve results. They identify the problem, but have no policies on how to rectify the problem.

First, the bill will amend the Housing Act 2001 to provide for the NSW Land and Housing Corporation to enter into concurrent leases with registered community housing providers in respect of housing owned by the housing corporation. Housing subject to the concurrent lease will no longer be public housing and accordingly the tenants will no longer be eligible for a rental rebate under the Act, but may instead be eligible for rental assistance from the Commonwealth. Secondly, the bill will amend the Community Housing Providers (Adoption of National Law) Act 2012 to provide for the establishment of a local registration scheme for community housing providers that are unable to be registered under the Community Housing Providers National Law (NSW) and to permit the Housing Corporation and Family and Community Services Secretary to give assistance to locally registered community housing providers.

The bill enables a key reform announced earlier this year under the Government's Future Decisions for Social Housing NSW strategy to transfer social housing tenancy management to community housing providers. As I said, some community housing providers have been in the Myall Lakes electorate for decades and are doing a fantastic job. The Minister announced details of the reform last week. The bill also addresses a problem that prevents some community housing providers in New South Wales from meeting all the requirements for registration on the national register of community housing providers.

The Cabinet submission recommended legislative changes to enable automatic and compulsory transfer of public housing tenancies from the NSW Land and Housing Corporation to registered community housing providers. There is a growing demand for social housing arising out of the needs of vulnerable members of the community and a decline in stock of affordable private rental housing. The bill seeks to enact the Government's strategy. The strategy includes the Government further developing partnerships with non-government entities to deliver 23,000 new and renewed social housing dwellings with a view to 35 per cent of social housing being managed by community housing providers. It delivers on a 2009 Council of Australian Governments agreement to transfer up to 35 per cent of social housing to the community sector.

The bill provides for the establishment of a local registration scheme for community housing providers in New South Wales that are unable to be registered under the national regulatory system for community housing. This includes the New South Wales local Aboriginal land councils that are prevented from seeking registration under the national system because of wind-up provisions governed by the Aboriginal Land Rights Act 1983. As far as practicable the criteria for registration under the local scheme will mirror the criteria in the national scheme. Amendments to the Housing Act 2001 will enable the Land and Housing Corporation to enter into a lease arrangement with community housing providers that have registered on the national register of community housing providers over identified public housing properties owned by the corporation.

Entering into such an arrangement will have the effect of automatically transferring the existing tenancies. The community housing provider will be the new landlord for the properties transferred and have all the responsibilities of a landlord in managing such properties. Over the years one of the issues has been the ability of public housing providers to undertake all the responsibilities of the landlord, whether maintenance or management. Community housing providers have a successful track record in that area. Moving housing to community housing providers will generate more houses and more timely responses to requests for maintenance and assistance. The bill will exclude from the definition of "public housing" in the Act housing that is leased to a community housing provider under such a lease arrangement. Tenants will no longer be eligible for the New South Wales rental rebate but will be eligible for assistance from the Commonwealth.

The bill provides for the transfer of information, including personal and health information of the tenant or other person on the tenant's housing file held by Family and Community Services, to the new social housing landlord. At times tenants have issues and as such Family and Community Services is involved. By working with the new management those needs can be attended to and tenants can be assisted with their issues. The bill amends the Community Housing Providers (Adoption of National Law) Act 2012 to provide for the establishment of the New South Wales based registration scheme for community housing providers in New South Wales that are unable to meet all the requirements for registration on the national register of community housing providers.

State-based registration is to mirror, as far as practicable, the requirements for national registration. It expands the definition of "registered community housing provider in New South Wales" to include community housing providers registered under the national or State-based registration scheme. This will enable housing agencies to provide assistance to a broader range of community housing providers. I support the bill. It makes sensible changes to the Act. The aim of the Government is to help people in public housing and to provide more housing. The Greens and the Opposition have done everything possible to block measures to help these people

just as they opposed the sale of the Millers Point property. On average, three new public housing properties have resulted from each unit sold at Millers Point. I commend the bill to the House.

**Ms MELINDA PAVEY (Oxley) (12:44):** I support the Government's Housing Legislation Amendment Bill 2016 and note that the Opposition supports the bill, as it should. Since 2007 the Government has focused on supporting community housing within New South Wales. It has the capacity to deliver better outcomes for tenants and the community. The reforms enabled by the bill will result in social housing in four areas of New South Wales being managed by community housing providers, which is a positive step forward. It has been a long and difficult process to get governments across Australia to agree to the transfer of 35 per cent of social housing to community housing providers.

That agreement was reached at the 2009 Council of Australian Governments meeting. Currently, 19 per cent of social housing in New South Wales is managed by community housing providers. This bill and the reforms in it will boost that figure to 35 per cent. The Government and the Minister for Family and Community Services, and Minister for Social Housing will give community providers the power to act quickly and efficiently with local communities to deliver social housing in the best interests of those involved. I wish to comment on the contribution of The Greens member for Newtown. When The Greens make plaintive speeches in this Chamber they should articulate from where the billions of dollars will come.

**Mr Chris Minns:** They want to raise taxes.

**Ms MELINDA PAVEY:** I note the interjection of the member for Kogarah. Nothing is more frustrating than listening to their claims, their dreams, their hopes and aspirations when they do not articulate from where the finances will come to enable that to happen. I acknowledge the Minister, who is in the Chamber, who is aware that this has been a tough but collaborative process. We have a wonderful community housing sector in New South Wales. There will be big changes on the mid North Coast and community housing providers will have an opportunity to play a bigger role. Bunyah Local Aboriginal Land Council administers Aboriginal housing in Kempsey and Wauchope. It will now have an opportunity to do more and achieve its goal of managing 35 per cent of community housing.

The member for Bankstown and the Opposition spokesperson raised issues relating to safeguards. I am assured by the Minister that safeguards are in place. The New South Wales Government will ensure that providers registered under the local scheme are subject to the same enforcement provisions as nationally registered providers. According to government policies only those organisations that meet the regulatory code are registered and able to provide service to social housing tenants. It is a strong commitment with a clear intent. Any other suggestions are just scaremongering. Community housing providers are innovative, flexible and responsive to the needs of local communities. Tenancy lease lengths and conditions will remain the same and the income after rent will remain the same. Family and Community Services will keep tenants fully informed as they transition to community housing providers. It is estimated that Commonwealth Rent Assistance will provide an extra \$1 billion over the next 20 years which will enable community housing providers to give more support to vulnerable members in the community.

Currently tenants in State government managed housing receive no additional funds from the Commonwealth. This legislation will achieve better outcomes for tenants. There are 82 community housing providers in New South Wales, and they will be able to bid to manage portfolios of properties in four key areas: my district of the mid North Coast, the Shoalhaven, Northern Sydney and the Hunter-New England region, excluding Newcastle and Lake Macquarie. The procurement process is expected to commence early next year. The NSW Aboriginal Housing Office will undertake a separate procurement process to select Aboriginal community housing providers in those locations to manage properties owned by the Aboriginal Housing Office.

As dwellings are transferred to community housing providers, approximately 190 government jobs will go. That will be a difficult transition, but I am sure that community housing will be looking for specialists in the field. There will potentially be a transition from government departments to the community housing sector, which is a positive outcome. The more locally based, the more in touch we can be when providing services. Whether in child protection services or social housing, the responses will be better. I congratulate the Minister on his work in achieving the goals of the Council of Australian Governments [COAG]. I acknowledge the Opposition's collaborative approach on this. I make this plea to The Greens: When they make a contribution on a really important bill and say that they want more social housing, please explain where the money is going to come from.

**Dr Geoff Lee:** They are all care and no responsibility.

**Ms MELINDA PAVEY:** They are all care and no responsibility. It is unfair to do otherwise. I support the Minister and congratulate him on his work.

**Dr GEOFF LEE (Parramatta) (12:51):** I speak in support of the Housing Legislation Amendment Bill 2016. I note the presence in the Chamber of the Hon. Brad Hazzard, the Minister responsible for this sensible and well thought out bill. I commend him for his dedication to social housing initiatives and, in particular, the new policy. It will expand the variety of affordable housing that the Government provides. It will assist the Government to work in the best interest of clients who need a bit of a hand. I congratulate Minister Hazzard. Even when in opposition he cared enough to come to Parramatta to look at the social housing needs there. He promised to do something about the situation and he was true to his word. No-one cares more about social housing than Minister Hazzard, as can be seen through his wonderful initiatives.

The purpose of this bill is to amend the legislation to bring into effect key aspects of the Government's Future Directions for Social Housing strategy, which aims to improve and expand the social housing sector. It also delivers on the 2009 Council of Australian Governments [COAG] agreement to transfer up to 35 per cent of social housing to the community sector. Nobody better understands the need for social and affordable housing than the people of Parramatta. There is a high demand for social housing in my electorate. It is disappointing when one does not have the right answers for people who need help. We do our best to satisfy the need for affordable housing. When people are in difficult circumstances, the State can provide housing. A key initiative of the Government, overseen by Minister Hazzard, is the Telopea housing project. The Minister has directed the Land and Housing Corporation to revitalise the Telopea precinct.

**Mr Brad Hazzard:** You have been driving that too.

**Dr GEOFF LEE:** I acknowledge that interjection from the Minister. It has been one of my key initiatives for the past five years, since before the election. Telopea is a wonderful area, as anyone who drives through it can see. It has so much potential. It is a wonderful community. One can meet the wonderful residents at the shops on a Saturday morning. The Minister has recognised the potential of that suburb and has taken the opportunity to revitalise it.

**Mr Brad Hazzard:** We had support from the former councillors that you brought on board.

**Dr GEOFF LEE:** I again acknowledge that interjection from the Minister. I commend the City of Parramatta Council for its collaboration, cooperation and support through the design phase of the initiative. That initiative is now being realised. Council members have visited this House.

**Mr Brad Hazzard:** They were here in May last year.

**Dr GEOFF LEE:** The Minister informs me that was in May last year. They put their case forward and outlined how they could better work with the State Government. This is one of those projects where the City of Parramatta Council and the State Government have worked hand in glove because we can all see the potential. The Telopea master plan process has gone some way. There have been a number of community forums and an office has been open there for more than six months to take feedback on the vision for the centre. The master plan has been very well received. It allows us to replace 640 social housing units with brand-new stock and to increase the number of houses overall.

This is an excellent example of how we can not only replace housing that has reached the end of its life cycle but also improve the quantum of social housing and provide affordable housing. The plan will also increase the amount of private housing in the area. Instead of having a cluster of people in social housing, which creates an artificial community, we aim to build a mixed community. It will be a cohesive community, a community of people with aspirations. It will attract a broader section of society that reflects the whole community of Parramatta. The master plan for the area provides the solution.

It is appropriate that I acknowledge the Land and Housing Corporation team from Family and Community Services who have assisted in the master plan for Telopea. Public servants work very hard for the people of New South Wales. Their hard work, dedication, forethought and creative skills often go unacknowledged. I congratulate the team from Family and Community Services. At the risk of alienating some people, I will mention a few names. The Minister will be interested to hear about the outstanding team members of the Land and Housing Corporation, under Deputy Secretary Anne Skewes, who are doing a fantastic job. I acknowledge Peter Anderson, Executive Director of Communities Plus. He is a pragmatic, can-do person who is getting on with the job. He attends community forums to answer any questions.

**Mr Brad Hazzard:** He has a baby under two years old.

**Dr GEOFF LEE:** The Minister informs me that he has a very young family. He puts his personal life on hold to attend the night sessions of community forums, to look after the community. I acknowledge Lindsay Noble, the senior development manager. At a community session I was impressed by Lindsay's in-depth knowledge of the planning process. She had an outstanding knowledge of the nuances of the Telopea project.

People would mention particular issues relating to parks, streets or historic houses and Lindsay was across her brief.

**Mr Brad Hazzard:** She is across the detail.

**Dr GEOFF LEE:** That is right. Peter Lawrence, the project director, does an outstanding job, as do team leader Gabrielle Smeaton, regional asset director Catrina Kim and regional manager of engagement Graeme de Villiers. The whole team has put together a wonderful package to create a mixed housing community. There will be more social housing, more affordable housing and the introduction of private housing to better reflect the great community of Parramatta. The plan will realise the potential of Parramatta and, more specifically, Telopea. I thank Minister Constance and the Premier for their commitment to building the light rail to Telopea. Telopea will have a light rail stop. We are creating a new village atmosphere.

There will be some high-density housing but residents will only have to walk 100 metres to get on to light rail to travel straight to Parramatta. It is envisaged that the people who will live in the heart of the new village at Telopea will have the benefit of a 10-minute service to Parramatta during peak hours, which will be a wonderful service. At the moment we know that the Carlingford line is dysfunctional and only runs once per hour during the day but the great people of Telopea, Rydalmere and Dundas will have a 10-minute trip to the Parramatta central business district.

I am proud of the Telopea master plan and the work by Anne Skewes, others from the Land and Housing Corporation and all the wonderful public servants, the unsung heroes, who work behind the scenes, for their forethought, vision and achievements. I cannot wait to see the final vision planning documentation, which I am sure will be exceptional. They have addressed many community concerns such as the design of a suburb, the trees, traffic and parking, and the suburb of Telopea will be second to none. It will have an excellent transport system. The Government is realising the new potential of Telopea where people will aspire to live as it will be a gem in the greater city of Sydney. I support the bill.

**Mr BRAD HAZZARD (Wakehurst—Minister for Family and Community Services, and Minister for Social Housing) (13:01):** In reply: I thank members representing the electorates of Castle Hill, Bankstown, Terrigal, Drummoyne, Oatley, Sydney, Wollondilly, Newtown, Myall Lakes, Oxley and Parramatta for their contributions to this debate.

**Dr Geoff Lee:** A great member.

**Mr BRAD HAZZARD:** The member for Parramatta is an excellent member who has seriously committed himself to ensuring that the opportunities for more social housing and more housing generally for his constituents is well addressed. I thank him for the work that he does in that regard. The Baird-Grant Government is extremely committed to improving the lives of our State's most vulnerable through every measure possible. The Housing Legislation Amendment Bill 2016 seeks to provide the framework to facilitate government policy which addresses providing not only more housing—not necessarily through this legislation but through a range of other activities—but also better opportunities and experiences for people who live in social housing.

The forerunner of this policy goes back some years to 2008 at a Council of Australian Governments [COAG] meeting when all States and Territories agreed with the then Federal Labor Government that each of the States and Territories would seek to move towards a target of approximately 35 per cent of all social housing in some way being under the control of the community housing sector. The community housing sector has very much matured. It is still in the process of increasing capacity but I well remember about 30 years ago in Coffs Harbour I spoke to community housing organisations at that time and indicated that a Coalition Government would be extremely supportive of their sector's involvement in providing a range of services for people in social housing. Many Family and Community Services offices across the State have fantastic staff who are doing a very good job, and matters have changed since I spoke to community housing providers all those years ago. A change has come about over the years that it is not just about putting a roof over the heads of vulnerable people—

**Dr Geoff Lee:** It is wraparound services.

**Mr BRAD HAZZARD:** As the member for Parramatta understands, it is about providing the wraparound services, supports and opportunities from which social housing tenants benefit. This legislation will address an undertaking given by all States and Territories under a Labor Government, but it is a Liberal-Nationals Government in New South Wales that is delivering on that commitment. This is a landmark opportunity for not-for-profit community housing providers to diversify and help even more people in need. As a result of this legislation, the commitment given through COAG and this Government's Future Directions policy announced in January 2016, this Government will transfer about 18,000 social housing dwellings during the next three years or so to the community housing sector. I anticipate that this legislation, having passed the Houses and being gazetted, we would probably see the transfer start in the New Year, so during the early part of 2017.

Already more than 28,000 social housing homes are being managed by community housing providers, a reflection of the 2008 agreement. Generally their tenants report very high satisfaction with the level of services offered by community housing providers. Wherever I go across the State and talk to community housing providers I see that they have a closeness to tenants that we should all aim for, whether it is through Family and Community Services or through community housing providers. They often have a very personal knowledge of the needs of each individual tenant or family. It can be as simple as people who are isolated in their social housing who need a connection with other tenants. Some community housing organisations provide services that address just the basic social need of breaking down isolation factors. At a basic level they might provide a monthly or bimonthly picnic or a bus excursion for people.

It can be far more when they support individuals and provide them with guidance and advice about education or employment and address other issues raised by tenants in order to increase their individual capacity. That was an issue highlighted by the Government in its Future Directions for Social Housing NSW policy released earlier this year. The fiscal benefit to this transfer is that the Commonwealth Government provides what is termed Commonwealth Rent Assistance, which is not given to tenants in government-sponsored housing but to tenants in the community housing sector.

The New South Wales Government estimates that approximately \$1 billion will come into New South Wales during the next 20 years just in relation to the transfers of properties that have either occurred or are occurring in social housing. That money will eventually find its way to community housing providers. As the Minister I expect community housing providers will show us the benefit of that transfer of funds. It should enable community housing providers to provide better services to tenants, which was one of tenets of our Future Directions policy. It will obviously offer an opportunity for the community housing providers to administer the additional wraparound services that the member for Parramatta highlighted. It might just create all sorts of new and innovative opportunities for community housing providers to support their tenants.

The tenders will be open to existing community housing providers registered under the national registration system for community housing and also new entrants that demonstrate intention and capacity to register. This will ensure that quality housing services are provided to social housing tenants and their rights are safeguarded in accordance with the relevant legislation and the Government's robust policy frameworks. The registration system ensures that only those organisations that meet the regulatory code and are able to provide services to social housing tenants according to the Government's policy are registered.

The New South Wales Registrar of Community Housing will be responsible for assessing organisations seeking local registration. This assessment will include as a matter of normal practice examining why a provider seeks registration under the local scheme rather than the national system. The registrar will be required to apply the objects of the national regulatory system and national regulatory code when assessing applications under the local registration scheme. In doing so the registrar will have to determine if a recommendation to approve registration to a provider under the local registration scheme would vary substantially from the objects of the national regulatory system and create an unnecessary risk for government and/or other investors and tenants of community housing provided by that organisation.

The Government will ensure that providers registered under the local registration scheme are subject to the same enforcement provisions as nationally registered providers. Consistent with national registration practice, providers that are approved under the local system will be published on the New South Wales registration website. Additionally, to ensure transparency the registrar will, as a matter of practice, annually publish determinations made in registering providers under the local system. The successful tender applicants will need to meet program objectives, deliver client outcomes and be subject to a strict monitoring and reporting regime.

The local registration scheme will be designed to allow organisations such as Aboriginal land councils, which currently cannot meet all the requirements of the national scheme, to register. It is not about allowing private sector organisations who do not provide community housing and cannot meet the high standards of the national law, including its regulatory code, to register. I note that the member for Newtown is persisting in making what could not be described as accurate reflections on what the Government is seeking to do. Whilst the member for Newtown is generally a reasonable person she seems to have a bee in her bonnet on this matter and is telling everybody who will listen that this bill is not about community housing providers but the private sector. Quite simply, that is complete rubbish. As I said, this bill reflects that arrangement. This bill will create a legally secure mechanism to transfer existing social housing tenancies to community housing providers. It will enable the State to transfer a lease to a community housing provider so that tenants can receive individualised and localised housing services. The registrar gave an undertaking on 18 October. He said:

The Registrar is aware of this Bill to amend the Community Housing Providers (Adoption of National Law) Act 2012 to provide for the establishment of a local registration scheme for community housing providers that are unable to be registered under the Community Housing Providers National Law.

Should an application to seek registration be made under the proposed local registration scheme the Registrar would examine the reason as to why that provider is seeking registration under the NSW local registration scheme, rather than under the Community Housing Providers National Law.

The Registrar undertakes to publish the results of determinations made under the registration scheme in an annual report.

There are about 82 community housing providers in New South Wales. As a result of the announcements we have made in the past few weeks they will be able to bid to manage the portfolios of social housing properties in four regions, being the Shoalhaven, northern Sydney, mid North Coast and Hunter New England. As I said, the procurement process is expected to commence in early 2017. A separate procurement process will be undertaken to select Aboriginal community housing providers in those locations to manage properties owned by the Aboriginal Housing Office.

Today I met with the board of the NSW Aboriginal Housing Office to discuss some of these issues. I am pleased to acknowledge the excellent members of the board, who well understand the need to provide not only more housing but also better experiences and services for tenants in Aboriginal housing. I have given a commitment that this Government is 100 per cent behind that proposal. It does not matter whether people are Aboriginal or non-Aboriginal, the Baird-Grant Government is very supportive of trying to ensure each and every one of its social housing tenants has a far better experience. We are effectively empowering them to make the best of their experiences in life and to gain the best they can from their experiences in social housing.

Finally, I will address two issues. The member for Newtown said that the bill will not create more housing. That is not the aim of the bill and I am not sure why the member felt it necessary to be negative about it in her contribution. The reality is that this bill is not about increasing housing; it is about making sure that tenants have better experiences. If the member had been listening over the past few months she would know about the other frameworks we have in place. It seems as though every other member knows that we are doing a lot more to get a lot more housing. This bill is not aimed at increasing housing. Having said that, a possible collateral benefit is that community housing providers may be innovative and use the cashflow that will come from the tenancies to build new housing. Our primary focus in this bill is to ensure that tenants have better experiences but if community housing providers can provide more that will be a bonus.

My final comment relates to the Family and Community Services [FACS] staff who have looked after the services in these regions. In the past week or so when I announced this initiative I made it clear to community housing providers that the Government expects them to look to the very experienced FACS workers in the regions. There will be new job opportunities within the community housing sector and it is hoped that the sector will take up the opportunity to employ a number of current FACS staff. They are very experienced and capable people. The Federation of Community Housing Associations has assured me that will in fact be addressed. I thank each and every one of those staff members. I know this is a difficult time for them. We are hopeful that the community housing sector will offer them jobs. In the event that does not occur I will ask FACS to ensure that we try to find alternative positions for those staff because we value each and every one of them in our department. I commend the bill to the House.

**TEMPORARY SPEAKER (Mr Bruce Notley-Smith):** The question is that this bill be now read a second time.

**Motion agreed to.**

### Third Reading

**Mr BRAD HAZZARD:** I move:

That this bill be now read a third time.

**Motion agreed to.**

### *Community Recognition Statements*

#### **MANNING HOCKEY PLAYERS BOB BRUCE AND PETER CUBBIN**

**Mr STEPHEN BROMHEAD (Myall Lakes) (13:18):** I inform the House that Manning hockey players Bob Bruce and Peter Cubbin have just arrived home from Adelaide where they were members of the WacaTahs side that won the inaugural Australian over-75 championships. Bob Bruce is 75 while Peter Cubbin, at just 73, had to get special dispensation in order to play in the competition. They were unable to get enough nominations from New South Wales to form a team so they received permission to align with Western Australia Country. There were four teams involved, with the WacaTahs going through the preliminary rounds undefeated.

However, the final against Western Australia Metro was a close run thing. The scores were locked at the final whistle but it was a goal by centre forward Bob Bruce that broke the deadlock in the shoot-out. Mr Cubbin

was initially named off the bench but spent more time on the field playing on the wing and finished as leading goal scorer in the tournament. Bruce is one of Manning hockey's pioneers. He is still playing with the Tigers in the third grade competition along with the masters matches—despite a close call with a near-fatal heart attack a few years ago. He was a member of the Australian over-75 team that won the world championship in Newcastle earlier this year.

#### **WALLSEND ELECTORATE CRISIS ACCOMMODATION**

**Ms SONIA HORNER (Wallsend) (13:19):** Respectus, Wallsend Rotary, Newcastle Lions and Newcastle Sunrise are collaborating in the refurbishment of two Wallsend electorate buildings for crisis accommodation for women and children. It is a huge labour of love. Clarice Hamling, Phil Gorton, Jodie Wormington, Nathan Brown, Laurie McGrath, many members of the Newcastle Lions, members of the Rotary Club of Newcastle Sunrise, members of the Newcastle Men's Shed, including president Paul Battle and Drew Davidson, along with many other willing scrappers and painters, deserve credit for the fine work they are doing in contributing to much-needed community accommodation. In particular, I thank Wallsend Rotary.

#### **BLESSING OF THE FLEET**

**Mr JOHN SIDOTI (Drummoyne) (13:20):** I was delighted to attend the 2016 Blessing of the Fleet at the Sydney Fish Markets on Sunday 27 September. The ceremony is an Italian Catholic tradition, and was conducted by Father Christopher Slattery. He blessed the fleet and visiting vessels to ensure a safe and bountiful fishing season. A key part of the festivities was a colourful procession of the Madonna, the protector and guardian of seafarers and fishermen. Following the blessing there were a number of Italian themed celebrations. It was a great start to the fishing season and a great community event. I thank the president of the association, Bagnara Calabria, Ada Bagnato and the general manager of the Sydney Fish Marketing Authority, Brian Skepper, for their enthusiastic support for this wonderful event.

#### **OUR LADY OF MOUNT CARMEL**

**Mr GUY ZANGARI (Fairfield) (13:20):** On Sunday 9 October the Our Lady of Mount Carmel Parish held its fifty-sixth annual festival at Mounties in Mount Pritchard. The festival was very well attended, with a fantastic variety of food, entertainment, and cultural activities available for the community to enjoy. I congratulate the festival committee, president Paul Marchesano and the organising committee on yet another phenomenal festival. I also thank all the volunteers and community members for their contributions towards this year's festival. Their passion and efforts make this festival bigger and better each and every year.

#### **THE THIERRY FAMILY**

**Mr MATT KEAN (Hornsby) (13:21):** Today I speak about the Thierry family. In 2004 the Thierry family lost their son, Xavier, who was delivered prematurely at Hornsby Hospital. Despite their loss, Alison and Paul-Andre Thierry remember the wonderful support given to them by the staff and what it was like to lose Xavier. The desire to prevent this same tragedy occurring to anyone else is what motivated the Thierry family to donate a Vision for Life camera unit from the children's charity, Variety. Two of these Vision for Life cameras have been donated to Hornsby Hospital, one of them being from the Thierry family.

These cameras are installed in the emergency and maternity departments, and can transmit pictures of extremely sick children to specialists. One of the benefits of the cameras is that the Newborn and Paediatric Emergency Transport Service [NETS] clinicians can be involved as a second pair of eyes, and it can be done remotely, allowing uninterrupted delivery of care. The collaboration between medical professionals with the use of the cameras allows invaluable support to the patient. On behalf of the Hornsby community, I thank the Thierry family for their generous donation in Xavier's memory. Their donation is priceless. I have no doubt that these machines will be critical in saving lives not just now, but well into the future.

#### **TRIBUTE TO MARILYN MILLS**

**Mr GREG PIPER (Lake Macquarie) (13:22):** Today I pay tribute to an extraordinary Lake Macquarie woman who has not only conquered her disability but also the sporting world. Marilyn Mills from Morisset was born with a genetic eye disease. As her sight deteriorated in early life, she turned to sports to find a physical outlet in a safe environment. She began with blind cricket and ended up playing for Australia in 1986. She then competed in the Far East and South Pacific Games for the Disabled [FESPIC] in Indonesia. She won medals in javelin, high jump, shot put and discus in the B1 category for the totally blind.

Marilyn found her true passion in goalball, which was developed exclusively for the sight impaired. She became a member of the Australian goalball team, which won gold medals at the 1990 USED National Championship and the 1994 FESPIC Games in Beijing. Marilyn served for a time as president of Blind Sports NSW, and represented Australia at four Paralympic Games and two World Cups. Her achievements were

recognised recently when she was inducted into the Goalball Australia Hall of Fame. She is only the sixth inductee. Lake Macquarie is very proud of Marilyn's achievements, and very grateful for the inspiration she has provided to many young people with sight impairments.

#### **SOUTHERN HIGHLANDS FOOD AND WINE FESTIVAL**

**Mr JAI ROWELL (Wollondilly) (13:23):** Today I acknowledge the Southern Highlands Food and Wine Festival for being an amazing addition to the Wollondilly community. The festival is an amazing complement to our rural lifestyle, and has been an astounding success in bringing the community together. Over the two days a total of 39 stalls had the opportunity to exhibit some of the best local food and wine, as well as showcase delicacies from further afield. The festival is in its fourth year, and this is the second year it has been hosted in Corbett Gardens. I acknowledge and thank the efforts of the Southern Highlands Food and Wine Festival chairman, Mark Bourne, who has taken an extremely active role in promoting tourism to the Southern Highlands and allowing locals to promote their food and wine on a regional level. We hope that it continues to grow and that next year will be even bigger.

#### **CURRAN PUBLIC SCHOOL**

**Mr ANOULACK CHANTHIVONG (Macquarie Fields) (13:24):** It is with great pleasure that I congratulate yet again the fantastic effort of the students at Curran Public School. The Future Problem Solving Team at Curran Public School was named national junior champion after achieving first place in Melbourne on the weekend. This makes it the second time in a row that the school has won the competition, having won the championship in Brisbane last year. The Future Problem Solving Competition is an international program that aims to develop the critical and creative-thinking skills of young people not only to better themselves but also to determine active strategies to fix the world's problems.

Over the past two years the team at Curran Public School has been developing and enhancing its "care package" solution. Once again these students have proved that leadership is not borne of a person's name or postcode but of lots of hard work and enthusiasm, coupled with a learning environment that encourages learning, aspiration and effort. I am so proud of these students and take great delight in their success. Credit must also go to families, friends and dedicated teachers who continue to support, guide and encourage them to continually achieve.

#### **TRIBUTE TO BRUCE FAGAN**

**Mr GARETH WARD (Kiama) (13:25):** I congratulate Bruce Fagan of Shoalhaven Heads. For more than 50 years Bruce Fagan, OAM, JP, has been involved in judo as president of the Judo Federation of Australia and as Olympic and Commonwealth Games coach. He has coached more than 5,500 gold medallists during his career and has helped thousands of young people. I have known Bruce personally for many years, and I am proud to call him a friend. He has been a devoted and passionate advocate for judo but, more importantly, of students and their successes.

I acknowledge the secretary of the Bushido Judo Club, Ken Murphy, who also does a tremendous job and works tirelessly for the club. Congratulations to Danny Fagan, Hiromi Fagan, Max Marshall and Huon Last, who all recently won gold medals at the Australian Judo Championships, which is the most the club has won in one day. Congratulations also to Darren Fagan, Taylor Fagan, Jarla Last, Ryan Lewis and Hayden Taylor, who all won silver medals, and Oscar Simister and Sena Fagan, who both won bronze medals. Congratulations to the Bushido Judo Club.

#### **TRIBUTE TO DARREN ROGERS**

**Ms TAMARA SMITH (Ballina) (13:26):** I pay tribute to Darren Rogers for his bravery in risking his own life to swim out to a surfer injured by a shark at Shelley Beach, Ballina, on 9 February 2015. Darren responded when he realised Tadashi Nakahara had been bitten by a great white shark and went to his aid, assisting two others to bring Mr Nakahara back to shore and performing first aid. Tragically, Mr Nakahara died as Darren Rogers was trying his best to save him. Darren's efforts that day have been recognised with an award of a silver medal and the Galleghan Award from the Royal Humane Society of New South Wales, which were presented to him by the Governor of New South Wales on 7 October 2016. The Galleghan Award recognises what the Humane Society considers to have been the most outstanding act of bravery in the year. I congratulate Mr Rogers on his actions and his award.

#### **HARDEN KITE FESTIVAL**

**Ms KATRINA HODGKINSON (Cootamundra) (13:26):** Prior to opening the wonderful and colourful Harden Kite Festival last Saturday, I accompanied Wendy Tuckerman, the administrator of Hilltops Council, to inspect the sculpture of World War 1 equine hero "Bill the Bastard", his owner Michael Shanahan,

and the four Tassie troopers they rescued at Romani, sculpted by the amazing Carl Valerius of Harden, and currently residing within the majestic Harden Silos. This wonderful artwork needs bronzing, which will cost about \$280,000, and fundraising is underway to commemorate this Anzac icon. Congratulations to Carl Valerius on another amazing work of art. I look forward to this sculpture rightfully taking its place in Australia's premier Light Horse twin towns of Harden-Murrumburrah.

#### **MAITLAND HOSPITAL**

**Ms JENNY AITCHISON (Maitland) (13:27):** I thank the NSW Nurses and Midwives' Association, the Health Services Union and the Maitland Community Unions Alliance for recognising the serious implications of any privatisation of our health system and what the impacts will be on nurses, doctors, health employees and, most importantly, patients. I also thank Mary Yeager and Michael Kirby who have done a lot of work behind the scenes to help in this campaign. They have worked tirelessly to mobilise the local community for this weekend's rally against the Government's attempts to sell our new hospital at Maitland to the private sector. A rally will be held on Sunday 23 October at 12 noon at Maitland Park. This will be a chance for the community to have its say about this. The privatisation of the new Lower Hunter hospital will significantly affect the delivery of health care for many people in Maitland. I thank the unions for their long-running campaign to protect the right of everyone in our community to a fair health system.

#### **CENTRAL COAST BRASS**

**Mr ADAM CROUCH (Terrigal) (13:28):** Central Coast Brass is part of the Gosford City Brass Band organisation, which has been promoting brass band music on the Central Coast for more than 100 years. It was founded five years ago by Newcastle-based musical director Conrad Curry. Central Coast Brass consists of a mix of professional, semi-professional and amateur musicians, with its core membership firmly based on the Central Coast. They attract world-class players, who have played with bands based in the United Kingdom, as well as Australian bands, and numerous international symphony orchestras.

Since their beginning they have rapidly risen through the rankings to a top A grade position, being the 2015 New South Wales State Champions, 2016 New South Wales East Coast Champions, 2016 runners-up at the national championships in Adelaide, and the 2016 New South Wales State Champions. Their next competition will be the national championships in 2017 in Tasmania, and I wish them the very best in bringing home the trophy. Central Coast Brass is regularly involved in community events, performing at the 5 Lands walk at Terrigal, Anzac Day ceremonies, Christmas parades and Central Coast Mariners' games.

#### **RAYMOND TERRACE SENIOR CITIZENS**

**Ms KATE WASHINGTON (Port Stephens) (13:29):** I recognise Raymond Terrace Senior Citizens, which is an important local organisation made up of many important local people. I congratulate the Raymond Terrace Senior Citizens on achieving its fifty-fifth anniversary. I was pleased to join many members of the Raymond Terrace Senior Citizens and the new member for Paterson, Meryl Swanson, to celebrate the wonderful occasion. It was a special event made even more special with a performance by the magical Hunter Signing Choir, which performed a number of pieces that brought tears to many eyes, including my own.

I thank the talented students and their choirmaster Dungog Public School teacher Donna Griffith for making the day magical. Special thanks go to Secretary Kathy Young; President Rod Podmore, who was unfortunately not able to attend on the day; and Treasurer Hazel Grey for their stewardship of the Raymond Terrace Senior Citizens. I also acknowledge long-serving past secretary Sue Latimer for her contribution to the organisation over many years.

#### **PACIFIC COAST CHRISTIAN SCHOOL OPEN BOYS BASKETBALL TEAM**

**Mr GEOFF PROVEST (Tweed) (13:30):** I recognise the Pacific Coast Christian School's Open Boys Basketball team, which finished second in the Christian Schools Sports Association State Basketball Championship in Sydney. Despite losing point guard Matthew Nicholson to a broken hand four days before the titles, Pacific Coast defeated much bigger, fancied opponents to finish runners-up. Coached by former National Basketball League player Pero Cameron, teacher and fellow coach Malcolm Muir said the side, led by captain Cameron Leonard, was committed after taking out basketball powerhouse Coffs Harbour Christian School to qualify to take part in the State championships. Mr Muir said the side had trained hard for the September titles and had a clear vision of what they wanted to achieve. He also stated:

Some of these schools have big development programs but we had a pretty clear focus.

Full credit goes to the Pacific Coast Christian School for coming second. I am proud that they are students in my electorate.

### WYONG HOSPITAL

**Ms YASMIN CATLEY (Swansea) (13:31):** Nothing is more uplifting than seeing a community come together in times of adversity to fight for something that they believe in. That is what my Labor colleagues and I saw on the weekend when we attended a community protest about the privatisation of Wyong Hospital. More 2,000 people, local business owners, community organisations, church groups, trade unions and ordinary residents gave up their Sunday to save their local hospital. Wyong Hospital was built by the community after a long campaign and years of fundraising efforts, which began in 1956. At the time of the opening, the chairman of the board noted that the dedicated hard work of the Wyong Hospital Committee, the Wyong Hospital Trust and the Wyong and Tuggerah Lakes Hospital auxiliaries should long be remembered by all who may need to use the hospital. The community remembers who built this hospital and there is no way that they will let anyone sell it off without a fight, and neither will I.

### ELVA EMBLETON AND PAT LEGGE, MEALS ON WHEELS MID NORTH COAST VOLUNTEERS

**Ms LESLIE WILLIAMS (Port Macquarie—Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (13:32):** I acknowledge Meals on Wheels Mid North Coast volunteers Elva Embleton and Pat Legge for their service to the Camden Haven branch. Meals on Wheels is a name familiar to most people. Since the first meal in Australia was delivered by a lady on a tricycle in 1952, Meals on Wheels has been at the heart of many Australian communities. This wonderful organisation provides more than just a meal: It is about communities working together to help others.

Meals on Wheels has become a driving force of care in all communities, and each year more than 14 million meals are delivered by more than 78,000 volunteers. Volunteers like Elva and Pat are the lifeblood of Meals on Wheels. Pat and Elva are the first and second volunteers listed on the register of the Camden Haven branch, having been volunteers for more than 34 years. Through volunteering their time they have helped enrich the lives of elderly and vulnerable people in our community. I acknowledge the fantastic work of Meals on Wheels Mid North Coast in our community and congratulate Pat, Elva and the team of volunteers on their hard work with Meals on Wheels and, more broadly, with our community.

### JANE LANDER, 2016 PLEIN AIR PAINTING PRIZE FINALIST

**Mr TIM CRAKANTHORP (Newcastle) (13:33):** I congratulate Newcastle artist Jane Lander who came to Parliament last week as a finalist in the New South Wales Parliament Plein Air Painting Prize. The prize, worth \$20,000, is awarded for the best plein air landscape painting of a New South Wales subject. "Plein air" means in the open air and refers to the act of painting outdoors with the artist's subject in full view. Artists capture the spirit and essence of the landscape or subject by incorporating natural light, colour and movement into their works. Jane chose to use the iconic Nobby's Beaches at Newcastle as the inspiration and topic of her piece. Jane is an accomplished artist who has had many art exhibitions in leading galleries in Newcastle. She has an established practice of painting, drawing and printmaking spanning more than three decades. Congratulations, Jane Lander, on an outstanding painting and selection as a finalist in the 2016 Plein Air Painting Prize.

### JEAN NORTON 100TH BIRTHDAY

**Mr MARK TAYLOR (Seven Hills) (13:34):** It was fantastic to visit Adventist Aged Care at Kings Langley on Monday afternoon to see 100-year-old Jean Norton, who has been in the care of Adventist for more than 30 years. Jean is a native of the Bay of Islands in the north of New Zealand. Originally a farming girl, Jean credits her longevity to a recent vegetarian diet and having a piece of cake every now and again instead of sweets. Luckily for me, I took flowers instead of the usual box of chocolates. I spent time talking with Jean about the vast changes in today's modern world. She had great delight in showing me a card from the Governor-General and a letter from "the wonderful Premier Mr Baird". Jean is particularly astute about her politics, knowing that the aged care centre sits on the border of the Seven Hills electorate. Jean enjoyed her family flying in from all over the country to celebrate her birthday. I commend her to the Chamber. Jean is a great constituent and, just as importantly, a great Australian.

### THE GLEN CENTRE

**Mr DAVID HARRIS (Wyong) (13:34):** Since 1994 the Ngaimpe Aboriginal Corporation has operated an adult male rehabilitation facility in my electorate at Chittaway Point, known as The Glen. The founding motivation for Ngaimpe was the suffering of Aboriginal people at the hands of drug and alcohol abuse. That suffering continues today. Though it is present in all communities, it is especially prevalent in our Aboriginal community. I pay special recognition to The Glen for hosting a Mental Health Day on 7 October. The theme of the day was: Mental health is everyone's business, young and old. It had support from some National Rugby League greats, including Steve Mortimer. The day included storytelling from others who have overcome drug and alcohol abuse, and celebrations of Aboriginal culture. The Glen recognises the intrinsic link between substance

abuse and mental health issues. It is a leader in our community for understanding this complex problem, and for taking steps to prevent and treat the scourge that drug and alcohol abuse is on our community. I congratulate The Glen on hosting this fantastic event. I pledge my ongoing support for its initiatives and vital work for the vulnerable in our community.

#### **MULGA'S MAGICAL MUSICAL CREATURES**

**Ms ELENI PETINOS (Miranda) (13:36):** Today I acknowledge Joel Moore of Miranda on the creation of his children's book *Mulga's Magical Musical Creatures*, which aims to promote creativity in children. Joel's collaboration with musicians is aimed at promoting children's creativity whilst telling the story of a musician who finds his musical inspiration in his dreams. This book is a collection of radical and original artworks that explores Mexican fish playing guitars, trumpeting pink elephants and banjo-playing owls. Joel is an esteemed artist who has an impressive creative portfolio with more than 56 shows under his belt. He is the winner of the Little Help Project, finalist and Peoples' Choice winner of Hazelhurst's 2013 Art on Paper prize, and he won gold at the 2013 Illustrators Australia awards. I congratulate Joel on this impressive book and on reminding us all to get in touch with our creative side.

#### **RICK SAMPSON, GRAFTON HOCKEY ASSOCIATION LIFE MEMBER**

**Mr CHRISTOPHER GULAPTIS (Clarence) (13:36):** I offer my congratulations to Rick Sampson on being made a life member of the Grafton Hockey Association. Rick has dedicated many years to coaching up-and-coming talented hockey players and assisting them in achieving their goals as elite players. Rick has never turned away a player who wanted to improve their game. He has helped to develop the structure and program for the Grafton Hockey Academy. Recently Rick returned from Perth where he coached the Hockey NSW under-13 boys hockey team to second place at the Australian under-13 boys national championships. I congratulate Rick on his achievements and wish him all the best for the future.

#### **CNA-ITALIAN AUSTRALIAN SERVICES AND WELFARE CENTRE (NSW) INC.**

**Mr NICK LALICH (Cabramatta) (13:37):** The Italian-Australian seniors day care project is an excellent community initiative that provides recreation to senior members of the Italian community. It is very important to make sure our elderly are taken care of so that they are not lonely or socially isolated. This project is a great way for participants to engage with their paesanis while celebrating Italian culture and enjoying a meal together. It also provides an opportunity for volunteers to get involved and give back to their community. Congratulations to Maria Capozzi and the great team at the Italian-Australian Services and Welfare Centre for their continued hard work in this area and for the launch event last weekend.

#### **HASTINGS CO-OP 100TH ANNIVERSARY**

**Ms MELINDA PAVEY (Oxley) (13:38):** Today I bring to the attention of the House that Hastings Co-op is celebrating 100 years of operation. Hastings Co-op has been part of the Mid North Coast community since 1916, when it started from humble beginnings with eight people working in a butter factory. Since that time it has grown to employ more than 280 people and has 14 diverse businesses across the Hastings area. I recognise the Chair of the Board, Julie Muller, and Chief Executive Officer, Allan Gordon, for their stewardship and the leadership they have shown during their time. I acknowledge that many have come before them to get Hastings Co-op to where it is today; with good companies come good employees and great communities. I thank every individual who has made this wonderful enterprise into a leading business in the Hastings Valley.

**TEMPORARY SPEAKER (Mr Bruce Notley-Smith):** I will now vacate the chair until 2.15 p.m.

*Visitors*

#### **VISITORS**

**The SPEAKER:** Happy birthday to the member for Ballina. She is young enough not to want to ignore them.

I extend a very warm welcome to members of the Asian Women at Work group in the gallery today, guests of the member for Strathfield. I also acknowledge the 50 participants of the Legislative Assembly Public Sector Seminar. I trust you have had a good day.

*Bills*

**CRIMES (ADMINISTRATION OF SENTENCES) AMENDMENT BILL 2016**  
**INDUSTRIAL RELATIONS AMENDMENT (INDUSTRIAL COURT) BILL 2016**  
**BUILDING PROFESSIONALS AMENDMENT (INFORMATION) BILL 2016**  
**EDUCATION AND TEACHING LEGISLATION AMENDMENT BILL 2016**  
**SOCIAL AND AFFORDABLE HOUSING NSW FUND BILL 2016**  
**FAIR TRADING AMENDMENT (COMMERCIAL AGENTS) BILL 2016**

**Assent**

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

*Question Time***COMPULSORY PROPERTY ACQUISITION PROCESS**

**Mr LUKE FOLEY (Auburn) (14:21):** My question is directed to the Premier. Will the Premier explain to Shelley Jensen of St Peters why he has not adopted recommendation 17 of the Russell report and provided like-for-like compensation so that families can afford to buy in the same suburb that they have lived in for years?

**Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:22):** Obviously I do not know the specific circumstances—

**Ms Jodi McKay:** It was in the paper this morning and on the TV last night.

**The SPEAKER:** We do not need interjections or assistance from the member for Strathfield.

**Mr MIKE BAIRD:** I know that the member for Strathfield likes being on the TV. But in relation to any individual the principles are simple and they start with this: we find it an incredibly difficult thing to acquire somebody's home. We understand that we are building infrastructure. Those opposite did not build for 16 years. We had to get on with the job of building it and we want this city and this State to be the greatest State in the country.

**Mr Michael Daley:** Fairies built the M7.

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

**Mr MIKE BAIRD:** Don't be so sensitive, mate.

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

**Mr MIKE BAIRD:** He was an awesome finance Minister; he was an absolute ripper. Under the gentrader deal he sold assets for half their worth; what an absolute ripper. He left that out of his McKell speech. That was not in his McKell speech—"No, no. I won't tell you about my great effort with the gentraders. We have an asset worth \$100 million. Let's sell it for \$50 million". That is the member for Maroubra at his best.

**Mr Clayton Barr:** Point of order: It is relevance under Standing Order 129. This is a very serious issue and we would appreciate a serious response.

**The SPEAKER:** The member for Cessnock should have listened to the Premier's answer.

**Mr Clayton Barr:** I did.

**The SPEAKER:** Clearly you did not.

**Mr MIKE BAIRD:** The member for Maroubra did take me off track; the member for Cessnock is right to bring me back.

**Mr Michael Daley:** Yeah, talking about fairies that built the M7.

**The SPEAKER:** The member for Maroubra will stop talking about fairies at the bottom of the garden or I will place him on two calls to order. I call the member for Maroubra to order for the second time.

**Mr MIKE BAIRD:** As I said, it is an incredibly difficult thing. We have to build this infrastructure and we will build it, but ultimately the incredibly hard part is that we will have to acquire people's homes as part of it. As would have been seen in those reviews, a number of views and recommendations have been put but the principle was that in the vast majority of cases the Government has done a good job. However, we can do better

and that is what we are doing. Ultimately in acquiring homes we have now the most generous compensation in the country.

We are ensuring that we are improving the process, giving a personal manager who will sit there and go through every single part of the process to help individuals and families through this difficulty. Ultimately we have said that we must do better in some circumstances and we will. That is a big part of what we are doing. Those opposite come here and talk about infrastructure. We know why we did not have some of these challenges for 16 years; it was because they did not build anything. We know that is the position they would go back to because in that masterful oration at the McKell Institute by the member for Maroubra—

**Ms Jodi McKay:** Point of order: My point of order is Standing Order 129. The question relates to Shelley Jensen. At 1.30 this afternoon RMS inspected her house; they expected it to be clean—

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

**Ms Jodi McKay:** The question relates to her and recommendation 17.

**The SPEAKER:** Order! I call the member for Strathfield to order for the first time for refusing a direction from the Chair. The Premier has the call.

**Mr MIKE BAIRD:** As I have said in relation to individual circumstances, we have a Minister who oversees that now and is obviously happy to engage on individual circumstances. He will do that but I just make a point in relation to infrastructure. In the McKell masterpiece delivered by the member for Maroubra—and the member for Strathfield should get down there quick smart as well—he said, "Let us stop asset recycling". They do not want to build infrastructure. That is the great vision.

**Ms Jodi McKay:** Point of order: It is again Standing Order 129. The question was about Shelley Jensen. Will the Premier meet with Shelley Jensen?

**The SPEAKER:** I asked the member for Strathfield to resume her seat before. The Premier answered that aspect of the question—he was not aware of that specific case. He then remained generally relevant for the rest of the question.

#### REGIONAL JOBS GROWTH

**Mr GREG APLIN (Albury) (14:27):** My question is addressed to the Treasurer. How has the New South Wales Government investment in regional New South Wales delivered outstanding jobs growth and encouraged economic activity?

**Ms GLADYS BEREJIKLIAN (Willoughby—Treasurer, and Minister for Industrial Relations) (14:27):** Members opposite do not like to talk about jobs but I thank the member for Albury for his question and appreciate how important jobs growth is to his community, as it is to all members. I am pleased to inform the House that according to the most recent Australian Bureau of Statistics jobs figures in regional New South Wales jobs growth accounted for 60 per cent of the jobs growth throughout regional Australia. That means that in the last 12 months in regional New South Wales we have had over 44,000 new jobs alone. That makes our side of the House not just the party for the worker but also the party for jobs.

When it comes to jobs growth and hardworking people, this side of the House knows how to deliver. I am pleased and proud to be a member of a Government that is facilitating so much jobs growth in regional New South Wales. Of course it has not happened by accident. We understand that building more infrastructure equals more jobs; more quality services equals more jobs; supporting business growth equals more jobs. We also know that when it comes to job creation specific regions are doing so well.

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

**Ms GLADYS BEREJIKLIAN:** I will inform the House of jobs growth in the Central West. In the last 12 months to August this Government created more than 7,200 jobs in the Central West of the State. The Australian Bureau of Statistics figures reveal that since the election jobs growth in the Central West has increased by 7.7 per cent. Let us compare the Government's record to that of the Opposition, like for like. In the past 12 months the Government has created 7,200 jobs in the Central West. The Opposition created 6,400 jobs in the Central West, but not in 12 months. Can members guess how long it took the Opposition to create those jobs?

**Mr John Sidoti:** Sixteen years.

**Ms GLADYS BEREJIKLIAN:** Twelve years. The member for Drummoyne was close. In 12 months this Government created 7,200 jobs in the Central West. In 12 years the Opposition managed 6,200. I asked the figures to be fact checked three times, and they are correct—like for like. This Government is the party for jobs

and workers. The Opposition talks about it but does not deliver. As I foreshadowed, the jobs growth has not happened by accident but is due to significant investment in the Central West.

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

**Ms GLADYS BEREJIKLIAN:** A strong government with a strong budget position and a strong economy will continue to deliver. The Central West has received increases in funding for hospitals, road upgrades and schools. This will continue. Jobs are important to families struggling with extreme weather conditions and stresses in their lives. It is pleasing to see these encouraging figures for regional New South Wales. It is not just the Central West that is benefiting from regional jobs growth. The Greater Hunter has seen a jobs growth increase of 4.6 per cent. That is 13,400 jobs in the Greater Hunter area. The member for Maitland must be pleased with that. The member for Newcastle wants to cancel infrastructure projects in his electorate but I am sure he is happy with that jobs growth.

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

*[Extension of time]*

**Ms GLADYS BEREJIKLIAN:** In areas such as the Illawarra 6,500 jobs have been created. That is an increase of 4.7 per cent. The member for Kiama is excited about that. The member for Keira wants to be excited. In the Far West and Orana, a challenging part of the State, there is an increase in jobs growth of 4.9 per cent. That is an extra 2,600 jobs. In Richmond-Tweed there has been an increase of 7,500 jobs, which is more than 7 per cent. When it comes to regional New South Wales and jobs the figures are pleasing. Regrettably the Opposition only cares about its own jobs. There is one job all Opposition members are after and that is the Leader of the Opposition. It was a Freudian reaction by the member for Maroubra when he got to his feet as soon as I said, "the Leader of the Opposition". The member for Strathfield is also interested in the job. The member for Keira is interested in the job on a good day. Although not in the Chamber, Clover Moore wants to be Leader of the Opposition.

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

**Ms GLADYS BEREJIKLIAN:** Whilst the Opposition has focused on its own jobs this Government cares about jobs growth. Regional New South Wales can be assured that this Government will continue to create jobs in all parts of New South Wales.

### COMPULSORY PROPERTY ACQUISITION PROCESS

**Ms JO HAYLEN (Summer Hill) (14:34):** My question is directed to the Premier. Given that many of the people who have settled with the Government on the acquisition of their homes felt bullied into doing so, will the Premier have an independent review into all the property acquisitions?

**Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:35):** I thank the member for Summer Hill for her question. There is no doubt she will be delivering a McKell Institute speech in the not too distant future.

**Mr Jihad Dib:** Are you trying to get an invite?

**Mr MIKE BAIRD:** I have been.

**The SPEAKER:** The member for Lakemba will come to order and cease interjecting.

**Mr MIKE BAIRD:** I understand the member's concern about the issue and there are some disputed cases. As I have said, the vast majority have been completed through agreement. That does not mean the Government cannot do better. It will do better. The very capable Minister for Finance, and Services and Property, the friend of the worker, will be doing everything he can to oversee the process. The Government must continue to build infrastructure. The Government recalls what it was like to see those opposite in government talking about infrastructure but delivering nothing. There is a difference because this Government is building infrastructure not just in the city but across regional New South Wales.

**Ms Jodi McKay:** Point of order: My point of order is Standing Order 129. The question specifically related to whether the Premier would agree to review all compulsory acquisitions.

**The SPEAKER:** The Premier will return to the leave of the question.

**Mr MIKE BAIRD:** The member for Strathfield can go to the McKell Institute as well. Some members of the Opposition need to understand that when in government—

**Ms Jodi McKay:** Point of order—

**The SPEAKER:** The Premier has not strayed from the leave of the question.

**Ms Jodi McKay:** The Premier has flouted your ruling.

**The SPEAKER:** No, he has not. There is no point of order. The member for Strathfield is out of order.

**Mr MIKE BAIRD:** What happened to the Tcard? Axed. What happened to the Bondi Beach rail link? Axed. What happened to the high-speed rail into Newcastle central coast? Axed. What happened to the Hurstville to Sutherland rail link? Axed. What happened to the high-speed rail link from Sutherland to Wollongong? Axed. What happened to the Parramatta to Chatswood rail link? Axed. What happened to the north-west heavy rail link? Axed.

**The SPEAKER:** I call the member for Bankstown and the member for Lakemba to order for the first time.

**Mr Ryan Park:** Point of order: My point of order is Standing Order 129. The Premier is as irrelevant today as he is every other day.

**The SPEAKER:** There is no point of order. The member will resume his seat.

**Mr MIKE BAIRD:** As the deputy secretary of transport the member was the one with the stamp cancelling these projects. The people of New South Wales now have a Government that is delivering infrastructure.

**Ms Jodi McKay:** Point of order: My point of order is Standing Order 129. The question related specifically to a review of property acquisitions.

**The SPEAKER:** I heard the question. In a general sense the Premier is remaining relevant to the question and is contextualising his answer.

**Mr MIKE BAIRD:** It is relevant. Home acquisitions are part of building infrastructure. As announced yesterday, the Government has improved the process. This Government will transform the State through the Pacific and Princes highways, regional hospitals and the convention centre that was ignored for a decade. That convention centre will open at the end of this year. We know that it is connected. We are building new hospitals and new schools across this city and across New South Wales. We are building a metro project. Bob Carr stood here in 1998 and said, "We are going to build the north-west rail link." It has taken this Government to actually build it. We are very proud to be building it because we know the difference it will make to the people of New South Wales.

**The SPEAKER:** Is the member for Summer Hill seeking an extension of time?

**Ms Jo Haylen:** If the Premier has finished his answer, he may as well sit down.

**The SPEAKER:** The member for Summer Hill should be careful about making such comments. I warn the member for Summer Hill.

### SCHOOL FUNDING

**Mr ADAM MARSHALL (Northern Tablelands) (14:40):** My question is addressed to the Minister for Education. How is the Government continuing to fund schools on a needs basis and what positive impact is this having on students in country New South Wales?

**The SPEAKER:** I imagine that members will come to order during this answer. Members should be interested in it.

**Mr ADRIAN PICCOLI (Murray—Minister for Education) (14:40):** What a good question from a good member. I saw on Twitter and in the *Armidale Express* the headline "Member for Northern Tablelands announces huge increases in funding for schools in his electorate". That is what I call a good bloke. An announcement can be seen as good news by members on one side of the Chamber and bad news by members on the other side. To the Opposition, good news is bad news. There is nothing Opposition members hate more than good news. They wake up every day and pray that unemployment will go up so that they can go out there and champion the unemployed. As the Minister for Finance, Services and Property has said, we are the party of the worker.

[*Interruption*]

**The SPEAKER:** The member for Lakemba should be careful of his comments.

**Mr ADRIAN PICCOLI:** I was at Hurstville South Public School this morning with the local member and the Premier to announce \$219 million in funding to all public schools in New South Wales as part of our ongoing contribution and commitment to the Gonski funding reforms. The \$219 million is additional funding for

next year. It will be put to great use by the 2,200 public schools across New South Wales. The additional funding next year is not just for public schools. I announce that next year Catholic and independent schools will receive an increase of \$65 million. We have talked a lot in this Chamber about the resource allocation model and additional funding for public schools, particularly disadvantaged schools, but the agreement we signed up to was for the three sectors. Funding for every sector goes up.

Every sector receives additional funds. The schools that will receive the biggest increase are those that service the most disadvantaged communities, whether they are low-fee independent schools, low-fee Catholic schools or public schools. We are seeing great results in schools. Next year Bowen Public School will receive an additional \$250,000. That school has had great results. It has employed more literacy teachers. It now has the money to employ a speech pathologist, who works for the Central West health network, to support its great students. Queanbeyan East Public School will receive an additional \$237,000. Canley Vale High School is using its additional money to employ nine extra literacy teachers.

**Mr Jihad Dib:** That school has a great principal.

**Mr ADRIAN PICCOLI:** He is a great principal. The school has set up a separate literacy faculty to target literacy, and the results are going through the roof. I was at Cobar High School recently. That school is using the Gonski funding to create a literacy block at the beginning of the day for every student in the school, targeting literacy, then students go off to study other subjects for the rest of the day.

**The SPEAKER:** The member for Macquarie Fields will come to order.

**Mr ADRIAN PICCOLI:** That school is seeing great improvements in literacy and numeracy. There are other great results too: Cobar High School receives \$350,000 more because of the reforms that we have implemented.

**The SPEAKER:** The member for Macquarie Fields will come to order and cease interjecting.

**Mr ADRIAN PICCOLI:** I know the Opposition has no interest in this. This is bad news for the Labor Opposition.

**The SPEAKER:** Members should cease interjecting if they think it is good news.

**Mr ADRIAN PICCOLI:** Yes, they should cease interjecting. Cobar High School has increased the percentage of students in the top two bands from zero to 12 per cent. It has decreased the percentage of students in the bottom two bands from 58 per cent to 35 per cent. That is what additional funding does. Marrickville High School will receive \$126,000. It has increased the percentage of students in the top two bands from 5 per cent to 12 per cent. It has reduced the percentage in the bottom two bands from 53 per cent to 42 per cent. Stroud Public School, in the electorate of Upper Hunter, will be \$68,000 better off. It has increased the percentage of students in the top two bands from 33 per cent to 60 per cent and decreased the percentage of students in the bottom two bands from 11 per cent to zero. They are the fantastic results that our schools are achieving. Across New South Wales they are doing a great job. St James Primary School, a Catholic school in the electorate of Upper Hunter, is doing equally great things, as are independent schools. They are benefiting from the reforms implemented by this Government.

### COMPULSORY PROPERTY ACQUISITION PROCESS

**Ms JODI McKAY (Strathfield) (14:45):** My question is directed to the Premier. How can the Premier claim to treat generously people like Sharon Murphy, who is in the gallery today, when the Government has capped compensation at \$75,000, and when Victoria pays up to 10 per cent of the value of the property, meaning that many families would receive more than \$75,000 under the Victorian scheme? Sharon is sitting in the top level of the gallery, in the front row, second from the left. The Treasurer is explaining how it works.

**The SPEAKER:** The member for Strathfield is out of order. She will resume her seat. The member should not lecture. The member for Macquarie Fields will cease interjecting. There is too much audible conversation in the Chamber and too many arguments.

**Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:46):** I acknowledge Sharon in the gallery. It is a difficult situation for Sharon and for the other families involved. This has been an issue for governments for decades. Governments are sometimes in the unfortunate position, when building infrastructure, of having to acquire homes. That is great for the people who benefit from that infrastructure but very difficult for people like Sharon. I am not aware of the individual circumstances. I am happy to receive the details and for the Minister to consider them. The important point is that there are many elements in the property acquisition process. A generous payment is made, based on the valuation of the house.

There is an additional compensation payment of up to \$75,000, which is much more than it was under the former Labor Government. At the same time we are allocating someone to help with the challenges of dealing with government on a daily basis so that people can move from their old home to their new home. We must do better. In some circumstances we have not done well. Clearly, there is an intent to do better. We have made changes and we are proud to have made them. The Minister will take responsibility for the process and will take Sharon's concerns into account.

### REGIONAL MENTAL HEALTH SERVICES

**Mr DARYL MAGUIRE (Wagga Wagga) (14:47):** My question is addressed to the Minister for Mental Health. How is the Government improving and investing in mental health services in regional New South Wales?

**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) (14:48):** I thank the member for Wagga Wagga for his question and for his support for the work that the New South Wales Government is doing to provide mental health services in rural and regional areas. I was very pleased to join the member earlier this year to visit the world-class mental health services now provided in Wagga Wagga. I am so proud that this Government has delivered for people in rural and regional New South Wales.

Living and working in the bush is a wonderful life. However, people living in those communities often face complex issues such as the pressure generated by isolation, rapid social change and the adversities of natural disasters. When people in the bush need mental health services, the last thing they want to do is to travel to Sydney for treatment. That is why the New South Wales Government is committed to building and providing world-class community-based mental health services so that people with a mental illness can live a better life wherever they are in New South Wales. There is no better time to recognise this than in Mental Health Month.

In 2016-17 the Government has committed a record \$1.8 billion for mental health services in New South Wales. This is a 48.2 per cent increase on the 2010-11 budget when Labor was in office. This Government is leading the nation in economic and fiscal management, and that enables us to provide the vital services that people in our regional communities need and deserve. This year's budget includes a record \$630 million for mental health services across our rural and regional local health districts.

In the past five years this Government has delivered on mental health reform and has established the Mental Health Commission, which has delivered the 10-year Living Well strategic plan for mental health; strengthened our community mental health services to help more people live well in the community and out of hospital; invested record levels of funding; invested in new and innovative models of care such as Likemind and Lifespan as well as continued to support Lifeline; invested in telehealth initiatives to better support patients and deliver services; and, thanks to our great health Minister, opened new world-class mental health facilities in Wagga Wagga, Bega, Byron Bay and elsewhere.

We are a government that provides innovative solutions to assist those outside of Sydney and ensure they receive services close to home. Earlier this month I was in Orange to open the new LikeMind hub and was joined by the great candidate for Orange, Scott Barrett. LikeMind is an innovative way of co-locating and connecting government and non-government services to provide mental health care including triage, assessment, care coordination and discharge planning services. LikeMind brings together local partners that specialise in mental health, drug and alcohol services, physical health and social needs. LikeMind allows people with a mental illness to get the integrated help they need when they need it. I am delighted that in November we will open our second regional Likemind, in Wagga Wagga.

This Government is investing like never before in rural and regional mental health, and that includes research and education. The Government has committed \$19 million over the next five years for the Centre for Rural and Remote Mental Health [CRRMH] and the Rural Adversity Mental Health Program, based in Orange, to support the mental health of those in the bush. NSW Farmers President Derek Schoen said this was a "a big win for the mental health and wellbeing of rural communities." The Centre for Rural and Remote Mental Health is an Orange institution. It is at the forefront of initiatives designed to enhance the mental health of rural and remote communities, and to promote mental health literacy in the bush.

This Government is also focusing on suicide prevention like it never has before. And, of course, the latest Australian Bureau of Statistics suicide statistics are sobering and show that our suicide rates are higher outside our capital cities. The Government is pleased to be working with the Black Dog Institute on the four Lifespan sites, all of which are in rural and regional communities. Lifespan is Australia's first evidence-based suicide prevention trial, which is rolling out in Newcastle, Murrumbidgee, Illawarra-Shoalhaven and the Central Coast over the coming years. [*Extension of time*]

I am proud this Government has delivered for people in the bush through better mental health care. As the Treasurer reminded the House last week, it is this Government's strong economic management that has meant we are able to deliver things that matter most to the community, including mental health services in regional New South Wales. This Government is leading the nation in social policy reform and it will continue to support the most vulnerable in our communities.

### PROCESS

**Ms JULIA FINN (Granville) (14:53):** My question is directed to the Premier. How is it fair that families whose homes were acquired for WestConnex and were forced to pay rent to remain in their own properties, will not have this rent refunded, given that the Premier has now abandoned the practice of collecting rent altogether?

**Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:54):** I understand the member's question. We announced this yesterday and lots of detail was available in relation to it. I do not remember the former Labor Government making the changes that this Government made yesterday. Does anyone remember that?

**Government members:** No.

**Mr MIKE BAIRD:** Under the former Labor Government people would get a letter in the letterbox and that was it. Yes, this Government responded yesterday as it should. All of a sudden one issue has gone away and there is really nothing much else for Opposition members to talk about. Yesterday the Leader of the Opposition was asked on SKY —

**Ms Jodi McKay:** Point of order—

**The SPEAKER:** There is too much interjection in the Chamber. The House will come to order.

**Ms Jodi McKay:** It is Standing Order 129. The question was about rental income being refunded.

**The SPEAKER:** The Premier is being relevant. I think the Premier understood the question and has been relevant in his introductory comments. This is just a tactic. The member for Strathfield should not argue.

**Mr MIKE BAIRD:** I did answer that. I said "Did you have a Minister who oversaw the acquisition process?"

**Government members:** No.

**Mr MIKE BAIRD:** Did you have the most generous compensation scheme in the country?

**Government members:** No.

**Mr MIKE BAIRD:** Did you allocate a personal business manager?

**Government members:** No.

**Ms Jodi McKay:** Point of order—

**The SPEAKER:** It could not be Standing Order 129 because the Premier is being relevant.

**Ms Jodi McKay:** It is Standing Order 129. The question was about rental income and I remind the Premier that he sat on a report and cheated people for 2½ years.

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

**Mr MIKE BAIRD:** The member for Strathfield knows, as she was a Minister in the former Labor Government overseeing this scheme. It is no wonder the member for Strathfield is taking points of order and is agitated.

**Ms Jodi McKay:** Point of order—

**The SPEAKER:** I warn the member for Strathfield that, if she uses this as an opportunity to argue when I have ruled three times that the Premier is being relevant, I will place her on three calls to order and she will be removed from the Chamber for the rest of the day under Standing Order 249.

**Ms Jodi McKay:** I understand. It is Standing Order 129. The Premier is misleading the House. I was not the Minister.

**The SPEAKER:** I just ruled there is no standing order regarding misleading the House. I call the member for Strathfield to order for the third time. It is clearly what the member wants.

**Mr MIKE BAIRD:** It is no wonder that the member for Maroubra went to the McKell Institute, and what a day that was. It was a masterpiece. "Don't do asset recycling. Don't build infrastructure." It was pure gold. It is no wonder because, as we learned today, the Lord Mayor of Sydney made some very interesting observations of the Leader of the Opposition when she said, "I don't think the Opposition leader should think government should just fall into his lap."

**Mr Guy Zangari:** Point or order: It is Standing Order 129. The Premier is not being relevant to the question.

**The SPEAKER:** The Premier strayed momentarily. I am sure the Premier will return to the leave of the question.

**Mr MIKE BAIRD:** The member for Sydney is present. The Lord Mayor made some very pertinent comments about leadership and why the member for Maroubra is desperate—

**Mr Michael Daley:** Point of order: Any number of points of order—Standing Order 73 and Standing Order 129 come to mind. Let us have the afternoon off and we will debate this, Mike.

**The SPEAKER:** The Premier strayed momentarily. I am sure he will return to the leave of the question.

**Mr MIKE BAIRD:** That is what you call a vicious defence if you are Leader of the Opposition. We are on to you, for goodness sake.

**The SPEAKER:** Government members will come to order. I have just ruled on relevance. I do not see the necessity to bully the member for Maitland.

**Ms Jenny Aitchison:** Point of order: It is Standing Order 74. People in the gallery are vitally concerned about this issue—

**The SPEAKER:** That does not relate to Standing order 74.

**Ms Jenny Aitchison:** Yes, it does. The Premier is creating quarrels.

**Mr MIKE BAIRD:** The Lord Mayor of Sydney said, "I think Opposition leaders need to have policies."

**Mr Jihad Dib:** Point of order: I have not heard the word "rent" once and that was what the question was about.

**The SPEAKER:** Does the member for Lakemba have a point of order? I have not heard a breach of a standing order. The member for Lakemba will resume his seat.

**Mr Jihad Dib:** It is Standing Order 129.

**The SPEAKER:** That is not a point of order. I place the member for Lakemba on three calls to order.

**Mr MIKE BAIRD:** We understand the concerns, which is why we acted yesterday. We remind the House that whilst we have to deal with those challenges we have to keep building the infrastructure this city and this State deserves, and it is this Government that will do both.

### RURAL HEALTH INFRASTRUCTURE

**Mr MICHAEL JOHNSEN (Upper Hunter) (14:59):** My question is addressed to the Minister for Health. How has record capital investment in western New South Wales improved patient outcomes?

**Ms JILLIAN SKINNER (North Shore—Minister for Health) (14:59):** I commend the member for Upper Hunter for his strong interest in health services in his part of the world and across regional New South Wales. Let us look at Labor's record on providing health infrastructure in rural New South Wales. As we know because I have mentioned it many times, under Labor there were lots of promises but no deliveries. Those opposite promised hospitals in places such as Bega, Tamworth, Port Macquarie, Wagga Wagga, Parkes and Forbes.

**Mr Ryan Park:** Port Macquarie? You wouldn't want to bring Port Macquarie up again, would you?

**Ms JILLIAN SKINNER:** Yes, Port Macquarie. Get your act together. Labor failed to invest in any of that much-needed infrastructure.

**The SPEAKER:** Order! The member for Keira will come to order. His behaviour is unparliamentary.

**Ms JILLIAN SKINNER:** In 2011 when I became the Minister for Health 50 per cent of our hospitals were more than 50 years old. Interestingly, under Labor, capital expenditure on health was cut in seven out of 16 years. We have invested \$10 billion to upgrade hospitals over our two terms. Let us look at some of those

projects. The Deputy Premier mentioned Dubbo. We have finished stage one and are getting on with the job for stage two.

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

**Ms JILLIAN SKINNER:** We have invested \$72.8 million in Parkes hospital, and it is beautiful. The council and the local community love it. On that greenfield site we built a new and expanded emergency department as well as inpatient wards and a helicopter pad just outside the hospital. It is absolutely fabulous. We have invested \$40.9 million in the hospital at Forbes, which we said we would redevelop. In fact, we have redeveloped the beautiful heritage building at the front of the hospital, which was built in 1904. I know that because that is the age of my house. That building now accommodates the administration section of the hospital and behind it we have built brand-new clinical service buildings. There is an emergency department and inpatient units, fabulous new birthing suites for mothers and babies, and much more.

We have provided \$300 million to upgrade our Multi-Purpose Services Program centres across rural New South Wales. We have provided \$15 million for the Molong Multi-Purpose Service complex. That site also has a beautiful renovated heritage building at the front. Some aged-care beds in one wing are being upgraded and a brand-new wing of aged-care beds will also be built. I visited Molong on 27 September and was very distressed to see that an old kitchen and services block had been left on the site. On the spot I said that we would find an additional \$1.5 million to completely demolish that building, which is full of asbestos. Labor members ignored that for all those years. We are getting on with the job. We will also build a new ambulance station at Molong.

**The SPEAKER:** Order! The member for Maitland will cease making silly interjections.

**Ms JILLIAN SKINNER:** That is another major \$2.5 million infrastructure investment.

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

**Ms JILLIAN SKINNER:** What does this all mean? We do not build these hospitals for the sake of it; we do it because it is in the best interests of patients. I am surprised that members opposite do not realise the importance of this infrastructure for patient outcomes and patient care.

**The SPEAKER:** Order! Members will come to order. Some of them are being disrespectful and juvenile. I call the member for Rockdale to order for the second time.

**Ms JILLIAN SKINNER:** In June this year at Parkes hospital 90 per cent of patients were treated and discharged from the emergency department or admitted to the hospital within the target of four hours. At Forbes hospital that figure was 93 per cent. Looking at the bigger hospitals, when I first became Minister 65 per cent of patients of the Orange Health Service left the emergency department within four hours. That figure is now 77 per cent. This is what happens when we invest in infrastructure as well as in nurses and doctors and provide increased funding for recurrent services. Another interesting statistic is that the number of patients who receive their elective surgery on time at Orange hospital has gone from 79 per cent to 99.8 per cent. I congratulate all the wonderful staff working in those hospitals.

#### SYDNEY FISH MARKET REDEVELOPMENT

**Mr ALEX GREENWICH (Sydney) (15:04):** My question is directed to the Minister for Planning.

*[Interruption]*

**The SPEAKER:** Order! Members will not make personal comments about other members' attire. I call the Minister for Industry, Resources and Energy to order for the first time.

**Mr ALEX GREENWICH:** My question is directed to the Minister for Planning. Given that Pyrmont and Ultimo are already Australia's most densely populated areas, how will the Minister work with the local community and the City of Sydney to ensure that the residential mix at the Sydney Fish Market does not impact negatively on local amenity or overburden infrastructure and services?

**The SPEAKER:** Order! I call the member for Maroubra to order for the third time. The Minister has the call. The member for Sydney deserves to have the answer to his question heard in silence. I order the Clerk to stop the clock until members come to order. I call the member for Tamworth to order for the first time. The Clerk will restart the clock. The Minister for Planning may proceed.

**Mr ROB STOKES (Pittwater—Minister for Planning) (15:06):** I thank the member for Sydney for his question and note that he is very "well suited" to being the member for Sydney. In relation to the future of the Bays Precinct, and particularly the Sydney Fish Market as one of the districts within it, it is crucial that we develop and design those areas in consultation with the community. That includes the local community and the regional community. We must also be cognisant of the needs of future generations.

**Mr Stephen Kamper:** What about the fish?

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

**Mr ROB STOKES:** The member for Rockdale asked about the fish. Like George W. Bush, I too believe in a world where human beings and fish can coexist peacefully. But that is something of a red herring, because our focus is on the local community. Public participation is not just a fundamental objective of our planning system; it is also a fundamental principle of UrbanGrowth in the imagining of the future Bays Precinct. This is a timely question from the member for Sydney, who is a great advocate for the community he represents. Last night UrbanGrowth NSW won two major awards from the International Association for Public Participation precisely for its public participation efforts in relation to the Bays Precinct. The Bays Precinct engagement program won both the Project of the Year Award and the Planning Award from that international association. That provides some clear, peer-reviewed evidence of the emphasis that UrbanGrowth and the New South Wales Government place on listening to the community and reflecting its values in planning for the future of important urban transformation projects and opportunities such as the Bays Precinct.

Over a 12-month period UrbanGrowth led a unique ideas generation and public participation program for people to have their say about the transformation across the 95 hectares or more of the Bays Precinct. The program targeted both people and organisations impacted by the transformation, including property owners, renters and property users in the area, but it also recognised the needs of the wider community and of future generations. It included large-scale events such as the Sydneysider Summit, bespoke meetings and localised participation. More than 30,000 people were involved and almost 4,300 items of feedback or ideas were submitted as part of that process.

In December last year UrbanGrowth established the Bays Precinct Reference Group as an ongoing forum for communication and information sharing between UrbanGrowth NSW and related stakeholders during the transformation of the Bays Precinct. The reference group has members representing a wide range of groups, including local communities, peak business organisations, groups interested in culture, heritage, social services, environment, sport and recreation, traffic, transport, urban design and maritime uses. In relation to the City of Sydney, which the member asked about specifically, we continue to work closely with the City of Sydney and the Inner West Council on the transformation of the Bays Precinct. We have a memorandum of understanding with the City of Sydney and we engage regularly with both councils to understand their perspective as well as the interests of their residents and ratepayers.

For example, we are working in partnership with the council on the active recreational lead study to understand current and future recreational needs of people who will live in, work in and visit the Bays Precinct. UrbanGrowth will soon be conducting a community survey for recreational needs. I encourage the member for Sydney to talk to his community about the opportunity to participate in the survey. The Government is currently in negotiations with the Sydney Fish Market and is yet to undertake detailed design and planning for the Bays market district, including the number of residential dwellings. There is likely to be residential development in the district, but the exact numbers will be determined through the detailed design phase and the very public participation that I have been adverting to. Infrastructure constraints, and how to respond to them, will be a central element of participation. As Jane Jacobs once said, cities have— [*Extension of time*]

**Ms Jodi McKay:** You cannot seriously be happy with the answer to this question.

**Mr ROB STOKES:** I will take up the interjection of the member for Strathfield because those opposite did have a plan for the fish market. Hang on, we are too late; it has already been done. There was a news release from the Premier of New South Wales: "The iconic Sydney Fish Market is set for a multimillion-dollar facelift to secure its future."

**Mr Mike Baird:** Hang on.

**Mr ROB STOKES:** Hang on, this has already happened. Ian Macdonald said, "The site will be significantly improved through better transport links, better pedestrian access, reduced odour, foreshore access and open space." So it has clearly all been done—or not? It certainly has been comprehensively announced. If there was an international organisation for public announcements, I would certainly put up those opposite. They are extraordinarily good at making announcements but not quite as good at delivering projects. This Government, through collaboration with local communities and genuine participation, can design a terrific future for all of Sydney and for local communities in the redevelopment of the Bays Precinct and the Sydney Fish Market.

#### SMALL BUSINESS

**Ms KATRINA HODGKINSON (Cootamundra) (15:13):** My question is addressed to the Minister for Regional Development, Minister for Skills, and Minister for Small Business.

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

**Ms KATRINA HODGKINSON:** How is the New South Wales Government supporting small business owners and restoring business confidence across the State?

**Mr JOHN BARILARO (Monaro—Minister for Regional Development, Minister for Skills, and Minister for Small Business) (15:13):** Madam Speaker—

**The SPEAKER:** Order! It is not too late to remove members from the Chamber. The member for Drummoyne will come to order. The member for The Entrance will cease arguing across the Chamber.

**Mr JOHN BARILARO:** I thank the member for Cootamundra for her question. Not only as a former Minister for Small Business but also as someone who has been in small business, she clearly understands the importance of small business to the New South Wales economy.

**The SPEAKER:** Order! The member for Blacktown should wake up.

**Mr John Robertson:** I have been listening the whole time.

**The SPEAKER:** Order! The member for Blacktown will not start interjecting.

**Mr John Robertson:** It is riveting.

**The SPEAKER:** Order! The member for Blacktown should go back to what he was doing. Perhaps he can write his Christmas cards or something similar.

**Mr JOHN BARILARO:** Early this afternoon we heard from the Treasurer about jobs growth, especially in regional New South Wales. Over the past 12 months we have put 44,000 people into a job. Over the past five years there have been many changes in business ownership and business structure in the Central West, which has resulted in a very diverse economy. But 7,500 jobs have still been created against that backdrop in the Central West. That is a significant change. It is well known that small business plays an important role in jobs growth. We need a strong small business community. We need the mums and dads who have the courage to invest in business and to employ people.

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

**Mr JOHN BARILARO:** That is why we are seeing jobs growth in this State, but that is only one index. An increase in jobs growth is an indication that the economy is growing and business confidence is strong. Census data recently released on business confidence shows that New South Wales is a country mile ahead of any other Australian State. In fact, small businesses are more confident in regional New South Wales than in any other part of the nation. There is no greater State when it comes to entrepreneurship or small business in this nation. In that regard, we rely on pulling the levers of government—namely, investing in enabling infrastructure, looking at payroll tax, red tape and the way in which we stimulate small business.

It is not only confidence in the economy but also confidence in government policy that gives a business owner the confidence to invest. Let us make a comparison and go back to June 2010. An article in the *Sydney Morning Herald* on 10 June 2010 stated: "Outlook turns grim for small business." That was on the watch of those opposite, not ours. Key reasons for disapproval included the Government not providing incentives for small business, high taxation and too much bureaucracy and government interference. That is part of Labor's DNA.

**The SPEAKER:** Order! The member for Rockdale is on his last warning.

**Mr JOHN BARILARO:** The article continued, "SMEs expect trading and economic conditions to deteriorate further in the next 12 months." Thank goodness there was an election in 2011 that saw the return of a Liberal-Nationals Government, which has changed the fortunes of small businesses in New South Wales.

**The SPEAKER:** Order! The member for Drummoyne will come to order. There is no need for a Government cheer squad.

**Mr Greg Warren:** Point of order—

**The SPEAKER:** Order! Members will come to order. I need to hear the member's point of order.

**Mr Greg Warren:** My point of order relates to Standing Order 73. The Minister is making personal reflections. He should return to the leave of the question. This issue matters to regional areas.

**The SPEAKER:** Order! There is no point of order. The member for Campbelltown should read the standing orders. The Minister is being relevant to the question.

**Mr JOHN BARILARO:** I am referring to the Labor Party—

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

**Mr JOHN BARILARO:** —policy in 2015, which was going to impose a \$5.1 billion tax on small businesses. But when we go to the budget reply speech of the Leader of the Opposition, what was in it for small business? He did not even mention small business in his budget reply. He was talking about legislating driverless cars and regulating the share economy.

**Mr Jihad Dib:** Point of order: I refer to Standing Order 129. The question is about what the Government is doing, not what the Opposition is doing.

**The SPEAKER:** Order! The Minister is being entirely relevant to the question. The member for Lakemba is also on his last warning.

**Mr JOHN BARILARO:** It is that; I am talking about the history. History tells us that from 2004 to 2010 under those opposite the economy was the slowest in the nation. [*Extension of time*]

We should reflect on when this Government came to power. Under those opposite there was debt, deficit, no plan for small business in this State and no plan for the economy.

**Mr Chris Minns:** Point of order: My point of order is also taken under Standing Order 129.

**The SPEAKER:** Order! The Minister's answer has been entirely relevant to the question.

**Mr Chris Minns:** I just checked the Treasurer's speech and she did not mention small business either.

**The SPEAKER:** Order! The member for Kogarah will resume his seat. There is no point of order. This is not a debate. I call the member for Kogarah to order for the first time.

**Mr JOHN BARILARO:** I know what the Treasurer has put in the budget. When it came to small business, there were employment incentives of \$2,000 and a payroll tax rebate of \$6,000.

**The SPEAKER:** Order! I directed the member for Kogarah to resume his seat. I call the member for Kogarah to order for the second time. The member continues to argue. I call the member for Kogarah to order for the third time.

**Mr JOHN BARILARO:** I think the Treasurer clearly knows what small business means to the economy.

**Mr David Harris:** Point of order—

**The SPEAKER:** Order! The member for Kogarah continued to argue with the Minister after I directed him three times to resume his seat. It is extremely disorderly to ignore an instruction from the Chair. The member for Kogarah will remove himself from the Chamber for two hours.

[*Pursuant to sessional order the member for Kogarah left the Chamber at 3:20 p.m.*]

**Mr David Harris:** My point of order is taken under Standing Order 130. The Minister is now debating the question.

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

**Mr JOHN BARILARO:** What is absolutely clear is that members on this side of the House clearly understand what it takes to grow an economy and support small businesses. In the Central West we have members such as the Deputy Premier and the Minister for Local Government and, soon, our candidate Scott Barrett, who will be championing the Central West. He is better than the Labor candidate—he got preselected and then what did he do? "I'm leaving on a jet plane. Don't know when I'll be back again". He took off to the United States of America; he is not on the ground campaigning.

**The SPEAKER:** Order! Members will come to order. Those who do not cease interjecting will be removed from the Chamber.

#### *Ministerial Statement*

### **PREGNANCY AND INFANT LOSS REMEMBRANCE DAY**

**Ms JILLIAN SKINNER (North Shore—Minister for Health) (15:22):** I bring to the attention of the House the fourth Pregnancy and Infant Loss Remembrance Day, which was last Saturday 15 October. According to the latest statistics, more than 97,000 babies were born in New South Wales in 2014. Alas, some children die at birth, shortly thereafter or during the mother's pregnancy. Pregnancy and Infant Loss Remembrance Day promotes awareness of services and support for grieving families, and it allows the parents and the wider

community to come together to remember and mourn children who have died. I should inform the House that I understand this, having had two miscarriages myself.

The history of this day is interesting. It was you, Madam Speaker, who in 2009 introduced the idea of creating a remembrance day when you spoke to a motion in this Chamber. I note that this idea came after your meeting with your constituent Nicole Ballinger. On 15 October 2012, on the inaugural Pregnancy and Infant Loss Remembrance Day, you held a morning tea in the Speaker's Garden, which I had the privilege of attending and where I met Nicole. Many things are provided by way of support for families going through this grieving process. NSW Health initiatives that were launched in response to the remembrance day include resources such as a "Pregnancy and Infant Loss for Parents" information pamphlet, which outlines issues and practicalities that parents need to consider after the death of a baby; and a "Pregnancy and Infant Loss for Health Professionals and the Community" pamphlet, which addresses the impact of the loss of a baby and the services available, and includes a list of non-government support services.

A number of non-government organisations provide support to affected parents. They include Pregnancy Loss Australia, Pregnancy and Infant Loss Awareness Research and Information; the Stillbirth Foundation; Stillbirth and Neonatal Deaths Support; and the Pregnancy, Birth and Baby Helpline, whose number is 1800 88 24 36. Madam Speaker, I congratulate you on the initiative you took in establishing this remembrance day. A number of members have spoken to me about it—the member for Heathcote being one of them. Too often we gloss over the impact that such a loss has on families. I call on all people to be conscious of Pregnancy and Infant Loss Remembrance Day and to give it the due deference it deserves on 15 October every year.

**Ms KATE WASHINGTON (Port Stephens) (15:25):** On behalf of the New South Wales Opposition I join the Minister for Health in recognising Pregnancy and Infant Loss Remembrance Day. I too acknowledge the deep and enduring grief felt by parents who experience the most unimaginable loss: the loss of a baby. Personally, I cannot imagine a deeper grief. Whether it is as a result of miscarriage, stillbirth, sudden infant death syndrome, medical negligence or an unknown cause, the tragic result is the same: a dead baby. Those two words are so difficult even to say that they should never go together. But, sadly, for many people they do. Probably because the loss is so private, so painful and the words are so difficult even to put together, it is not often discussed. This is why Pregnancy and Infant Loss Remembrance Day is so important. People who have experienced such pain cannot afford not to speak about it, for their own sake.

In my previous role as a health lawyer, I had the privilege of representing a number of families whose babies had died in utero, during or after birth. Those clients are the most courageous people I know. They shared with me their stories of loss. They spoke of holding their dead baby in their arms. One spoke of watching her baby suffer before he died. Another spoke of her disgust in herself for not holding her dead baby when she was given the opportunity because she later wished she had done so. Imagine having to say those words when the experience is your own. I am having trouble saying them now and I have not experienced such loss.

One of the most important lessons that I learned from my clients was that the blokes are in this too, and sometimes they fall harder. What I mean is that in some ways it is easier to understand and to sympathise with mothers who have lost babies. Their physical connection with their baby means their loss is somehow more tangible, although still devastating. But mothers often speak of their loss, unlike the dads. Their experience is different but their suffering is equally as deep. I will never forget sitting alongside one of my clients as he rolled up his sleeve and seeing in large Gothic script on the inside of his arm a tattoo of his dead son's name.

Pregnancy and Infant Loss Remembrance Day provides an opportunity for men and women to share their stories of loss and grief and to gain support through shared experiences and, hopefully, some validation of the impact that such suffering can have on them over their entire lifetime. Pregnancy and Infant Loss Remembrance Day offers those parents an opportunity to share their story and to hear from other families who know their struggle. It is also an opportunity for those of us who have escaped such misfortune to extend our support to those who have suffered it. It is important that today we recognise Pregnancy and Infant Loss Remembrance Day. I recognise and thank the Speaker for her role in seeing this day observed in New South Wales. On behalf of this side of the House and the Parliament, I extend my deepest sympathies to all parents who have experienced the most devastating loss of all: the loss of a new life.

**The SPEAKER:** I thank both speakers for the respect they have shown in speaking to that statement.

#### *Documents*

### **UNPROCLAIMED LEGISLATION**

**The SPEAKER:** Pursuant to Standing Order 117, I table a list detailing all legislation unproclaimed 90 calendar days after assent as at 19 October 2016.

*Committees***COMMITTEE ON ENVIRONMENT AND PLANNING****Reports**

**Mr MARK COURE:** As Chair: I table the report of the Committee on Environment and Planning entitled "The Adequacy of the Regulation of Short-Term Holiday Letting in New South Wales", Report 1/56, dated October 2016. I move:

That the report be printed.

**Motion agreed to.**

**COMMITTEE ON TRANSPORT AND INFRASTRUCTURE****Reports**

**Mr ALISTER HENSKENS:** As Chair: I table a report of the Committee on Transport and Infrastructure entitled "Workplace Arrangements in the Point to Point Transport Industry", Report 1/56, dated October 2016. I move:

That the report be printed.

**Motion agreed to.**

*Petitions***PETITIONS RECEIVED****Wyong Hospital Public-Private Partnership**

**The DEPUTY SPEAKER:** I announce that the following petition signed by more than 10,000 persons has been lodged for presentation:

Petition requesting that the Government reject any moves towards privatisation of the grounds or service delivery of Wyong Hospital, received from **Mr David Harris**.

**Discussion on petition set down as an order of the day for a future day.**

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

**Powerhouse Museum Ultimo**

Petition requesting the retention of the Powerhouse Museum in Ultimo and the expansion of museum services to other parts of New South Wales, received from **Mr Alex Greenwich**.

**Ice Smoking Room Proposal**

Petition requesting that the Legislative Assembly rejects any plans for an ice smoking room to be built or operated in the south or south-west region of Sydney, received from **Ms Melanie Gibbons**.

**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 Kevin Conolly**.

**National School of Art**

Petition requesting that a long-term lease be provided to the National School of Art for its site, that it remain independent and that the Government continue its funding, received from **Mr Alex Greenwich**.

**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**.

**Route 389 Bus Service**

Petition requesting more reliable 389 bus services, received from **Mr Alex Greenwich**.

### Ferry Services

Petition requesting new inner city ferries, received from **Mr Alex Greenwich**.

### Social Housing

Petition requesting that the Sirius building be retained and its social housing function be continued, received from **Mr Alex Greenwich**.

### Repeat Offender Sentencing

Petition calling for harsher sentences for repeat offenders, particularly those who commit crimes while under the influence of alcohol or drugs, received from **Mr Thomas George**.

### Pet Shops

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

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

### Goulburn Schools Upgrade

Petition requesting an upgrade to the current heating system at Goulburn High School and Goulburn Public School, received from **Ms Pru Goward**.

### Goulburn Traffic Lights

Petition requesting the installation of traffic lights and a crossing on Bourke Street between Goldsmith and Clifford streets, Goulburn, received from **Ms Pru Goward**.

## RESPONSES TO PETITIONS

**The CLERK:** I announce that the following Minister has lodged a response to a petition signed by more than 500 persons:

The Hon. Paul Toole—Local Government Amalgamations—lodged 14 September 2016 (Mr Jamie Parker)

### *Business of the House*

## WESTERN SYDNEY INFRASTRUCTURE

### Reordering

**Mr KEVIN CONOLLY (Riverstone) (15:32):** I move:

That the General Business Notice of Motion (General Notice) given by me this day [Western Sydney Infrastructure] have precedence on Thursday 20 October 2016.

This Government is investing record amounts into infrastructure and transport in Western Sydney. It is delivering the roads and transport solutions that the Labor Government failed to deliver. It is not just investing in and transforming physical infrastructure; it is transforming the opportunities available to Western Sydney residents. It is transforming the lifestyle possible for them because of that improvement in infrastructure. The sheer scale of this transformation is why we should give this motion precedence tomorrow.

Infrastructure investment includes things like the Sydney Metro North West. This \$8.3 billion project is on budget and on time to open to customers in the first half of 2019. Sydney Metro will deliver capacity for an extra 100,000 people every hour during the peak period. There will be up to eight new railway stations, 4,000 commuter car parking spaces and a turn-up-and-go service for the train every four minutes in the peak period. Tunnelling is already complete, while 100 kilometres of track have been delivered and construction crews have started laying the tracks.

But it is not just rail. Parramatta Light Rail is part of the Government's plan for Western Sydney. The Government has reserved \$1 billion for Parramatta Light Rail. The project will kick-start revitalisation and jobs growth along the 20-kilometre corridor. The route will connect the Parramatta CBD to Sydney Olympic Park, Westmead Hospital, Western Sydney University and Strathfield. WestConnex is a \$16.8 billion project that will create 10,000 jobs. It will allow commuters to bypass 52 sets of traffic lights and take 10,000 trucks off Parramatta Road each and every day. It is the biggest urban road project in the Southern Hemisphere.

Collectively these projects will make it possible for Western Sydney people to get where they need to go quicker and more easily. It will take time out of each person's day that is currently wasted on roads or on the rail

system, preventing them from being at home with their families, at their workplace or wherever else they want to spend their time. These projects and this kind of investment will transform the lives of people in Western Sydney.

However, it is not just in transport; it is in all fields such as hospitals. I am particularly proud of the investment in Westmead Hospital and Blacktown and Mount Druitt Hospital. I am sure the member for Blacktown is particularly excited because it has taken this Government to invest in Blacktown and Mount Druitt Hospital. It has taken this Government to upgrade hospitals all over the region. Not only has it invested in hospitals; new schools have opened in my electorate. New schools are being built in the south-west and in Parramatta. We are transforming Western Sydney and this motion deserves precedence tomorrow.

**Mr RON HOENIG (Heffron) (15:35):** My motion should be debated tomorrow because two young people are dead. Eliza Wannan and William Dalton-Brown were killed by Rhys Colefax on 27 January 2010 at Molong and the Attorney General refuses to discharge her own lawful duty in accordance with section 8 of the Criminal Procedure Act. As members opposite know, I do not move such a motion lightly. When young people are killed in circumstances where it seems that the question of manslaughter should be considered by a jury and the Attorney General, when asked, refuses to apply her mind to that question, she stands condemned as it is a fundamental responsibility of her office.

On the Australia Day long weekend in 2010 Eliza Wannan and William Dalton-Brown were amongst a group of between 60 and 100 friends from the local area, the majority of whom were between 17 and 19 years of age. Many had returned to town after completing their first year at university and had gathered at the shearing shed on a property at Molong intending to spend the night. It turned to tragedy when the swag that Eliza and William shared was run over and they were crushed to death by the vehicle driven by 17-year-old Rhys Colefax, son of a policeman, who was unlicensed and who had been drinking.

There was considerable criticism by the media and the deceased family of the police investigation but I make no comment about that. On 27 May 2013 a coroner terminated the inquest and referred the matter to the Director of Public Prosecutions [DPP] for charges of driving in a manner dangerous causing death. The DPP declined to prosecute because the death did not occur on a road-related area. Her Honour recommended that the law be amended to cover a future eventuality, which is what the Attorney did.

During debate on the bill I raised the definition of involuntary manslaughter. I told the House of my concern—that it appeared as though manslaughter had not been considered and that the matter may have slipped through the cracks. I expected the Attorney General to advise that it had but she just said that the DPP considered there was insufficient evidence to warrant prosecution for an indictable offence. After giving notice of this motion I met with staff of the Attorney General and again raised with them my concern that manslaughter had not been considered. I indicated that if it had been and that I was shown the advice confidentially by the DPP, I would accept it even if I disagreed.

Recently I was advised that they were not prepared to show it to me confidentially. The only inference I can draw is that this is a cover-up. Why else would I not be told that manslaughter had not been considered by the DPP? Why can the Solicitor General not look at it? Two young people are dead, there is a grieving family, no-one has been brought to justice and the Attorney General refuses to discharge her responsibility. This is one of the most reprehensible things I have seen in a lifetime in the criminal justice system.

**Mr ANTHONY ROBERTS (Lane Cove—Minister for Industry, Resources and Energy) (15:38):** In order to move this forward as quickly as possible the Government is more than happy to have both matters debated tomorrow.

**Mr John Robertson:** Are you going to suspend standing orders to allow that to occur? You need to do that. We need suspension of standing orders to allow that. We might run out of time.

**Mr ANTHONY ROBERTS:** We have given you leave.

**The DEPUTY SPEAKER:** The question is that the General Business Notice of Motion (General Notice) given by the member for Riverstone this day [Western Sydney Infrastructure] and General Business Notice of Motion (General Notice) [Rhys Colefax Prosecution] standing in the name of the member for Heffron have precedence on Thursday 20 October 2016.

**Motion agreed to.**

*Personal Explanation*

#### **HOUSING LEGISLATION AMENDMENT BILL 2016**

**Ms JENNY LEONG (Newtown) (15:39):** By leave: During debate on the Housing Legislation Amendment Bill 2016 the member for Myall Lakes implied that The Greens and I were a lot like Pauline Hanson

and One Nation. As someone impacted by the comments of Pauline Hanson many years ago when she said, "I believe we are in danger of being swamped by Asians", and as a proud member of a party that rejects racism and fear whipped up by One Nation and Pauline Hanson, I find offensive the suggestion that my party or I have any similarities to Pauline Hanson and One Nation.

*Motions Accorded Priority*

**REGIONAL INFRASTRUCTURE**

**Consideration**

**Mr CHRISTOPHER GULAPTIS (Clarence) (15:41):** It is great to be a member of the Liberal-Nationals Government—a Government that is responsible for determining the future of this State. When Labor was in government it did not look after the best interests of the people in this State and it did not look after regional New South Wales. For 16 years regional New South Wales missed out; people in regional New South Wales were the poor relations on the wrong side of the track. Regional New South Wales waited far too long to be considered as part of New South Wales. Salvation arrived in 2011 when the Liberal-Nationals Coalition came to office and benefits started to flow to regional New South Wales. There was spending on hospitals in Byron Bay, Lismore, Dubbo, Macksville and across the State. There was investment in schools such as a new school at Lake Cathie and major upgrades at almost every school in regional New South Wales. Let us not forget the huge investment in regional schools through the resource allocation model [RAM], which is delivering to those students who are most in need. Prior to this Government coming to office money was spent only on city schools where clearly there was no disadvantage.

In the Clarence electorate \$9 million was spent in RAM funding from 2014 to 2017 and there was a fair deployment of police resources, with an additional 96 police deployed to six northern local area commands. In 2014 Casino received a 24/7 police station which was desperately needed but which was never delivered by Labor. If Labor was in office the porch light would still be on. Under the best roads Minister we have ever had there is record spending on regional roads and the Pacific Highway duplication is almost completed—it is being constructed at a frenetic pace. There will be a \$4.3 billion investment in the Clarence electorate to complete the upgrade by 2020. The Pacific Highway upgrade is testament to the Coalition Government getting on with the job and ensuring that New South Wales—and regional New South Wales in particular—remains the number one State.

Regional New South Wales is no longer the poor cousin. Work has commenced on a \$200 million second bridge in Grafton—promised by Bob Carr prior to the 2007 election as an iron-clad guarantee but thrown on the scrap heap following the election. That is how country people are treated by Labor. They are promised the world prior to an election and they are dumped immediately after. Regional New South Wales has not forgotten the broken promises. It does not want to return to the bad old days when regional communities were treated like second-class citizens. Public investment in New South Wales is creating regional jobs— [*Time expired.*]

**WYONG HOSPITAL**

**Consideration**

**Mr DAVID MEHAN (The Entrance) (15:44):** My motion is in the following terms:

That this House:

- (1) Notes that more than 2,000 community members attended a rally to protest the privatisation of services at Wyong Hospital on the weekend.
- (2) Acknowledges that there is deeply held community concern about the Government's plan to privatise services at Wyong Hospital.
- (3) Calls on the Government to reverse its privatisation plans at Wyong Hospital.

This motion deserves priority because of the tremendous community reaction to the surprise announcement made by the Minister for Health on 15 September regarding the local hospital. Never before have so many people on the Central Coast rallied on an issue as they did on Sunday 16 October. The reason they did is that this is our hospital and there are deep community concerns. In 1964 the Wyong and District Hospital Committee was formed and began to agitate for a hospital in Wyong shire to service the growing northern Central Coast.

Community funding was the basis of the demand for a hospital. Wyong Hospital Auxiliary and the Tuggerah Lakes Hospital Auxiliary raised funds. Local miners and power workers contributed by way of a payroll deduction. The community gave generously. The residents of Hedor Street, Toukley, made a monthly donation. As a result of their efforts the State Government was obliged to commit to and deliver the hospital on 22 November 1980. The community is generally sceptical of any plans to privatise public services, especially essential services

such as health. They are opposed to any hint of privatisation of our health services. People want health care delivered on the basis of need and not profit.

**Ms Jillian Skinner:** It will have public services.

**Mr DAVID MEHAN:** I note the interjection. If Government members want to interject and debate the issue they should support the motion. The redevelopment of Wyong District Hospital was a bipartisan commitment at the last State election and privatisation was not mentioned at that time. I ask the House to accord the motion priority and to support the call by the community to reverse the privatisation of Wyong District Hospital.

**The DEPUTY SPEAKER:** The question is that the motion moved by the member for Clarence be accorded priority.

**The House divided.**

Ayes .....47  
Noes .....34  
Majority..... 13

**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 (teller)	Crouch, Mr A
Dominello, Mr V	Elliott, Mr D	Evans, Mr L
Fraser, Mr A	Goward, Ms P	Grant, Mr T
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	Pavey, Ms M
Perrottet, Mr D	Petinos, Ms E	Piccoli, Mr A
Provest, 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	Foley, Mr L
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	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**

Patterson, Mr C

Smith, Ms K

**Motion agreed to.**

**REGIONAL INFRASTRUCTURE****Priority**

**Mr CHRISTOPHER GULAPTIS (Clarence) (15:52):** I move:

That this House welcomes the Government delivering a record investment in infrastructure and services, and driving jobs growth in the Central West and across regional New South Wales.

If the citizens of Orange were listening to question time they would understand the significant investment this Government has made in the Central West and the importance of retaining a member of The Nationals to represent the Orange electorate. Everyone knows that under the stewardship of the Liberal-Nationals Government New South Wales has emerged as the powerhouse that is driving the nation. We have a half-a-trillion-dollar economy, which puts us on a par with countries like Norway. It is no accident; otherwise it would have happened during the 16 years that Labor was in government. If Labor is relying on inflation to make it happen, the inflation rate will need to be high.

**The DEPUTY SPEAKER:** The member for Clarence will direct his comments through the Chair.

**Mr CHRISTOPHER GULAPTIS:** Through the Chair, I say that finance and good management are just not in Labor's DNA. Over four years the Government will spend a massive \$73.3 billion on infrastructure. A significant proportion of that will be in regional New South Wales. This State is the nation's engine room, and regional New South Wales is reaping the benefits of this strong economy. In regional New South Wales new hospitals, new schools and new police stations are being built on a scale that has never been seen before. The New South Wales Liberal-Nationals Government has committed to a \$10 billion investment in health infrastructure. The new \$80 million Byron Central Hospital was fought for by the former member for Ballina, Don Page, for decades, but there was no response from Labor in the 16 years that it was in government.

It took the Liberal-Nationals Government one term in office to deliver that commitment to the Byron community. We would never have seen that happen under a Labor government. Labor is not committed to regional New South Wales. This Government has committed \$150 million to Dubbo Base Hospital, \$170 million to Wagga Wagga Base Hospital, \$60 million to Mudgee Hospital, \$50 million to Macksville District Hospital—and the list of upgrades for regional hospitals goes on and on. Under Labor we expect nothing but a broken promise. In my electorate of Clarence the Government has provided funding for orthopaedics at Grafton Base Hospital, a new community health centre at Yamba and a HealthOne service under construction at Coraki. This Government is committed to regional New South Wales. We build what we say we will build.

The Government does not just spend money on consultants, as Labor did for the Rozelle Metro. It spent \$500 million and built no tracks. There has been a massive investment in our education system. We have seen that not only in the new school at Lake Cathie, the \$40 million investment in the new school at Ballina and the massive upgrades across regional New South Wales but also in the Gonski funding, which provides a fundamental benefit to regional schools. The resource allocation model [RAM] funding is focused on disadvantaged schools. Regional members of Parliament know that country schools are disadvantaged, compared to their city cousins. Country schools need additional funding to compete equally with city schools, and the RAM funding has allowed them to do that. New South Wales, under the Liberal-Nationals Government, was the first State to sign up to the Gonski reforms. We care about our children's education. In particular, we understand the disadvantage that regional children face.

There has been a massive investment in roads in regional New South Wales, under Minister for Roads, Maritime and Freight Duncan Gay. There has been unprecedented spending on highways and bridges across the State. I mentioned earlier the frenetic pace of the Pacific Highway upgrade. That is saving lives in regional New South Wales. It was left on the backburner by Labor. It took the Minister for Roads, Maritime and Freight to negotiate a funding agreement with the Federal Coalition to fast-track the project. Why? Because he is a Nationals Minister and he cares about regional New South Wales. He cares about saving lives. He is focused on improving our road transport network, improving productivity and creating jobs in regional New South Wales.

If jobs and growth are what one is after then New South Wales is the place to be. New South Wales has the nation's lowest unemployment rate, at 5.2 per cent. New South Wales gained 141,800 jobs in the past year—that is 63 per cent of new jobs across the nation, in a State with 31 per cent of Australia's population. Of those jobs, 70,000 were created in regional New South Wales. The Liberal-Nationals Government has taken New South Wales from having the lowest jobs growth of any State to having the lowest unemployment rate in the country. *[Time expired.]*

**Ms TRISH DOYLE (Blue Mountains) (15:58):** What a joke this motion accorded priority is, and what a joke this back-slapping Government has become. The member for Clarence is deluding himself with this motion. Services have been cut. There is no growth in full-time jobs. Full-time jobs do not exist. TAFE has been eroded.

The opening hours at Service NSW centres have been slashed, and suicide rates have increased as there are not sufficient services to deal with that. It is a joke. The unemployment rates in the Central West was 4.9 per cent when Labor left office and in August 2016 the rate was higher at 5.3 per cent. Total unemployed persons as at August 2016 was almost 6,000, more than 700 people unemployed in the area than when Labor left government. The proportion of part-time jobs since Labor left office has increased 35.7 per cent, an increase of 6.6 per cent. We must create more full-time jobs in the regions. The Baird-Grant Government has an infrastructure program that is in tatters. Government members cannot talk about infrastructure programs as they are in tatters.

**The DEPUTY SPEAKER:** Order! The member for Clarence will have an opportunity to respond.

**Ms TRISH DOYLE:** The member for Clarence is welcome at any time to visit the Blue Mountains electorate. He can bring a tape measure with him and I will show him that the Baird Government's new trains will not fit the Blue Mountains line. It is a joke that the trains the Baird Government is buying do not fit our tracks. If the Government does not know how wide the tunnel is and does not bother to ask an engineer, it should not sign off on a procurement contract, which is what the Minister for Transport and Infrastructure has done. This is just one example of the incompetence, waste and mismanagement for which this Government is responsible. Its infrastructure plan is built upon the assumption that public assets should be gifted to the private sector. That is why a publicly owned road, the M4, is set to be tolled once again.

The member for Clarence said absolute rubbish in relation to a record expenditure on roads. The Government takes a public asset and hands it to the private sector for nothing, and then forces motorists, the taxpayers, to pay exorbitant tolls. We should scour the interests disclosures of those opposite and find out who among them owns shares in Transurban, the toll road operator that counts former Liberal Premier Nick Greiner among its staff. Follow the money, that is what we should do whenever we see a new proposal from this Government. The trail begins in the pockets of ordinary taxpayers and winds its way to the coffers of Mike Baird's big business mates. That is how it goes in Casino Mike's New South Wales. The House always wins.

The Baird Government is not just stuffing up infrastructure, it is also presiding over job losses, flat-lined wages, and soaring cost-of-living increases. It is incompetent, and its incompetence is leading to the destruction of TAFE where teachers are losing their jobs and students are losing the opportunity for a decent education. That is the legacy of this Government. The Minister was asked in estimates to rule out the sale of TAFE campuses in Orange, Scone, Singleton and Murwillumbah in regional New South Wales but he refused to do so. The Government is privatising TAFE and allowing shonks in the private sector to rip off the taxpayer and students. We have seen evidence of the extensive rotting that has gone on in the private vocational training sector, and that is down to the Baird Government. The Liberals are either incompetent or complicit in the rorts. It is up to them to decide which one they are.

The motion before us refers to jobs growth in the Central West. What jobs growth? The unemployment rate in our regions is soaring and there is no evidence before us that anything this Government has done is improving the plight of the jobless in rural and regional New South Wales. It is Mental Health month, and we know very well the relationship between joblessness and mental health, particularly in the regions. Just as the unemployment rate is higher in the regions, so too is the suicide rate. People in Regional New South Wales are in despair. But this Government offers no hope or respite. The only jobs on offer are in Sydney-centric projects or building trains in South Korea.

**Mr DARYL MAGUIRE (Wagga Wagga) (16:03):** I am very pleased to support the motion moved by the member for Clarence that recognises the growth in regional and rural New South Wales, particularly in the jobs sector. In 2011 when the Liberal-Nationals Government was elected New South Wales was the lowest across all measurable economic indicators in Australia. As a result of the hard work of the New South Wales Government and the Ministers, New South Wales is now number one because we have been diligent, we have saved money which we have reinvested and we did what Labor said it would do. We have actually delivered.

Opposition members should conduct research that will show that we do have jobs growth across regional and rural New South Wales. In the Riverina more jobs have been created than in any other region across Australia with 3.2 per cent unemployment rate. Statistics will show all of the things that the Opposition wants to criticise, but the fact remains that more than 150,000 jobs have been created in regional New South Wales. That has happened through investment in new hospitals: Wagga Wagga, Bega, Port Macquarie Pod 4, Lismore, Tamworth, Dubbo, Parkes, Forbes and the list goes on. More than 4,000 nurses have been employed full-time, more doctors and teachers all at the coalface delivering services.

One only has to look at the Government's Jobs Action Plan, which was opposed by those opposite at every opportunity. An additional 7,200 people have been employed in the Central West under this program. Indeed, in the Riverina more than 7,000 jobs have been created since it was introduced. The Government has had funds to invest in businesses. Businesses have been reopened with assistance under our Government with more

than 380 jobs with BE Campbell at Young. Renweld Engineering in Orange has received assistance under the Supply Chain Accelerator Program. This Government has been investing and putting the money where it is doing the best; that is, creating jobs in regional and rural New South Wales. The contribution I have heard so far has been appalling, ill-researched by a desperate Opposition and absolutely irrelevant. Labor was in office for 16 long years and now Opposition members complain to this Government about its investment to fix their problems.

**Mr John Robertson:** None of us was on that side of the Chamber for 16 years.

**Mr DARYL MAGUIRE:** You should be the last one to complain. You have the biggest hospital investment in Blacktown, but you never did it. You were the Minister and you never did it. [*Time expired.*]

**The DEPUTY SPEAKER:** As the Speaker suggested about an hour ago, the member for Blacktown should go back to doing what he was doing. He was nice and quiet.

**Ms JODIE HARRISON (Charlestown) (16:07):** The member for Clarence and the member for Wagga Wagga are clearly in fairyland. If they propose that this motion has any basis in fact or any credence to it they are in fairyland. The member for Wagga Wagga talked about facts. I will give some facts in relation to infrastructure, services and jobs growth not just in the Central West but right across New South Wales. Those figures clearly show that this Government is not committed to jobs, to infrastructure or to services. In fact, the record is pitiful.

**Mr Christopher Gulaptis:** Which figures are they?

**Ms JODIE HARRISON:** I acknowledge the interjection of the member for Clarence and I will give those figures. The latest August 2016 Central West unemployment figures according to the Australian Bureau of Statistics show it is 5.3 per cent compared with 4.9 per cent when Labor left office. The unemployment figure is higher under this Government. Let us look at the raw figures. The total number of unemployed people in the Central West, as stated by the member for Blue Mountains, in August 2016 is almost 6,000, which is 700 more than when Labor left government.

How can these job figures be right if there is such a commitment to infrastructure spending and providing better services? Let us look at the Department of Primary Industries in Orange, which is a perfect example. The department was relocated to Orange in the early 1990s. In 2011 the full-time equivalent staff at the Department of Primary Industries under Labor was 608. The next year when the Liberal-Nationals Government came to power the headcount—not the full-time equivalent figure—was 474 people. We cannot compare those figures because one is the full-time equivalent number and one is the headcount. Those figures clearly show that the Government has no commitment to jobs growth in the Central West or the regions.

Service NSW is supposedly a better way of providing services across the State. The concept of a one-stop shop is fine, but let us look at what has happened to the Service NSW centre in Orange. The hours of the Orange centre have been cut by 25 per cent, which means that for three hours per day the people of Orange are less able to get their business done at the Service NSW outlet. On Saturdays the service closes 2½ hours earlier than the Government committed to. This Government has no commitment to services, infrastructure or jobs in regional New South Wales. [*Time expired.*]

**Mr ANDREW FRASER (Coffs Harbour) (16:10):** I seek leave to make a contribution to this debate.

**Leave not granted.**

**Mr CHRISTOPHER GULAPTIS (Clarence) (16:11):** In reply: We can see why Labor was chucked out of office in 2011. The member for Blue Mountains simply espoused the same old Labor claptrap that we have heard year in and year out. The member spoke about waste without mentioning the \$500 million that Labor wasted on the Rozelle Metro and did not build a centimetre of track.

**Mr Stephen Kamper:** We built the hospital.

**Mr CHRISTOPHER GULAPTIS:** Yes, but you did not build the Rozelle Metro and it cost taxpayers \$500 million. We are talking about waste, good management and good government. Labor was not a good government. The response of the member for Blue Mountains is exactly why people should not vote for Labor; they will get the same old Labor they got for 16 years. They will get the same old Labor that was thrown out with a shameful election result. I thank the member for Wagga Wagga, who is a really great country member. He realises that his electorate and the Central West are reaping the benefits of our massive investment in regional New South Wales. In her contribution the member for Charlestown simply repeated the same old Labor line, "We were better in government. We had lower unemployment rates." Why did the people of New South Wales throw you out? Why did they throw you out?

**The DEPUTY SPEAKER:** The member for Clarence will direct his comments through the Chair.

**Mr CHRISTOPHER GULAPTIS:** Why did the people of New South Wales throw Labor out in a record landslide defeat? They did it because Labor members were absolutely useless in government and treated regional New South Wales like a playground. In fact, they ignored regional New South Wales. They certainly ignored my region.

**Mr Stephen Kamper:** Bring back Bob Askin.

**Mr CHRISTOPHER GULAPTIS:** Where was former Labor Premier Bob Carr? He gave an ironclad guarantee that he would build the second Grafton Bridge. That ironclad guarantee went rusty and was thrown on the scrap heap. The Liberal-Nationals Government revived that project and committed \$200 million. It is now under construction. We are delivering more than \$13 billion to revitalise regional infrastructure. There will be delivery of priority infrastructure to regional New South Wales under Restart NSW with 30 per cent of the capital funding earmarked for regional New South Wales, including \$217 for mining-affected communities through Resources for Regions, \$336 million for the Water Security for Regions program and \$110 million for the Regional Tourist Infrastructure Fund.

**Ms Trish Doyle:** The trains don't fit the track.

**The DEPUTY SPEAKER:** That's what Queensland said once.

**Mr CHRISTOPHER GULAPTIS:** Our investment includes \$47 million for the completion of the Macquarie River to Orange pipeline that will deliver 1,616 megalitres of water per year from the Macquarie River to the Suma Park Dam. We will upgrade airports at Orange and Parkes and upgrade the rail line at Dubbo.

**The DEPUTY SPEAKER:** The question is that the motion moved by the member for Clarence be agreed to.

**The House divided.**

Ayes .....46

Noes .....32

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 (teller)	Crouch, Mr A
Dominello, Mr V	Elliott, Mr D	Evans, Mr L
Fraser, Mr A	Goward, Ms P	Greenwich, Mr A
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	Pavey, Ms M
Perrottet, Mr D	Petinos, Ms E	Piccoli, Mr A
Piper, Mr G	Provest, Mr G	Rowell, 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	Harris, Mr D
Harrison, Ms J	Haylen, Ms J	Hoenig, Mr R
Hornery, Ms S	Kamper, Mr S	Lalich, Mr N (teller)
Leong, Ms J	Lynch, Mr P	McDermott, Dr H
McKay, Ms J	Mehan, Mr D	Mihailuk, Ms T
Park, Mr R	Parker, Mr J	Robertson, Mr J
Smith, Ms T	Warren, Mr G (teller)	Washington, Ms K

## NOES

Watson, Ms A

Zangari, Mr G

## PAIRS

Patterson, Mr C  
Sidoti, Mr JSmith, Ms K  
Foley, Mr L**Motion agreed to.***Private Members' Statements***LIVVI'S PLACE JORDAN SPRINGS**

**Ms PRUE CAR (Londonderry) (16:21):** I first met Kylie Mackey in April this year. Kylie and her husband live at Jordan Springs. She is a mum of two. During her second pregnancy, she and her husband were told they were expecting another healthy baby girl. When their child arrived, they were shocked to have been blessed with a baby boy. His name is Liam. They were even more shocked to learn that their beautiful son had been born with a rare gene mutation—gene ZC4H2. Liam is one of 25 in the world. This has resulted in the condition known as arthrogryposis. He has joint contractures throughout his little body, in every little limb, and a pain condition so horrific that a bowel movement or even some wind, which every baby suffers, can cause a painful attack. At seven months one of these attacks caused little Liam to stop breathing long enough for him to acquire a brain injury and end up with cerebral palsy. The first year of Liam's life was spent in and out of hospital. In 3½ years he has been through 12 surgeries. He is tube fed, and probably will always be. He will never walk or talk.

I met Kylie at the sod-turning for the incredible new playground at Jordan Springs called Livvi's Place. This is a place where kids of all abilities, including Liam, can play. Last Sunday I was proud to be at its opening and to celebrate with hundreds of people from our community, including Kylie and Liam. This amazing playground has been brought to our community by the remarkable organisation Touched by Olivia. Many members in this place would be aware of this organisation, which was formed in 2006 by John and Justine Perkins after the tragic loss of their daughter, Olivia, who was just eight-months-old, to a rare disease. In their grief they made the remarkable decision that Olivia's legacy would be about play for all. They have done this with the creation of inclusive play spaces called Livvi's Places.

Livvi's Place Jordan Springs was almost six years in the making and I was proud to witness this as a previous member of Penrith council's access committee. It was designed in consultation with local children, people with disabilities, their families and carers, local schools and academics. It boasts interactive spaces, including a large water play area with six water jets, a sandpit, in-ground trampolines—which are very good—swings, a range of play equipment, a performance stage and picnic areas. It spans more than 2,350 square metres and includes more than 3,781 trees, shrubs, flowers and plants, 15 personalised pavers and 13 hand-painted tiles. It was made possible through a partnership between Touched by Olivia, Penrith City Council, Lend Lease, and the New South Wales Government, through the previous member for Londonderry and the Community Building Partnership Grant.

I congratulate Lend Lease on enabling this transformative space to be built on its land. In particular, I acknowledge Arthur Illias, Fiona Morrison, May Fontimayor and Judith Field. I congratulate Penrith City Council, especially my mate Mayor John Thain, and former Councillor Jackie Greenow, OAM, Joe Ibbitson and John Gordon on Penrith's characteristic leadership in just getting it done. I also congratulate the many members of our community who put their mark on the project—members of council's access committee and parents of children with disabilities.

One of those community members is now my Federal colleague the member for Lindsay, and I acknowledge her personal role in this achievement. As well as the incomparable Perkins family, I have to make a particular mention of the amazing Bec Ho from Touched by Olivia—the driving force. Well done, Bec, seriously. Each and every day I am proud to be the member for Londonderry but that was taken up a few notches on Sunday. Thanks to Livvi's Place, all our children can finally play side by side. Liam can experience the joy and madness of a child's playground, and Kylie can experience the joy of watching that.

## SURF RETROSPECT FESTIVAL

**Mr MARK SPEAKMAN (Cronulla—Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning) (16:25):** Early last year the Sutherland Shire celebrated 100 years of surfing at Cronulla's beaches with the month-long Surf Retrospect festival. In 1915 the pioneering young Hawaiian Duke Kahanamoku gave a masterly demonstration of the art of surfing at North Cronulla beach. While contemporary boards look quite different from Kahanamoku's 52-kilogram, 4.9-metre "papa nui", the sport he brought to the shire more than a century ago remains as popular as ever.

This month, Cronulla will again host a Surf Retrospect event to celebrate another significant milestone in its surfing history. This time it is all about the malibu board, which made its first appearance on our beaches 60 years ago—the same year Melbourne hosted the 1956 Olympics. In that year a team of 22 Americans, including 10 from Hawaii, arrived in Australia to compete in international surf carnivals at Torquay, Maroubra and Collaroy against teams from South Africa, Ceylon, New Zealand, Australia and Britain. Their first appearances in Australia, however, were at carnivals at Cronulla and Avalon. The trendsetting costumes of the Americans, as well as their towering physiques, mesmerised the Australian public. *The Biz* reported at the time that they were "a team of young giants" before going on to say:

Their appearance ... should cause a sensation, because they will wear the most striking three colour parade costumes ever seen on an Australian beach. The trunks of the costumes will be a vivid red, the mid-riff white and the torso and shoulder straps a rich blue... On the back of the costumes... will be five white stars.

Above all though, it was the arrival of the new malibu boards that would revolutionise surfing in Australia. Unlike the heavier, more cumbersome boards that preceded them, the early malibus incorporated lighter materials like fibreglass and styrofoam, which had become readily available following the technological advancements of the war years. A few boards were purchased from the touring Americans by local enthusiasts, and following some minor modifications to the design, the malibu went into mass production in Australia.

One member of the visiting American team was the legendary Greg Noll, affectionately nicknamed "Da Bull". The year after his appearance in Australia, he would achieve notoriety after conquering 30-foot surf in Waimea Bay—a feat that until then had been inconceivable, even to the local Hawaiians. In 1964 Noll also became the first surfer to tackle the Banzai Pipeline, an achievement he thrillingly recalls in his autobiography. Now 80 years old and living in California, Noll continues to preserve surfing history in his re-creation of historic boards, including a replica of the iconic Duke Kahanamoku board. He holds a special place in surfing history and in the development of surfing in Australia, so it is particularly fitting that he is the guest of honour at Sutherland Shire's sixtieth anniversary of Surf Retrospect.

As part of the festival, he will be unveiling the Cronulla National Surf Reserve plaque, which celebrates the birth of surfing, and he will be the guest speaker at an official dinner at Rydges Cronulla, where he will be interviewed by Nick Carroll. This year features a heritage "invitational" surfing competition showcasing the 60-year evolution of the sport in Australia; the MOB Big Wave photographic and video awards; the Charity Teams Challenge; a display of historic boards at Cronulla Surf Life Saving Club; Tradies Surfmasters; and the official launch of a Cronulla branch of the Surfrider Foundation—a not-for-profit organisation, with more than 80 branches and 5,000 members worldwide, dedicated to the protection and enjoyment of oceans, waves and beaches.

Running from 3 to 6 November, the festival will culminate in the brand-new Women's World Surf League Qualifying Series 6,000 event to be hosted by Sally Fitzgibbons, which is a big win for Cronulla. I acknowledge the organisations that have supported this event: Sutherland Shire Council, Highland Property, the *St George and Sutherland Shire Leader*, Triple Bull, the MOB, Ohana Ocean Athletics and Cronulla Surf Life Saving Club. I also congratulate Surfing Sutherland Shire and thank it for organising another terrific celebration of Cronulla's world-renowned surfing culture and beautiful beaches.

## TRIBUTE TO NANCY BAIN

**Mr CHRISTOPHER GULAPTIS (Clarence) (16:30):** It is with a great deal of sadness that I inform the House of the passing of an icon of the Lower Clarence community, Nancy Bain. Nancy was born in 1928 in the small village of Kirknewton, Scotland, and she was known to all as Annie Sargent Greenock. Her name changed when she met her husband, Hugh Bain. In the early 1960s they left Britain with three young children for the unfamiliar shores of Australia. After a short stint in Dapto they moved to Maclean, where they became an integral part of the town and were very much loved by the community.

They tried the farming life for a few years, but eventually decided that there was too little return for the hard work involved. So they took on the catering contract at the Maclean Bowling Club. They subsequently established The Tartan Lounge Cafe, which they operated together for a number of years. That is where my first contact was made with Nancy and Hugh. Once you met Nancy you never forgot her. She was very proud of her

Scottish heritage and equally proud of Maclean, the Scottish town in Australia—and the Maclean and Lower Clarence community were very proud of Nancy.

She was a highly valued member of the community. Nancy held several positions over the years with committees, boards and organisations, including the Scottish Town Association and the Clarence Coast Cultural Committee. In his eulogy, her son David summed it up best when he said that it might have been easier to list the few organisations she was not involved in. She truly was involved in everything that happened in the community and, in particular, in the town of Maclean. With the help of Irene Nowell, she ran the Cane Festival for many years. The Cane Festival brought a lot of money, enjoyment and tourism into Maclean. She was a founding member of the Maclean, The Scottish Town in Australia Committee; a long-time business owner in Maclean, owning The Tartan Lounge; and a long-term member of the Maclean Chamber of Commerce. She was also a radio presenter for 2TLC for many years.

During the floods in Maclean it was Nancy who, at 80 years of age, organised sleeping arrangements through the Red Cross for people stranded by the floods. She was also a member of the hospital board. For many years she ran the canteen at the Jim Thompson Pavilion for the Maclean Show. She was also a volunteer for the Scottish Shop in Maclean and worked on Sundays at the Maclean Tourist Information Centre. She also ran the debutante balls in the Lower River for many years, giving the young people of Maclean the opportunity to have a stunning social evening that they would remember for the rest of their lives.

Nancy had a devilish sense of humour and she always had time to share a joke and a giggle. In saying that, Nancy also had the knack of getting to the nitty-gritty of problems and finding solutions quickly—something we could all aspire to. She was a lady who used every last minute of her day for the benefit of others and her family. She did it for no expectation of reward, but just because she felt it was the right thing to do. She was nominated for and received significant honours, including the Centenary Medal for community work through charity, Maclean Shire's Citizen of the Year, and the Duine Uasal [D.Ua.]—which I believe is Gaelic—for Service to Celts, and she was awarded a Medal of the Order of Australia for service to the community. Nancy volunteered at numerous festivals. Surfing the Coldstream founder Dom Ferry, who worked with her for many years, said that without Nancy the festival would never have come to pass. To quote Dom:

Nancy was an amazing force in the community and she did things way beyond the call of most people, She was always there for the community and full-on in her support.

I know she will be sorely missed—I know that I will miss her—and I pass on the condolences of this House to her family: David, Fiona, Hugh and daughter-in-law Helen. May she rest in peace.

#### WOLLONDILLY ELECTORATE INFRASTRUCTURE

**Mr JAI ROWELL (Wollondilly) (16:34):** All members in this House do what we can for our communities. I have always said in relation to my parliamentary career that I will stay in this job as long as I am making a difference. I am pleased to announce that over the past five years all our election commitments have pretty much been delivered. Over the past couple of weeks I have given a number of notices of motions about the future. I will use this private member's statement to outline the agenda moving forward. Recently, the Government announced a \$50 million upgrade to Bowral Hospital, but I called on the Government to see what we could do to leverage that \$50 million. We have been able to invite expressions of interest, particularly from the non-government sector, to see whether we can increase that funding.

Bowral Hospital and the Southern Highlands Private Hospital have been working together for many years under both Labor and Coalition governments, and I look forward to seeing what opportunities we can secure to provide even more health services at Bowral Hospital. As a former Minister for Mental Health, I know full well the need to expand mental health services in rural and regional areas. So I was pleased to hear during question time some of the answers given by the current Minister for Mental Health in relation to services in those areas. As Minister, I introduced Telehealth for mental health assessments. But the Southern Highlands and Wollondilly need more mental health services, and we have been looking at ways to provide them.

Turning to something that is close to my heart, we went to the election having promised sewerage connections for the largest population in metropolitan New South Wales that does not have them. We have been able to deliver sewerage connections in Wilton, Douglas Park, Bargo and Appin—to name a few places—but the small town of Yanderra remains without sewerage connections. We have started planning for sewerage connections in Yanderra, but I look forward to seeing the Government and Sydney Water working together to see whether we can fast-track the project because the people of Yanderra not only have no sewerage connection but also have no water supply. In 2012 a bushfire went through the town of Yanderra. Then Premier Barry O'Farrell toured the area with me and we made a commitment to provide the local fire station with a new fire truck, which has made a significant improvement to the serviceability of that rural fire service.

I have also been working with the Government—and I thank the Government for this—on the announcement of a new town in Wilton, to be called Wilton Junction, which will see Wilton become the fifth-largest regional town in New South Wales. Currently it is a series of paddocks, but the new town will bring much-needed services such as public and private high schools, primary schools and the one thing that my community needs, because we are a gateway linking the city and regional and rural communities: a health precinct. Recently I called on the proponents of the planning proposal to work with the State Government to identify a dedicated health precinct that will provide a variety of services, including allied health services, that are much needed in our area.

I recently acknowledged the fantastic work of our local police. I have been calling on the Government to work with Camden local area command to see how we can bring more police to the command. We need probably 20 new police officers, particularly as the populations of Camden and Wollondilly have grown. There are too many projects to name, but I will mention Picton bypass or the Wollondilly link road. We have the small Victoria Bridge but it is old and rundown. Too many trucks travel through the main town and it is a nightmare for the local community. The new link road between Wilton and Maldon to probably Tahmoor will alleviate pressure in the town of Picton. I could say a lot more about the Government's strong program and I look forward to working with the people of Wollondilly for many years to come.

### GRANVILLE PROPERTY ACQUISITION

**Ms JULIA FINN (Granville) (16:40):** Today I bring to the attention of the House the appalling experiences of my constituents in dealing with Roads and Maritime Services [RMS] and the WestConnex Delivery Authority when having their properties acquired. Yesterday the Russell report was finally released—1,000 days after the Government received it. I welcome the Government's announcement that it can and will do better in relation to compulsory acquisitions. Ten homes in the Granville electorate were acquired for construction of the M4 widening project—the first stage of WestConnex. However, homes that are acquired voluntarily are not specifically in the scope of the Government's response, and they need to be.

These homes have been acquired through negotiation but it was not an even-handed negotiation. The homes were not needed for the project specifically; they were rendered uninhabitable or entirely undesirable as a result of construction activities for infrastructure projects. In my area many more homes should have been acquired compulsorily but were not. The properties lie just outside the construction area of an overhead road bridge—they are pretty much underneath the bridge—have been rendered uninhabitable due to the loss of sunlight or have suffered disproportionately from construction project noise impacts. People were paid to stay in hotels for much of the construction period because of the noise yet their properties were considered unnecessary for construction of the project and thus outside the scope of compulsory acquisition.

The homes are not being acquired voluntarily under the hardship provisions that govern RMS projects. Mostly they are homes that will no longer receive three hours of sunlight at the winter solstice or homes where more than half of the property is overshadowed. In the case of another property, the owners are still in negotiations because an off-ramp is to be reconstructed much closer to their home and in the past trucks have rolled off the ramp. The owners are worried that their children will not be able to play safely in the backyard, with only an 800 millimetre barrier protecting them. Those home owners have been negotiating with RMS for more than two years.

I thank Minister Perrottet for taking the time this afternoon to meet my constituent Sharon Murphy to hear her appalling story about the acquisition process. In 2014 she began negotiations with RMS. At that time she also requested a meeting with the Minister for Roads and Freight. I became involved with assisting Sharon following my election to this place. At the outset it was not clear whether her property would be acquired or whether the impacts would be mitigated. Skylights were offered for a property that would be completely overshadowed and had no sun for the skylights. In August 2015 it was acknowledged that the skylights would not work and it was agreed that her property would be acquired.

Sharon had hoped that the matter would be resolved by last Christmas but it was not until January this year that final agreement on price was negotiated with RMS and it was not until June that the final contract was received from RMS—and it was far less than the option put by the developer. Sharon was worried that if she accepted the option and the developer then withdrew, she would be out of pocket even more. Final settlement will take place in a few weeks but this is after 2½ years of long, protracted negotiations for a property that is subject to unreasonable noise impacts during construction and will be completely overshadowed when the project is completed.

The person who could have a truck roll into his backyard had built his home in the past few years. In 2012, when RMS was considering the M4 widening project but had not announced it publicly, Parramatta City Council approved a development application for construction of the new house next to an off ramp. At that time

RMS did not object or care to notify the man that his dream home would soon become a nightmare because a ramp was going to be reconstructed much closer to his home. He was awoken in the middle of the night by chainsaws clearing a path for the off ramp. He is still in negotiations with RMS, which will not acknowledge that an 800 millimetre barrier is not sufficient to provide peace of mind and allow his children to play safely in the backyard. Many more people are in a similar situation, and they have been waiting for years. The process needs to be improved not only for compulsory acquisitions but also for voluntary acquisitions.

### NEW ENGLAND SINGS! EVENT

**Mr ADAM MARSHALL (Northern Tablelands) (16:45):** This afternoon I share with the House some details about an amazing biennial event that is staged in Armidale, and each performance leaves me more amazed than the one before. Last weekend I joined a full house at the University of New England's Lazenby Hall to experience the New England Conservatorium's 2016 New England Sings! concert. To give the House some idea of the vast scale of this choral event, there were more than 800 choristers ranging in age from kindergarten to year 12 from 25 New England region schools, accompanied by an 80-piece orchestra, instructed by almost 60 teachers and staff, backed up by a committed team of accompanists, directed by five accomplished conductors and performing original works by two world-class composers. There was also an army of supporters, coach drivers, parents and volunteers who made the magic happen, not only during Sunday's two performances but also during the regional workshops and rehearsals.

New England Sings! is a unique event that has even resulted in a prestigious Australasian Performing Right Association award finding its way into the pool room. The 2016 performance was even more compelling, and I would not be surprised to see more awards making their way into the conservatorium this time. I commend the New England Conservatorium of Music's director, Susanne James, and the board including chair Greg Moin, Cathy Archer, Alana Blackburn, Sue Brown, Lorraine Coffey, Brett Constable, Caroline Downer, David Gee, Trevor Goldstone, Bronwyn Pearson, Bruce Myers and Peter Westbrook, and staff members Corinne Arter, Sophie Williams, Rachael Edmonds, Kate Thomas and Heather Pavel.

While it is impossible to mention every student, I mention the schools in my electorate that took part: Armidale High School; Ashford Central School; Duval High School; Glen Innes High School; New England Girls' School; O'Connor Catholic College; Presbyterian Ladies' College, Armidale; The Armidale School (TAS); Armidale City Public School; Ben Venue Public School; Kellys Plains Public School; Martins Gully Public School; Newling Public School; Ross Hill Public School; Sandon Public School; St John's Junior School; St Joseph's Primary School, Glen Innes; St Mary's Catholic Primary School, Armidale; and Armidale Waldorf School. I compliment the New England Conservatorium of Music Minisingers, NECOM Cantilena, the NECOM New England Singers, the NECOM New England Chamber Choir and the NECOM Side-by-Side Choir.

The performances included two remarkable original works commissioned especially for New England Sings!—*Three Pieces for New England* by Luke Byrne and the amazing *Invictus*, which is William Ernest Henley's remarkable poem written in the 1800s and carried by Nelson Mandela during his 27 years of imprisonment. They were set to music by accomplished composer Paul Jarman, an Australian icon of composition. Both works were stunning. The Armidale Youth Orchestra, the Armidale Music Teachers Association, the Armidale Symphony Orchestra, the Armidale Pipe Band—yes, there were bagpipes for John Farnham's *You're the Voice*—and the Armidale Dramatic and Music Society all worked together seamlessly to give voice to the music. The conductors and accompanists were the glue that held it all together.

I congratulate Leanne Roobol, Cathy Welsford, Robyn Bradley, Deidre Rickards and the inimitable Warwick Dunham on their wonderful contributions. The Northern Tablelands has an abundance of talented folk dwelling in the towns and villages. I was fortunate to enjoy the fruits of so many people's labours during Sunday's concert. It was a wonderful experience and I have great pleasure in commending the not-so-small army that made it possible. Well done to the New England Conservatorium of Music.

### LAKE MACQUARIE SPORT AND RECREATION CENTRES

**Mr GREG PIPER (Lake Macquarie) (16:50):** When we fail to educate our children properly I believe our future is not only compromised but also bleak. I have great faith in the public education system and the work that is happening inside classrooms. But I am also a great supporter of the public education that is taking place outside the classroom. Lake Macquarie is fortunate to have two of the finest outdoor classrooms in the State: the Point Wolstoncroft and Myuna Bay sport and recreation centres. Both are situated on the shores of Lake Macquarie, with Myuna Bay on the western side of the lake. It is a well-known location that is seen by all as they move between Morisset and Toronto. It is a 22 hectare outdoor classroom staffed by trained and trusted teachers.

Few local people would not have spent time at Myuna Bay as part of a school camp, community group or sports training event. It has hosted corporate training events, programs for seniors and family camps. The centre

is equipped with on-site lodging, pools, classrooms, kayaks and outdoor training facilities such as climbing walls and flying foxes. It is situated in natural bushland adjacent to the lake and Whiteheads Lagoon, which has become a renowned and popular location for waterskiing. Of the estimated 1,200 competitive waterskiers in Australia, about 100 of them are regular competitors at the Myuna Bay Waterski Club tournament, including champion waterskiier and local resident Tim Bradstreet. They all agree that the lagoon is a world-class waterski venue. Disabled skiers also use the lagoon to train and compete. The centre is bidding to host the 2017 World Disabled Waterski Championships.

Myuna Bay offers a fun and appealing learning challenge for young people because it takes them outside the classroom and away from the textbooks. It provides practical lessons that cannot be taught in a classroom. Myuna Bay's success over many decades is due largely to its capacity to adapt and to the dedication of its qualified staff to training and educating young people. These young people do not just arrive with school camps; they visit with disability groups, cultural groups or other sporting or community groups. In recent years Myuna Bay has hosted disabled and special needs groups such as Camp Breakaway, Camp Quality, Sydney Health, CanTeen, The Samaritans, the Northcott Centre and many others. It has also hosted groups from the Rural Fire Service, NSW Police Force, Scouts, State Emergency Services and United Muslims of Australia. It has hosted big-name sporting clubs such as the Newcastle Knights and was the venue for the International Children's Games and the Special Olympics.

Staff at the centre and the broader Lake Macquarie community are alarmed at State Government plans to review the operation of the State's 11 sport and recreation centres. They fear that changes of the kind being proposed will reduce the quality of service and programs at the centre and see job losses among dedicated professionals. If the mooted changes eventuate I am concerned about the future of Myuna Bay and Point Wolstoncroft, which have served several generations in the local area. I have had discussions with the sports Minister and with the Executive Director, Recreation and Sport, at the Office of Sport, Phil Hamdorf. They have given me some assurances about process, but I remain concerned that these centres are being considered for any type of privatisation. I would hate to see either of the centres lost or diminished in any way.

In the financial year to 30 June 2016, Myuna Bay was among the best performers of its type. Its revenue was \$3.28 million and expenditure \$2.81 million in employee and operating costs. It was a similar story across the lake at Point Wolstoncroft. Myuna Bay will host more than 40 events and programs for disabled and special needs groups this year alone. It will do this with professional, highly trained staff who are committed to providing excellence in education. The highly respected Ken Clifford passed away last year after many years at the helm of the Hunter Academy of Sport. He described Myuna Bay as "the ideal mix of sporting and recreational facilities". He said it was the "ideal venue to conduct a sports camp" among trained professionals. He was correct.

I await with some trepidation the results of the Government's review and its recommendations. I am privileged to acknowledge the work of Myuna Bay Sport and Recreation Centre in this Chamber and, in particular, all the staff who work under centre manager Nick Rendell. At a time when society should be doing more to engage our children and youth with the outdoors and the natural environment there should be further investment in our sport and recreation centres rather than risking the quality of service delivery for, at best, a modest saving. I call on the Government to commit to maintaining sport and recreation centres in New South Wales and supporting the dedicated and professional workforce who go above and beyond the call of duty in operating those centres to the benefit of New South Wales residents.

### **LOMANDRA STUDENTS KOKODA TREK**

**Mr GREG WARREN (Campbelltown) (16:55):** I am fortunate to have in my electorate many wonderful schools filled with amazing students and staff. Today I draw the attention of the House to the incredible task that Lomandra students and staff have set themselves: completing their third life-altering journey around the treacherous and unforgiving terrain of Kokoda. Lomandra School is one of the State's largest schools and caters to students with vast and varying backgrounds, including those who are marginalised and from highly disadvantaged backgrounds. The Lomandra School counsellor advises that Lomandra caters to "lots of kids with mental health issues, families with issues with poverty and unemployment, victims of crime, and students who are victims or perpetrators of abuse."

The school motto is "Challenges and choices". Staff ensure the best possible care and facilitation of students while safeguarding and accommodating their emotional and educational needs. I can personally attest to the commitment of the school community to reminding those young people that, irrespective of what life decisions and mistakes they have made thus far, it is never too late to better yourself and work towards a stronger, healthier and more prosperous future. The staff and students of Lomandra pursue that ethos daily.

Trekking the 96 kilometre Kokoda trail through the mountains of Papua New Guinea requires physical and psychological strength. Restraint, willpower and a strong resolve to achieve one's goal are some of the many

lessons that Kokoda teaches. In my experience, and the experience of others, every kilometre you walk you learn more about yourself. I have been invited to walk the Kokoda Track for the second time in my life, in July 2017—this time as a guide and mentor for the students. My first time on the trail was for the 2014 Kokoda for Kids Charity Walk in support of the Paediatric Ambulatory Care Unit at Campbelltown Hospital. The charity walk raised \$30,000.

Lomandra School students conquered the Kokoda trail in 2013 and 2015. I distinctly recall watching the video put together by last year's participants at the end of year Christmas presentation. The strong mateship within the team was undeniable. The pride displayed by students when talking at assembly before their friends, families and carers about their struggles and achievements was moving. Stories of great personal growth were shared, such as pupils returning to open their first bank account, producing curriculum vitae and independently seeking employment. This historic track will continue to shape the path taken by these young people. It has taught them that anything is possible. School principal Mark Smith said that the trip to Kokoda had a remarkable effect on students. He stated:

I think sometimes we have to take the students out of their normal everyday environment to help them see a different side of themselves. Once they push on through the hardships of the walk and see that stronger side of themselves, it sets them up to better approach the challenges they may face in life. I will continue to partner with this important public education institution and encourage the community to rally around these valued young people who require greater assistance and direction. I am optimistic that Campbelltown will see value in financially supporting this program to ensure as many pupils as possible can be involved. I commend the awe-inspiring dedication of Mark and his staff, and the parents, carers and mentors who see value in every student at Lomandra School. I acknowledge that sometimes life is not perfect and people lose their sense of direction or sense and rebel. Yet what matters is the resilience of the individual and the support and nurturing our community offers. I thank the House for its indulgence.

#### *Matter of Public Importance*

#### **EDUCATION FUNDING**

**Mr MARK COURE (Oatley) (16:59):** It is an honour and a privilege to speak on this matter of public importance: education funding under the Gonski agreement. Three years ago the New South Wales Government made a decision to significantly lift its investment in schools and to ensure that funding flowed directly to the students and schools that needed it most. We were guided by the Gonski review, which reported in 2011. It found that school funding allocations should be fairer and based on individual student need. We agreed with a key principle of the Gonski panel, which was:

Every child should have access to the best possible education, regardless of where they live, the income of their family, or the school they attend.

The funding model we designed for our public schools gives principals the responsibility to use the funding to improve the quality of teaching and to lift student results. In doing so, we aim to close student performance gaps and to remove barriers to educational success for every student in every classroom. The resource allocation model delivers needs-based funding to every public school in the State and was made possible by New South Wales signing up to the Gonski agreement in 2013. New South Wales was one of the first States to sign the agreement.

As the Minister for Education said today, while it is important to take time to reflect on our achievements and our successes, education is not a field where there is ever an end point; it is a field of continuous improvement. This Government understands that to continue that improvement requires the necessary support, resources and funding. That is why this Government has been unwavering in its commitment to the principles of Gonski funding. The New South Wales Government announced today that in 2017 it will deliver \$219 million in additional Gonski funding across the State. That announcement was made in my electorate this morning, when Premier Mike Baird and the Minister for Education visited Hurstville South Public School. That is an outstanding achievement. It means that more funding will go directly to schools so that principals are able to target resources to better meet the needs of students. This is also the fourth year of additional Gonski funding.

While school improvement takes time, we are already seeing schools engage specialist teachers, additional staff with expertise in speech pathology, or literacy and numeracy experts, to tailor support for students. Schools are also using coaching for executives to build leadership capacity, extending promising students through gifted and talented programs, and encouraging students to develop an interest in science, engineering, maths and technology. An additional \$1.365 million in needs-based funding will go to schools in my electorate. Extra resources will go directly to schools in the electorate of Oatley, allowing principals to better meet the unique needs of their students and the school community.

I regularly meet school principals in my electorate, and every one of them has told me wonderful stories about how the needs-based funding has been put to good use. They have employed additional teachers and increased staff development days. Schools in my electorate have employed teachers with the expertise to assist students who need extra support. They are employed in key learning areas such as literacy and numeracy. I am

married to a schoolteacher. I am a great supporter of Gonski funding, not only in my electorate but also across the State. Since 2014 public schools across New South Wales have received \$504 million in extra funding, helped by this Government signing up to the Gonski agreement. I acknowledge the previous Premier, the current Premier and the Minister for Education for their leadership and their support for Gonski funding in New South Wales.

**Mr JIHAD DIB (Lakemba) (17:04):** I am pleased to speak in debate on this matter of public importance. In this House we often speak about the importance of education. I note that the member for Northern Tablelands is in the Chamber. He is an outspoken advocate for the Gonski reforms, local schools and the importance of education. I also acknowledge The Greens spokesperson for education, the member for Ballina. Labor members will never argue against investment in education. Labor members often speak about the need for such investment. There is a sense of bipartisanship on this issue. It is important to make sure that, when we talk about investment in education and needs-based funding, we do not make it about who said or did what first. It must be about what can happen for our children. This is not about a public or a private system; it is about all the sectors in education. Where a child lives, how much their parents earn or their circumstances should not dictate their educational achievement.

Parents in New South Wales are fortunate because they know that additional money goes to schools in the form of needs-based funding. There is no quibbling about the fact that an additional \$200 million goes to schools. That is fantastic. What I worry about, and what also concerns parents and the people who conduct the "I give a Gonski" campaign is whether the Federal Government will also come to the party. Last week I acknowledged former Premier O'Farrell for signing up to the Gonski agreement. New South Wales was the first State to do so. It was an important and courageous decision. But our biggest concern today is whether the Federal Government will agree to continue the funding. I implore anyone with any influence over their Federal counterpart to tell them that this is important.

We have seen the results. We have heard about improved literacy and numeracy standards. We also hear stories about schools that go beyond the child. We hear stories about schools as communities. Parents are being invited to schools and are being given opportunities that they never had. Parents who never had an opportunity to finish their education are being welcomed into schools. Classes are run for parents and members of the community who need additional support. Regardless of the sector, this is about school being a constant place. Money should not determine the sort of education a child receives. My wife, like the wife of the member for Oatley, is a teacher. That makes her the better partner in our relationship. I have a lot of respect for teachers.

**The DEPUTY SPEAKER:** My wife is also a teacher.

**Mr JIHAD DIB:** The Deputy Speaker's wife is a teacher too. All our spouses are teachers. Let us not forget that we are united on this issue. I spoke about this last week, and I know the Minister took it a different way. Education funding is not something that we will argue against. Members of any party in this Chamber and in the other place support needs-based education funding because they see that it makes a difference. We have the evidence. I am very concerned about the language that is being used by the Federal Minister for Education. It seems that his intent is to try to talk down the great achievements of Gonski funding. He is looking for a justification to cut the funding. We hear in this place, in private members' statements, in notices of motions and in questions to the Minister, about the difference an education can make. We often hear the story about the speech pathologist.

I will tell a story about a gentleman I employed once, using additional funding. His name is Eloni. Eloni is a Pacific Islander. He used to play football for the Wests Tigers, in reserve grade. I wanted him to play for the Dragons, but one cannot have everything that one wants. He was employed as a teacher's aide and he was outstanding. His job description was to work in the classroom with the kids, but it is what he did outside the classroom that was so important. He became a role model to Pacific Island boys who were looking for someone they could look up to, with whom they could connect and who served as an inspiration. People like that provide more than just an education in literacy and numeracy. Having well-funded schools is the way to create a much better society and community. Investment in education brings about enormous rewards.

**Mr ADAM MARSHALL (Northern Tablelands) (17:09):** I commend the member for Oatley for bringing this matter of public importance to the attention of the House today, given the announcement of the Premier and the Minister for Education of the resource allocation model for schools next year. I acknowledge the comments of the member for Lakemba and note his strong support for these reforms both as a former teacher and principal and as a well-regarded educational leader in this State. I have spoken in detail on a number of occasions in this House about giving my full support for Gonski from the beginning. Last week I spoke about the Gonski reforms in a motion that was moved in this place so I will not regurgitate what I said.

Suffice to say that a significant increase in funding that is guaranteed in the future is exactly what New South Wales schools, in particular, public schools, have always wanted. It is not a one-off sugar hit; it is the

new baseline recurrent level of funding for schools, with the greatest benefits flowing to schools and students with the greatest need. This means that schools in my electorate will benefit proportionally more than schools in the metropolitan area, which is wonderful.

Next year the fifty-ninth public school in the Northern Tablelands will share in more than \$12 million worth of equity funding through the Resource Allocation Model—a \$4 million boost on the figures for this year. In the past four years an additional \$11.4 million has been provided in recurrent funding. As members would be aware, funding does not do everything; it has to be matched by school delivery and achievements. I refer to an article that was provided to me by Lynne Starkey, principal of Glen Innes West Infants School, which reveals that next year Glen Innes West Infants School will share in \$126,549 of equity funds—a 295 per cent increase on what it received prior to Gonski.

Glen Innes West Infants School employed three additional classroom teachers which resulted in 70 per cent of students reaching at or above their expected reading grade level this year compared to only 30 per cent the year before. Writing has also improved with 25 per cent of students being at or above grade level this year compared with only 12 per cent last year. In mathematics, 73 per cent of students are achieving at or above grade level in the use of early arithmetic strategies compared with only 60 per cent at the end of last year. Glen Innes West Infants School is another example of where resourcing and the purchasing power of additional resources is making a difference.

**Ms TAMARA SMITH (Ballina) (17:13):** By leave: I commend the member for Oatley for bringing this matter of public importance to the attention of the House. The Gonski review recommended that schools be funded according to the needs of their students and what was required to educate each of them to a high standard. Each school would get a base level of Commonwealth and State funding, plus additional money or loadings to take into account the size and location of the school and the individual needs of students, such as whether they are from a disadvantaged background or they have a disability.

The Gonski review is a landmark review of funding of schools in Australia as it is the first time that stakeholders across the public and private sectors agree with the needs-based funding model. The Gonski report put into words what every public schoolteacher has known for decades—funding matters and it must be allocated in a way that recognises the basic rights of every child. The Gonski review panel put forward three great notions that have forever changed the debate: first, the public funding of each school to provide a standard of resources to ensure that every student achieves quality outcomes. Secondly, further funding to meet the challenges of economic, social and geographic disadvantage and, thirdly, students with special needs must be funded if they are to achieve great outcomes.

Gonski is much more than another program to address disadvantage or to boost public school funding. It has created an irreversible shift in the commonly held understanding of how the nation's wealth should be allocated to education. The Greens acknowledge and congratulate the New South Wales education Minister for being the first education Minister to commit to the full six years of Gonski funding, and for continuing that commitment despite the recalcitrance of the Federal Minister and the Federal Government. I have taught for decades in many diverse educational settings. As a criminal lawyer I am aware of the socio-economic disadvantages of offenders, so it is a misnomer to say that funding matters. In New South Wales there are funding gaps for Aboriginal children and they are missing out on an education that they deserve.

The Gonski funding model is not a cure-all or a magic cure; it is a funding model that specifically addresses the needs of students in every school. If we get that right school leaders can get the resourcing, the teachers and the programs that they require to address their needs and enable them to do what they do best—that is, strive for excellence. For years Australia directed school funding to an advantaged minority and failed to provide resources to the schools most in need which led to a fall in achievement levels. We all know that the future of this country depends on young people being well educated. We must continue that model. The Greens in New South Wales are committed to doing so.

**Mr MARK COURE (Oatley) (17:16):** In reply: I thank members representing the electorates of Northern Tablelands, Lakemba and Ballina for their contributions to debate on this important matter. I have often said that the responsibility of members of Parliament is to ensure that we leave this State a better place for the next generation. Gonski was a turning point and an historic occasion for education funding across the State. I join my colleagues on the Opposition benches to ask the Federal Government to continue the excellent Gonski reforms, which includes funding.

We are guided by the Gonski review which found that school funding allocations should be fairer and based on individual student needs. The funding model designed for our public schools will ensure that principals and teachers use that funding to improve the quality of teaching and to lift student results. No doubt we will see major improvement in many schools not just in my electorate but also around the State. Principals and teachers

will put that funding to good use. We have already seen additional staff with expertise in speech pathology, literacy and numeracy to tailor support for students. Some of that funding in schools in my electorate has been used to assist kids with autism and disabilities. That funding must continue. I am a great supporter of Gonski. It is good that there is a unity ticket in relation to Gonski funding in this Chamber. It is shame that we do not have unity elsewhere.

**The House adjourned, pursuant to standing and sessional orders, at 17:18 until  
Thursday 20 October 2016 at 10:00.**