



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Sixth Parliament  
First Session**

**Wednesday, 19 September 2018**

Authorised by the Parliament of New South Wales



## TABLE OF CONTENTS

Documents .....	1
Independent Commission Against Corruption.....	1
Reports .....	1
Bills .....	1
Criminal Legislation Amendment (Consorting and Restricted Premises) Bill 2018.....	1
First Reading.....	1
Second Reading Speech.....	1
Parliamentary Budget Officer Amendment Bill 2018 .....	3
First Reading.....	3
Second Reading Speech.....	3
Western City and Aerotropolis Authority Bill 2018 .....	4
First Reading.....	4
Second Reading Speech.....	4
Impounding Amendment (Shared Bicycles and Other Devices) Bill 2018 .....	8
First Reading.....	8
Second Reading Speech.....	8
Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018 .....	12
Second Reading Debate .....	12
Visitors.....	15
Visitors .....	15
Bills .....	15
Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018 .....	15
Second Reading Debate .....	15
Consideration in Detail .....	27
Third Reading .....	32
Children (Education and Care Services) Supplementary Provisions Amendment Bill 2018 .....	32
First Reading.....	32
Community Recognition Statements .....	32
Mid North Coast Region Volunteer of the Year Award Recipient Julie brady .....	32
Broadmeadow Magic Football Club .....	32
Baseball Player Maddison Heath .....	32
Blacktown City Youth Ambassadors Akano Amuda and Emily Potloka.....	32
The Sisterhood Community Organisation .....	33
Ikou Ethical Products .....	33
Rover Scouts 100th Anniversary .....	33
Fairfield High School Year 12 Major Works Showcase .....	33
Friends Who Care Support Group .....	33
Kotara Bears Junior Rugby League Club Fiftieth Anniversary.....	34
Mulgoa Electorate Sports Achievements .....	34
Merewether United Football Club Women's Premier League .....	34

## TABLE OF CONTENTS—*continuing*

Byalla Bush Tucker Garden.....	34
Firstchance Fundraising Ball .....	34
Yamaha Variety Jet Trek Participants .....	35
Invictus Games Competitors Stewart Sherman and Graham Bell .....	35
Tweed Electorate Police and Community Charity Ball .....	35
Justice of the Peace Danny Bernal.....	35
Mosman Rugby Club .....	35
Kalai Vizha Cultural Festival.....	36
South Coast Electorate Media.....	36
Valentine Bowling Club .....	36
Oatley Electorate Schools Drought Assistance.....	36
Wheeleasey Website .....	37
NSW Rural Fire Service State Championships .....	37
Kamira Drug and Alcohol Treatment Services.....	37
West Lindfield Sport and Recreation Club .....	37
Rotarian and Volunteer Peter Smith .....	37
Juvenile Diabetes Advocate Charlotte Kennedy.....	38
Bankstown North Public School.....	38
Ensemble Theatre.....	38
Redhead Hunt 4 Hd Founder Rachael Brooking .....	38
Announcements.....	39
Mitochondrial Disease Awareness Week .....	39
Visitors.....	39
Visitors.....	39
Notices .....	39
Presentation.....	39
Question Time.....	39
Member for Kiama.....	39
Primary Industries .....	40
Member for Kiama.....	41
Regional Investment .....	41
Member for Kiama.....	43
Teacher Education Entry Standards.....	43
Wagga Wagga By-Election.....	45
Fair Trading .....	46
Plastic Waste Reduction .....	48
Housing Investment .....	49
Personal Explanation .....	51
Member for Kiama.....	51
Petitions.....	51
Petitions Received.....	51
Business of the House.....	52

## TABLE OF CONTENTS—*continuing*

NSW Sustaining Landcare Week.....	52
Reordering.....	52
Motions Accorded Priority .....	54
Election Preferences.....	54
Consideration .....	54
Wagga Wagga By-Election.....	55
Consideration .....	55
Election Preferences.....	56
Priority .....	56
Visitors.....	62
Visitors.....	62
Bills .....	62
Children (Education and Care Services) Supplementary Provisions Amendment Bill 2018 .....	62
Second Reading Speech.....	62
Second Reading Debate .....	62
Third Reading .....	68
Matter of Public Importance .....	69
Yom Kippur .....	69
Bills .....	71
Criminal Procedure Amendment (Pre-trial Disclosure) Bill 2018 .....	71
Returned.....	71
Private Members' Statements.....	71
Lakemba Electorate Infrastructure.....	71
Mitochondrial Disease Awareness Week .....	72
White Balloon Day .....	73
North Shore Natural Environment.....	74
Bankstown Lidcombe Hospital.....	74
National Rugby League Immortal Norm Provan.....	75
Muswellbrook Men's Shed.....	76
Raymond Terrace Community Positive Behaviour for Learning.....	77
Youth Services .....	78
Tribute to Chris Hobbs.....	79
North Epping Rangers Sports Club.....	80
Illawarra Train Services.....	80
Canterbury-Bankstown Children's Festival .....	81
Northern Tablelands Healthcare Facilities.....	82
Riverstone Electorate Priority Growth Areas .....	83
Broadmeadow Sports and Recreation Precinct and Newcastle Show .....	84
South Coast Employment .....	84
Lithgow Region Employment.....	85
Spring into Corrimal Festival.....	86
Visitors.....	87

## TABLE OF CONTENTS—*continuing*

Visitors .....	87
Private Members' Statements .....	87
Invictus Games .....	87
Drought Assistance .....	88
Central Coast Drug-Related Deaths .....	89
Investing in Women Funding Program .....	89
Woy Woy Wharf .....	90
Ryde Electorate Development .....	91
Central Coast Marine Park Proposals .....	92
Berowra Apex Club .....	93
Bills .....	94
RSL NSW Bill 2018 .....	94
Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018 .....	94
Returned .....	94

# LEGISLATIVE ASSEMBLY

**Wednesday, 19 September 2018**

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

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

## *Documents*

### **INDEPENDENT COMMISSION AGAINST CORRUPTION**

#### **Reports**

**The SPEAKER:** In accordance with section 78 of the Independent Commission Against Corruption Act 1988, I table the report of the Independent Commission Against Corruption entitled "Investigation into the conduct of a principal officer of two non-government organisations and others", dated September 2018. I order that the report be printed.

*[Notices of motions given.]*

## *Bills*

### **CRIMINAL LEGISLATION AMENDMENT (CONSORTING AND RESTRICTED PREMISES) BILL 2018**

#### **First Reading**

**Bill introduced on motion by Mr Mark Speakman, read a first time and printed.**

#### **Second Reading Speech**

**Mr MARK SPEAKMAN (Cronulla—Attorney General) (10:11):** I move:

That this bill be now read a second time.

The Government is pleased to introduce the Criminal Legislation Amendment (Consorting and Restricted Premises) Bill 2018. The Government is committed to ensuring the NSW Police Force has effective powers to detect, target and disrupt serious and organised crime. The amendments introduced in this bill will continue to ensure police are able to respond effectively to the threat caused by serious and organised crime, including outlaw motorcycle gangs, while at the same time addressing concerns raised by the Ombudsman about the operation of some powers.

In 2012 the Government modernised the consorting law in part 3A of the Crimes Act 1900. Section 93X of the Crimes Act now provides that it is an offence for a person to habitually consort with convicted offenders after having been given an official warning in relation to those offenders. The modernised consorting law was upheld by the High Court in the decision of *Taliour v New South Wales* [2014] HCA 35. Part of the modernisation of the consorting law was a requirement for the Ombudsman to review the operation of the law after three years. The Ombudsman conducted a thorough review of the consorting law and made recommendations for improvement. The Ombudsman's main concerns related to the potential disproportionate impact of the consorting law on young and vulnerable people, including Aboriginal people.

Thanks to the amendments made by the Government in 2012, New South Wales has one of strongest suite of anti-consorting laws in the country, which has been used successfully by the NSW Police Force to disrupt and prevent criminal activity. However, the Government accepts that further safeguards can be put in place to address the Ombudsman's concerns, while at the same time ensuring police can continue to use the consorting law effectively. The bill will amend the Act to exclude children under the age of 14 from the operation of the consorting law. This means children under the age of 14 cannot be given a warning for consorting with convicted offenders and cannot be charged with consorting. The bill also introduces expiry limits for consorting warnings. Warnings issued to a person under the age of 18 will expire after six months. Warnings issued to a person aged 18 and over will expire after two years.

The consorting law currently contains a number of defences to a charge of consorting whereby the court must disregard consorting in certain situations if it was reasonable in the circumstances. This includes, for example, consorting with family members. In recognition of the Ombudsman's concerns about the potential disproportionate impact of the consorting law on Aboriginal people, the bill will amend the Crimes Act to clarify

that a family member includes a person who is, or has been, part of the extended family or kin of a defendant according to the indigenous kinship system of the defendant's culture. The bill also introduces new defences to consorting that relate to consorting that occurs during the provision of a welfare service, consorting that occurs in the course of complying with an order or direction by the State Parole Authority or Corrective Services NSW, and consorting that occurs in the course of providing transitional, crisis or emergency accommodation.

The bill also makes it clear that a consorting warning can be issued in relation to a person convicted of offences in another jurisdiction that would be indictable offences if committed in New South Wales. This is an important amendment. Outlaw motorcycle gangs and other organised crime groups do not confine their activities within the borders of a single State or Territory. The consorting law should therefore recognise convictions from other jurisdictions in order to prevent offenders from other jurisdictions consorting in New South Wales. The Law Enforcement Conduct Commission will review the operation of the consorting law after three years of operation and report back to the Attorney General and the Minister for Police. One of the main aspects of this review will be the impact of the consorting law on young and vulnerable people, including Indigenous people.

The Restricted Premises Act 1943 provides police with extensive powers, pursuant to a search warrant, to search premises suspected of being used by, or in connection with, outlaw motorcycle gangs and other criminal groups. The Act also provides a power to search premises subject to a declaration by the Supreme Court or District Court without a warrant. In 2013 the Government enhanced the warrantless search powers under the Act by allowing police to search declared premises for weapons and explosives, in addition to drugs and alcohol. New offences relating to reputed criminals attending declared premises were also introduced. The Ombudsman was required to review the operation of the additional search powers and new offences after two years of operation.

In response to the Ombudsman's recommendations regarding the Restricted Premises Act, the bill will amend that Act to clarify police powers when executing a search warrant under the Act on premises suspected of being used for criminal activity or criminal gangs. The bill will also amend the Act to provide police with an express power to give a direction to any person found on the premises in order to minimise the risk to the safety of any person. Failure to comply with a direction will be punishable by up to 12 months imprisonment and a \$5,500 fine, or both. The bill also provides police with an express power to search any person found on the premises when they reasonably suspect that person might be in possession of an item mentioned in the search warrant. This could include weapons or drugs. The bill also provides police with a power to compel any person found on the premises to provide their name and address. Failure to provide a name and address, or the provision of false or misleading information, will be punishable by a \$1,100 fine.

I now outline each of the amendments in turn. Schedule 1 to the bill amends Division 7 of Part 3A of the Crimes Act 1900. Item [1] amends section 93W of the Crimes Act to provide that, for the purposes of the division, "indictable offence" includes an offence in another jurisdiction that would be an indictable offence if committed in New South Wales. Item [2] amends section 93X to provide that section 93X does not apply to persons aged under the age of 14. Item [3] amends the Crimes Act to clarify what information must be included in a consorting warning and also provides that warnings issued to persons under the age of 18 expire after six months from the date of issue, and warnings issued to all other people expire after two years from the date of issue.

Items [4] and [5] amend the Crimes Act to expand and to clarify the defences to consorting. Consorting that occurs in the course of the provision of a welfare service or in the course of providing transitional, crisis or emergency accommodation is to be disregarded if reasonable in the circumstances. Consorting that occurs in the course of complying with an order granted by the State Parole Authority, or in compliance with a case plan, direction or recommendations by a member of staff of Corrective Services NSW is also to be disregarded if reasonable in the circumstances. Item [6] amends the Crimes Act to provide some new definitions for terms used in section 93Y. Of note is the definition of "family member", which includes, for a defendant who is an Aboriginal person or a Torres Strait Islander, a person who is or has been part of the extended family or kin of the defendant according to the Indigenous kinship system of the defendant's culture. Item [7] amends the Crimes Act to require the Law Enforcement Conduct Commission to review the amended consorting law within three years following the commencement of the amendments.

Schedule 2 to the bill amends the Restricted Premises Act 1943. Items [1] to [3] amend the Restricted Premises Act to allow the owner or occupier of premises subject to a declaration under the Act to apply to the court to have that declaration rescinded. The court must be satisfied that the conditions that led to the declaration being made have ceased for a continuous period of at least 12 months and are unlikely to reoccur at the premises. The burden of establishing the cessation of conditions that led to the declaration will be on the owner or occupier. An owner or occupier will not be able to apply for a rescission of the order if they have applied for a rescission of the same order within the previous 12 months. Item [4] amends the Restricted Premises Act to require a police officer exercising the entry power under section 10 of the Act to notify the owner or occupier of the premises



about the entry as soon as practicable after the entry. Failure to notify the owner or occupier does not render the exercise of a power conferred by section 10 unlawful.

Item [5] amends the Restricted Premises Act to allow a police officer executing a search warrant under section 13 of the Act to do three things: to issue a direction to any person found on the premises for the purpose of minimising a risk to the safety of any person on the premises, with a maximum penalty for failing to comply with the direction without reasonable excuse of 12 months imprisonment and/or 50 penalty units; to search any person found on the premises where they reasonably suspect that person is in possession of an item mentioned in the warrant—for example, a weapon or drugs—and to compel a person found on the premises to provide their name and address, with a maximum penalty for failing to comply with the direction without reasonable excuse or providing false or misleading information of 10 penalty units. In conclusion, New South Wales has the toughest organised crime laws in the country. The reforms in this bill will ensure that New South Wales continues to lead the nation in the fight against criminal groups and organised criminal activity.

**Debate adjourned.**

## **PARLIAMENTARY BUDGET OFFICER AMENDMENT BILL 2018**

### **First Reading**

**Bill introduced on motion by Mr Dominic Perrottet, read a first time and printed.**

### **Second Reading Speech**

**Mr DOMINIC PERROTTET (Hawkesbury—Treasurer, and Minister for Industrial Relations)**

**(10:22):** I move:

That this bill be now read a second time.

The Parliamentary Budget Officer [PBO] is established as an independent officer of Parliament by the Parliamentary Budget Officer Act 2010 to provide costings of election policies in response to requests by parliamentary leaders and budget impact statements for all costed policies. The Parliamentary Budget Officer assists to promote transparency and accountability in New South Wales elections. It is important that the legislative framework supports the Parliamentary Budget Officer to prepare accurate, high-quality and independent election policy costings to parliamentary leaders.

The Parliamentary Budget Officer Act 2010 requires the Parliamentary Budget Officer to report to the Public Accounts Committee as soon as practicable after the holding of the State general election for which he or she was appointed. The report may include recommendations on operational arrangements and activities of the Parliamentary Budget Officer in respect of future general elections. In June 2015 the Parliamentary Budget Office published a report in relation to the 2015 State general election. In October 2015 the Public Accounts Committee delivered a report that recommended the Government implement each of the recommendations made by the Parliamentary Budget Office 2015 Post-election Report and consider the findings and observations made by the report. In April 2016 the Government broadly endorsed 12 of the 13 recommendations made in the Parliamentary Budget Office's report, and endorsed one with a slight amendment.

The Government committed to drafting amendments to the Parliamentary Budget Officer Act 2010 to address legislative changes recommended by the Parliamentary Budget Officer and the Public Accounts Committee. Consistent with these recommendations, the bill makes amendments to the operational arrangements and activities of the Parliamentary Budget Officer as set out in the Parliamentary Budget Officer Act 2010, including in relation to pre-election budget updates, confidentiality obligations, operational plans and budget impact statements. Recommendations 1 and 2 of the Parliamentary Budget Office 2015 Post-election Report are to amend the Act to: require the NSW Treasury to publish, at the start of the caretaker period, a pre-election budget update, which will include new totals for budget aggregates; and that the PBO use this as a starting point for budget impact statements; and remove the requirement for a Statement of Uncommitted Funds.

The bill implements these recommendations by amending section 24 of the Parliamentary Budget Officer Act 2010 to provide for the secretary of the Treasury to publicly release, on or as soon as reasonably practicable after the commencement of the caretaker period, a pre-election budget update statement. This will ensure that the Parliamentary Budget Officer is able to prepare budget impact statements having regard to the most up-to-date budget figures and forward estimates. Consistent with the Parliamentary Budget Officer's third recommendation, the bill provides that an election costing request may be withdrawn at any time before the election policy costing is publicly released by the Parliamentary Budget Officer under the Act. This allows scope for policies to be refined and further developed following costing information provided by the Parliamentary Budget Officer where this is considered appropriate.

The bill gives effect to recommendation 4 of the Parliamentary Budget Office 2015 Post-election Report by requiring that parliamentary leaders notify the Parliamentary Budget Officer of their final list of policies for inclusion in the budget impact statement on the ninth last day before the election. This is four days before the budget impact statement is due to be released. The bill also amends section 16 of the Act to provide that if a request for information is made by the Parliamentary Budget Officer to the head of any government agency during the caretaker period, the head of the agency must respond within six business days or such other period as is agreed between the head of the agency and the Parliamentary Budget Officer. This amendment ensures that the Parliamentary Budget Officer will have quick access to agency information during the critical pre-election period, and gives effect to the Parliamentary Budget Officer's fifth recommendation.

The bill strengthens confidentiality obligations by providing that non-disclosure provisions apply to the staff of government agencies, as well as the head of a government agency. This was the Parliamentary Budget Officer's sixth recommendation. Consistent with the Parliamentary Budget Officer's findings and observations, the bill also includes an amendment to allow the Parliamentary Budget Officer to provide copies of election policy costing requests and responses to the secretary or a member of staff of the Department of Premier and Cabinet [DPC], subject to strict confidentiality restrictions. The amendment will greatly assist with preparing briefings for an incoming government on its own election commitments and policies. As noted by the Parliamentary Budget Officer, this will make DPC's coordination role more effective and enhance the accuracy of the financial implications of policy implementation plans prepared for parties forming government.

Recommendation 7 of the Parliamentary Budget Office 2015 Post-election Report is that the Act be amended to require the Parliamentary Budget Officer to provide a draft operational plan to the Presiding Officers within one month of appointment. The proposed amendment to section 14 (3) of the Act implements this recommendation. Under section 19 of the Act, a parliamentary leader can only make election policy costing requests after the operational plan has been approved by the Presiding Officers and tabled in each House of Parliament. Requiring the PBO to provide the draft operational plan to the Presiding Officers within one month of appointment will provide a greater degree of certainty about the timing of this process. Consistent with the Parliamentary Budget Officer's findings and observations, the bill amends section 23 (2A) of the Act to reduce the number of fiscal aggregates to be reported against in the budget impact statement.

Amendments to section 23 provide that the Parliamentary Budget Officer is to prepare a budget impact statement showing the impact of all costed policies on budget results, capital expenditure and net lending/borrowing for the general government sector. The budget impact statement will also show the impact of costed policies on these financial indicators for the public non-financial corporations sector and the public financial corporations sector where applicable. It is critical that the legislative framework supports the Parliamentary Budget Officer to prepare accurate, quality-assured and independent election policy costings. This bill ensures that the Parliamentary Budget Officer will be better supported to report to the legislature on important economic and financial matters, and further enhance transparency and openness in government. I commend the bill to the House.

**Debate adjourned.**

## **WESTERN CITY AND AEROTROPOLIS AUTHORITY BILL 2018**

### **First Reading**

**Bill introduced on motion by Mr Stuart Ayres, read a first time and printed.**

### **Second Reading Speech**

**Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (10:30):** I move:

That this bill be now read a second time.

The Western City and Aerotropolis Authority Bill 2018 will establish a new government agency to fulfil a comprehensive master planning role for the development of the Western Sydney Aerotropolis and to support the growth of the western city. The establishment of this authority and the complementary city deal represents a new way of doing business, a new way of planning cities and a new way of politicians and public leaders working in a collaborative fashion to put people first. In short, this bill, this authority and the city deal are doing exactly what the people of Western Sydney expect of their leaders. Establishing the authority is a core commitment made under the Western Sydney city deal, where the New South Wales and Australian Governments committed to establish an authority to become master planner and master developer of the aerotropolis precinct.

The city deal is an agreement between the New South Wales and Commonwealth Governments and the eight local councils in Western Sydney to implement a set of city-building commitments to improve the

productivity, sustainability and liveability of Western Sydney. It was signed in March 2018 by the Premier, the Prime Minister and the eight mayors of the councils within the western parkland city. Partnering with the Commonwealth and local councils is ensuring that the three levels of government deliver an integrated approach to government infrastructure and service delivery in the western city. The deal also supports the once-in-a-lifetime opportunity that the Government has to design and deliver a new metropolitan centre in the aerotropolis precinct that will drive economic growth, jobs and opportunities for the western city for generations to come.

The Western Sydney Aerotropolis, including the new Western Sydney Airport, will be a global employment centre attracting international investment and delivering jobs, education opportunities and enhanced liveability for all Western City residents. It will be a catalyst for economic growth in the metropolitan centres of Liverpool, Penrith, Campbelltown, Camden and the broader western city. Residents of the western city need access to high-quality jobs closer to home. Over the next 20 years, the eight council areas will grow by more than 500,000 residents to create a city with a population of more than 1.5 million people. This is bigger than the current size of Adelaide. But existing residents of the western city do not have access to the jobs that they need. The Greater Sydney Region Plan shows that just 49 per cent of western city residents live and work locally, compared to 91 per cent of the east of the city.

Through the Western Sydney city deal, the three levels of government have committed to the creation of 200,000 new jobs across a wide range of industries over the next 20 years. The authority and the creation of the aerotropolis are the catalysts for this level of jobs growth. The initial focus of the authority will be on developing 114 hectares of Commonwealth-owned land at North Bringelly as the central hub of the aerotropolis precinct. This is an unprecedented opportunity—a greenfield site in close proximity to a new international airport with three levels of government committed to infrastructure investment and connecting the area to existing metropolitan centres. The authority will be tasked with prioritising the master planning of the Commonwealth land and supporting the attraction of industry investors into the aerotropolis by promoting opportunities to potential investors. We are giving investors an opportunity to partner with a government agency that can tailor their master plan designs and site plans to support industries and promote jobs growth.

Investors are already committing to the aerotropolis. Northrop Grumman, which is a major United States defence contractor, has committed \$50 million to invest in an aerospace and defence industries precinct. On 13 September the Government announced a partnership of four New South Wales universities—the University of Newcastle, the University of Wollongong, the University of New South Wales, and Western Sydney University—that have committed to building a new university campus that is focused on science, technology, engineering and mathematics [STEM] teaching and research.

The Government is creating a new metropolitan centre—a world-class aerotropolis underpinned by jobs creation, smart technology, environmental sustainability and, most importantly, a creation that is designed to support the residents of the western city. The authority will ensure the development of the aerotropolis is coordinated and includes iconic design that will allow it to compete with international cities for investment and job creation. The authority will also support the growth across the western city. Any of the eight Western Sydney city deal councils will be able to submit proposals to the Minister for the authority to master plan and oversee development on individual sites and precincts in each council area.

This is a huge win for the councils and the western city district. They will have a dedicated authority to coordinate partnerships with investors and educational institutions, and support the livability and local character of each council area. This is an authority for the residents of the western city. In 20 years, Australians should be looking to the west of Sydney for the best jobs and the best lifestyle. Establishing the Western City and Aerotropolis Authority will help to make that goal a reality.

I will now outline the provisions of the bill. Part 1 contains preliminary matters, including the object of the bill and relevant definitions. The object of the bill is to encourage economic growth and development of the Western Sydney Aerotropolis and the rest of the western city through a range of means. In particular, growth and development is to be encouraged: by creating active, vibrant and sustainable communities and locations that support national and global business, and that support, and benefit from, the development of the Western Sydney Airport; by supporting the creation of precincts that are focused on job-intensive land uses, which include knowledge, industrial, educational, commercial, retail and mixed use precincts; by promoting investment; and by promoting development that accords with best practice environmental and planning standards, is environmentally sustainable and applies innovative environmental building and public domain design.

Encouraging economic growth and development will be achieved also by facilitating the sharing of financial value arising from, or associated with, the development of the operational area so as to offset the provision of public infrastructure, facilities, places and services; and by promoting value for money and efficiency in the delivery of infrastructure; and by achieving optimal outcomes from the authority working collaboratively with the Commonwealth and State governments and with local councils in the western city. The western city is

defined in part 1 by reference to the local government areas of the eight councils participating in the Western Sydney city deal—namely the local government areas of the Blue Mountains, Camden, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly.

Importantly, part 1 also defines the operational area in which the authority may exercise its functions. Initially, the operational area will comprise the mapped area in schedule 1 to the bill referred to as the Western Sydney Aerotropolis. The Western Sydney Aerotropolis is the same land covered by the stage one Land Use and Infrastructure Implementation Plan for the Western Sydney Aerotropolis released by the Department of Planning and Environment in August this year. The map covers the initial precinct defined in the plan of the Aerotropolis Core, the Northern Gateway and the South Creek. These are the precincts where the Government plans to prioritise land use and infrastructure planning under a sequenced rezoning of nine precincts that will form the aerotropolis. The initial precincts of the Aerotropolis Core and the Northern Gateway offer the greatest growth potential due to their proximity to the planned major public investment in Western Sydney. The third precinct of South Creek will be a central element in the urban design and water management of the western parkland city.

Members will see from the map in schedule 1 that the Western Sydney Aerotropolis land encompasses the suburbs of Badgerys Creek and Kemps Creek and parts of the suburbs of Bringelly, including the Commonwealth-owned land at North Bringelly, Greendale, Luddenham and Rossmore. To provide some context, this land mass is of more than 11,000 hectares. Clause 5 of part 1 allows for the operational area to be expanded by a regulation that amends one or more of three schedules where maps or descriptions of the operational area are to be included. As I mentioned, schedule 1 contains the map of the Western Sydney Aerotropolis.

Schedule 2 is where it is intended that the proposed Greater Penrith to Eastern Creek Growth Area would be described once the Land Use and Infrastructure Implementation Plan for that growth area has been settled by the Department of Planning and Environment. Schedule 3 is where the land can be added at the request of a council within the western city. Clause 5 provides that the regulations may amend these schedules to amend or omit areas from the operational area. Before any amendment to the schedule is made, clause 5 requires the Minister to consult with the Commonwealth Minister on the proposed amendment to the operational area.

Part 2 of the bill establishes the authority as a New South Wales government agency that is subject to the control and direction of the Minister in the exercise of its functions. In recognition of the Commonwealth's interest in the work of the authority, particularly in relation to the Commonwealth-owned land at North Bringelly, the Minister is to consult with the Commonwealth Minister before giving directions to the board that will have a material effect on the exercise of the authority's functions. The bill provides for the authority to be managed by a governing board consisting of seven members appointed by the Minister.

Of the seven members, three will be nominated by the Minister, three will be nominated by the Commonwealth Minister, and a chairperson will be appointed by the Minister with the concurrence of the Commonwealth Minister. The Minister is to determine whether a nominated person has the relevant skills, knowledge and experience to assist the authority. This will, of course, require collaboration with the Commonwealth Minister to ensure that the nominees, when considered together, possess the necessary mix of skills, knowledge and experience.

The bill provides for circumstances where the Commonwealth Minister may decline to nominate a member on a particular occasion, in which case the Minister can nominate a person to fill the vacancy. The person so nominated remains a Commonwealth nominee for the purposes of the bill and this ensures the Commonwealth's ongoing right to nominate three board members if it chooses. The board, with the approval of the Minister, may establish committees to give advice or assistance to the board in connection with the exercise of the authority's functions. This facilitates the board's ability to bring in expertise and perspectives from amongst stakeholders such as western city councils, or the Commonwealth Government, or subject matter experts.

Schedule 4 to the bill, which sets out the standard provisions regarding the membership and procedures of the board, also provides that the Minister cannot remove a Commonwealth-nominated board member or the chairperson without the approval of the Commonwealth Minister. The bill provides for a chief executive officer to have responsibility for the day-to-day management of the affairs of the authority in accordance with the specific policies and general direction of the board.

The chief executive officer will be employed in the public service, having regard to any advice of the chairperson of the board. This ensures the board, through the chairperson, can have input into the selection of their chief executive officer. As a New South Wales Government agency, the authority will be subject to the usual accountability and transparency mechanisms under New South Wales law, including those under the Independent Commission Against Corruption Act 1988, the Ombudsman Act 1974, the Public Interest Disclosure Act 1994 and the Government Information (Public Access) Act 2009. Equally, the authority will be governed by the usual

laws relating to public finance, auditing and annual reporting and will be a government sector finance agency when the Government Sector Finance Bill 2018 commences.

Part 3 of the bill provides for the functions of the authority in relation to land within the operational area. These are the functions that reflect the Western Sydney city deal vision of the authority as a "master planner and a master developer" of the aerotropolis, although they are not limited to the aerotropolis. The functions include preparing master plans for precincts, such as the precincts identified in the Land Use and Infrastructure Implementation Plan for the Western Sydney Aerotropolis—namely the Aerotropolis Core and the Northern Gateway. In time when further precinct stages are released under this plan or the proposed Greater Penrith to Eastern Creek Land Use and Infrastructure Implementation Plan, or when council requests the inclusion of an area in the authority's operational area, the authority can shift its focus to these precincts or areas.

In exercising this master planning function, the authority will work closely with a range of entities. The authority will work with the planning partnership established under the city deal between councils, the Greater Sydney Commission and the Department of Planning and Environment who are charged with preparing precinct plans for eventual inclusion in a new State Environmental Planning Policy. The authority will of course also need to work closely with landholders to ensure that the master planning process meets their aspirations for the land, and with infrastructure planners and builders such as Sydney Metro and the Commonwealth Government-owned company, Western Sydney Airport Corporation, responsible for the development of the airport.

In conjunction with master planning, the bill gives the authority a role in planning, prioritising, funding and coordinating public infrastructure necessary for the development of these precincts. This role does not detract from the role of existing infrastructure providers, but gives the authority a role in implementing the vision of the master plan by facilitating the delivery of enabling infrastructure. The authority will have the ability to carry out development. It might do this where it considers this will accelerate the preparation of land for investors—for example, by lodging, with landowner's consent, subdivision applications. It is also charged with functions relating to place making, not only through the use of best practice public domain design, but by promoting and conducting cultural, education, commercial, recreational activities and facilities that bring these new precincts to life.

To undertake this work the authority will have the usual power to enter joint ventures and project delivery agreements, as well as other arrangements with landowners, developers and other arms of government. The authority will also have a role in attracting and coordinating investment. In this endeavour it will work closely with the Department of Industry, with a specific focus on attracting investment to precincts off the back of the master planning work. The authority will have all necessary ancillary and consequential powers to ensure the delivery of its core functions. In particular, as a statutory corporation, the authority will have powers to acquire, dispose and otherwise deal with property. The authority will not have compulsory acquisition powers in relation to land. As a New South Wales Government agency, the authority will be able to enter planning agreements under the Environmental Planning and Assessment Act 1979.

The bill also contains standard provisions that allow a function of the authority to be exercised by a private subsidiary corporation, joint ventures or by association with public or local authorities or other persons or bodies. The authority will have a function of preparing funding schemes for funding public infrastructure, facilities, places and services. For example, the Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan, released in August this year by the Department of Planning and Environment, flags that potential value-sharing mechanisms will be explored to supplement the existing development contribution system under the Environmental Planning and Assessment Act. Where a proposed funding scheme is prepared and appropriately tested, and where necessary legislated, the Minister may direct this authority to implement the scheme.

In the exercise of all of its functions, the authority will be required to work closely with western city councils and Commonwealth government agencies and play a coordinating role amongst other New South Wales government agencies. Although the authority will work closely with the Western Sydney Airport Corporation to ensure that the development planned for the aerotropolis and northern gateway precincts supports and benefits the new Western Sydney Airport, the authority cannot exercise functions in relation to the airport site itself, given its comprehensive regulation under Federal airports legislation.

To focus its attention, the authority will be required to prepare a board charter which will, amongst other things, identify the projects or other matters that are to be given priority by the authority in exercising its functions. For example, the board charter may be used in this way to set out the authority's priorities in relation to the development of the Commonwealth-owned land at North Bringelly. The board charter will also identify those decisions of the authority that are to be referred to the Minister before being made. This allows the board and the Minister to have a clear understanding of areas of interest to the Minister and, in particular, matters where the Minister may wish to consult with the Commonwealth Minister on matters relevant to the Commonwealth's

interests. The bill requires the Minister to consult with the Commonwealth Minister before approving the board charter or any amendments to it that have a material effect on the exercise of the authority's functions.

Clause 15 of the bill relates to the provision of information, advice and reports. The authority is to provide the Minister with advice and reports as requested, and is also required to keep the Minister informed of the general conduct of its activities and of significant developments. These general updates on conduct and significant developments are also to be provided to the Commonwealth Minister. In addition, the Minister can authorise the authority to provide a nominated person with information requested by that person. For example, the Minister could nominate the Commonwealth Minister or their delegate as a person who could request information directly from the authority. The Minister retains the ability to limit the information so provided to certain classes, and is to be provided with a copy of any such information provided to the nominated person. This ensures that the authority has a clear mandate with respect to the provision of information to nominated people.

Part 4 of the bill contains miscellaneous provisions. In particular, part 4 includes a provision to establish a western city fund in the Special Deposits Account into which appropriations, investment earnings and other receipts are to be paid. This fund can be used to meet the authority's expenses and to receive and disperse amounts received under any funding scheme for the provision of public infrastructure. Part 4 also contains an offence provision, similar to that for the Barangaroo Delivery Authority, in relation to the misuse, for private gain, of information relating to proposals in respect of the acquisition, development or disposal of land by persons associated with the authority.

Finally, the bill also acknowledges that the Commonwealth's interest in the governance and operations of the authority may diminish over time as the aerotropolis is successfully delivered. To that end, the bill provides a withdrawal mechanism. Clause 20 of the bill provides that the Commonwealth Minister may give the Minister a withdrawal notice in relation to any or all of the Commonwealth Minister's roles under the bill. There is a minimum three-month period before the withdrawal notice can take effect.

This bill to establish the Western City and Aerotropolis Authority will harness a once-in-a-lifetime opportunity to design and deliver a new metropolitan centre that will drive economic growth and opportunities for the western city for generations to come. A focused and skilled authority, with access to key delivery agencies, will play an important role and provide a signal to industry, from local to global, that the western city is open for business. I commend the bill to the House.

**Debate adjourned.**

## **IMPOUNDING AMENDMENT (SHARED BICYCLES AND OTHER DEVICES) BILL 2018**

### **First Reading**

**Bill introduced on motion by Mr Andrew Constance, read a first time and printed.**

### **Second Reading Speech**

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Infrastructure) (10:55):** I move:

That this bill be now read a second time.

I am pleased to introduce the Impounding Amendment (Shared Bicycles and Other Devices) Bill 2018 to the House. I do so because for the last 12 months communities, particularly those in the inner-city areas, have been enormously frustrated by a lot of shared bikes being inappropriately left across the landscape—on footpaths, in parks, in people's front yards. These shared bicycles have been consistently dumped in inappropriate locations. As a result of that, local governments have brought forward their concerns about the way in which these bicycles should be regulated.

This bill is designed to regulate a new and innovative mode of transport—that is, shared bikes—provided by private operators. As I said, my concern has been the way in which the industry has operated to date, which has led to pedestrians and others in many ways having to compete for access to footpaths and public spaces. For food vans, trucks, commercial and personal fitness training, community gardens and more it is time that we had a sensible approach to dealing with the problem of inappropriate dumping of shared bicycles. I had hoped that local government, which has responsibility for footpaths, could have resolved this problem. Unfortunately, that has not come to fruition, and the affected spaces to which I refer, particularly footpaths, have in many cases become homes to dockless share bikes. The loss of amenity and increased safety risk to pedestrians are a concern for many.

The bill seeks to help councils, the police and public land managers to deal with the costs and risks associated with managing dockless share bikes in public spaces. Dockless bikes are different from traditional bike hire or bike-sharing schemes where bikes are returned to a fixed location, be it a shop or a docking station. This free-floating model involves bikes that are generally GPS enabled. Users can open a phone app to locate a bike

on a map, pay for a trip and open a lock on the rear wheel of the bike. At the end of the trip users simply park the bike and lock the wheel, leaving the bike ready for the next user, wherever that happens to be.

The Greater Sydney Commission has established a vision for Sydney as a 30-minute city. As Sydney transitions to a metropolis of three cities, convenient and reliable access for customers to their nearest centre by public and active transport is increasingly important for productivity, livability and sustainability—I think everybody accepts that argument. In March this year I launched our vision for the next 40 years of transport in New South Wales. Future Transport 2056 is a comprehensive strategy to ensure the way we travel is more personal, integrated, accessible, safe, reliable and sustainable. One of the key elements of this plan is that by 2056, 70 per cent of people will live within 30 minutes of their place of work or study.

In support of these closely linked goals, the Government welcomes any initiative that makes walking, cycling or active transport more appealing and accessible. Every weekday in Greater Sydney customers make about eight million journeys that are shorter than two kilometres. The Government aims to make active transport the preferred choice for these quick trips. Customers also make 15 million trips of less than 10 kilometres every weekday. There is an opportunity to grow share cycling for these trips, which will support access to centres and public transport and encourage active and healthy lifestyles. These benefits will prevent illness and increase the vibrancy of local places while reducing congestion and lowering emissions and air pollutants.

Share bikes provide another option to complete the first or last mile of a customer's journey. The role of share bikes as a first mile-last mile solution to connect people with the public transport network will be easier with designated parking areas at busy transport hubs. Bike share schemes elsewhere have contributed to the uptake of cycling overall. This has been attributed to the normalising effect of more people cycling in everyday, ordinary clothing. The traditional docked models have achieved this with significant financial support from governments. Dockless services are provided by private companies in a competitive market, in part because of the reduced reliance on fixed infrastructure. Transport is a technology business. The Future Transport Technology Roadmap, which was published in April 2017 as a precursor to the next long-term transport plan, foreshadowed the rise of technology-enabled, shared-use, personalised transport. Mere months later, the first dockless share bikes arrived in Sydney.

The new service model is based on innovative technology such as phone apps, GPS trackers and digital locks which maximise convenience for users and minimise start-up and ongoing costs. Preliminary research on the uptake of these services has shown that Sydney residents and visitors have embraced some of this convenience. Councils have important roles in building cycling infrastructure and encouraging cycling in their local government areas. However, the driver for this bill is that the innovative service model has had unintended and negative consequences, such as unused bikes being left in inappropriate or unsafe places or accumulating at certain locations.

Managing these impacts generally falls on public authorities such as councils and other New South Wales government landowners. These agencies bear the cost of dealing with the negative impacts of broken and inappropriately placed bikes, sometimes relocating or impounding them. These matters should be the responsibility of the companies operating the share bike services. Local councils have advised that current legislation does not provide sufficient incentive for operators to responsibly manage share bikes. Having seen these bikes littered around the city, most people would agree with that.

Currently the Impounding Act 1993 confers powers on enforcement officers to impound bikes where the enforcement officer believes on reasonable grounds that the bike has been abandoned or left unattended. However, the powers of councils and public landowners to impound abandoned articles do not allow for owners of those articles or objects to be penalised, only the individuals who left them in the public space. Motor vehicles are an exception, with owners being able to be penalised in certain circumstances. Impoundment is costly for councils and incurs a fee, but without a requirement to collect impounded articles the fee can go unpaid, particularly if the object is worth less than the fee. Many councils have called for permit or licensing regimes for share bike services. However, it is not necessary to intrude on the business model in order to regulate the negative impacts.

The Government is committed to light touch regulation. Regulatory frameworks should deal with the problem that has been identified rather than create red tape and stifle innovation. The bill aims to minimise red tape placed on the new services using new technology while ensuring that any new sharing service businesses abide by basic safety standards and assume the cost of managing their own operation. The bill amends the Impounding Act 1993 to enhance the powers of the impounding authorities identified in that Act to require operators to remove their bikes where notified to do so and to penalise them if they do not comply with such notices. It also ensures impounding authorities have the ability to move a bike that is causing an obstruction or safety risk and to impound bikes in such circumstances.

Impounding authorities will have a range of powers at their disposal. In most circumstances it can be expected that an operator will respond to a notice that a bike is in a dangerous place or has been in one place for too long and will take action to remove that bike. Failure to do so will mean that the operator is deemed to have abandoned the bike. Under the Impounding Act 1993, abandonment of an article in a public place is an offence. The amendments in the bill will ensure that it is the operator, as the owner of the bike, who will be taken to have abandoned it and who will face fines for doing so rather than the council having to identify the individual who left the bike in the unsafe place. Where a bike poses an immediate danger—for instance, where it is parked in front of a fire exit or obstructs a footpath—the bill will authorise the impounding officer to move it to a safer location or to impound it.

The bill provides that anyone can notify the operator that its bike is causing an obstruction or safety risk or has been parked in the one place for over seven days. A local shopkeeper whose shopfront is obstructed, a pedestrian whose walkway is not clear, a person with visual impairment who trips over a bike, anyone notifying the operator of a concern will trigger the time for the operator to take action. If the action to move or remove the bike is not taken, the operator will be taken to have abandoned the bike and may be subject to a fine. Such fines need not be pursued in court. As with other abandoned articles under the existing provisions of the Impounding Act, owners of abandoned share bikes can be the subject of an on-the-spot fine, formerly known as a penalty infringement notice. For instance, where a council ranger observes a bike in the same place for seven or more days, he or she may notify the operator to give them an opportunity to remove the bike. If the bike is still there after another four days, the ranger can slap a penalty infringement notice on the bike. As with a parking fine, the operator has the option of paying the fine or challenging it in court, with the risk of incurring the higher statutory penalty of \$2,750 which is 25 penalty units.

Including informal notification by anyone, the bill provides impounding officers with the power to issue formal removal notices for bikes left in contravention of the new provisions of the Act or any provision of the regulations or a code made under the regulations. Consistent with the approach taken in the remainder of the bill, failure to comply with such a notice will be taken to be an abandonment of the bike and the operator will be liable to a penalty. As alluded to, the bill provides that further requirements may be imposed on operators through regulations or through a code of practice made under the regulations. When dockless bike sharing services first arrived in Sydney in the middle of 2017, six inner-city councils responded by developing a set of voluntary guidelines in collaboration with operators. It is intended that the code made under the bill will build on the provisions of those voluntary guidelines.

Extensive consultation with councils, operators and community advocacy groups has confirmed that those guidelines address the relevant land management issues and are feasible for operators to comply with. The guidelines are the basis of the proposed statutory provisions just outlined: the requirement to move bikes that are causing an obstruction or safety risk and the requirement to move bikes that have been left in one place for more than seven days. The code of practice can contain additional requirements, building on those in the guidelines. Dockless bike share is a relatively new service model. We can expect that it will continue to evolve, but we cannot predict what changes might come. If and when the business model changes, it may present new challenges or concerns. Being able to amend the code by regulation provides flexibility and adaptability. The bill strikes the correct balance when it comes to regulating share bikes. We do not need an elaborate licensing or permit regime. Rather, the bill focuses on the behaviours that are most likely to pose a risk to public safety or enjoyment of public spaces.

I turn now to the provisions of the bill. Schedule 1 of the bill contains the proposed amendments to the Impounding Act, most of which will be set out in a new division 5 of part 2 of the Act, Additional powers in relation to shared devices. Clause 19A makes it clear that the provisions of the new division 5 supplement do not limit the general impounding powers of officers under other provisions of the Act. Clause 19B defines key terms used in the amending provisions, including "device", "shared device" and "operator". The focus of the regulatory system in the first instance will be on dockless bike share. But, importantly, the bill includes a provision that permits the Government to prescribe by regulation any additional devices that might be provided through a sharing service—for example, electric bikes and scooter schemes, which have been introduced in North America. Any such device or mode of transport will, of course, have to be legally permitted in the first place. Certain types of electric scooters are currently prohibited from being used on New South Wales public roads or footpaths.

"Sharing service" is defined in clause 19C to mean a formal arrangement whereby a device is provided for hire, the device is self-locking or access is otherwise able to be limited, including remotely, and the device is not provided from the premises of the operator of the service, nor is it required to be returned to any premises or any other particular location other than a preferred parking zone designated for that purpose. The "operator" of a shared service is the person who carries on the business of providing a sharing service and includes both natural persons and bodies corporate. The bill gives new powers to impounding officers, who are already identified in the Impounding Act as officers appointed by impounding authorities. These include all local councils and various



public landholders such as Sydney Trains and Place Management NSW, formerly the Sydney Harbour Foreshore Authority, which will be able to enforce the new provisions and any code made under the regulations in their respective areas of operations.

Clauses 19D and 19E are the key provisions that establish new circumstances in which a shared device can be dealt with by an impounding officer. Clause 19D deals with a shared device that causes an obstruction or safety risk. This is defined as a device left in a way that causes obstruction to traffic, whether vehicular or pedestrian, or that is likely to be a danger to road users or the public. It is expressly provided that this includes where it blocks access to a footpath, fire exit, lift, access ramp or stairs. The regulations may prescribe further circumstances in which a device will be treated as causing an obstruction or safety risk. A bike must not be left in a public place in a way that causes such problems. An impounding officer will have a range of options for dealing with a bike in these circumstances. The officer can immediately impound the bike.

Impounding is an administrative and practical process that may be resource intensive. The existing provisions of the Act set out the impounding process and its consequences. It requires the officer to remove the article to a council pound and to notify the owner. The owner may apply to the impounding authority for the release of the article and will usually be required to pay a fee for any charges associated with the impoundment as well as any applicable penalties before the article is released. If the article is not claimed within 28 days it may be sold to recover costs or otherwise disposed of. Alternatively, instead of impounding a share bike, clause 19D explicitly empowers the officer to move the bike to another place where it does not cause an obstruction or any safety risk. This means that any serious issues posed by the bike can be dealt with immediately and the costs associated with impounding need not arise.

In addition, the impounding officer or any other person can notify the operator that its bike is causing an obstruction or safety risk. This notification starts the time running. Where an operator fails to move the bike within three hours, the operator will be taken to have abandoned the bike. I remind members that abandoning an article in a public place is already an offence under section 32 of the Impounding Act. Section 32 will be amended to set a higher penalty for this class of abandoned shared device as compared to other articles. It will be 25 penalty units compared to the usual maximum of five penalty units or \$550. This is appropriate as the operators who carry on the sharing service are penalised and not the individuals, as is the case with other abandoned articles. I note that the quantum of this penalty is broadly consistent with those levied by other Australian States and Territories. A higher penalty also will incentivise operators to be more active in taking steps to educate and inform their users about the proper parking of the bikes to ensure that they are not left in ways that cause obstruction or safety risks.

Clause 19E deals with another issue regarding share bikes that annoys many people and affects public amenity. This is where bikes are left unused in one place for too long. They may not be causing an immediate risk but the bike just remains in place outside someone's house, up a tree or in a laneway for days and days. Sometimes a number of bikes will accumulate in one place. Where a bike has been left in the one place for seven days or more anyone, including an impounding officer or a member of the public, can notify the operator and, as is the case for a clause 19D notification, time limit will begin to run. If the operator does not move a bike about which it has received a notice under this provision within four days, the operator will be taken to have abandoned the bike and will be subject to the same higher penalty for abandonment as set out earlier, that is, 25 penalty units. These are the two specific circumstances that will be dealt with through the Impounding Act.

In addition, the bill provides that further enforceable obligations can be imposed on the operators of sharing services by the making of regulations or a code of practice. A code of practice may be made by regulation to protect the public amenity, manage risks to safety, manage any public liability that is incurred and plan for the operation of an integrated transport network. It will be possible to create offences in the code for breach of its provisions. These would be subject to a penalty not exceeding five penalty units. The code will be able to provide for further circumstances in which a bike will be taken to have been abandoned by the operator. Abandonment under a provision of the code would be an offence subject to a maximum penalty of five penalty units. The regulations will be able to exempt particular shared devices or sharing services from the provisions of the new division 5.

I have already mentioned the ability of any person, including a council ranger, a user, or a member of the public, to notify an operator that one or more of its bikes are parked in an unsafe location or are left in one place for too long. Clause 19G of the bill includes a more formal notification process called a "removal notice" that can only be issued by an impounding officer. A removal notice will be able to be issued in respect of a device that is left in a public place in contravention of any requirement in the Act, the regulations or a code of practice. This notice will be available whether or not such a contravention constitutes an offence. Failure to comply with the requirements set out in the notice to remove the bike within the specified timeframe will mean that the operator will be deemed to have abandoned the bike. As I have noted before, abandonment is itself an offence under the Act.

Finally, the bill includes an extremely important provision that will make enforcement much more straightforward. Clause 19H provides that the operator of a sharing service is taken to be the owner of any shared device that is branded with the name of the operator or the operator's business. As the owner, the operator will be the person responsible for ensuring that its bikes are well managed and will be the target of any compliance activity if they are not. The business model for dockless bike share and for shared services more generally is still evolving all over the world and companies are starting to become more selective about the markets they contest. Regardless of which companies stay or go, however, it is a sure sign we are moving to a new era of technology-enabled mobility, and it is not limited to bicycles, as we have seen internationally where the same technology has been applied to other shared and active transport modes such as electric bicycles and foot scooters.

This Government is trying to strike the right balance in the regulation of share bikes by enabling new innovative service models to operate while addressing the behaviours that are most likely to pose a risk to public safety or the community's enjoyment of public spaces. I am very strongly of the view that when it comes to shared bikes the designation of appropriate parking bays is a very important facet. The bikes can be ridden on our streets but they must go to particular points so that the community and public amenity are respected. That is not the case at present and it has been a disappointing element in this enterprise.

Also disappointing is that some council mayors have not seen fit to work constructively with Transport for NSW throughout the process. The code of practice which will be enforceable under the regulations has largely been developed through good local government leadership, but not all councils have engaged in a proactive and sensible way. A mayoral friend from the Inner West has seen fit to boost his profile on this issue without looking at the powers that currently exist under local government and State legislation. This bill strikes a balance between avoiding over-regulation and allowing innovation, which is important, while at the same time providing the necessary safeguards for our community and public amenity. These operators are on notice. I do not want to have to introduce further measures. I believe this bill strikes the right balance if everybody, the industry and local councils, work together.

I expect Transport for NSW will look at the infrastructure, particularly in and around transport hubs, so that people can appropriately locate these bicycles to the benefit of everyone. The way in which these bikes have been left strewn on footpaths is unacceptable. I hope that the engagement by Transport for NSW achieves a balanced outcome which will enable innovation whilst at the same time provide light-touch regulation and legislation to safeguard the community and enhance public amenity. I commend the bill to the House.

**Debate adjourned.**

## **STRATA SCHEMES MANAGEMENT AMENDMENT (BUILDING DEFECTS SCHEME) BILL 2018**

### **Second Reading Debate**

**Debate resumed from 15 August 2018.**

**Ms YASMIN CATLEY (Swansea) (11:20):** I am pleased to lead for the Opposition on the Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018. I say from the outset that the Opposition proposes to move an amendment to the bill. One of the key roles of the Government and this Parliament is to ensure that members of the public are protected from dodgy or defective products, and of course that includes homes. Our citizens should be able to trust that they are living in a safe environment. That is why legislation such as the strata building bond and inspection scheme is a vital protection for members of the public buying in apartment buildings. As the cost of living continues to grow in New South Wales, buying an apartment will continue to grow in popularity as a cheaper alternative to buying a house. Apartment ownership is on the increase in New South Wales. We have only to drive through Waterloo, Alexandria or, indeed, Mascot to see firsthand the scale and speed of building in Sydney to accommodate the city's growing population.

In 2017 the number of units under construction across New South Wales hit record highs, and from April this year more than 16,500 units yet to be constructed have been approved. With growing construction and more people choosing to live in apartments, it is vital that we ensure that units are built to the highest standard possible while underpinning construction with robust legislation and regulation. The rules and regulations that govern the building of new apartments are not unnecessary red tape. They are vital to ensuring that people can live safely and comfortably in their new home. The central tenet of this bill, which requires that developers lodge a 2 per cent bond, was designed to give owners the confidence that they will receive financial support to assist in rectifying defects in their building in a timely manner.

The bill introduces a number of important changes to the existing scheme which will enhance the existing protections for owners. First, new section 207 will require the developer to lodge a 2 per cent bond before an application for an occupation certificate is made. This will ensure that developers are not issued with an occupation certificate until they have lodged their bond. Secondly, new section 208 states that building bonds provided in the

form of a bank guarantee may only be issued by an institution regulated by the Australian Prudential Regulation Authority [APRA]. Non-bank bonds will only be allowed to be issued by approved insurers who are also regulated by APRA. This will provide an additional insurance for owners that the bond will be available should there be defects that need rectification.

Thirdly, new section 209 addresses the role of the secretary in paying out the bond. The increase on the time allowed for the secretary to release funds from the bond will provide greater safeguards. Various other sections, including proposed new section 209A, will give the secretary powers to intervene in the bond process should there be disagreements between developers and the owners corporation. Fourthly, I note that the increase in penalties for developers will act as a deterrent for bad behaviour. Fines of up to \$1.1 million are a far more appropriate deterrent for dodgy players in this industry than the previous maximum of \$22,000.

A home is one of the biggest financial investments a person will make in their life. Good regulation will ensure that this investment is sound and will stand the test of time. We cannot have an approach in this State where regulation is lax and rogue operators are allowed to flourish. The strata building bond and inspection scheme should act as an important check and balance in ensuring that a building meets all the required standards and that if there are defects owners are able to have those defects rectified. The Opposition is acutely aware that when it comes to building and construction we need to get it right from the start. That is our view, it has always been our view and it will continue to be our view.

I note that concerns were raised in the other place by the Hon. Peter Primrose in 2015 to this legislation. Back then, developers claimed that the bond would add to the cost, the sale price, for mums and dads. The Owners Corporation Network [OCN] raised a number of concerns, including the adequacy of the 2 per cent bond and that new and inexperienced strata committees will have to negotiate with the developer within the first 12 months of its existence. Even back then the OCN recommended that the Chief Executive of the Department of Finance, Services and Innovation appoint all inspectors. We agreed with that sensible proposal.

Recently I perused the Government's 2017 report, "NSW Regulatory Policy Framework. Independent Review", which, as members would know, was chaired by the Hon. Nick Greiner. I note that concerns were raised in this review which centred around the Strata Schemes Management Act and the regulations. Stakeholders in the review identified that regulatory impact assessments [RIAs] often lack robust evidence and a genuine comparison of the costs and benefits of different policy options. There were also differences of opinion as to whether all the relevant impacts are adequately identified and quantified.

For example, the Housing Industry Association [HIA] pointed to the recent passage of the Strata Schemes Management Act 2015 and the Strata Management Regulation 2016 as an example of where, in its view, the current arrangements for evaluating policy proposals have not worked. The HIA highlighted concerns that the RIA was released only six months after the Act was passed during the making of the associated regulations. This was argued to give rise to the impression that the substantive policy changes had been decided upon before a regulatory impact assessment process had been carried out. I would be interested in the Minister's views on those comments that were made in the Greiner report.

These concerns are typical of the feedback that I have received from stakeholders about the lack of due process and transparency and the way in which this Government makes laws in New South Wales. It undermines confidence and trust and delivers poor outcomes for the people of New South Wales. There are ongoing concerns about the efficacy and effectiveness of the defect scheme. The very fact that we are debating amendments several months after the scheme has been introduced should give rise for concern that the Government is making it up as it goes along. This is hardly the way to introduce confidence into the sector. Is the Minister confident that a thorough impact assessment of the scheme has been carried out? Did the Government get it wrong in 2015? Will the Minister commit to a root-and-branch assessment of the defect scheme and its impacts on the many stakeholders involved?

Labor is concerned on all sides. Developers, builders, certifiers, building professionals and strata owners themselves have raised concerns around the whole operation of the scheme. I am concerned that this is another matter of public policy of which a Foley Labor Government will have to pick up the pieces and sort out. These protections are more important than ever. I take a moment to reflect on the tragedy of Grenfell Tower in London. The devastating events of June 2017 remind us all that it is vital to get building regulations right. When it comes to construction, it can be more than just fixing a defect—it can be a matter of life and death.

The ongoing concerns surrounding the use of dangerous cladding on buildings across the State have shone a light on the importance of a robust regulatory system and certainty in the sector. This includes a robust regulatory system for building defects in strata. However, the fact of the matter is that when it comes to strata management schemes and defects, this Government has had three years to clean up the deficiencies in this bill. I have to ask the Minister: "Why has it taken so long to clean up the bill with these amendments?" These are

people's homes and their largest investment. It is vital that we get it right. It is three years on, yet we are only seeing the Minister fix the inconsistencies and mistakes in this legislation six months before the 2019 State election. But this is not an uncommon approach by this Government. We saw it with the ad hoc, laissez faire approach to cladding earlier this year.

I now turn to the central deficiency in the bill, namely, the appointment of panels of strata inspectors. If we are not careful and we do not get this legislation right, we will see our community and the taxpayer footing the bill for the Government's incompetence in this area time and again. These concerns have not just come from the professions but from the strata community itself. The Minister himself alluded to these concerns, but the Opposition does not believe that they have been addressed. When bodies listed in the regulations are now advising the Government that they will not participate, it should be a huge wakeup call that something is wrong. The Opposition believes there needs to be a consistent approach to the management of building defects in strata. Advice from industry has suggested that the panels should be overseen by the Government and in particular the Building Professionals Board.

The Building Professionals Board is a New South Wales Government authority established to oversee building and subdivision certification. It accredits and regulates certifiers in New South Wales to ensure the integrity of the certification system and compliance of the built environment with legislative requirements. The amendment will amend section 193 of the Act to remove the appointment of various industry strata inspector panels, as provided by clause 45 of the Strata Schemes Management Regulation 2016, and replace it with any panel approved by the Building Professionals Board. This will allow a consistent approach to the assessment of building defects rather than having various industry associations maintain their own panels, the standards of which could vary considerably. Having one body to oversee this aspect will not only set a consistent standard; it will also maintain it. In my time as shadow Minister, industry has been calling not only for greater government involvement but for greater certainty and consistency right across the industry. This simple amendment proposed by the Opposition will achieve exactly that aim.

Once again we are faced with a bill from this Minister, from this Government, which has been met with disbelief from key stakeholders. In terms of this bill, the likes of certifiers and other building regulators are not there to simply add red tape. They play a key, critical role in ensuring good, safe and compliant buildings—our homes. Concerns over the regulatory environment are not new. It is a centrepiece of the Lambert review and a key finding of the Shergold review, yet this Minister and this Government seem to treat such matters as ideological playthings, getting rid of regulation, dumbing down laws and removing key protections.

The Grenfell disaster tragically showed what can happen when building regulation goes wrong. Unfortunately this Government has been playing politics with existing protections around home construction, most recently in the Minister's hare-brained scheme to remove 13 licences from various building trades. Just this week we read about the terrible, tragic consequences of kitchen and bathroom benchtop installers contracting silicosis. With correct training and licensing regimes, however, we can be confident that young apprentices will be knowledgeable and made aware of the very real risks involved in home building, just as our licensed and trained painters and decorators are aware of the dangers of lead paint and asbestos. These are incredibly serious matters and they need to be dealt with an adult and mature way.

Buying a home is probably one of the biggest decisions a person will ever make. They want to make that decision with the knowledge and comfort that the regulatory environment is sound and have confidence in the construction of that home. Unfortunately there is diminishing confidence in the regulatory environment. It is one where financial concerns have been allowed to outweigh the need for safe, solid and secure constructions. My concern is that we—that is, families and individuals in New South Wales—will be paying for this lax regulatory approach for years and even decades to come. The flaws in this bill and the failure of the Minister to get key stakeholders on board to the point where groups like the Association of Accredited Certifiers and the Australian Institute of Building Surveyors have advised the Minister they will not be participating is a poor indictment of this Minister and the Government's approach to regulation.

The Opposition's amendment to have inspector panels under the auspice of one government body, the Building Professionals Board, will address some of the failings in the bill. Yet overall there is a strong sentiment in industry, one shared by the Opposition, that the Government is taking an ad hoc approach to building regulation—a kneejerk approach driven by media releases rather than by good solid policy. There is much to do in terms of building greater certainty and confidence into the building industry, an industry which contributes approximately \$25 billion per annum to the State's economy and employs around 10 per cent of the New South Wales workforce. I trust that the only right thing for the Government to do is to support the sensible amendment introduced by the Opposition.

*Visitors***VISITORS**

**TEMPORARY SPEAKER (Mr Lee Evans):** I welcome to the public gallery students from Campsie TAFE Adult Migrant English Program.

*Bills***STRATA SCHEMES MANAGEMENT AMENDMENT (BUILDING DEFECTS SCHEME) BILL 2018****Second Reading Debate**

**Mr KEVIN CONOLLY (Riverstone) (11:38):** I make a contribution to the Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018. The member for Swansea has given some of the background to the legislation. I welcome what I think was a statement that the Opposition supports the bill with a potential amendment. It was sometimes difficult to determine whether that was a speech in support of the thrust of the bill. The member for Swansea has a quaint way of expressing support at times. But I understand that in essence we have a shared perspective. We are trying to tighten the way this bonds system works, strengthen the hand of the regulator to ensure the bond money is collected early, put in place a process to ensure defects are identified early and mechanisms are in place to address those matters as soon as possible. If that is a shared position then I welcome it.

I speak in support of the bill because it is one of those incremental steps the Government has to take in order to address issues as they emerge. Indeed, we do this to make sure that our legislation keeps pace with the challenges we face in protecting the interests of the people of New South Wales. For example, earlier this morning Minister Constance spoke about the challenges presented by shared bicycles, which have only emerged on the landscape over the past couple of years. The Government has to continually address each of these challenges as they arise. In New South Wales we are seeing a boom in strata development. Over the past two or three years the Government has made significant changes to those rules and we will continue to fine-tune them to address any issues as they emerge.

The reforms in this bill will enhance the administrative and enforcement provisions of the strata building and inspections scheme, which commenced on 1 January 2018 and is the first of its kind in Australia. The reforms will provide building inspectors with a range of tools and powers available to support and enhance compliance with the requirements of the scheme. The powers will assist any owners corporation and their residents by requiring the developer of a strata scheme to provide a list of documents to the building inspector within 28 days after the inspector is appointed to inspect the building work.

Clause 198A of the bill requires the developer to provide any document that identifies any building defects of which the developer is aware. This will include any building defects considered at the first annual general meeting of the owners corporation. The first annual general meeting of any owners corporation is an important milestone in the life of any strata scheme. It is the first time that the majority of lot owners are able to formally gather as a group to consider the many issues of importance to them after moving into their new accommodation. The developer is required to convene the first general meeting within two months of the end of the initial period—that is, when there are owners of at least one-third of the aggregate unit entitlement of the strata scheme. The Strata Schemes Management Act 2015 requires that consideration of building defects at that first meeting is a compulsory agenda item for the meeting.

Clause 198A (2) also requires the developer to provide the building inspector with any documents that are prescribed by the regulations. While the list of these documents is still to be finalised by Fair Trading undertaking extensive consultation with stakeholders, these could possibly include a copy of all building contracts, a copy of specifications for the building work and any variations, a copy of any development consent, approvals or certificates granted or issued under the Environmental Planning and Assessment Act 1979 and related to the building work, and copies of any building certifiers reports. A copy of the maintenance schedule prepared by the developer for the owners corporation would also be required.

As a further safeguard, clause 198A (2) provides that the secretary may provide any of these documents that are in the possession or control of the secretary to the building inspector. It should be remembered that the majority of these documents, including the building contracts, would have already been provided to the owners corporation by the developer prior to the first annual general meeting as required by section 6 of the Act. There are therefore no privacy implications in their provision by the developer to the inspector and the requirements are not onerous for developers.

The possession and use of these documents by the building inspector, and the experts they engage to assist them in their inspection function, will help to ensure that they are armed with the most up-to-date

information about the strata scheme they are about to inspect. This will ensure that they are able to carry out their functions efficiently and effectively in identifying any building defects that may be apparent in the strata scheme they are inspecting. This provision can only be of benefit to strata schemes and residents and ensure that at the same time red tape is minimised for developers. As is always the case, there is a balance to be achieved between necessary regulation that protects the rights of people living in such developments and the added regulatory burden that imposes on developers or those who seek to make these developments happen. That balance is hard to achieve, yet it is the job of government to continually strive to get the balance right to protect residents and to ensure that development can occur in a costly way so that people can afford to buy in. I commend the bill to the House.

**Mr ALEX GREENWICH (Sydney) (11:44):** The Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018 provides the operational details for the much awaited defects bond scheme that began on 1 January 2018. The building defects scheme requires developers to lodge a bond of 2 per cent of the contract price with the Department of Finance, Services and Innovation for buildings of four or more storeys. The bond can then be used by the owners corporation to fix defects. Building defects in apartments are a serious challenge with many multi-level buildings still being built with significant problems. Past reforms have increasingly made it difficult for owners to get redress. Apartments were removed from the coverage of home warranty insurance and statutory warranty deadline, and definition changes have benefited developers over home owners.

I continue to hear from constituents who have had to raise massive special levies to fix or pursue court action over defects. Many property lawyers advise their clients against purchasing off the plan or buying newly constructed apartments because of the likelihood of defects. The Government is planning and approving massive residential development throughout Sydney, including in and adjacent to my electorate over the Sydney Metro stations, at Barangaroo, Darling Harbour, the Sydney Fish Market and Waterloo. We must address the financial risk, perceived and inherent, in buying a new apartment. The building defects scheme provides potential to give home owners much-needed assistance in holding developers to account and getting defects fixed without litigation. Most of the bill includes good changes but I am concerned that some parts will make the process lengthy and costly, with owners corporations forced to undergo countless inspections and prolonged and difficult negotiations. In many cases court action will be a better option. The problem lies with how the bill determines the amount of bond to be released.

Under the legislation the building inspector will be required to conduct an initial report on defects, followed by a final inspection and report on any remaining defects. The final report is then to include a scope of works on what needs to be fixed. Under the scheme the bond is meant to be released based on the final report, but the bill excludes costs from the final report. Instead, the developer and the owners corporation must negotiate on the predicted cost of works and therefore how much bond should be released to cover them. Owners corporations will be forced to hire consultants to conduct new inspections and provide new reports. The cost of this process cannot be recovered from the bond and will be borne by the owners corporation. The developer will also likely demand further inspections by their own experts. If the developer and the owners corporation cannot agree, the Secretary of the Department of Finance, Services and Innovation will decide the cost, with any expenses incurred to make this determination borne equally by the developer and the owners corporation. This process will likely require additional inspections and reports.

Getting access to all apartments required to conduct inspections, particularly in large buildings, can be a significant challenge. If there are too many inspections it will be near impossible to get access every time. People go away, overseas investors have empty apartments and some owners are just not responsive. It is also an unfair impost to force tenants repeatedly to open their homes up to various consultants. If access has not been achieved in some units by any experts, the developer will likely argue against covering the cost for repairs in those units. Developers might purposely request multiple inspections to make pursuing redress untenable so that owners abandon the process. This is a known tactic that gets used under the statutory warranty scheme. Indeed, the process proposed by this bill is similar to pursuing redress in the courts, except the courts provide options for owners corporations to recover costs for any reports they commission.

When the building defects scheme was introduced, Minister Dominello said that "the key to making the process work is to ensure that it is completely self-contained". This would be achieved if the scheme required the inspector's final report to include the estimated cost for the scope of works to fix the defects. The building inspector is appointed by both the owners corporation and the developer and is therefore unbiased and best placed to determine or appoint someone to determine the cost of works. This approach would ensure that release of the bond is based on the final inspector's report, as the legislation intended, not a prolonged process of multiple inspections and reports, followed by negotiations and potentially government intervention.

The building defects scheme is meant to provide owners corporations with an alternative to litigation to get redress for defects in their homes. I foreshadow that I will move amendments in the consideration stage that will make the inspector's final report include costings. This will make the scheme simple and accessible for all.

I am disappointed that the Government has indicated it may not support these amendments. They are necessary to make the scheme workable. The claim that the building inspector may not be qualified to cost the scope of works is ridiculous. Where the building inspector does not feel able to do the costing or a part of it, the building inspector can appoint and brief a suitable expert to cost their scope.

The regime already has the building inspector appointing secondary inspectors where needed if something to be addressed is outside the inspector's skillset. Building inspectors are already expected to engage experts to deal with issues that they cannot deal with. It would just be a matter of adding a sentence or two to the existing guideline document to allow a building inspector to also retain a secondary inspector, if needed, for cost estimation, although many building inspectors will cost it themselves. I expect that time will show the barriers that owners corporations face in getting redress for the scheme. I also foreshadow that I will also move an amendment to require a five-year statutory review of the scheme to determine whether it is achieving its objectives.

A home is a massive investment and defects can cause new home owners considerable hardship. I expressed my support for the building defects scheme when it was introduced and had hopes that it would provide real options for apartment owners dealing with homes built with serious problems. In its current form, the bill will make the building defects scheme unnecessarily expensive, time-consuming and disruptive. I call on the House to fix the problems with the bill by supporting my amendments so that the building defects scheme can fulfil its potential to help apartment owners get remedy for building defects in their homes.

**Mr DAMIEN TUDEHOPE (Epping) (11:51):** Some observations that the member for Sydney made in relation to the Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018 bear examination. The import of the bill is to create a scheme which makes it easier for home owners to ensure that sufficient moneys are available and a process is in place to ensure that defects relating to strata schemes are fixed. I practised in property work for a large period of my legal practice. The most expensive part of litigation is building defect litigation.

Often the litigation itself can outstrip the cost of remedying the work, which, if it had been done in a timely manner in the first instance, would have taken a lot of stress off the owners corporations and individual owners within the corporation. However, having said all that, this bill has a lot to recommend it in terms of giving some security for building owners. I commend the Minister for the scheme which he has put in place in relation to the security aspect of delivering a bond as part of the process of completion of buildings. The aspect of the delivery of the bond prior to the issue of an occupation certificate in the current circumstances is an important component of ensuring that persons buying into Sydney's already dense housing market are properly protected.

The amendments in the bill ensure that there are rights of the owners corporations and that individual owners have the maximum amount of money available to rectify building defects identified under the scheme. It achieves this by providing the Secretary of the Department of Finance, Services and Innovation with a range of powers which are able to verify the building contract price that is provided by the developer. The developer provides to the secretary evidence of the cost of the building and the bond to be paid pursuant to that contract price, which is 2 per cent of the development contract or building contract price.

Pursuant to this bill, it will be open to the secretary to investigate using powers provided by the bill whether the information provided by the developer is correct. It creates an offence when the developer fails to lodge the building bond before applying for an occupation certificate or provides false or misleading information relating to the contract price or the building bond. The investigative powers available to the secretary are also important, providing for security for purchases in strata schemes. They can be used by Fair Trading officers to ensure a proper oversight of the security scheme. The authorised officers will for the first time be given rights of entry to premises other than those used predominantly for residential purposes, and rights to seize and examine documents and to make copies of them. Officers will also have the right to ask questions and demand answers to those questions relating to the determination of the contract price and the building bond.

Officers will also be able to apply for the issue of search warrants where entry is resisted or entry to premises used predominantly for residential purposes is required as part of investigation and the owner or occupier does not give their permission. It is a fairly onerous scheme and gives significant powers to the secretary of the department and officers of the Department of Fair Trading. It also creates an obstruction offence with maximum penalties of \$4,400 for a corporation and \$2,200 in any other case to persons refusing or failing to comply with investigators without reasonable excuse. If a different building contract price than that previously provided by the developer to the secretary is discovered then the secretary will be able to apply to the NSW Civil and Administrative Tribunal for a new determination of that price on which the bond is based. A further offence provision of giving false or misleading information about the contract price or the building bond to the secretary will apply.

A maximum penalty of \$110,000 will apply in the case of a corporation and \$22,000 in any other case to reflect the seriousness of the offence. These powers are significant and must be tempered by some protections. Officers will be able to enter premises used predominantly for residential purposes only on invitation or by search warrant. A person's privilege against self-incrimination is not abrogated. People can therefore decline to answer questions or provide information on the grounds that to do so may incriminate them. Search warrants are independently oversighted by the judiciary in relation to the issue of the warrant and its use under the Law Enforcement (Powers and Responsibilities) Act. Most importantly, these powers are restricted to investigations under part 11 of the Act only. For example, investigators cannot use these powers in relation to any other matters under the Strata Schemes Management Act.

I have addressed the powers to ensure that a proper bond is paid. The true import of this bill is to provide purchasers in strata schemes with the security they need to ensure that defects will be fixed. The bill is a significant piece of legislation relating to the process of being able to make a claim under the Act with a view to ensuring that those owners are protected. I make the observation that the payment of claims for defective work can in many respects be ameliorated by a process adopted by certifiers of a building that before they issue occupation certificates they ensure that in fact the work has been done in compliance with the terms of the approval and in a manner which is up to a fit and proper state of workmanship. In relation to the Act, I note the Minister is conducting significant work relating to certifiers and is consulting with industry at the moment but the process of issuing occupation certificates, albeit accompanied by a bond, is an important component of a certifier's role in relation to the building work.

If, in fact, certifiers are not fulfilling that role but are merely acting at the behest of developers who employ them and give them a certain income stream then there is a significant problem with ensuring that people who purchase into strata schemes are properly protected. In my submission, as part of the consultation process we should be looking at a system that decouples certifiers from developers so that the appointment of a certifier of the building work attached to a strata scheme is done in a completely transparent and independent way. The certifier charged with issuing the occupation certificate should be independent of the developer. In those circumstances it would be hoped that the delivery of these bonds would not be called upon to the extent they potentially are now. I know that work is being done. I hate putting lawyers out of work, but I think that a lot of the legal industry—

**Mr John Sidoti:** It depends which firm you use.

**Mr DAMIEN TUDEHOPE:** There are certain firms that I could recommend you use for building work that charge reasonable consultation fees. The serious point is that we ought to be trying to get away from lawyers being involved in building disputes. We need a quick, effective and efficient way of dealing with building disputes, and consumers need a transparent process. This bill goes a long way to ensuring that. I commend the bill to the House.

**Ms JO HAYLEN (Summer Hill) (12:01):** The Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018 makes a number of changes to the building defects scheme, which requires developers of buildings of four storeys or more to lodge a bond equal to 2 per cent of the contract price for building work for a period of up to two years. The bill increases the maximum penalty for developers of a strata scheme who fail to provide a bond, extends the period within which a building bond can be claimed, and clarifies the role of building inspectors and arrangements pertaining to the liability of inspectors and professionals for acts or omissions done "in good faith". I will speak specifically on three issues pertaining to the bill. The first is the need to strengthen protections for home owners against faulty and dangerous building practices, the second is the need for clear accountability in the building defect scheme and the third is the community's strong desire for development that has architectural merit, is sympathetic to local character and is of the highest quality building standards.

Housing affordability remains one of the critical challenges of our time, particularly in Sydney and the inner west. It cuts right across the community and includes those facing homelessness, those looking for stronger regulations and standards in boarding houses, those renters who are struggling to keep up with rent and seeking a fair go, and those first home buyers who are spending weekend after weekend at auctions and house inspections desperately seeking to crack into a market that is stacked against them. Home owners who do run the gauntlet and are lucky enough to crack into the market by buying a new apartment too often discover that the great Australian dream has become a nightmare when they are faced with mounting costs and liability for faulty work.

In 2012 the University of New South Wales City Futures Research Centre reported that 72 per cent of apartment blocks in New South Wales had defects, as did a staggering 85 per cent of new apartments built since 2000. That will not come as a surprise for many inner west residents, because they can see the rapid deterioration of buildings merely months after they go up. The telltale water staining, cracking and chipping paint are just the tip of the iceberg. Often they point to much more significant structural issues. The Australian Institute of Architects has revealed that up to 9 per cent of buildings inspected between 2010 and 2015 had major water



defects costing more than \$10,000 and 34 per cent had minor water defects. The cost of building materials has forced builders to look for cheaper materials that degrade more quickly. The regulatory framework for developers has shifted, allowing more and more inexperienced developers to enter the market.

As many inner west constituents will attest, the cosy relationships between developers and private building certifiers muddy the waters further. It makes it unclear as to where the responsibility for poor work lies. I applaud organisations such as CHOICE that have been advocating for greater transparency and accountability within this industry for years. Its research shows that the most common defects reported by new owners are internal water leaks at 42 per cent, cracking at 42 per cent, water penetrating from the outside of the building at 40 per cent, guttering faults at 25 per cent, defective roof coverings at 23 per cent, and defective plumbing at 22 per cent. The list goes on. It is disgraceful that owners would be forced to pay for poor workmanship because dodgy builders and developers cut corners.

The building defects scheme provides some assurance to buyers that they will not be on the hook for any immediate problems that arise in their new apartment. But, of course, many of the more significant and indeed costly defects may take years to appear. The aim of the bill is clearly to increase accountability in the scheme. We welcome that, particularly in relation to the inspection that underpins protection for owners. While I applaud and support that objective, I share the concerns of many of my colleagues that the member for Swansea and the member for Sydney raised that the bill does not go far enough in clarifying the role and liability of building inspectors, and fails to adequately ensure greater transparency, consistency and security for strata owners.

New section 198A will require the developer to provide a building inspector to identify any defects in an interim and final inspection report. Inspectors can be drawn from a large array of industry groups and the bill does not prescribe the scope of the inspection in any great detail. Alarming, a number of industry groups from which the inspectors can be drawn have already signalled that they will not be participating in the scheme. Stakeholders have also raised concerns about the necessary qualifications and independence of the inspectors—which seems to belie the objectives of the bill. Stakeholders have been clear that oversight of inspector panels would be better in the hands of government.

It is clear that we must go further to protect the interests of home owners who are bearing the brunt of developer greed. Under this Government, inner west suburbs have been a paradise for developers. Even discounting the now shelved Sydenham to Bankstown Urban Renewal Strategy, the inner west is staring down the barrel of having nearly 6,000 extra dwellings under the Greater Sydney Commission housing targets. That speaks to the enormity of the challenge facing our community in relation to not only density but also the standards of architecture and construction that we will accept as a community. While I join with my colleagues in supporting the bill, I urge the Government to work with the Opposition to improve the provisions pertaining to building inspectors, and the accountability of dodgy developers and builders. All home owners deserve the highest standards of transparency, consistency and security.

**Ms FELICITY WILSON (North Shore) (12:07):** I support the Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018. I commend my colleague the Minister for Innovation and Better Regulation and his team for bringing the bill to the House and implementing important amendments to the defect bond scheme that commenced on 1 January this year. In my community of North Shore about half of our residences are apartment buildings, so the way in which strata schemes operate are of particular interest. I live in a strata block, as do so many of my constituents. The way in which strata schemes operate, and the amendments and changes that we can make affect not only our daily lives as residents but also our communities through the quality of their design, construction and delivery, particularly in growing areas. A lot of development is happening in my community. Ensuring that we deliver quality products affects the entire community and our capacity to enjoy not only our homes but also the broader social vibrancy and village atmosphere.

I know there is a range of proposals and discussions about strata schemes, strata buildings, and planning and development and I am glad to see that we are addressing these amendments today. Importantly, section 207 will be amended to provide that the building bond, rather than having to be lodged with the secretary before an occupation certificate is issued for the strata scheme, will now be required to be lodged by the developer before applying for the occupation certificate. This amendment has been made because Fair Trading recognised that once a developer applied for an occupation certificate from a principal certifying authority, the actual issue of the certificate was effectively out of their hands. This amendment provides some certainty and fairness for developers in knowing that their chances of breaching the requirements will be reduced.

To reflect the seriousness of a failure to lodge a building bond before applying for the occupation certificate, the maximum penalty provided in the Act for failing to lodge a building bond before obtaining the certificate has been increased from the present \$22,000 to \$1.1 million, with a further \$22,000 for each day the offence continues. This increase reflects the efforts the Government is taking to ensure that sufficient money is available to owners corporations to address building defects, which is an issue raised with me fairly regularly, and

that defects are addressed in a timely manner without the challenges and issues of chasing them up, as occurred previously in strata schemes.

This increase in penalties is important. It will act as a prime motivator for developers to ensure that the building bond is lodged before the developer applies to the principal certifying authority for the issue of an occupation certificate. In addition, the amendments include an offence provision for developers and others providing false or misleading information in relation to the contract price, the building bond or any other matter under part 11. A maximum penalty of up to \$110,000 for corporations and \$22,000 in any other case would apply to this offence.

These powers and the increase in maximum penalties will act as deterrents to reduce the incidence of wrongly calculated contract prices and building bonds. In turn, this will help to increase the confidence in the scheme and will help to support owners corporations and their residents who may depend on the money in the building bond to rectify defects identified during the inspection process in the scheme. It is only right that residents in strata schemes expect to get what they are paying for and that they have the capacity to rectify any defects that occur. The provisions will also support the overwhelming majority of developers and builders that operate in New South Wales by ensuring that there is a level playing field.

Reducing the incidence of non-compliant developers in the operation of the defects bond scheme is crucial. I understand that Fair Trading will provide information and educational materials for stakeholders before the new legislation commences. There are very few things in life that have as profound an impact on us as our homes and our properties because they are where we spend a significant amount of our time and are a substantial proportion of so many people's investments, superannuation savings, and security for their retirement and the future. People my age in particular are always longing to be able to buy their own home. We need confidence in this system, but we also need the ongoing development of new homes.

We have a significantly increasing population across New South Wales. For many, many years there was a backlog in the construction of new homes. Housing targets in New South Wales required to address our needs were not met and did not help put downward pressure on housing prices. This Government has made significant reforms to get more housing onstream across New South Wales, with record levels of completions across New South Wales for a number of years. However, at the end of the day we need to be confident that the housing stock that is being provided to the market is of sufficient quality and does not leave owners and strata committees in the lurch trying to fund the rectification of defects. I am confident that the amendments proposed in this legislation by the Minister will address those concerns.

A range of other matters have been raised with me in this space by my constituents, and one issue, which was also raised earlier by the member for Epping, is about the role of certifiers—an issue I know the Minister is currently addressing. On the weekend a number of constituents again raised with me concerns about the role of certifiers and whether or not there is enough distance between a developer and the nomination and appointment of a certifier to ensure that there is confidence in the decision of a certifier when issuing an occupation certificate or allowing a complying development to proceed. I am certain that the Minister will continue working on these challenges in the reviews that are currently underway.

I will continue to speak with and for my constituents to ensure that in an area like North Shore—which is very densely populated, with about half of the community living in units, half of whom are renting—we can have an environment that has a good planning system with the good construction of new builds, which reflects both the interests of new residents coming into our community and living in new builds, and the interests of existing residents, who want the housing stock that is delivered in the community to reflect our standards, our local character and our expectations that the beauty and village atmosphere of our community will be retained. I commend the Minister and the NSW Fair Trading office. I am confident that these reforms will benefit both industry and consumers. I commend the bill to the House.

**Ms JENNY LEONG (Newtown) (12:15):** I speak on behalf of The Greens in debate on the Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018. As we have heard, this bill seeks to amend the Strata Schemes Management Act 2015 in relation to the scheme for rectifying building defects in new strata schemes, the details of which have been outlined clearly and responded to by the shadow Minister for Innovation and Better Regulation and the member for Swansea, as well as my crossbench colleague the member for Sydney. While The Greens do not oppose this bill, we have some questions and concerns about it that I will turn to now in the hope that the Minister will respond to them in his reply.

The first of these is in relation to the mechanism for how a disagreement between a strata committee and a developer will be dealt with on costs. The Act does not appear to provide a mechanism to deal with disagreement between a strata committee and a developer as to any amounts required to remedy a defect. It is unclear how much of the bond the strata committee is entitled to if the cost of remedial work is contested. I acknowledge that the

amendment foreshadowed by the member for Sydney seeks to require improved transparency when it comes to the scope of the cost of works to be included. The Greens will happily support that amendment, but even if the Government supports the amendment, which we urge the Government to do, the question still remains as to how such disputes about amounts of money will be resolved. I seek clarification from the Minister on that issue.

The other area on which I seek clarification is the limited holding of a bond for two years and the early release of a bond. In relation to the limited holding of a bond for two years, I would appreciate the Minister responding specifically to concerns about the limit of two years, especially with regard to issues such as waterproofing. In relation to the early release of the bond and the timing of the holding and release of the bond, the concern is specifically around the fact that the bill speaks about a bond being able to be released early in some circumstances. I seek clarification as to what those circumstances are and whether those circumstances will be identified in regulations, or if the Minister can expand on the circumstances in which an early bond release would be enacted.

I also note that, as has been highlighted by the Opposition, many key stakeholders have expressed concerns about this bill. In one case one of those stakeholders has raised concern that this bill has been watered down so much that they question whether it will be effective at all in delivering on the initial intent to protect strata owners. I hope that the Government will look at ways to ensure that the intentions of this bill are being delivered on. The Greens are very happy to support the Opposition's amendments, as set out by the shadow Minister for Innovation and Better Regulation and the member for Swansea. The Greens intend to move an amendment in the Legislative Council seeking to remove the exemption from prosecution that the bill currently gives to building inspectors. We believe that that is too much protection for a professional who should have professional indemnity insurance.

As it stands, the bill will protect building inspectors from liability against any action, liability, claim or demand where an act or omission is done in good faith for the purpose of executing functions under this part. Such indemnity may be appropriate for volunteer strata committee representatives, but we would seriously question this protection for professional building inspectors. The Greens' amendment will seek to remove protections from liability for inspectors who are professionally qualified and should be expected to act professionally and be covered by professional liability insurance for such errors, rather than being provided with statutory protections.

More and more people are living in apartments, which means that more and more people are being impacted by strata laws. It is crucial and necessary that we get these protections right. The protections that are put in place for people living in strata communities—strata apartments—throughout our city and throughout our State need to be protected from the dodgy developers and the people who are more interested in short-term and quick money-making profits than they are in building beautiful homes for people to live in. The Greens believe that all people have the right to a safe, secure, habitable and affordable place to call home. We will continue to advocate for this right for all people in New South Wales.

**Mr STEPHEN BROMHEAD (Myall Lakes) (12:20):** I support the Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018. I commend the Minister for Innovation and Better Regulation for introducing the bill. I was listening to the previous speaker from The Greens, the member for Newtown, who said The Greens are happy to support Labor. I thought to myself that that has always been the case. They are in lockstep. They are almost a formal coalition. Nothing in that statement is surprising. The object of the bill is to amend the Strata Schemes Management Act 2015, which I will refer to as the SSM Act, in relation to the scheme for rectifying building defects in new strata schemes, as follows: First, to increase the maximum penalty that a developer of a strata scheme may be liable to pay for the offence of failing to provide the security—building bond—that is required by the SSM Act to secure payment for defective building work.

Second, to make it an offence for a developer to knowingly give false or misleading information to the Commissioner for Fair Trading—the secretary—in relation to the amount required to be secured by a building bond. Third, to provide that, in cases where the developer and owners corporation fail to agree on the amount secured by a building bond that may be claimed for payment to meet the costs of rectifying the defective work, the secretary is to determine the amount to be claimed. Fourth, to enable the secretary, for the purposes of determining the amount to be claimed in those cases, to arrange for an appropriately qualified person to provide the secretary with a report, paid for by the owners corporation and developer, on the work required or costs involved in rectifying the defective building work.

Fifth, to enable an amount secured by a building bond to be claimed to meet certain unpaid costs that would otherwise be payable under the building defects scheme by a developer, but only if the developer has died or ceased to exist, is bankrupt or insolvent or after due search and inquiry cannot be found in Australia. Sixth, to extend the period within which a building bond may be claimed. Seventh, to enable the cancellation of a building bond in certain circumstances, including if an interim report on the building work concerned does not identify any defective building work. Eighth, to limit the circumstances in which a developer may apply to the Civil and

Administrative Tribunal for an order specifying the amount of the contract price of building work for the purposes of determining the amount required to be secured by a building bond to the circumstances specified in the regulations.

Ninth, to enable the secretary to recover from a developer any amount required to be secured by a building bond if the developer fails to give the secretary a building bond or gives a building bond that secures a lesser amount than is required. Tenth, to confer investigative and enforcement powers on authorised officers who are appointed by the secretary. Eleventh, to protect building inspectors, professional associations and others from liability for acts or omissions done in good faith. Twelfth, to protect the secretary and others from personal liability for acts or omissions done in good faith. Thirteenth, to extend the regulation-making power, including by enabling regulations to be made dealing with conditions that may be imposed on building inspectors, and with the functions of professional associations with respect to determining whether persons are qualified to carry out functions as building inspectors.

In his second reading speech the Minister stated that the bill will amend Part 11 of the SSM Act, which commenced operation in January 2018. The Act was assented to in November 2015. The Minister stated that part 11 of the Act introduced the first strata building bond and inspections scheme in Australia. The bill was designed to strengthen the operation of the part 11 scheme. Under part 11 developers lodge a bond of 2 per cent of the total contract price with the Secretary of the Department of Finance, Services and Innovation. The purpose of the bond is to enable owners corporations to use this money to rectify any identified defects. Part 11 applies only to multi-unit dwelling strata schemes of four or more storeys. The amendments, made following stakeholder consultation, will improve the operation of the strata building bond and inspection scheme. The scheme incentivises developers and builders to minimise defective building work in strata schemes for multi-unit dwellings of four or more storeys, and ensures that identified defects can be fixed promptly and cost effectively.

Some years ago I was involved in a building case of a multistorey unit complex on the Central Coast. The developer was trying to do the right thing. The conflict was with the builder, which then impacted on the purchasers of units off the plan. The issue was that the builder had used certain materials in the building not in accordance with the manufacturer's instructions. If you can imagine a concrete honeycomb structure—concrete columns, concrete floor, concrete columns on top of that, concrete floor, concrete columns on top of that, concrete floor and so on. The infill between the columns and the concrete floors was a product I will call Hebel-type material. In a severe marine environment—it was near the beach—where there are severe winds, the Hebel-type bricks had to be installed in accordance with the manufacturer's instructions to minimise the flexing under high wind.

First, the builder did not install the number of fixers between the bricks and the concrete columns and floors. Second, where unlike materials abut each other there has to be a V-groove so that when cement render is applied it does not crack. A sealant should be put in that V-groove, but the builder did not do that. This meant that when the Hebel-type material came into contact with water, it did not just allow the water to pass through, it became like a sponge—sucked the water through and spat it out on the inside. In wind and heavy rain, there would be water pouring in through the walls into the units, into the wells where the kitchen cabinets had been placed. You can imagine the well because of the tiles being higher than the concrete floor where the kitchen cabinets were put. This ultimately led to something like \$10 million rectification works for the building.

The point is that when I did that case, probably 10 years or so ago, there was no mechanism other than going to court and battling it out in court. There was no simple way for the body corporate or the developer to get the builder to do the rectification works. The bill makes it easier for owners corporations to enforce rectification works on the developer. It is great that the developer has to pay a 2 per cent bond before he applies for the occupation certificate as this provides more certainty and makes the process easier and better. There are fines for developers who do not do the right thing. Sometimes the developer is trying to do the right thing and the builder is the problem. I commend the Minister and his staff for their work on the bill; they have done a brilliant job. I commend the bill to the House.

**Mr DAVID MEHAN (The Entrance) (12:30):** The Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018 proposes to amend the Strata Schemes Management Act 2015 specifically in relation to the building defects scheme. The strata building bond and inspections scheme was set up to deal with defective works in new strata buildings, and commenced on 1 January 2018. The scheme requires developers to lodge a 2 per cent bond with NSW Fair Trading before issuance of the occupation certificate. The bill proposes a number of amendments to the scheme, including increasing the maximum penalty that a developer of a strata scheme may be liable to pay for the offence of failing to provide the deposit or bond; powers for the secretary to order a report and determine costs claimed in disputes; extending the period within which a building bond may be claimed; clarification of the role of the building inspector; and protecting inspectors, professionals and others from liability for acts or omissions done in good faith.

All of this is good stuff. It will improve the current situation, and for that I commend the Minister for Innovation and Better Regulation. However, the bill seeks to address the problem after it has occurred. That is the nub of the issue and a problem that bedevils the industry. Buildings are being built and occupation certificates being issued when the building has defects that should have been picked up during the construction phase. As somebody who has worked in the civil and residential construction industry as a geotechnical consultant for many years, I am reasonably familiar with the issues and disputes that evolve on a building site in relation to inspection and certification of building works.

It is not uncommon for a builder or a developer to call on me after a building has been constructed to certify works that should have been inspected during construction. I am then asked to certify the works after the building has been finished. The sorts of things I inspect, such as building foundations, are underground and it is hard to inspect and certify them once the building is completed. The current system has allowed that to happen. There is an inherent conflict of interest because the inspector and the certifier are paid by the developer or the building owner and there is an inclination to expect that the inspector and certifier will do what is asked of them.

A number of speakers have said that this issue should be addressed, and I agree. They have called for a separation between the certifier and the developer. We used to have a system that separated certification from ownership and building when this work was done by the local government authority. However, in their wisdom, both sides of the House embraced the idea that the private sector would do the work more efficiently than the local government authority and so privatised building certification. Now we are seeking to address the problems as they arise through legislation such as this. The member for Epping and the member for North Shore referred to the need to separate building certification from the developer who presently pays the certifier. I agree, and I encourage the Minister to address that issue.

It may be that the local government authority should again be responsible for certification. It may be better for the local government authority to appoint an independent inspector and certifier for all building works rather than have the developer or the building owner appointing them. Until there is some separation, building defect problems and disputes will continue to grow. It is how the market system works: The builder and the developer will try to get away with as much as they can in order to maximise their profits. Only an independent inspector and an independent certifier separated from the builder and the owner will ensure that buildings are constructed in accordance with standards, proper design and approved plans and without any conflict of interest. As far as it goes, this bill is an improvement. I note that the Opposition will not oppose the bill but that a number of amendments will be moved to it. I encourage the Minister to examine those amendments and to consider further the conflict of interest that currently exists when building owners and developers pay the building certifier.

**Ms MELANIE GIBBONS (Holsworthy) (12:36):** I will speak in support of the Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018. I commend the Minister for Innovation and Better Regulation for bringing this bill to the House. The bill will allow for amendments to be made to part 11 of the Strata Management Act 2015 relating to building defects. This section of the Act requires developers to lodge a bond worth 2 per cent of a building's contract price with the Secretary of the Department of Finance, Services and Innovation. This bond can then be used to pay the costs of rectifying any defective building work that is identified in an inspection conducted in accordance with the Act.

The amendments outlined in the bill will help to enhance the defect bond scheme, which will assist in minimising time delays and reduce the need for drawn-out and expensive legal action for both owners corporations and developers. Building inspectors with the necessary experience and training will be drawn from strata inspector panels established by prescribed industry stakeholders. Industry stakeholders had advised Fair Trading that they would have had significant concerns about establishing panels of inspectors if their organisations were not provided with protection for work not done by inspectors. Similarly, while inspectors would of course maintain their own professional indemnity insurance, the industry recommended that inspectors should also be provided with protection from being sued for anything done in connection with an inspection that was done in good faith.

The Government has listened to those concerns and acted on them. The inspectors must perform their functions impartially and independently as part of providing a single expert assessment of the building in order to reduce adversarial disputes. The building inspector and the developer are subject to extensive requirements in relation to any past or present connections they may have that can restrict the ability of the inspector being appointed by the developer. Reducing the risk and liability of being targeted or joined in law suits will support the aim of the scheme by increasing the availability of inspectors for the scheme.

This good faith protection from being sued is not a blanket protection from being sued, as some have claimed. The protection is the same as that provided to officers of an owners corporation and members of strata committees under the Strata Schemes Management Act 2015. Modern strata schemes have a range of different technical areas. These include areas such as lifts, fire safety systems, water features and pools. This means that a building inspector cannot be expected to be skilled in all those areas. The inspector will therefore be able to engage

other specialists to inspect all those areas efficiently and effectively, and report on building defects. The reports will help to form the interim inspection report and such specialists will gain the good faith protection under the amendments.

However, I note that while additional expertise can be used, only one inspector can be responsible and accountable for the overall inspection report. The bill provides for strong oversight of building inspectors appointed under the scheme. The secretary will, from time to time, issue guidelines for professional associations to follow in the appointment of building inspectors to inspection panels. These guidelines will cover topical areas brought to Fair Trading's attention by owners corporations, building certifiers and industry stakeholders, and they must be observed by the industry association in appointing persons to their panels. The regulations will also permit professional associations and the secretary to impose conditions on building inspectors in relation to their duties as a building inspector. Fair Trading will be consulting extensively with stakeholders about these regulations. While the provision enabling these conditions is in the regulation and is not of course settled, the conditions will be generally those that will assist in ensuring that the inspector's functions are carried out confidently.

The amendments will help to ensure that the building inspector inspects within his or her own particular competence and engages other inspectors when required. The amendments can only benefit both owners corporations and residents. The bill seeks to amend section 207 of the Act, which currently requires the developer to lodge a building bond of 2 per cent of the contract price with the secretary in relation to the work before an occupation certificate is issued. The amendment will require the building bond to be lodged before an application for the occupation certificate is made. Should developers not lodge the bond with the secretary, they will not be issued with an occupation certificate. Section 207 will be amended to provide that the building bond is acceptable to the secretary before the secretary is required to accept the lodgement of the building bond.

Section 208 of the Act requires that building bonds in the form of a bank guarantee can be issued only by an authorised deposit-taking institution regulated by the Australian Prudential Regulation Authority [APRA], the prudential regulator. This action is a necessary safeguard to ensure that NSW Fair Trading deals only with a fully regulated bond insurer. Importantly, to add more security to the process, section 208 will be amended to provide that the non-bank bonds are issued by an approved insurer only as defined in section 4 of the Act. Approved insurers are also regulated by APRA.

The Government believes owners corporations and developers are best placed to determine the amount of funds required to rectify a defect. To assist with this notion, amendments have been made to section 209 to assist in allowing the owners corporation and the developer to agree on an amount that the secretary should pay the owners corporation to rectify the building defects identified in the final report. If any amount is to be provided, it will be provided directly to the owners corporation from the building bond. Importantly, new section 209 has deliberately not limited the methods that the owners corporation and the developer can use to determine the cost rectification and the amount of money they recommend to be drawn down from the bond. They can use any means they wish, provided they both agree on the final amount to be provided to the secretary. They could, for example, use a scope of works provided by a quantity surveyor and any other agreed person.

Like it or loathe it, my area and its surrounds are experiencing a development boom, particularly around Liverpool, which is considered to be Sydney's third central business district [CBD]. Strata schemes will affect many more of my local residents and it is important that we get it right. People should get what they pay for. They expect their homes to have no defects, but when they occur they expect them to be fixed properly and cost-effectively. Residents cannot fix many of the defects identified so it is vital that pressure is applied to have the defects fixed promptly. It must be remembered that we are talking about people's homes. As I just mentioned, Liverpool is experiencing major growth and is becoming Sydney's third CBD. The three cities envisaged by the Greater Sydney Commission are the established Eastern City, the developing Central City and the emerging Western City, which is in and around the new airport.

Each of these cities will have their own unique identity and each must be planned to maximise livability, productivity and sustainability. This means that many new units will be built and, therefore, many new strata schemes will be created. It is important to me that we get the bill right. To elaborate further, the Eastern City will include the traditional Sydney CBD and will stretch from Macquarie Park in the north to Kogarah in the south. The Greater Parramatta area—referred to as the "Central City"—is at a critical moment in history and, as the Greater Sydney Commission stated, the stars are aligning, with a total investment from the public and private sectors of more than \$10 billion over the next five years. The third city planned for Sydney and the one of major interest to me is known as the "Western City". It will be centred around the new Western Sydney Airport and the existing areas of Camden, Campbelltown, Liverpool and Penrith.

The rezoning of 25 hectares in the heart of Liverpool will reinvigorate the CBD and allow the construction of multipurpose buildings that could include cafes, bars and restaurants, retail and child care, office space and residential uses. That will mean that new residents of Sydney's third CBD will be close to transport and

universities, have access to green space along the Georges River, and will benefit from the creation of new jobs to build a vibrant new commercial and residential hub. Ideally, it will also be a walking city. We are seeing major investments by this Government in hospitals, schools, roads and public transport, but we are also seeing many residential towers going up in the area, especially around the Liverpool CBD. That is why changes to regulation such as this are important to support our growing State, providing vital safeguards in our regulatory system—especially for the many more people who will be living in buildings with strata schemes. I congratulate the Minister for Innovation and Better Regulation, the department and his staff on bringing the legislation to the House. I commend the bill to the House.

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (12:45):** In reply: As members have heard, the Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018 amends part 11, Building Defects, of the Strata Schemes Management Act 2015, which commenced on 1 January 2018. Part 11 introduced the strata building bond and inspections scheme, which was the first of its kind in Australia. The strata building bond and inspections scheme also delivered on the 2011 commitment by this Government to improve and modernise New South Wales legislation. The strata building bond and inspections scheme introduced a new process to streamline the identification and rectification of defects for the benefit of strata residents, builders and developers. The amendments provided in the bill seek to further improve the operation of this landmark scheme by providing greater certainty, reducing costs and minimising delays.

The amendments in the bill are a result of the Government's continuing engagement with the people of New South Wales. When stakeholders requested modifications to improve the operation of the scheme, the Government listened and acted. The bill was created to respond to those concerns and to improve the effectiveness of strata law in this State. Key stakeholders were consulted during the development of amendments, and their comments and suggestions were taken into account in finalising the bill. Strata scheme developments are an integral and important part of the accommodation mix available in New South Wales, but we cannot allow the market to be populated with poor-quality or substandard building work. The bill will provide a clear, consistent and strong regulatory framework and the amendments are necessary to ensure that the scheme operates as it is intended to for the benefit of owners corporations and the people who live in strata scheme developments. It will make sure that enforcement powers are consistent and sufficient to ensure that, while authorised officers can use them to investigate breaches of the legislation, developers are able to conduct their business.

There is a new clause that changes the requirement for when the building bond is to be lodged. Currently the developer is required to lodge the bond before obtaining an occupation certificate. The bill amends the clause to require the bond to be lodged with the secretary before the developer applies for the occupation certificate. The bill recognises the importance of lodging for the maximum amount of the bond. This then provides the owners corporation with the maximum amount of money available to rectify defects. An increased maximum penalty for failing to lodge the building bond and an offence provision for providing false or misleading information to the secretary will help to safeguard consumers in providing the maximum amount of money. Building inspectors, the experts they engage, and the professional associations that appoint qualified people to inspector panels will be provided with a good faith protection from being sued in relation to their roles. To assist building inspectors to carry out their duties, the bill will require the developer to provide documents to the inspector as soon as practicable after they are appointed by the developer to inspect a strata scheme.

The first annual general meeting of any owners corporation is an important step in the life of a strata scheme. It is often the first time that new lot owners are able to come together as a group to discuss issues of importance, including building defects—if any—that they have identified. The developer will be required to provide a document to the building inspector that identifies any building defects the developer is aware of, including any raised at the first annual general meeting of the owners corporation. Changed provisions requiring the owners corporation and the developer to agree on the amount of money needed to rectify the identified defects will ensure that funds can be provided quickly to the owners corporation so that defects can be rectified and further damage or deterioration of a building can be minimised.

The amendments do not tie the parties to any particular process to determine the appropriate amount of the building bond to be paid to the owners corporation to rectify defects. They will be able to use any means they wish to determine this amount, including obtaining a scope of works from a quantity surveyor. Where the parties cannot agree, the secretary will have a power to determine the amount of the bond to be paid to the owners corporation. The secretary will be able to use any means, including requiring documents to be provided by the parties at their joint cost.

Authorised officers will have the power to require persons to answer questions in relation to matters under part 11 of the Act. Authorised officers will have the power to enter any premises, except parts of premises used predominantly for residential use at any reasonable time without the authority of the occupier or a search warrant. If entry to a part of premises used predominantly for residential purposes is required and not permitted

by the occupier, or entry to other premises is resisted, then authorised officers will be able to obtain a search warrant to do so.

To ensure that officers can use these powers, the bill provides an obstruction offence, and an offence for failing to comply with a requirement in relation to the enforcement provisions. This will ensure that authorised officers have the powers necessary to address situations where the veracity of the contract price or the building bond is placed in question. These powers are very important. They will help ensure the operation of the scheme to the benefit of owners corporations and lot owners while ensuring fairness to developers. The powers will of course be tempered by a number of important safeguards. The powers reflect those used in other legislation.

Authorised officers are well trained in their use, and use them often. Most importantly, the powers can only be used to investigate matters in connection with part 11 of the Act and part 8 of the regulation. They cannot therefore be used to investigate owners corporations or strata managing agents for other matters. The use of search warrants is independently oversighted by the judiciary. With this bill, it is important to understand that the ability of Fair Trading to verify the contract price in order to maximise the amount of the building bond is being enhanced. The role of the building inspector in the operation of the scheme is being clarified, including their responsibilities.

In response to the shadow Minister, the member for Swansea, the Government does not apologise for taking the time to get this right and disagrees that it has not followed due process. It is important to recognise that the scheme establishes a new and innovative approach to managing building defects—a process that is also the first of its kind in Australia. This is something that Labor would not have the vision to implement. It is also contradictory to say that we have not followed due process, and then taken the time to consult with stakeholders to get it right. Fair Trading has continued to work with stakeholders to develop and fine-tune the operation of the scheme so that it works as intended. This bill demonstrates the Government's commitment not just to listen to stakeholder feedback but also to act upon it.

While the scheme was established in the new Strata Schemes Management Act 2015, the scheme only applied to new strata developments where the construction contract was signed on or after 1 January 2018 or, if there is no contract, the building work commenced on or after that date. Fair Trading has been in ongoing discussions with stakeholders throughout this period, and it is through this positive and constructive dialogue that the amendments presented in this bill were developed. I also note that the scheme requires developers to lodge their 2 per cent bond only once the construction of the building reaches the point where an occupation certificate is to be issued. Given most strata building construction projects take at least 12 months to complete, many in the sector have not actively engaged with the scheme until in recent months. This construction time line also means that the amendments can be passed now without any negative impacts upon the sector.

The member raised a number of questions that I would like to address: Specifically, what happens if the developer and the owners corporation cannot agree on the cost of rectification? There must be finality to the decision-making process. Accordingly, if the developer and the owners corporation cannot reach agreement, the secretary will intervene and determine the amount to be paid to the owners corporation to rectify the identified building defects. The secretary can determine this amount using any means, including using a quantity surveyor, at the joint cost of both the developer and owners corporation. This provision will offer a further incentive to the owners corporation and the developer to come to a joint decision. To further ensure finality to the process, the decision of the secretary will be non-appealable, except by judicial review. If the developer has died, disappeared or become insolvent the secretary can recover the developer's share of the cost of any determination from the building bond.

Why is the limit two years and no longer? Section 209 (3) of the Act presently provides that an amount secured by a building bond must be claimed or realised within two years after the date of completion of the building work—the date of issue of the occupation certificate—or 60 days after the final report on the building work is given to the secretary by the building inspector, whichever is the later. In reviewing the provisions of part 11, it became clear that while it would usually be appropriate, this period may not be enough for all circumstances. Therefore, the amendments extend the 60-day period to 90 days after the final report on the building work is given to the secretary by the building inspector.

The Government recognises the potential stress and pressure on the business of developers under the scheme while the secretary holds the building bond for upwards of two years from the date of completion of the building work. There must be an end to the process and the scheme provides for that. Nevertheless, section 212 of the Act provides that, on the secretary's own motion or on the application of the owners corporation, the developer or the building inspector, the secretary can vary the times for any action, if it appropriate to do so in the circumstances. As with all decisions, the secretary will carefully examine all the circumstances of an individual matter, weighing the pros and cons, before making a considered decision. If an owners corporation, developer or building inspector is aggrieved about a decision of the secretary in varying a time period, they can apply for an internal review of the decision under section 213 of the Act.



As to the question of whether the bond can be released early, during consultation with stakeholders in the development of the bill it became apparent that part 11 did not contain a mechanism to allow the secretary to release the building bond back to the developer if it was no longer required to be held. Stakeholders had raised concerns that if the secretary held a number of bonds for the same developer it could affect their cash flow and ability to source new building bonds for their new projects. The amendments therefore include a provision allowing the secretary to provide a release if the interim inspection discloses no building defects. The bond is no longer required. The secretary can also release the bond if an amount has been paid from the bond and both the owners corporation and the developer agree that the remainder is no longer required to be held.

I want to be absolutely clear that the continued operation of the scheme is a key part of the New South Wales Government's strategy to improve confidence in the building and construction sector, and this bill will be a major step towards further enhancing that level of confidence. I thank members representing the electorates of Swansea, Riverstone, Sydney, Epping, Summer Hill, North Shore, Newtown, Myall Lakes, The Entrance and the Holsworthy for their contributions to the debate. I also thank John Vernon, Matt Press, Mitchell Harris, Stephanie Hui and Melanie Schwerdt from Fair Trading for the work they have put into preparing this bill. I thank them for their hard work. They are doing a terrific job and I greatly appreciate it.

I am confident that the provisions in this bill will clarify the operation of the strata building bond and inspections scheme. It will give NSW Fair Trading appropriate and necessary powers to verify and secure the lodgement of the 2 per cent building bond with the secretary, which is such an important part of the operation of the scheme. I commend the bill to the House.

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that this bill be now read a second time.

**Motion agreed to.**

**Consideration in detail requested by Ms Yasmin Catley.**

#### **Consideration in Detail**

**TEMPORARY SPEAKER (Mr Adam Crouch):** By leave: I will deal with the bill in one group of clauses and schedules. The question is that clauses 1 and 2 be agreed to.

**Clauses 1 and 2 agreed to.**

**Ms YASMIN CATLEY (Swansea) (12:57):** By leave: I move Opposition amendments Nos 1 to 5 on sheet C2018-103 in globo:

No. 1 **Appointment of building inspectors**

Page 3, Schedule 1. Insert after line 5:

[2] **Clause 193 Building inspectors**

Omit "prescribed by the regulations" from section 193 (2).

Insert instead "approved by the Building Professionals Board".

No. 2 **Liability of professional associations**

Page 11, Schedule 1 [31], line 1. Omit "Sections 213A and 213B". Insert instead "Section 213A".

No. 3 **Liability of professional associations**

Page 11, Schedule 1 [31] (proposed section 213B), lines 9–17. Omit all words on those lines.

No. 4 **Functions of professional associations**

Page 11, Schedule 1 [32] (proposed section 214 (1) (a1)), lines 20–22. Omit all words on those lines.

No. 5 **Functions of professional associations**

Page 11, Schedule 1 [32] (proposed section 213 (1) (a3)), lines 25–27. Omit all words on those lines.

The Opposition has proposed amendments to the Strata Schemes Management Amendment (Building Defects Scheme) Bill 2018 to ensure greater transparency, consistency and security for strata owners. The proposed strata inspector panels are the central deficiency of the bill, and the amendment proposed will address inconsistencies in the bill. The chief problem with the bill is the creation of inspector panels through industry associations. We need to ensure that we get this central part of the legislation right so we do not see the community and the taxpayer footing the bill for the Government's messy and incompetent legislation. The amendment proposes a formal and independent panel to be overseen by the Building Professionals Board instead of the current proposed system, where a selection of industry groups have been listed to participate in the scheme.

These concerns have come not only from industry but also from the strata community. We have consulted with stakeholders about the proposed inspection panel and they have told us that they have grave concerns. I also note that concerns were raised in the other place by the Hon. Peter Primrose in 2015. Even back then the owners' corporation network recommended that the chief executive of the Department of Finance, Services and Innovation appoint all inspectors centrally. We agreed then that this was a sensible proposal, which is why we are moving these amendments today. This should be a wake-up call to the Government—in fact, many of the bodies listed in the regulation are actively advising the Government that they will not or do not want to participate in the inspector panels.

The Opposition believes there needs to be a consistent and transparent approach to the management of building defects in strata: an approach that industry, government, developers and owners' corporations can count on. That is why I have moved these amendments. Stakeholders have advised us that the panels would be best overseen by the Government and, in particular, the Building Professionals Board. This will centralise the process of building defect inspections. The Building Professionals Board is a New South Wales Government authority, established to oversee building and subdivision certifications. It accredits and regulates certifiers in New South Wales and will ensure the integrity of the certification system and compliance of the built environment within the existing legislative requirements. Specifically, it is proposed to amend section 193 of the Strata Schemes Management Act to remove the appointment of various industry strata inspector panels as provided for in clause 45 of the Strata Schemes Management Regulation 2016 and to replace it with any panel approved by the Building Professionals Board.

This will allow a consistent approach to the assessment of building defects, rather than having various industry associations maintain their own panels. These panels may maintain their own varying standard, which will provide little comfort to government or owners corporations who are relying on a consistent system to identify defects. Having one centrally governed body will, importantly, set and maintain a level of consistency across the industry. As the shadow Minister I hear consistent calls from the industry and other stakeholders like the Owners Corporation Network for greater government involvement in the sector. The industry is crying out for certainty, consistency and transparency. Good legislation and regulation in this industry will help to achieve this. The simple amendments proposed by the Opposition will achieve that aim. I commend the amendments to the House.

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (13:02):** I thank the shadow Minister for her comments. I know she is coming from a good place but the Government does not support the amendments. Opposition amendment No. 1 will require building inspectors to be of a class approved by the Building Professionals Board, instead of a class identified by the regulators. We do not support this amendment because these matters are better dealt with in the regulations, which will be available to the public via the NSW Legislation website.

The Government does not support Opposition amendments Nos 2 to 5. The effect of these amendments would be to remove the protections from liability set out in the bill for inspectors. The bill provides that professional associations will not be liable for things done in good faith when executing their functions under part 11 of the Act. The role of the professional associations is set out in the regulations and it is to appoint persons to the panel of possible inspectors. Because that role is of the nature of a function that is ordinarily performed by a public official, and such public officials often have the benefit of clauses that exclude their liability, it is appropriate for the protection to be extended to the associations. Otherwise they would be reluctant to be involved, and that is my concern. The Government opposes the amendments.

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that Opposition amendments Nos 1 to 5 on sheet C2018-103 be agreed to.

**The House divided.**

Ayes .....33  
Noes .....49  
Majority.....16

**AYES**

Aitchison, Ms J  
Barr, Mr C  
Chanthivong, Mr A  
Doyle, Ms T  
Greenwich, Mr A  
Haylen, Ms J  
Leong, Ms J  
McKay, Ms J

Atalla, Mr E  
Car, Ms P  
Crakanthorp, Mr T  
Finn, Ms J  
Harris, Mr D  
Hornery, Ms S  
Lynch, Mr P  
Mehan, Mr D

Bali, Mr S  
Catley, Ms Y  
Dib, Mr J  
Foley, Mr L  
Harrison, Ms J  
Kamper, Mr S  
McDermott, Dr H  
Mihailuk, Ms T

## AYES

Minns, Mr C  
Smith, Ms T.F.  
Washington, Ms K

Park, Mr R  
Tesch, Ms L (teller)  
Watson, Ms A (teller)

Scully, Mr P  
Warren, Mr G  
Zangari, Mr G

## NOES

Anderson, Mr K  
Bromhead, Mr S (teller)  
Constance, Mr A  
Davies, Mrs T  
Elliott, Mr D  
Fraser, Mr A  
Goward, Ms P  
Gulaptis, Mr C  
Humphries, Mr K  
Lee, Dr G  
Notley-Smith, Mr B  
Pavey, Mrs M  
Piper, Mr G  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G  
Wilson, Ms F

Aplin, Mr G  
Brookes, Mr G  
Cooke, Ms S  
Dominello, Mr V  
Evans, Mr A.W.  
George, Mr T  
Grant, Mr T  
Hazzard, Mr B  
Johnsen, Mr M  
Marshall, Mr A  
O'Dea, Mr J  
Perrottet, Mr D  
Provest, Mr G  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

Ayres, Mr S  
Conolly, Mr K  
Coure, Mr M  
Donato, Mr P  
Evans, Mr L.J.  
Gibbons, Ms M  
Griffin, Mr J  
Henskens, Mr A  
Kean, Mr M  
McGirr, Dr J  
Patterson, Mr C (teller)  
Petinos, Ms E  
Sidoti, Mr J  
Taylor, Mr M  
Upton, Ms G  
Williams, Mrs L

## PAIRS

Cotsis, Ms S  
Hoenig, Mr R  
Lalich, Mr N

Barilaro, Mr J  
Berejiklian, Ms G  
Rowell, Mr J

**Amendments negatived.**

**Mr ALEX GREENWICH (Sydney) (13:10):** By leave: I move my amendments Nos 1 to 5 on C2018-101C in globo:

No. 1 **Final report to include estimate**

Page 3, Schedule 1. Insert after line 34:

[9] **Section 201 Final report**

Insert at the end of section 201 (2) (d):

, and

- (e) include an estimate of the costs of rectifying the defective building work identified in the report.

No. 2 **Realisation of building bond**

Page 4, Schedule 1 [15] (proposed section 209 (1) (d)), lines 26 and 27. Omit all words on those lines.

No. 3 **Realisation of building bond**

Page 4, Schedule 1 [16] (proposed section 209 (1A)), lines 30–32. Omit all words on those lines.

Insert instead:

- (1A) The amount that may be claimed or realised for payment under subsection (1) (a) is the amount secured by the building bond or the estimate included in the final report of the costs of rectifying the defective building work concerned (whichever is the lesser).

No. 4 **Realisation of building bond**

Page 4, Schedule 1 [17] (proposed section 209 (2A), line 36. Omit "or (d)".

No. 5 **Realisation of building bond**

Page 5, Schedule 1 [21] (proposed section 209A), lines 9–26. Omit all words on those lines.

The Building Defects Scheme aims to provide owners and developers with a quick, affordable and workable process to remedy defects in new apartments. This requires it to be self-contained. As a member who represents the electorate with the largest number of apartment communities, I have heard many stories of owners corporations having to deal with homes built with significant defects. They have told me of the drawn-out and expensive processes that they have had to endure to try to get redress for faulty work and the tactics developers have used to discourage them from pursuing their rights.

It is those stories that have motivated the Government to introduce the Building Defects Scheme so that owners could have an alternative, efficient and fair process by which to obtain redress. It is disappointing that the Government has opted for a scheme that supports lengthy negotiations, alternative consultants and Government intervention to resolve disputes. The proposed process in the bill requires owners corporations and developers to negotiate how much of the bond must be released to meet the cost of fixing the defects, which will force strata communities to undergo countless inspections and spend funds on multiple reports. There will be a serious risk of them not getting their full entitlement from the bond if access for inspections in all affected units is not achieved by consultants who have been commissioned by the owners corporation, the developer or the secretary. As drafted, the bill will prevent the Building Defects Scheme from providing a real alternative to litigation, with both options flooding owners and occupiers with endless inspections and reports.

My amendments would remove the need for the owners corporation to negotiate with the developer on the cost of works to fix defects. The amount of the bond to be released would instead be based on the amount the independent building inspector identifies as needed to carry out the works. The amendments would require the building inspector to include costs for the scope of works in the final report. The building inspector would have the final say. The building inspector is jointly appointed by the owners corporation and the developer, and therefore is not biased towards either. The independent building inspector also is required to conduct inspections for the final report to identify remaining defects and establish what works are needed to fix them anyway, which means additional disruptive inspections would not be required.

The claim that the building inspector may not be qualified to cost the scope of works is ridiculous. When the building inspector does not feel able to do the costing or part of it, the building inspector can appoint and brief a suitable expert to cost their scope. The regime already has the building inspector appointing secondary inspectors when needed, if something to be addressed is outside the inspector's skill set, but the inspectors already are expected to engage experts to deal with particular issues that they cannot deal with. It would just be a matter of adding a sentence or two to the existing guideline document to allow a building inspector to also retain a secondary inspector, if needed, for cost estimation, although many inspectors will cost it themselves.

Dispute resolution is not the answer and only undermines the scheme. Owners corporations have been calling for a new option that avoids drawn-out processes of repeated inspections and reports, followed by difficult negotiations. To get to the point of dispute resolution by the secretary, owners have incurred large costs and major disruptions. The building inspector is best placed to determine the amount of the bond that should be released to the owners corporation. The amendments would make the Building Defects Scheme an effective and modern tool for helping apartment owners with defective homes and has the support of the Owners Corporation Network. I commend the amendments to the House.

**Ms YASMIN CATLEY (Swansea) (13:15):** The Opposition supports the amendments moved by the member for Sydney. The amendments, to streamline the Building Defects Scheme, are sensible—the 2 per cent rectification bond in particular. The amendments would give certainty to the owners corporation and developers, particularly in relation to costs. Today we have heard instances of significant costs associated with defects. The member for Summer Hill referred to a number of issues about which constituents of her electorate are concerned. We must remember that we are talking about people's lives and their homes. The amendments are designed to remove conflict so that all parties know the cost up-front, thereby avoiding long and protracted disputes. The Opposition supports the amendments.

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (13:16):** The Government does not support the amendments, which relate to when an amount secured by a building bond is payable to an owners corporation to rectify building defects. If implemented, the final report of the building inspector would have to include an estimate of the cost of rectifying the defective building work identified in the report. In addition, the amount of bond payable to the owners corporation would be either the full amount secured by the building bond or the estimate included in the final report. Currently the bill provides that the owners corporation and the developer have to agree on the amount of the bond to be paid to an owners corporation for rectification of identified defects. If the parties do not agree, this amount would be determined by the secretary, with any costs incurred in reaching that decision being shared equally between the owners corporation and the developer.

The amendments would significantly distort the role of the building inspector under part 11. The inspector's role is to inspect the building work of the strata scheme, identify building defects and report on those building defects. The inspector's role has not been defined to include estimating the cost of rectification of the defective building work. That function was specifically not included to ensure the efficient operation of the scheme. However, it is open to the inspector to provide cost estimates with their inspection, if they wish to do so. Similarly, it is the choice of the owners corporation and the developer to apply such information, or specifically engage the inspector to provide cost estimates. It would also increase the role of the inspector and mean that services of persons akin to quantity surveyors are required. These impacts would unnecessarily increase the complexity of the scheme and add additional cost.

In addition, the building inspector would not necessarily have the expertise to do the necessary costings that are required. Payment of either the entire 2 per cent of the building bond to the owners corporation, or the estimate of the cost of rectification of identified defects in the final report, would unreasonably remove the freedom provided to both owners corporations and the developers to use any means they wish to determine and agree upon the cost of rectification work. The amendments would take away the independent role of the secretary in determining the amount of the building bond to be released and paid to the owners corporation to rectify defects. This aspect of the amendment would place significant pressure on the quality of the inspection report. There would be no means for either the developer or the owners corporation to challenge the view of the inspector in relation to costs, and the current process often will be less costly and more robust and afford them procedural fairness.

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that Mr Alex Greenwich's amendments Nos 1 to 5 on sheet C2018-101C be agreed to.

**Amendments negatived.**

**Mr ALEX GREENWICH (Sydney) (13:18):** I move my amendment No. 1 on sheet C2018-102A:

No. 1      **Review of Part 11**

Page 11, Schedule 1. Insert after line 31:

[34]      **Section 215A**

Insert after section 215:

**215A      Review of Part**

- (1)      The Minister is to review this Part to determine whether the policy objectives of this Part remain valid and whether the terms of this Part remain appropriate for securing those objectives.
- (2)      The review is to be undertaken as soon as possible after 1 January 2024.
- (3)      A report on the outcome of the review is to be tabled in each House of Parliament no later than 1 January 2025. I share Strata Community Australia's concerns that the process to determine the amount of the bond to be released to fix defects under this bill will result in drawn-out negotiations, erosion of funds for consultants, ongoing disruption from multiple inspections and potentially unfair determinations. The Government does not agree with my concerns and did not support my amendment to make the Building Defects Scheme a self-contained streamlined process. Notwithstanding, I am sure that we can all agree that if these concerns are realised we will need to amend the scheme. Therefore, my amendment would introduce a five-year statutory review of the building defects to ensure that problems are picked up and addressed.

The aim of the scheme is to help owners corporations get redress for building defects but it is complex and there are concerns it could be ineffective. It is appropriate to review the scheme in five years to ensure it achieves its aims. In five years we will know how the scheme has worked for buildings that are currently under construction. The amendment has the support of the Owners Corporation Network. I ask the House to support this amendment so that the Building Defects Scheme is reviewed after five years and so that we know if it is providing apartment owners with an effective option to getting redress for homes built with defects and if it can address any problems. This is a no-brainer for such an intricate scheme.

**Ms YASMIN CATLEY (Swansea) (13:20):** Again, the Opposition supports the amendment moved by the member for Sydney. In our view this amendment should have been in the legislation, and it is disappointing that it was not there. The amendment gives people certainty that their homes will be protected and that they have a legislative framework to ensure that, if there are defects in their new apartments, they will be rectified in a timely manner and that disputes will be resolved. The Opposition supports this amendment.

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (13:21):** The Government supports the member for Sydney's amendment.

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that Mr Alex Greenwich's amendment No. 1 on sheet C2018-102A be agreed to.

**Amendment agreed to.**

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that schedule 1 as amended be agreed to.

**Schedule 1 as amended agreed to.**

**TEMPORARY SPEAKER (Mr Adam Crouch):** The question is that schedule 2 be agreed to.

**Schedule 2 agreed to.**

### **Third Reading**

**Mr MATT KEAN:** I move:

That this bill be now read a third time.

**Motion agreed to.**

## **CHILDREN (EDUCATION AND CARE SERVICES) SUPPLEMENTARY PROVISIONS AMENDMENT BILL 2018**

### **First Reading**

**Bill received from the Legislative Council, introduced and read a first time.**

**TEMPORARY SPEAKER (Mr Adam Crouch):** I order that the second reading of the bill stand as an order of the day for a later hour.

### *Community Recognition Statements*

#### **MID NORTH COAST REGION VOLUNTEER OF THE YEAR AWARD RECIPIENT JULIE BRADY**

**Mr STEPHEN BROMHEAD (Myall Lakes) (13:23):** I pay tribute to Julie Brady who was recently awarded the Mid North Coast Region Volunteer of the Year Award. Julie Brady established and is the President of the Great Lakes Women's Shelter in Forster, which provides accommodation for women who are in danger of domestic violence and need assistance. She is also involved with Forster Neighbourhood Centre and the Rural Fire Service and is a volunteer tutor for after school care. Last week I had the pleasure of meeting with Julie Brady and made an announcement on behalf of the New South Wales Government committing \$605,000 to construct a purpose-built women's shelter in Foster. Since the shelter has been in existence it has helped more than 90 women and 100 children. I congratulate Julie Brady, volunteer of the year.

#### **BROADMEADOW MAGIC FOOTBALL CLUB**

**Ms SONIA HORNER (Wallsend) (13:24):** I recognise Broadmeadow Magic Football Club's fantastic efforts to make it to round 16 in the 2018 Football Federation Australia [FFA] Cup. I make special mention of head coach, Ruben Zadkovich, who in March 2015 succumbed to a debilitating, career-ending injury against the Central Coast Mariners. If he had not sustained the injury there is every chance the 32-year-old veteran of more than 150 Hyundai A-League games would be among the competition's leading appearance makers. But rather than fade into obscurity, Mr Zadkovich has fallen in love with coaching and has put Broadmeadow Magic and the Hunter region, including the electorate of Wallsend, back on the map. Special congratulations to Broadmeadow Magic for its well-earned Northern NSW Grand Final win.

#### **BASEBALL PLAYER MADDISON HEATH**

**Ms MELANIE GIBBONS (Holsworthy) (13:25):** I congratulate a young star, Maddison Heath, a 17-year-old athlete from Holsworthy. Maddison has represented New South Wales in the under-16 State titles baseball for the past five years. This Easter she represented the open age women's team at the National Youth Championships, where the team won gold. In June Maddison was the youngest player ever to undertake a trial for the Australian baseball squad. Her whole family is heavily involved in the sport. Through winter Maddison, her two siblings and her father all played together in a team. Her dream is to go to America and become a professional in the sport. Maddison has also been nominated for a local sports star award in the junior sports star category. I have presented Maddison with several awards in the past and I know what she is capable of. I wish her all the best with her baseball in the future and encourage her passion and dedication for many years to come.

#### **BLACKTOWN CITY YOUTH AMBASSADORS AKANO AMUDA AND EMILY POTLOKA**

**Mr EDMOND ATALLA (Mount Druitt) (13:25):** I recognise Akano Amuda from Mount Druitt and Emily Potloka from Oakhurst, who have been appointed as the 2018 Blacktown City Youth Ambassadors. I believe there was a record number of young people applying this year, and I could not be more pleased that both

Emily and Akano are from my electorate. The Blacktown City Council Youth Ambassador Program has been running since 1982. It is an opportunity for young people to represent and be a voice for the youth of Blacktown City at public events such as civic receptions and ceremonies, as well as participating in various council meetings. This is an important position and one of trust and responsibility. I am confident that Emily and Akano will work hard to make a positive contribution and be good role models to the youth of our community. I wish them all the very best in their new roles.

### **THE SISTERHOOD COMMUNITY ORGANISATION**

**Mr JAMES GRIFFIN (Manly) (13:26):** It is with great pride that I update the House on the activities of The Sisterhood, a network of like-minded women in my electorate who work hard to support the vulnerable and voiceless in our community. They recently hosted well-known media personality Tracey Spicer at the Balgowlah RSL and raised \$12,000 to support four of the Northern Beaches' most worthy charities. More than 300 people attended the evening to hear Tracey Spicer. I am grateful to Andrea Hogan, Carmel McCarney and the hardworking team at The Sisterhood. They truly make a difference and a positive impact in my community.

### **IKOU ETHICAL PRODUCTS**

**Ms TRISH DOYLE (Blue Mountains) (13:27):** I congratulate Naomi and Paul Whitfield on the success of their business iKOU. Ikou is a Japanese verb meaning to rest, relax and restore. Naomi and Paul started the business in their Blue Mountains kitchen creating aromatherapy bath salts, natural wax candles, skincare and body products and organic herbal teas, sourcing natural and organic ingredients from ethical sources. From humble beginnings a new journey began with the launch of iKOU in 2008 bringing instant success and seeing the products supplied to leading five-star hotels, day spas and retail stores. Recently partnering with the UBIKA Spa at the Fairmont Resort in Leura, iKOU will be the exclusive supplier, guaranteeing a unique experience for customers. My congratulations to Naomi and Paul. The Blue Mountains is very lucky to have you: You inspire health and happiness.

### **ROVER SCOUTS 100TH ANNIVERSARY**

**Mr JONATHAN O'DEA (Davidson) (13:28):** This month marks the 100th anniversary of the Rover section of the Scout Movement. The group of spirited 18- to 25-year-old men and women undertake a vast array of activities that contribute to personal development and community service. Rover Scouts operate across New South Wales and Australia, including in my electorate of Davidson, where there are two crews based in Gordon and Lindfield. Both are within the Sydney North Region under Regional Commissioner - Rovers Nick Buchner. Rover Scouts are 18- to 25-year-old men and women who come from a range of different walks of life and backgrounds. They have not necessarily participated in scouting before. Rover Scout crews generally meet weekly and undertake a variety of outdoor activities, such as camping, bushwalking, caving, abseiling and skiing. They also participate in social activities and community service projects. Congratulations to the Rover Scouts on their 100th anniversary, and I wish the movement success for many years to come.

### **FAIRFIELD HIGH SCHOOL YEAR 12 MAJOR WORKS SHOWCASE**

**Mr GUY ZANGARI (Fairfield) (13:29):** On Wednesday 5 September 2018 Fairfield High School hosted the Year 12 Major Works Showcase. Proudly displayed were the year 12 students' major projects from Visual Arts and Industrial Technology Timber classes. The Visual Arts major works included cultural murals, religious icon paintings, landscape drawings and paintings, futuristic drawings, sculptures and abstract pieces. The Industrial Technology Timber projects featured bookshelves, integrated games and coffee tables, games and storage boxes using a variety of timber species and woodworking techniques. The creative talent also extended to the year 12 music students who gave the audience a sample of their major works performances. The year 11 Food Technology class catered for the showcase, providing delicious canapés. Well done to these students for a fantastic effort. The event also acknowledged the efforts of year 12 students with the presentation of special awards. Congratulations to year 12 students on their outstanding work and to the teachers at Fairfield High School on their commitment to quality public education in Fairfield.

### **FRIENDS WHO CARE SUPPORT GROUP**

**Mr CHRISTOPHER GULAPTIS (Clarence) (13:30):** I acknowledge the wonderful work that has been undertaken by two amazing women from my electorate. Denise Barnier and Rosemary Munro had both lost loved ones to cancer. Through this shared bond, they resolved to do whatever they could to improve end-of-life care within the Clarence Valley. Under the banner of Friends Who Care, Denise and Rosemary held annual, themed fundraising dinners to raise much-needed money to purchase medical equipment for the palliative care ward at Grafton Base Hospital. Over the past seven years Denise and Rosemary have raised more than \$100,000 and have now decided that it is time for the next generation to take over. I offer my heartfelt thanks to

these wonderful women, who out of their own grief have done so much to assist others. The Clarence Valley owes you both a huge debt of thanks.

#### **KOTARA BEARS JUNIOR RUGBY LEAGUE CLUB FIFTIETH ANNIVERSARY**

**Ms JODIE HARRISON (Charlestown) (13:31):** I recognise the Kotara Bears Junior Rugby League Club from my electorate of Charlestown. Established in 1968, the club this year celebrates its fiftieth anniversary. I wish the Kotara Bears a happy anniversary. At its peak, the club fielded 19 teams. This season the club fielded a total of nine teams, from under 6s to under 16s, three of which qualified for 2018 grand finals. I make special mention of the Bears committee for continuing the legacy of this great club. Thank you to Craig Woolcock, Mark Pippen, Kristy Gulliver, Leo Fallavollita, good Murray and bad Murray. It is a fantastic achievement for a small local rugby league club to reach this milestone and I wish the club all the best for another 50 years. Go the mighty Bears!

#### **MULGOA ELECTORATE SPORTS ACHIEVEMENTS**

**Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (13:32):** I congratulate Glenmore Park resident Michael Wade, who was selected to represent the State in the AFL NSW/ACT 2018 Rams Inclusion team as part of the AFL National Inclusion Carnival. Michael and the Rams headed to Tasmania in June to participate in the 2018 AFL National Inclusion Carnival where they played 10 games of AFL in five days with the aim to make the All Australian team. Congratulations on their wins and to one player who was selected to represent the nation. This is the first year AFL NSW/ACT is managing an inclusion team, which is only the start of AFL's growing commitment to inclusion so everyone can enjoy the game. Well done, Michael.

It was my pleasure to visit both Kemps Creek United Football Club and Glenmore Park Football Club to announce \$7,000 for each club, \$5,000 of which is to go towards purchasing new uniforms and \$2,000 towards coach accreditation training for volunteer coaches. At Kemps Creek I officially switched on the new lighting upgrades, for which I had previously provided funding. Sporting clubs are the lifeblood of our community. It is vital that we support sporting clubs to ensure they can continue to best serve the community and encourage our younger generations to lead healthy and active lifestyles.

#### **MEREWETHER UNITED FOOTBALL CLUB WOMEN'S PREMIER LEAGUE**

**Mr TIM CRAKANTHORP (Newcastle) (13:33):** I congratulate the Women's Premier League champions Merewether United on their amazing 4-3 grand final victory over Warner Bay. For a third year in a row Merewether United has won the grand final, cementing the club in the record books as true champions. Merewether "saved the best till last," according to United coach Cassandra Koppen. She described the win on Sunday as "incredible" and said that after a difficult season, "We were finally able to play to the ability that we're capable of and it showed." I acknowledge the team's coach, Cassandra Koppen, and the support staff team who have been instrumental in the team's ongoing success. I congratulate goalscorers Rhali Dobson and Jamee Ellis as well as Leah Guiffre who scored twice during the match. Team member Ellie Withers said after the match, "It's been a really tough season with injuries but we all came together in the final game, culminating in a hard-fought win." I wish Merewether United all the best for next year's season and congratulate the team members on their victory.

#### **BYALLA BUSH TUCKER GARDEN**

**Mr MARK TAYLOR (Seven Hills) (13:34):** Recently I had the delight of opening the Byalla Bush Tucker Garden at Northmead Public School with the Lord Mayor of the City of Parramatta, Andrew Wilson, and other councillors and members of Parliament. I take this opportunity to acknowledge, in particular, Sara de Belin, Matilda Glanville, Tamsyn Gowlett and Sadaf Parivash for a beautiful Aboriginal-inspired painting they created for me as a thank you for helping the school with funds for the garden. The Byalla Bush Tucker Garden was funded by grants from the New South Wales Government and the City of Parramatta. It is a great school and community resource that provides students with knowledge of Aboriginal culture and practice. The garden has edible plants and a yarn circle, both of which will be used within curricula activities. Some year 4 students took a pledge to preserve and educate other students about the garden. I am proud that this initiative has been jointly driven at both State and local government levels, which have worked together to create a great space for the students of Northmead Public School.

#### **FIRSTCHANCE FUNDRAISING BALL**

**Ms KATE WASHINGTON (Port Stephens) (13:35):** I was delighted to recently attend the 2018 FirstChance fundraising ball, the third annual charity ball for this organisation which delivers important early intervention support for children with a disability from birth to nine years of age. The ball was held to raise



funds for The Little Ones playgroup, a program run by FirstChance to assist families when they first become aware of concerns relating to the development of their baby or small child. The Berejiklian Government de-funded the Little Ones playgroup in June this year. In the face of ceasing support for families at such a difficult time in their lives, the FirstChance board decided that the Little Ones program was too precious to lose. The board called on the community for support—and support it they did. I thank the sponsors and supporters of the event, especially Dynamic Business Technology, Broadmeadow Magic and CINCH Financial Services. I also thank chairperson Linda Dewey, board members Karina Evans, Kynan Cliff, Jennifer Rumbel, Kate Burrows, Haydn Bridge and Stephen Turner and general manager Darleen Taylor. Well done, FirstChance. Thankfully our community understands the importance of the work you all do.

#### **YAMAHA VARIETY JET TREK PARTICIPANTS**

**Mrs LESLIE WILLIAMS (Port Macquarie) (13:36):** There should be more people like my constituent Mr Jason Warneken from Lake Cathie, who intends to embark on a journey to help to raise funds for the children's charity Variety. The 2019 Yamaha Variety Jet Trek adventure, which commences on 29 April, stretches from Sydney to Yamba via Port Macquarie. Participants cover more than 600 kilometres of coastline on a jetski watercraft. The benchmark set by Jason is to reach a goal of \$2,500 in donations before he makes the epic journey. This year 268 people on 115 jetskis took up the challenge to raise vital funding for Variety. They included a group of students from Hastings Secondary College, Westport Campus, who participated in a non-water ride in the Hastings River. Jason has pledged his support for Variety because he wants to provide more financial support for kids who are sick, disadvantaged or have special needs so that they can receive the assistance they deserve to achieve their full potential. Variety is a charity that supports children and families facing hardships through sickness or disability. Through Variety, children with disabilities are given the opportunity for greater mobility and freedom to achieve independence. I encourage the House and my electorate to get behind Jason's trek and donate to support Variety.

#### **INVICTUS GAMES COMPETITORS STEWART SHERMAN AND GRAHAM BELL**

**Ms JENNY AITCHISON (Maitland) (13:37):** Congratulations to Maitland veterans Stewart Sherman and Graham Bell on their selection for the Australian archery team in the upcoming Invictus Games to be held in Sydney. Stewart wants to improve on his previous achievement in making the wheelchair tennis bronze medal match at last year's Invictus Games in Toronto, Canada. The Invictus Games harness the power of sport to inspire recovery, support rehabilitation and generate wider understanding of and respect for the women and men who have served their country and now deal with life-changing injuries, both visible and invisible. Stewart Sherman is a recent war veteran who served in Afghanistan. Warrant Officer Graham Bell is currently posted with the University of New South Wales Regiment as an instructor and served as an Australian Army Reservist for forty years, including deployment to the Solomon Islands. Stewart and Graham both have inspiring stories of resilience, and I wish them success when they compete in October.

#### **TWEED ELECTORATE POLICE AND COMMUNITY CHARITY BALL**

**Mr GEOFF PROVEST (Tweed) (13:38):** I congratulate the Tweed Byron Police District on successfully joining forces with their Queensland counterparts on raising more than \$65,000 for the children's wards of the Tweed and Gold Coast hospitals at the inaugural Police and Community Charity Ball. The ball, held at Seagulls Club, was a huge success, with 600 attendees dressing up in their finest attire. Tweed, Queensland and the Australian Federal police banded together to raise money for the children's wards. Commissioner Michael Fuller, APM, Queensland Police Commissioner Ian Stewart, Federal member for Dickson Peter Dutton and my colleagues the Hon. Thomas George and Mr Chris Gulaptis joined the attendees. The money raised will go to purchasing new paediatric cots for the children's ward at Tweed Hospital.

#### **JUSTICE OF THE PEACE DANNY BERNAL**

**Mr ANOULACK CHANTHIVONG (Macquarie Fields) (13:39):** I acknowledge an outstanding constituent in my electorate, Mr Danny Bernal. Danny's contribution to my community over many decades has been significant. He has been a justice of the peace [JP] since 1986, taking his oath on the day his daughter was born. For many years Danny has been active in his local JP association and over the years Danny has no doubt helped many thousands of people. In a recent discussion with Danny I learnt that in his role as a marriage celebrant he has officiated at around 3,500 ceremonies since 1995. That is a lot of "I dos" to witness. Danny is also heavily involved in and makes a substantial contribution to the Amistad Latina Spanish School. Danny is a highly respected member of my local community and I am grateful for his friendship.

#### **MOSMAN RUGBY CLUB**

**Ms FELICITY WILSON (North Shore) (13:40):** Mosman Rugby Club, the Whales, has a proud history dating back to 1893, making it one of the oldest rugby union clubs in Australia. The Whales have a long

history forged on mateship and camaraderie. New players are always welcomed. This past season the Whales have had tremendous success on the field, on which I congratulate them. For only the fourth time in Mosman Rugby's 125-year history, the club has taken out the Division One club championship for 2018. The club entered six grades and two Colts teams this season and all eight teams made the finals. Six teams made the grand final, resulting in three premierships. The club also took out the Cowboy Cup. Such success does not happen by accident. I thank the players and coaches, along with club president Michael Flude and his team, David Laanemaa, Michael Howes, Tom Jeavons-Fellows, Luke Phillips, Josh Tucker, David Collard, Michael Morgan and Ross Reynolds, and the rugby juniors president John Mutton and members Tom Keller, William Hodge, Bryn Pritchard and Sam Masi.

#### **KALAI VIZHA CULTURAL FESTIVAL**

**Dr HUGH McDERMOTT (Prospect) (13:41):** On 8 September 2018 it was with great pleasure that I attended the annual cultural festival Kalai Vizha, hosted by the Wentworthville Tamil Study Centre at Bowman Hall, Blacktown. Some 700 students performed and more than 1,000 supporters and parents attended the festival. The Wentworthville Tamil Study Centre, popularly known as Wentworthville Tamil School, is a community language school that has been functioning since 1988 at the Girraween Public School. The school's objectives are to teach Australian Tamil children their mother tongue, Tamil traditions and cultures. Currently more than 785 students, mostly from Western Sydney and the electorate of Prospect, are studying at the school. The centre, as part of its educational and cultural program, annually conducts a cultural festival where students stage their many talents. I congratulate the organisers, teachers, parents and especially the children for more than 9½ hours of fantastic entertainment.

#### **SOUTH COAST ELECTORATE MEDIA**

**Ms SHELLEY HANCOCK (South Coast) (13:42):** I acknowledge the extraordinary efforts of journalists in the South Coast area. We are blessed on the South Coast to have quality, fair and usually balanced journalists who for decades have reported news and major events throughout the Shoalhaven and South Coast region. Whether it is major bushfires, as in recent weeks, floods or other natural disasters, our local media outlets are there on the ground with up-to-date reporting, often putting themselves at risk—like the ABC Illawarra, *South Coast Register*, 2ST and Nine News reporting of the mid-August fires in Bomaderry and Ulladulla. These outlets are also instrumental in driving community campaigns, such as the Fairfax Media's FIX IT NOW Princes Highway campaign under the leadership of John Hanscombe, the push for the Bay and Basin police station led by WIN News, and the *Milton Ulladulla Times* assistance with the campaign to purchase the former Shoalhaven Anglican school site. I may not always agree with them and they may not always report stories the way that I like but they are essential to our community. I express my gratitude and appreciation for everything they do.

#### **VALENTINE BOWLING CLUB**

**Ms YASMIN CATLEY (Swansea) (13:43):** The Valentine Bowling Club is a great hub for the community to gather and socialise, particularly its bowls team members. I was delighted to attend its recent annual general meeting. With such a vibrant club in a great location, it is no wonder that it has such an active and engaged membership. The club has 138 women bowlers which, I advise the House, includes a team of four women who are all more than 90 years young. The team, which includes Kath Archer, Coral James and life members Betty Searant and Merle Armstrong, played their first club fours game just last month. They were only one shot behind at the tenth end before they went on to be beaten at the twenty-first end by last year's winners, Kay Johnston, Gwyn Garrett, Irene Shirlow and Loris Humphreys. With such competitive spirit, the women are admired by all. Their contribution does not stop there. Merle has been on the match committee for years and also runs galas for the members who cannot commit to the full pennant season. It is people such as these women who make Valentine Bowling Club such a special place.

#### **OATLEY ELECTORATE SCHOOLS DROUGHT ASSISTANCE**

**Mr MARK COURE (Oatley) (13:44):** I am incredibly impressed by and proud to inform the House about the many local schools in my electorate that have been involved in fundraising activities to assist farmers to get through the current drought crisis. Georges River College, Oatley Senior Campus, held a farmer mufti day on 4 September, with students wearing jeans and flannelette shirts—I would have been at home. The school raised \$2,650 which will go towards the purchase of 100 bales of hay and 13 hampers for rural families. Other schools in my electorate have also been out there raising much-needed funding.

These include Hurstville Grove Infants School, Connells Point Public School, Narwee Public School, Peakhurst Public School, St Declan's Catholic Primary School and St Joseph's Catholic Primary School at Oatley, where I went to school. The students who attended 3Bridges Before and After School Care in Penshurst spent one afternoon baking and decorating cupcakes which were sold for a gold coin donation. The generosity of primary and high school students in my local area as well as those involved in before and after school care programs is

impressive. This shows that people do not need to be exposed to the effects of a crisis to be able to make an impact. I say well done to everyone who got involved.

#### **WHEELEASY WEBSITE**

**Ms LIESL TESCH (Gosford) (13:45):** I say a huge congratulations to Max and Justine Burt of Pearl Beach for the launch of the WheelEasy website, which is driving accessibility and inclusion in the built environment from the bottom up. From the top down, whilst the Parliament passed in 1992 the Disability Discrimination Act making it unlawful to discriminate against a person in many areas of public life, including accessing employment and public places because of disability, we still have a long way to go. As a wheelchair user, Max has developed WheelEasy to allow people with and without disabilities to go online and give feedback about accessibility in their local community.

We visit, we do our own audits and we fill in the blanks about cafes, shops and restaurants. The information is then moderated behind the scenes at *wheeleasy.org* and provides feedback by giving green, amber or red lights for accessibility. Walking frame users, mum and dads with prams, oldies, wheelchair users, our friends, families and carers can quickly plan a great, fully inclusive day out using the information on the WheelEasy website. Welcome to the world, WheelEasy. I thank the Gosford electorate, which is a great place to create and build new ideas.

#### **NSW RURAL FIRE SERVICE STATE CHAMPIONSHIPS**

**Ms STEPH COOKE (Cootamundra) (13:46):** Last weekend I was honoured to represent Minister Grant in opening the 2018 NSW RFS State Championships in my hometown of Temora. More than 450 NSW Rural Fire Service [RFS] volunteers across 14 senior and 12 junior teams demonstrated their skills and showcased their experience, with the Thanowring team, Monteagle composite team and Gundagai High School cadets representing the Cootamundra electorate. It is with immense pride that I can share with the House today that the Gundagai High School RFS cadets came out on top. I extend my warmest congratulations to outstanding junior firefighter Chanise Denning and the team's coach, Dale Chadwick. I congratulate Gundagai and all our RFS volunteers across the electorate. They, their families and communities should be very proud of all they do for us.

#### **KAMIRA DRUG AND ALCOHOL TREATMENT SERVICES**

**Mr DAVID HARRIS (Wyang) (13:47):** In 1982 a women's drug and alcohol treatment service known as Kamira was established on the Central Coast. It was created in response to the growing need for residential alcohol and other drug treatment for women with children in New South Wales. Kamira has a governance committee comprising women from the community and receives funding from NSW Health and the Commonwealth Department of Health. Kamira provides alcohol and other drug treatment services for women with or without children from across New South Wales, which include an abstinence-based residential treatment service for women who are experiencing problematic alcohol or drug use. The testimonials from women who have been through Kamira speak for themselves. This is a wonderful service on the Central Coast. Our State needs more organisations such as this to help those in need to take control of their lives. I thank and recognise all those involved in this wonderful and essential service.

#### **WEST LINDFIELD SPORT AND RECREATION CLUB**

**Mr JONATHAN O'DEA (Davidson) (13:48):** The New South Wales Government's Community Building Partnership [CBP] program helps create vibrant, inclusive and well-serviced communities. Last week I attended the opening of the new bus bay at West Lindfield Sport and Recreation Club. The club received an \$80,000 CBP grant to build a bus bay to enable schools and community groups to access the club's facilities. Complementary funding came from the club, Ku-ring-gai Council and Bendigo Community Bank. The club area features four state-of-the-art synthetic futsal fields, a fully licenced clubhouse and a bowling green. Located near bushland, it provides a vibrant social environment for families and friends while promoting team sports for all ages. The new bus bay will extend these social and community opportunities to more schoolchildren and other community organisations wanting to participate in team sports, thus helping build a healthier and more engaged community.

#### **ROTARIAN AND VOLUNTEER PETER SMITH**

**Ms JODI McKAY (Strathfield) (13:49):** I bring to the attention of the House the significant contribution of Mr Peter Smith, who was recently awarded as the Centre for Volunteering Senior Volunteer of the Year and Volunteer of the Year for the Sydney Mid Western region. Anyone who knows Peter knows he has a passion for helping others, which is reflected in the countless community events and groups he is involved with. They include the Salvation Army Red Shield Appeal, Clean Up Australia Day and the annual Strathfield Carols by Candlelight. As an active member of the Strathfield Rotary Club, Peter initiated the Graffiti Removal Project

and established the Rotary Rotaract Club for young adults in the Strathfield area. Even with all this to keep him busy, Peter still finds time to mentor students through the Homebush Boys Interact Club. I acknowledge the incredible contribution he has made to our community both as a former mayor of Strathfield and as a volunteer. I place on the record of this Parliament our gratitude for his many years of service to the community.

#### **JUVENILE DIABETES ADVOCATE CHARLOTTE KENNEDY**

**Mrs LESLIE WILLIAMS (Port Macquarie) (13:50):** I recognise a courageous young woman in my electorate, Charlotte Kennedy, for raising awareness for young people diagnosed with juvenile diabetes. At the age of three Charlotte was diagnosed with type 1 juvenile diabetes, which completely transformed the life of her entire family. The Juvenile Diabetes Research Fund [JDRF] immediately responded to their request for help, offering information on a variety of support options to treat her condition. With early intervention and support from JDRF, Charlotte has been able to tap into new technologies to monitor her blood glucose levels and has received educational advice that focuses on nutritional diet options to help her to live a normal, happy life.

JDRF is the leading organisation funding type 1 diabetes research in Australia. It focuses on research and development in finding a cure while offering families advice and support on new technologies to treat diabetes from adolescence to adulthood. Charlotte and her mother, Emily, joined a delegation to Parliament House at Canberra as representatives from the Cowper electorate for Kids in the House to raise awareness of the importance of government investment in finding a cure for diabetes. I commend Charlotte for her tenacious spirit and strong advocacy in ensuring that current and future governments continue to fund the great work of the Juvenile Diabetes Research Fund.

#### **BANKSTOWN NORTH PUBLIC SCHOOL**

**Ms TANIA MIHAILUK (Bankstown) (13:51):** On Friday 8 September I was delighted to join Bankstown North Public School to celebrate its 150th birthday. It was an absolute pleasure to be there. I acknowledge Principal Jon Godwin for his kind invitation and for giving me the opportunity to plant a tree next to the time capsule to commemorate the special occasion. The anniversary marks not just the school's 150th birthday but also 150 years of quality public education in Bankstown, which is truly something to be proud of. I congratulate all past and present staff, students, teachers, parents and the entire school community on their contribution to the school and to making public education fantastic in Bankstown. I also acknowledge the Parents and Citizens Association and the many guests who came along to the assembly, parade and tree planting and the other amazing activities held throughout Friday and Saturday. They had a wonderful festival. I wish Bankstown North Public School a happy 150th anniversary.

#### **ENSEMBLE THEATRE**

**Ms FELICITY WILSON (North Shore) (13:52):** I congratulate the Ensemble Theatre in Kirribilli on its sixtieth anniversary. The Ensemble is considered to be the longest continuously running professional theatre in Australia, and we are truly blessed to have a theatre of its calibre operating in our community of North Shore. In particular I congratulate the artistic and creative team, led by Mark Kilmurry, on their outstanding work which has made the theatre what it is today. Recently I was pleased to be joined by the Minister for the Arts, the Hon. Don Harwin, to announce two grants for the theatre totalling over \$124,000 which comprised more than \$64,000 towards the touring of theatre's production of *Two* by Jim Cartwright and \$60,000 towards the renovation of the theatre premises to meet accessibility standards. I know that the Minister is also a big fan of the Ensemble Theatre; I regularly see him there supporting our local cultural institution. I again congratulate the theatre on its 60 years. I am really proud to continue to support it.

#### **REDHEAD HUNT 4 HD FOUNDER RACHAEL BROOKING**

**Mr PHILIP DONATO (Orange) (13:53):** I recognise Rachael Brooking, the founder and organiser of the Redhead Hunt 4 HD, which is an annual event in Orange that raises awareness of and funding for Huntington's disease. As part of the event Rachael is organising her second Guinness World Record attempt for gathering the most redheads together in the one place. Why redheads? First, because Rachael's mother, who died of Huntington's disease at the age of 50, had striking red hair. Secondly, because we are from a place called Orange. Huntington's disease is an inherited disease, which therefore affects families and not just individuals in a family. More than 600 families across regional New South Wales and the Australian Capital Territory are known to be affected by this fatal disease. For many years now—even before creating this special family event that is open to all, not just redheads—Rachael has been a tireless advocate for Huntington's disease. This year's Redhead Hunt 4 HD, including the Guinness World Record attempt, will take place on Saturday 29 September at Wade Park in Orange. I thank Rachael for her remarkable efforts.

**TEMPORARY SPEAKER (Mr Adam Crouch):** I will now leave the chair. The House will resume at 2.15 p.m.

*Announcements***MITOCHONDRIAL DISEASE AWARENESS WEEK**

**The SPEAKER:** I remind members that this week is Mitochondrial Disease Awareness Week, which will run until Saturday 22 September 2018.

*Visitors***VISITORS**

**The SPEAKER:** I extend a very, very warm welcome to the delegation of Anzac Ambassadors in the gallery today, who I joined in Israel last year, along with the Minister for Veterans Affairs, the member for Miranda and the member for Rockdale, for the centenary of the Battle of Beersheba. The Anzac Ambassadors Program is an initiative of the Minister for Veterans Affairs and I congratulate him because I know that these students got a lot out of it. I thank the member for Rockdale and the member for Miranda, who provided such mentorship and leadership that they were like mum and dad. I also thank ClubsNSW for its support. Thank you so much for your efforts—and also for marking those essays.

**Mr Jihad Dib:** He outsourced it, Madam Speaker.

**The SPEAKER:** No, he did not. He spoke to me at lunchtime about it. He did not outsource it. The Anzac Ambassadors in the gallery are Eloise Cooper, Eeva Lehtonen, Brindavani Sritharan, Hunter Leech and Oliver Litchfield, guests of the Speaker and member for South Coast. I am glad that you are able to join me today.

I welcome students, parents and teachers from Meadowbank Public School and North Ryde Public School, guests of the Minister for Finance, Services and Property and member for Ryde. I also welcome Bronwyn Petrie from the NSW Farmers Association, a guest of the member for Coffs Harbour. I also acknowledge and welcome a group of school leaders and their teacher from Parramatta High School, guests of the Parliamentary Secretary to the Premier, Western Sydney and Multiculturalism and member for Parramatta.

I also welcome members of the Drummoyne Probus Club to the gallery and especially recognise the mother of the member for Camden, Lynn Patterson—you have done good with your son; he is good—guests of the Parliamentary Secretary for Youth Employment in Western Sydney and member for Camden. I also welcome a delegation of students from the University of Wollongong Liberal Club, guests of the Parliamentary Secretary for Education and the Illawarra and South Coast and member for Kiama.

I also welcome to the gallery students from the Sydney University Parliament and Democracy course, and extend a very, very warm welcome to Jeremy Travers. It is always great to see you back. I also welcome the At-Home Philosophy class. Welcome everybody to the Chamber and welcome to question time. We hope you enjoy the next hour and a half.

*Notices***PRESENTATION**

*[During the giving of notices of motions]*

**The SPEAKER:** Order! The House will come to order. The member will be heard in silence. The Minister for Transport will be called to order if he does not stop interjecting.

**Mr Stephen Kamper:** Give the Speaker a chance.

**The SPEAKER:** Thank you, member for Rockdale. Members will cease arguing.

*Question Time***MEMBER FOR KIAMA**

**Mr LUKE FOLEY (Auburn) (14:26):** My question is directed to the Premier. Today's editorial in the *Australian* national newspaper states:

Gareth Ward is part of the ruthless and, frankly, anti-democratic moderate faction stranglehold on the NSW Liberal Party orchestrated by lobbyist and former MP, Michael Photios.

Does this explain why the Premier will not act on the serious complaint made by her Federal Liberal colleague Ann Sudmalis?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:26):** If the Leader of the Opposition genuinely cared about bullying and allegations around bullying, he would not have asked a question like that. That is my first point.

**Mr Michael Daley:** Ann Sudmalis cares about it.

**The SPEAKER:** I remind the member for Maroubra that the Premier is answering the question.

**Ms GLADYS BEREJIKLIAN:** I am simply making the point that if in his heart he cared about the issue of bullying and allegations he would not ask a question like that.

**Mr Michael Daley:** Why not?

**The SPEAKER:** It is not for the Opposition members to ask questions.

**Ms GLADYS BEREJIKLIAN:** The second point I make is the point I made yesterday: Bullying has no place in any workplace, in any organisation, in any institution. I hope each of us as members of Parliament stands up for that every day and every hour that we are in our jobs. Our first and foremost responsibility is to our community and we need to lead by example. Madam Speaker, I thank you for confirming this advice: Following allegations of bullying made against a member of that side of the House earlier in the year, I am advised that you ordered a review of employment policies and procedures with a specific focus on bullying and harassment.

**The SPEAKER:** Correct.

**Ms GLADYS BEREJIKLIAN:** The Clerk and the chief executive of the Department of Parliamentary Services provided the Speaker with a report, which was accepted and is in the process of being implemented.

**The SPEAKER:** That is correct.

**Ms GLADYS BEREJIKLIAN:** On that basis I say: If anybody has an allegation, there is a process that has already been established in this Parliament. If you are serious about bullying, you will take up that process. But do not come in here and ask me questions like that about bullying.

#### PRIMARY INDUSTRIES

**Mr CHRIS PATTERSON (Camden) (14:29):** My question is addressed to the Premier. How is the New South Wales Government responding to recent reports of sabotage in the fruit industry?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:29):** It is fair to say that all of us have been disturbed and seriously concerned by the recent reports of needles and other items being found in fruit across the country, which started in Queensland and now impacts New South Wales. It is beyond belief that anybody would deliberately sabotage fruit to try to harm people and, in the process, harm our hardworking fruit farmers and the industry. While the information to date suggests that the majority of these criminal acts have originated in Queensland, it is imperative that we give certainty to consumers both here and overseas that New South Wales fruit is safe. Members may be aware that although New South Wales produces only around 1 per cent of Australia's strawberries, it is still important for us to maintain the safety of the industry and the support to the industry. Queensland, in contrast, produces about 33 per cent of the nation's strawberries.

The nature of the strawberry harvest means that the vast majority of the strawberries available in New South Wales supermarkets at the moment have been produced and packed in Queensland. The Queensland season is well under way. For the information of members, the New South Wales strawberry picking season is yet to begin but will commence within the next six weeks. Even so, the fact that deliberately sabotaged fruit has been found in New South Wales, or may have—horrifyingly—been sabotaged after arrival in New South Wales, is a very real and serious concern. This is a disgusting act designed to instil fear in consumers and to undermine our agriculture industry. So far the NSW Police Force has received more than 20 reports of contaminated strawberries, which have been seized for examination. Our thoughts are with the people and families who have already been affected by this issue. We thank all of those consumers for raising the alarm.

I also want farming communities to know we are standing with you shoulder to shoulder and we are working closely with other State and Commonwealth authorities to catch those responsible. I want families to know that our world-class food safety agency is working with law enforcement officers to ensure that the food you put on your table or in your children's lunchboxes is safe. To that end, I am very glad to say the NSW Police Force has this afternoon announced a \$100,000 reward for information leading to the arrest and conviction of the culprit or culprits guilty of this criminal act.

The NSW Police Force has already mobilised significant resources to address this issue, including officers from the police area commands and police districts where reports have been made, along with investigators from the robbery and serious crime squad. New South Wales already has tough powers to deal with this kind of conduct. Deliberately contaminating food is a criminal offence and a threat to public safety. The maximum penalty for this offence in New South Wales is 10 years imprisonment. I expect that those responsible for this crime will be appropriately punished once they are caught.

This is devastating timing for our farmers, with almost 100 per cent of the State in drought and the strawberry picking season about to begin. The New South Wales Government continues to support our farming industry through this very difficult dry period. As members are aware, we have already provided more than \$1 billion in drought assistance to our communities. We stand by, ready to do more if we need to do so. To this end, I welcome the Federal Government's announcement today to increase penalties for food contamination offences and increase assistance for affected producers. I also alert members to the fact that the NSW Food Authority has advised that affected brands have since been recalled. Anyone who has bought contaminated fruit should take the punnet to their local police station immediately for forensic examination. If anyone is concerned about the integrity of the product they have purchased, it should be returned to the point of sale.

This is a serious health concern, but I want to give the community the assurance that our agencies and our police force are doing everything they can to identify the culprits and give them the just punishment they deserve. We want our farming communities to be supported during this difficult time. We ask for all members of the community to take the advice of our food services and food quality agencies. However, we also know that the NSW Food Authority advises that fruit may still be eaten so long as sensible precautions are taken. I urge everyone to follow that advice to make sure safety is first but that we also continue to support our wholesome New South Wales agricultural sector.

**Ms Anna Watson:** Madam Speaker—

**The SPEAKER:** Has the Premier concluded her contribution?

**Ms GLADYS BEREJIKLIAN:** I would have been finished had I not been rudely interrupted by the member for Shellharbour. [*Extension of time*]

I simply want to end on this point: During this difficult time of course we support our agricultural sector. We encourage people to eat the food but we also ask them to take precautions during this time.

#### MEMBER FOR KIAMA

**Ms ANNA WATSON (Shellharbour) (14:34):** My question is directed to the Premier. Will the Premier confirm that a member of Residents against Dapto Jail community group wrote to her after being "verbally abused" by the member for Kiama, advising: "He has anger management issues, no concept of appropriate behaviour and appears to have an issue with women?"

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:35):** Those opposite are on a very slippery slope. I say to all members of this place: If there are serious allegations, you know where to take them. Secondly, I have not sighted that correspondence. If I have received it, I will obviously sight it in due course. But I expect all members of Parliament to conduct themselves appropriately and I have no reason to suspect that the member for Kiama acted inappropriately on that occasion.

#### REGIONAL INVESTMENT

**Mr AUSTIN EVANS (Murray) (14:35):** My question is addressed to the Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business. How is the New South Wales Government continuing to ensure that regional New South Wales receives record funding and is there any threat to that investment?

**The SPEAKER:** I remind members that interjections are disorderly at all times. Opposition members should cease their disrespectful and childish comments.

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (14:36):** I thank the member for Murray for his question. He is a member who cares what happens in his electorate and regional New South Wales. It is an electorate that saw a lot of neglect when Labor was in Government. The only time Labor was interested in the Murray electorate was during the by-election when they made a dirty preference deal with the Shooters, Fishers and Farmers Party. Labor will do anything and say anything to gain power. I worry what the future for regional New South Wales would look like if Labor was ever returned to the Government benches.

I have spoken at length in this place about the great programs of this Government in relation to regional New South Wales including the Stronger Country Communities Fund. We are seeing investment at a local level building the infrastructure on the ground that is important to our communities. I have spoken at length regarding the Regional Growth—Environment and Tourism Fund that is building new products to drive tourism, especially during this time of drought. We know when people visit the regions it means money spent in the local economy, supporting local businesses and, of course, supporting regional New South Wales.

I have talked at length in relation to the investment through fixing country roads or fixing country rail. I have talked at length in relation to the investment that we are now seeing in regional areas where we are building hospitals to deliver local health services to regional communities. I have spoken at length about the investment in new schools, school upgrades and capital works across regional New South Wales. It is clear that the Liberal-Nationals Government has a clear focus on regional New South Wales with investment in infrastructure that will support a vibrant and prosperous regional New South Wales, not just for today but for future generations.

I make it absolutely clear that the job is not yet done. There is more to come. We have a clear plan, we have a vision, we have the budget in place and the Snowy funds placed ready to roll out infrastructure previously unseen in regional New South Wales. We on this side of the House know there continues to be one threat to regional New South Wales. I thank the member for raising the issues in his question. The real threat to regional New South Wales is the Labor Party.

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

**Mr JOHN BARILARO:** What I want people in the regions to understand is that they may end up with the Labor Party in Government through stealth. We all know that the Labor Party and The Greens have swapped preferences over the years. We know what that is about—shoring up seats in Sydney and making sure that they have the balance of power. They will say a lot of things in the regions but when it comes to making the final decision, because of The Greens preferences, they will roll regional New South Wales under the bus. What we have not previously seen but is another deceit by the Labor Party—

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

**Mr JOHN BARILARO:** —is the new preference arrangement with the Shooters, Fishers and Farmers Party. When you think about what the Shooters, Fishers and Farmers Party stands for and you think about what The Greens stand for, they are on opposite sides of the spectrum. Guess what? They throw all their ideology out the back, shut their eyes and block their ears because of political self-interest.

**The SPEAKER:** Order! The member for Maitland will cease calling across the Chamber.

**Mr JOHN BARILARO:** Those opposite will do whatever it takes to get their hands on the regional chequebook. It is a chequebook that is in place to support communities and they want to tear it up.

**Mr Jamie Parker:** We put the Shooters last in Wagga Wagga.

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

**Mr JOHN BARILARO:** The questions are: How do The Greens stand idle while the Labor Party does a deal with the Shooters, Fishers and Farmers Party? How do the Shooters, Fishers and Farmers Party stay idle when they know they are in coalition with The Greens? How does the Labor Party sit idle when they speak with a forked tongue? When I talk about speaking with a forked tongue we know through the—

**Mr Stephen Kamper:** We put the Shooters last.

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

**Mr JOHN BARILARO:** —by-elections last year that the deal the Labor Party did with the Shooters, Fishers and Farmers Party was rejected by the public. We know the Shooters, Fishers and Farmers Party wants to weaken the gun laws in this State. They want to see guns in the hands of 10 year olds and to weaken the gun laws that have kept the community safe. That is their campaign. That is their policy. That is what they stand for. That is what the party was founded on, weakening the gun laws. The Labor Party is prepared to do a deal with the Shooters, Fishers and Farmers Party. My message today is for those who will vote for the Shooters, Fishers and Farmers Party: Do you believe that a Shooters, Fishers and Farmers Party-Labor Party coalition supported by The Greens is going to give the Shooters, Fishers and Farmers Party members the Government they want? [*Extension of time*]

**The SPEAKER:** The Clerk will stop the clock. I ask The Greens to come to order. I warn the member for Newtown to cease interjecting.

**Mr Stephen Kamper:** Are you attacking minorities again?

**The SPEAKER:** Is the member for Rockdale speaking to me?

**Mr Stephen Kamper:** No. I was referring to the Deputy Premier.

**The SPEAKER:** The Deputy Premier has the call.



**Mr JOHN BARILARO:** It becomes even more complicated. We know that this week Mr Borsak travelled to Canberra and met with Pauline Hanson of One Nation. It seems the Shooters, Fishers and Farmers Party will be doing a preference deal with One Nation, who will do a preference deal with the Labor Party, who will do a preference deal with The Greens. I have never seen such a rainbow collection of preference deals. It is very complicated. The question today is to The Greens voters: Are you happy to support One Nation and the Shooters, Fishers and Farmers Party?

**Mr Michael Daley:** Point of order—

**Mr JOHN BARILARO:** I say to the Shooters, Fishers and Farmers Party: Are you happy to support The Greens?

**Mr Michael Daley:** Is there a standing order that requires the speaker to be coherent, because I do not have a clue what he is talking about.

**The SPEAKER:** The member will resume his seat.

**Mr JOHN BARILARO:** That is my point. After the by-election and the tragedy of the shooting in Western Sydney the Leader of the Opposition Luke Foley said, "We need tougher gun laws." I thought from that he may have learnt that after the dirty deal for Cootamundra and Murray they were no longer going to partner with the Shooters, Fishers and Farmers Party.

**Mr Luke Foley:** Point of order—

**Mr JOHN BARILARO:** What did we see in the Wagga Wagga by-election?

**Mr Luke Foley:** John, if you summon the courage to contest a seat you could do a preference deal.

**Mr JOHN BARILARO:** There is no point of order, Madam Speaker. The truth hurts. He said they would not do a deal with the Shooters, Fishers and Farmers Party but what did they do in the Wagga Wagga by-election? They preferenced: one, Labor; two, The Greens; and three, Shooters, Fishers and Farmers Party. What did the Shooters, Fishers and Farmers Party do? They preferenced one, Christian Democratic Party, and three, the Labor Party. They are attempting to hide their preferences because they are embarrassed, and they should be embarrassed.

**Ms Jenny Aitchison:** Point of order—

**The SPEAKER:** The member for Maitland has a point of order. The Deputy Premier will resume his seat.

**Mr JOHN BARILARO:** Even when it concerns a tragedy in the city Labor speaks with a forked tongue. They are on the front foot with gun laws, but then do a deal with the—

**The SPEAKER:** The Deputy Premier will resume his seat.

**Mr JOHN BARILARO:** —party that wants to weaken gun laws in this nation. [*Time expired.*]

**The SPEAKER:** The member for Maitland will resume her seat.

#### MEMBER FOR KIAMA

**Mr PAUL SCULLY (Wollongong) (14:44):** I direct my question to the Premier. Given the serious allegations of bullying made by Ann Sudmalis against the member for Kiama, why does the Premier believe it is appropriate for him to continue his role in developing the Government's anti-bullying strategies for schools?

**Mr Brad Hazzard:** Boring.

**The SPEAKER:** Order! I would not be commenting or interjecting.

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:44):** I acknowledge the question asked by the member for Wollongong. It is very similar to the three or four other questions I have received on this issue. As I said yesterday, the Prime Minister has set up a process for dealing with allegations at that level. I say to the member for Wollongong: Refer to my previous responses. I also say that the member for Kiama has already demonstrated why he is the perfect spokesperson for dealing with experiencing childhood bullying, given his background, and that is a matter for the public record.

#### TEACHER EDUCATION ENTRY STANDARDS

**Ms ELENI PETINOS (Miranda) (14:45):** My question is addressed to the Minister for Education. How is the Government ensuring a high standard in the teaching profession?

**Mr ROB STOKES (Pittwater—Minister for Education) (14:45):** Hello everyone. I thank the member for Miranda for her wonderful question and for her strong advocacy on behalf of the great schools, great teachers and great community she presents in Sydney's south. All of us here would agree that the most important component of our school community in that fundamental relational contract that delivers us the future that we want is our teachers. In each of the communities we represent—indeed in our own families, our own children and own experiences—we know the transformative power of quality teaching. That is backed up with evidence.

We know that the biggest component or indicator of in-school student success is having quality teaching. Teacher quality is not only about academic aptitude but also general characteristics, and a behavioural capacity to engage with young people and to be able to keep those high energy levels over a sustained period. Teaching is in every way a full-time job, but it is more than that. Being an effective teacher not only requires one to be on their game in the classroom but also to be a great example in every part of their life. In many ways our teachers are the custodian of community itself.

Having quality teachers truly matters. Currently we have an extraordinary cohort of teachers, but many of them are reaching the end of their careers. We are looking at the challenge of a whole new generation of teachers coming through the system. The situation was very different when the current generation of teachers was going through university. Our universities were much smaller, entry standards were more tightly controlled and more directly related to an objective assessment of academic merit. This system has been replaced entirely with much larger universities and uncapping of university places. It is an entirely different situation in that a huge number of young people are entering into teaching degrees. That creates a challenge for a large system such as the New South Wales public education system because, of course, with so many teaching graduates being produced from our higher education institutes, we have the opportunity to choose the very, very best.

Currently, barely a week goes by without mention of declining initial teacher education entry standards. Earlier this week a leaked report suggested that in 2015, 28 students were accepted into a particular teaching degree with an Australian Tertiary Admission Rank between 0 and 19. This out-of-date report is the latest addition to a bulging evidence locker exhibiting the protracted battle certain universities have been waging with the teaching profession and the New South Wales Government for the better part of a decade. Both the Government, as the largest employer of teachers in the State, and current teachers and principals, as guardians of the profession, have a legitimate expectation that universities produce graduates who are capable of making significant contributions to the teaching landscape. Perhaps even more importantly, parents have a legitimate expectation that the teachers teaching their kids are the very best available.

In 2016, former Minister for Education, Adrian Piccoli, introduced the highest initial teacher education entry standards in the nation, requiring students to achieve at least three band fives in the Higher School Certificate, one of them being English. Subsequently, universities have frequently told me that this policy does not need to be strengthened further. Rather, we should begin judging universities on the quality of the graduates they produce instead of the students they take in. There is also a practical problem with raising entry standards further. Because of mutual recognition and the proliferation of online degrees, universities in other parts of Australia are producing graduates who have the opportunity to teach in New South Wales schools.

Therefore, we have taken the argument of universities that we need stronger exit standards as opposed to entry standards at face value, signalling that from 2019 all teaching graduates wanting a job in New South Wales government schools will need to meet the criteria of a newly developed Teacher Success Profile. Among other things, graduates will need at least a credit grade point average; will have the entirety of their practical classroom experience assessed; will need to show superior cognitive and emotional intelligence via a psychometric test; will need to have one-on-one behavioural interviews; and, recognising that teaching is relational, will need to undertake an undergraduate degree face to face rather than entirely online unless they are domiciled in a remote location or a personal reason makes online education the only practical option. [*Extension of time*]

I was very glad to hear that the Opposition spokesman for education believes that this sets a standard that is important. It is great that on these matters we can act as an entire Parliament. The Teacher Success Profile incorporates attributes that go beyond those usually assessed, including cognitive intelligence, emotional intelligence, growth mindset, agility, resilience, consciousness and pro-activity. The Teacher Success Profile recognises the role of the teacher includes both readily observable characteristics, and a range of intrinsic and inherent personal attributes that must be considered holistically when determining the suitability of a person to teach. Academic merit alone is not sufficient. We want to ensure that we have graduates who will enjoy the experience of being teachers and who will succeed as teachers as well.

The launch of the new Teacher Success Profile sets a benchmark that university graduates must meet to be eligible for employment as teachers in New South Wales public schools with a key aim that public schools should hire only the best and brightest aspiring teachers. The Teacher Success Profile recognises that success as a teacher is not only the capacity to deliver a curriculum but also the capacity to positively contribute to the school

community and broader culture of our schools and our society. There are few professions as integral to the future prosperity and justice of our State than the teaching profession. Parents are not satisfied with their children being taught by those who have simply met a minimum standard as determined by a university. They want our teachers to continue to be exceptional rather than acceptable. We make no apologies for demanding excellence and we will ensure that the next generation of teachers is as capable as the wonderful teachers serving our school communities at present.

### WAGGA WAGGA BY-ELECTION

**Mr CLAYTON BARR (Cessnock) (14:52):** My question is directed to the Deputy Premier. What is the Deputy Premier's response to claims made by his former Cabinet colleague and respected senior Liberal Matthew Mason-Cox, member of the Legislative Council, that the Deputy Premier committed appalling treachery in undermining the Liberals campaign in Wagga Wagga?

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (14:52):** I have never seen, in my very short political journey, a party celebrating coming third. I wish them all the best and hope they run third in March next year. I wish them all the best because if that is the prize they are aiming for they are on track to win that prize. Let us think about the Wagga Wagga by-election. There was a swing against the Government which, on average, happens. Looking historically, on average, there was a swing against the government of the day—

**The SPEAKER:** Order! I remind the member for Londonderry that this is not a debate.

**Mr JOHN BARILARO:** —but there was also a swing against the Labor Opposition.

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

**Mr JOHN BARILARO:** There was a 5 per cent swing against the Labor Opposition with a star candidate. I think I know why. It was because Luke Foley kept turning up.

**Ms Jodi McKay:** Point of order: My point of order relates to Standing Order 129. The question related to comments made by Matthew Mason-Cox. It is not unreasonable for the Deputy Premier to make comment on those statements.

**The SPEAKER:** Order! The Deputy Premier has been relevant to the question he was asked. The member for Strathfield will resume her seat.

**Mr JOHN BARILARO:** The rumour on Saturday night was that Luke Foley flew home and then he heard that Jodi was on her way, thinking they would celebrate; so he drove back down on the Sunday thinking they were going to celebrate. That is what I have been told by some Labor sources. I am not mentioning the member for Maroubra. I won't dare mention him. Unfortunately I was not here yesterday—

**The SPEAKER:** The member for Bankstown may be removed from the Chamber again if she continues to interject. The member for Londonderry will stop calling it. I have ruled on relevance. Does the member for Strathfield have another point of order? I know you all want to hear it. I hope this is not the same point of order. I have ruled on relevance.

**Ms Jodi McKay:** Point of order: It is Standing Order 129.

**The SPEAKER:** I have already ruled on that.

**Ms Jodi McKay:** This relates to comments made by Matthew Mason-Cox.

**The SPEAKER:** You just said that.

**Ms Jodi McKay:** At least mention his name. What is your response?

**The SPEAKER:** Think of something else. The member for Strathfield will resume her seat. I will not accept another point or order from you.

**Mr JOHN BARILARO:** The wife of the Hon. Matthew Mason-Cox is my optometrist—I thought I would just mention that.

**The SPEAKER:** The member for Rockdale and other members in the Chamber will come to order.

**Mr JOHN BARILARO:** I was not here yesterday and it is right for me to acknowledge the new member for Wagga Wagga, Dr McGirr, as I welcomed the new member for Orange.

**The SPEAKER:** The member for Kogarah will resume his seat, unless he has formally changed seats.

**Mr JOHN BARILARO:** Regardless of political party, it is an honour to be elected to this House. We should treat this House with the respect it deserves. It is an honour and it is humbling that you have a chance in part of your life to be in this House and actually achieve for your community. I acknowledge Dr McGirr. Welcome to the New South Wales Parliament. But I will say this: It will be short lived. We are coming after you. The people of Wagga Wagga—

**Mr Clayton Barr:** Point of order—

**The SPEAKER:** I will wait until the House comes to order. What is the member's point of order? I have ruled on relevance.

**Mr Clayton Barr:** I realise that, but we are now more than three minutes into the answer. The question was specifically about comments by a former colleague, and there is 90 seconds remaining.

**The SPEAKER:** I know that and I have ruled on it. The Minister is being relevant to the question he was asked.

**Mr JOHN BARILARO:** What annoys the Labor Party is that with all it has thrown at the Government in the past 7½ years it has made no traction. Why? They think a 5 per cent swing against it is traction. If we look at the poll numbers of the Leader of the Opposition, I know he is worried because 23 September is just around the corner when they will be able to make decisions about the leadership of the Labor Party going forward.

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

**Mr JOHN BARILARO:** The reality is that the people of Wagga Wagga have been well served by the New South Wales Government.

**The SPEAKER:** I call the member for Cessnock to order for the first time. He will stop calling out.

**Mr JOHN BARILARO:** It is an electorate that has received significant investment in its hospitals, in its cultural and arts precincts, in its sports facilities, in its roads and in its rail. It is an area that, I believe, shows the New South Wales Liberals and The Nationals are working together. You know what they fear the most? It is the unity that is among our Coalition and they try to claim this space because while there is disunity among the Labor Party, when they do dirty deals with the Shooters, Fishers and Farmers Party to try to win power to get into government, the greatest threat to the people of Wagga Wagga will be a Labor Government supported by the Shooters, Fishers and Farmers and The Greens.

**The SPEAKER:** The Labor Opposition will come to order. Order! I call the member for Bankstown to order for the second time. I have asked the House to come to order three times, yet she has continued interjecting.

#### FAIR TRADING

**Mr GREG APLIN (Albury) (14:58):** My question is addressed to the Minister for Innovation and Better Regulation. How is Fair Trading helping people in rural and regional New South Wales?

**The SPEAKER:** There have been enough interjections. Please tone it down. It is childish.

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (14:58):** I thank the member for Albury for his great question. I could not have written it better myself. It was absolutely fantastic and a great question from a great local member—the man with the golden tonsils. Not a day goes by when the member for Albury is not advocating for his community in Albury and for people right across rural and regional New South Wales.

**The SPEAKER:** The member for Rockdale and the member for Kogarah will stop calling out.

**Mr MATT KEAN:** There is no better example of that than the campaign run by the member for Albury to help those residents in Holbrook who were affected by loose fill asbestos. We know that the town of Holbrook was the worst hit town in the whole of New South Wales as a percentage of houses affected by the Mr Fluffy asbestos scheme—37 houses. It was the campaign run by the member for Albury that ensured that the community got adequate compensation that saw a great outcome, it was not only the efforts of the member for Albury. The Government's Voluntary Purchase and Demolition Program meant that those residents of those 37 houses not only had their health protected by removing this dangerous and toxic substance from houses in Holbrook but also the value of their properties was underwritten, which meant that they would not be financially worse off.

I thank the member for Albury for his work with Fair Trading. It is a great example of the work that Fair Trading is doing in rural and regional New South Wales. But it is not just residents in Albury who are benefiting from the hard work of Fair Trading; it is residents right across New South Wales. I put on the record again the \$60 million that this Government is putting back into the pockets of New South Wales consumers because of our

mandatory minimum three-year expiry date on gift cards. Shoppers throughout the regions and throughout New South Wales will be better off. It is not just those who are using those cards, it is also those who are benefiting from our ticket scalping laws, which will bust the business model of dodgy ticket scalpers throughout New South Wales. It means that consumers in the regions will be able to get tickets to the sporting events they want to see at a fair and reasonable price. I know that the member for Albury is very excited about jumping on line to purchase tickets to the upcoming coming Shania Twain concert.

It is not only gift cards and ticket scalping, but also the world-leading reforms that we introduced to allow short-term holiday letting to thrive in New South Wales. There is no greater beneficiary of short-term holiday letting, or the Government's reforms to these platforms, than the citizens living in rural and regional communities, which rely on tourism. It is the lifeblood of their local economies and our reforms have supported that. I am thrilled that members throughout this Parliament have embraced our short-term holiday letting reforms. We know that the member for Strathfield, the baroness of Airbnb, has been an enthusiastic participant in our short-term holiday letting reforms and has listed her manor, I think it is Kia Ora, on Airbnb. I was pleased to see also the member for Blue Mountains embracing short-term holiday letting when she visited Wagga Wagga recently. I extend my congratulations to the new member for Wagga Wagga and wish him all the best representing his community. It is a great honour and I am sure he will do it with distinction.

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

**Mr MATT KEAN:** I for one am looking forward to his inaugural speech because I am sure he has a lot people to thank. At the top of his list to thank is none other than the Leader of the Opposition. Why?

**The SPEAKER:** The member for Liverpool will come to order. I call the member for Kogarah to order for the first time.

**Mr MATT KEAN:** Because just when it looked like Labor might win, what did they do? They sent in the Leader of the Opposition the day before the election to ensure that the candidate from central casting, Dan Hayes, would get over the line.

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

**Mr MATT KEAN:** They sent out a conga line of shadow Ministers to try to get Dan Hayes over the line.

**The SPEAKER:** I have asked the member for Port Stephens to come to order.

**Mr MATT KEAN:** The conga line was led by the member for Swansea, who has no doubt—

**Ms Jodi McKay:** Point of order—

**The SPEAKER:** What is the member's point of order this time?

**Ms Jodi McKay:** It is Standing Order 129. This has absolutely nothing to do with Fair Trading in regional New South Wales.

**The SPEAKER:** Yes it does. That was not the question, actually. You did not listen to the question. The member will resume her seat.

**Ms Jodi McKay:** It was about Fair Trading in regional New South Wales.

**The SPEAKER:** No, that was not the question. The member for Strathfield will resume her seat. She should listen to the question if she wants to take a point of order.

*[Extension of time]*

**Ms Jodi McKay:** Madam Speaker, can I ask you to repeat the question?

**The SPEAKER:** Yes. It was how the Department of Fair Trading is helping people in rural and regional New South Wales.

**Ms Jodi McKay:** That is exactly what I said.

**The SPEAKER:** No, you did not. The member for Strathfield will resume her seat.

**Mr MATT KEAN:** The shadow Minister for Innovation and Better Regulation was in rural and regional New South Wales—

**The SPEAKER:** I suggest that the member for Strathfield not argue with me.

**Ms Jodi McKay:** Given my comments related to the question, will you please rule on my point of order?

**The SPEAKER:** Resume your seat. There is no point of order.

**Mr MATT KEAN:** No doubt the shadow Minister was down there spruiking the Government's reforms to retirement villages, which will make life better and fairer for residents who live in retirement villages in regional and rural New South Wales. The shadow education Minister was also in Wagga Wagga, in rural and regional New South Wales, spruiking the Government's record investment in education and in securing the future of our kids.

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

**Mr MATT KEAN:** The member for Keira was in Wagga Wagga, in rural and regional New South Wales, campaigning for Dan Hayes. Of course, the shadow Minister, and member for Cessnock, the physical education teacher, the man who would be in charge of the State's finances if those opposite come into government, was also down there.

**Ms Jodi McKay:** Point of order: My point of order relates to Standing Order 129.

**The SPEAKER:** I agree with you.

**Ms Jodi McKay:** I agree that the Minister is talking about regional New South Wales but Fair Trading?

**The SPEAKER:** The member does not have to continue. I agree with you. The Minister will return to the leave of the question.

**Mr MATT KEAN:** There was an all-star cast of Labor luminaries visiting rural and regional New South Wales.

**The SPEAKER:** The question asked how the Minister is helping with Fair Trading.

**Mr MATT KEAN:** I was excited to see that they were spruiking our reforms around gift cards, ticket scalping, retirement villages and a whole range of things. The member for Heffron was down there. The member for Fairfield was down there. The all-star cast of Labor luminaries was doing its best to get Dan Hayes over the line. It was all looking good and then enter the member for Maroubra.

**The SPEAKER:** The member for Maroubra will not call out.

**Mr MATT KEAN:** He has a new haircut and a new suit and he has lost weight. It is definitely on.

**Ms Jodi McKay:** Point of order: The Minister is flouting the Speaker's ruling.

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

**Mr MATT KEAN:** The only thing that stopped Dan Hayes winning an historic victory was the Leader of the Opposition turning up.

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

#### PLASTIC WASTE REDUCTION

**Mr GREG PIPER (Lake Macquarie) (15:05):** My question is directed to the Minister for the Environment. With indisputable knowledge that plastics lost to the environment will effectively remain there forever and impact on all biological systems, will the Government act to ensure that there is an appropriate reuse, reprocessing or disposal pathway other than landfill for every plastic produced used in New South Wales?

**Ms GABRIELLE UPTON (Vaucluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (15:06):** I thank the member for Lake Macquarie for his question. It is a real and very good question. I also thank the member for his commitment to a sustainable environment and to practical solutions to environmental issues. The member for Lake Macquarie and I often talk about this and the Government also shares that commitment. It is really important that we reuse and reprocess our plastics. In July the former Federal Minister for the environment, Josh Frydenberg, and I opened a new processing facility at Wetherill Park in Western Sydney—Sydney's first alternative fuel plant—which will create 50 new jobs and turn non-recyclable product into fuel that can be used to create other products. It is being used to power cement kilns in Berrima and overseas. This is a practical way in which we are turning plastic into other uses across our economy.

Another major way in which the New South Wales Government is addressing this issue is through our container deposit recycling scheme. Some 30 per cent of the drink containers that go through that scheme are plastic and they are all being recycled. Since December more than 700 million drink containers have gone through our container deposit recycling scheme. The silence of those opposite is deafening, which means they love this

scheme. Plastics are also being recycled through the yellow bins collected by councils. That is another important way in which we can recycle plastic. In March the New South Wales Government announced a \$47 million package to tackle the challenge China has given us. Earlier this year China said that it would no longer be able to recycle or repurpose a whole lot of contaminated, recyclable wastes. So we took that head on and announced this \$47 million package, which is helping our local councils and our waste industry to offset some of the extra costs associated with recycling. It is also improving their tendering processes. Does the Opposition want to listen to this answer?

**The SPEAKER:** Clearly not. The question is about the environment and they are not interested.

**Ms GABRIELLE UPTON:** They are not at all interested.

**The SPEAKER:** Members will cease having private conversations. The member for Rockdale will cease being silly.

**Ms GABRIELLE UPTON:** Finally, this \$47 million package was to help councils—

**The SPEAKER:** I repeat, members will cease having private conversations. The Minister has the call.

**Ms GABRIELLE UPTON:** The \$47 million package will also help our councils educate communities about what can go into yellow recycle bins—we all have to do a better job at that. I want to remind the House of two more things, including the phasing out of microbeads. Microbeads are in cosmetics and cleaning products. At the national environment Ministers meeting it was reported that at a national level we have voluntarily phased out 94 per cent of products that used to have microbeads. We are taking that plastic out of the environment. Only 6 per cent to go and we will close the gap; I am confident we will do it.

**The SPEAKER:** I know the member for Cessnock is an expert on everything, but he will cease interjecting.

**Ms GABRIELLE UPTON:** They are just some of the practical ways in which the New South Wales and Commonwealth governments, together with the other States and Territories, are tackling the problem of plastics. We all have a personal responsibility to make a good environment. We can all choose not to use a plastic bag or not to take a banana wrapped in cling wrap. In conclusion, I look forward to continuing to work with the member for Lake Macquarie to make New South Wales an environmentally sustainable State.

#### HOUSING INVESTMENT

**Mr LEE EVANS (Heathcote) (15:11):** My question is addressed to the Minister for Planning, Minister for Housing, and Special Minister of State.

**The SPEAKER:** Members will calm down. The member for Heathcote has the call.

**Mr LEE EVANS:** Will the Minister update the House on the Department of Planning's investment in housing and are there any other alternatives?

**The SPEAKER:** If members interject they will be removed from the Chamber and deprived of some humour. The member for Kogarah and the member for Cessnock will be the first members to be removed from the Chamber.

**Mr ANTHONY ROBERTS (Lane Cove—Minister for Planning, Minister for Housing, and Special Minister of State) (15:12):** It is great to be back. I want to thank the eight million people who signed an online petition to get me back—not really, it was just mum and dad. I thank my mum and dad very much—the total of two people who watch question time on the webcast. To Alfie Morrison who is in the gallery I say, "Alfie, this is the reason why you have to stay in school. Stay in school." To Mrs Patterson I say, "Thank you very much for giving us your son, but you can take him back whenever you want." Recently I was up in Newcastle. How good is that beautiful city? While I was there with the Minister for Transport and Infrastructure, the mayor—and what a great mayor she is—and my parliamentary secretary we made an announcement. But who was missing when we were announcing the great new light rail?

**The SPEAKER:** Members will cease interjecting. Those who continue to interject will be removed from the Chamber without warning.

**Mr ANTHONY ROBERTS:** Where was Crackers?

**The SPEAKER:** The Minister will refer to the member by his correct title. The member for Swansea will come to order.

**Mr ANTHONY ROBERTS:** So we sent some people out. There he was, sulking in his office with his Thomas the Tank Engine and Diesel 10, going, "Bad light rail. You are not a useful engine."—in his office,

nowhere to be seen—"You are all bad." I have to say, the opportunity was there for the member to join us in what was a marvellous announcement, but he was hiding and sulking in his office. But not to worry, there is a great Lord Mayor and we are working closely with her. I have been advised that the Opposition benches and the crossbenches—

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

**Mr ANTHONY ROBERTS:** —and, indeed, even The Greens bench have been clamouring for me to be asked a question. I have to say that the box is back and the book is back. Do you know what is not coming back, Madam Speaker? Labor is never coming back. Why? The answer is in the box but I will get to that later on. My Department of Planning and Environment is kicking goals and I could go through a heap of stats: record home approvals, building homes for tomorrow, the parlous State that those opposite left us in, the 100,000 dwelling deficit.

**The SPEAKER:** Order! Members will cease interjecting.

**Mr ANTHONY ROBERTS:** But we are making housing more affordable for the people of New South Wales by increasing and mixing the supply of housing to meet people's different needs. This is the most tangible evidence of Labor's failures. We are building a global city, a city that is meeting the demands of the people who are being born this very day. For members opposite, it is the spectre of part 3A, corrupt planning practices and a crippling lack of supply. Every day we see more evidence of what Labor will do if it gets near the planning regime. It will bring back part 3A and drape its decisions in a cloak of secrecy.

**The SPEAKER:** Order! I call the member for Kogarah to order for the third time. If he continues to behave in that manner he will be removed from the Chamber. He will cease yelling.

**Mr ANTHONY ROBERTS:** Speaking of secrets, Madam Speaker, you have to know where Labor goes to hide. If there is one thing Labor loves, it is hiding behind its keyboards—on its "interwebs", on the "Twtters" and the "Snapbooks", and on this "Instagram" thing.

**The SPEAKER:** Order! Members will come to order. This is not a debate. Members should not try to be equally funny, because they will not be.

**Mr ANTHONY ROBERTS:** There is a new app that shows you—

**Mr John Sidoti:** WeChat?

**Mr ANTHONY ROBERTS:** I have not heard of WeChat but we will look into that.

**Dr Geoff Lee:** It's the Community Party.

**Mr ANTHONY ROBERTS:** Yes, Community Party—I am coming to that. There is a new app that shows who could be the next Leader or Deputy Leader of the Opposition. It is called "Tender" or something. You flick it left or right. But there is the 23 September date. My people are working on it; we will get there. I am not one for telling the world what I am up to on the so-called new "social media."

**Dr Geoff Lee:** Interweb.

**Mr ANTHONY ROBERTS:** Yes, interweb. I keep my presence to a minimum. You would not even realise I am there, but my people and I see everything. But I have seen some very concerning posts by members opposite. As members would be aware, I have been a harsh critic of foreign interference in our democratic system of government. Some people say the word "traitor" gets thrown around a little too carelessly these days; I say the word "traitor" does not get used enough. One member of Parliament, in particular, raises serious cause for alarm.

**The SPEAKER:** Order! Opposition members will come to order. They are so predictable. If there are further interjections, I will stop the clock.

*[Extension of time]*

**Mr ANTHONY ROBERTS:** Indeed it is serious. The Hon. Shaoquett Moselmane, MLC, seems to use his Facebook almost as a piece of daily propaganda for foreign interests. From 26 June, I cite this member's criticism of the Australian Air Force, claiming that our \$7 billion investment in new planes justifies Chinese aggression against us.

**Mr Paul Lynch:** Point of order: My point of order relates to Standing Order No. 129. Whatever this is, it has nothing to do with planning or alternative planning strategies in New South Wales.

**The SPEAKER:** Order! I quite agree. I would appreciate it if the Minister would return to the leave of the question, which is about housing.



**Mr ANTHONY ROBERTS:** Then, on 1 June, he expressed alike that the Chinese Government has banned its citizens from working on Israeli efforts to increase housing supply—something that we know about on this side.

**Mr Paul Lynch:** Point of order—

**The SPEAKER:** Order! The Clerk will stop the clock. Is it the same point of order?

**Mr Paul Lynch:** It is the same point of order. Further, the Minister is now clearly flouting your previous ruling.

**The SPEAKER:** Yes, that is very serious. If the Minister would come back to the leave of the question I would appreciate it.

**Mr ANTHONY ROBERTS:** I am sure the honourable member for Liverpool will join with me in congratulating the Jewish population of Sydney on Yom Kippur—what a great day! Those of us on this side back in our Jewish community and we back in Israel. Further to that, on 1 January the member in the other place called upon the Commonwealth Government to scrap its alliance with Japan and to make a new one with Communist China.

**Mr Paul Lynch:** Point of order—

**The SPEAKER:** Order! The Clerk will stop the clock. I can anticipate the member's point of order. The Minister will return to the leave of the question.

**Mr Paul Lynch:** We just occasionally might have Government Ministers adhering to standing orders.

**Mr ANTHONY ROBERTS:** What is Labor's fascination with a foreign Communist power? Is this another Manchurian candidate?

*[Interruption]*

We have cleared the member of Cessnock—SMOS has cleared him. We have had the interview. He is okay. He has been debriefed and interrogated. He is okay. But it is the rest—

**Ms Jodi McKay:** Point of order—

**The SPEAKER:** Order! It is the same point of order. It would be lovely if the Minister would return to the leave of the question. What is in the box? It is something to do with housing?

**Mr ANTHONY ROBERTS:** All I can say is that if you want to stop repeat offenders do not re-elect Labor members. I would have liked to open the box—today was the box day. But members opposite took all my time. *[Time expired.]*

#### *Personal Explanation*

#### **MEMBER FOR KIAMA**

**Mr GARETH WARD (Kiama) (15:21):** By leave: Opposition members have made allegations in relation to my actions. In fact, the member for Shellharbour cited a letter from a member of the No Dapto Jail group. I deny emphatically the claim that I yelled at or bullied anybody at that meeting. That is simply not true. I would not do that.

#### *Petitions*

#### **PETITIONS RECEIVED**

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

#### **Drought Assistance**

Petition requesting drought assistance in the form of fodder freight subsidies, water carting and water subsidies, livestock genetics storage, low-interest loans and fee relief, received from **Ms Jenny Aitchison**.

**The SPEAKER:** I set down discussion on the petition 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:

#### **Pet Shops**

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

**The Star Casino**

Petition opposing construction of a proposed residential and hotel tower on The Star casino site, received from **Mr Alex Greenwich**.

**Sydney Metro Pitt Street Over-station Developments**

Petition rejecting the current proposed Sydney Metro Pitt Street over-station developments, received from **Mr Alex Greenwich**.

**Globe Wilkins Preschool**

Petition calling on the Government to stop the closure of the Globe Wilkins Preschool, received from **Ms Jo Haylen**.

**Anti-discrimination Guidelines**

Petition calling on the Government to adopt Commonwealth Government guidelines that protect citizens from discrimination on the basis of sexual orientation, gender identity and intersex status, received from **Ms Jo Haylen**.

**Social Housing**

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

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

**Wyong Special Protection Legislation**

Petition opposing the proposed Wallarah 2 coalmine and calling on the Legislative Assembly to pass the Wyong Special Area (Protection) Bill 2015, received from **Mr David Harris**.

**Short-term Letting**

Petition calling on the Government to give owners corporations the authority to control short-term letting in strata buildings, received from **Mr Alex Greenwich**.

**Blue Haven Intersection**

Petition requesting that the Government fund a solution to improve the Blue Haven Way and Motorway Link intersection at Blue Haven, received from **Mr David Harris**.

*Business of the House***NSW SUSTAINING LANDCARE WEEK****Reordering**

**Mr KEVIN ANDERSON (Tamworth) (15:24):** I move:

That the General Business Notice of Motion given by me this day [NSW Sustaining Landcare Week] have precedence on Thursday 20 September 2018.

The motion relates to NSW Sustaining Landcare Week, which took place from 17 August to 2 September, and acknowledges events and activities held throughout that period. It also commends the achievements of the Landcare community in regional, rural and metropolitan New South Wales and notes that this House shows its support for those hardworking volunteers through the NSW Parliamentary Friends of Landcare, of which I am the very proud chair. The motion should be given precedence because this Parliament needs to acknowledge and commend the contribution that Landcare NSW has made over the past 10 years to preserving and improving the State's legendary, distinct and scenic landscape. If the work that it does could be presented on a spreadsheet with numbers, I am sure it would demonstrate a significant return on investment. Across New South Wales, both city and country members have seen evidence of it and we continually commend Landcare for the work it does.

Landcare NSW is the peak body for community Landcare in this State and it is a community-based organisation that focuses on managing and protecting our natural resources. Its members have created more productive and sustainable farms and they are conserving our environment and building more cohesive and resilient communities. The iconic institution has transformed the landscape and enabled farmers, landholders and conservationists to work together at a local level on local issues. The replication of Landcare in more than 20 countries demonstrates how a voluntary grassroots movement can have a global impact. Landcare NSW was established in 2007 as the representative body for Landcare members including regions, networks, groups and

individuals. It promotes and advocates for ecologically sustainable development in New South Wales in partnership with governments, philanthropists and the community.

The movement is growing and there has never been a better time to join Landcare NSW. It represents around 60,000 land carers and 3,000 groups and meets three to four times a year. The organisation is overseen by an eight-member executive and a small team of part-time staff. The importance of the community Landcare movement is highlighted by the impact of the drought on farmers and rural communities. What issue could be more important at the moment? Landcare is about more than just planting trees. It is about sustainable and productive agriculture, environmental conservation, restoration and social capital. The matter is so important that the motion should have precedence tomorrow.

**Ms ANNA WATSON (Shellharbour) (15:27):** Two days ago the Federal member for Gilmore, Ann Sudmalis, accused the member for Kiama of backstabbing, betrayal and the bullying of women. Just so we are in no doubt, I will quote from her statement on 17 September to the Federal Parliament. She said:

Bullying, betrayal and backstabbing have been the hallmarks of one of my state Liberal colleagues Gareth Ward over the past six and a half years.

She also said:

... Gareth has flexed his vengeance on strong Liberal women.

I can tell the House that I know exactly how Mrs Sudmalis feels. For the 7½ years that I have been a member of the New South Wales Parliament I have been subjected to character assassinations and personal attacks by the member for Kiama. I have had my intelligence questioned. I have been called names and a "hopeless, ineffective and useless member of Parliament" by the member for Kiama. Those are the classic hallmarks of a bully. It appears it is not just women in Parliament who the member has a problem with. Since Mrs Sudmalis made her statement in the Federal Parliament, I have been inundated with emails and phone calls from my constituents passing on their experiences with the member. They recount being shouted over at meetings, being talked down to and being threatened when they disagreed with him.

I will read just some of the comments on the Facebook page of the Residents Against Dapto Jail Group. Those residents have attended public meetings with the member for Kiama. One said, "He is rude, ignorant and arrogant." Another said, "He was aggressive with words and body language." Finally, another said, "Women are copping verbal abuse" and "He appears to have an issue with women." Guess what? All of those complainants are women—women without power in this place. And what was their crime? They dared to speak up to a male member of Parliament.

I know that politics is a rough-and-tumble business. Members in this place have seen me robustly debate policy issues with the member for Kiama, but this behaviour goes way beyond that. The behaviour described by the member for Gilmore, the behaviour reported by members of the public and the behaviour experienced by me would not be tolerated in any other workplace. I am shocked and disappointed that the Premier, who I thought would have taken leadership on this type of misogynistic behaviour, is actually defending the member for Kiama. She thinks it is okay. I say to the member that it is time to grow up. You cannot spend your life making excuses. You need to take a good, hard look at yourself and stop bullying women in this place and stop bullying women in the community because it is unacceptable and we will not cop it.

**The DEPUTY SPEAKER:** The question is that the motion of the member for Tamworth be agreed to.

**The House divided.**

Ayes .....49  
Noes .....34  
Majority.....15

AYES

Anderson, Mr K  
Barilaro, Mr J  
Conolly, Mr K  
Crouch, Mr A  
Donato, Mr P  
Evans, Mr L.J.  
Goward, Ms P  
Gulaptis, Mr C  
Johnsen, Mr M  
Marshall, Mr A

Aplin, Mr G  
Bromhead, Mr S (teller)  
Cooke, Ms S  
Davies, Mrs T  
Elliott, Mr D  
Fraser, Mr A  
Grant, Mr T  
Hazzard, Mr B  
Kean, Mr M  
McGirr, Dr J

Ayres, Mr S  
Brookes, Mr G  
Coure, Mr M  
Dominello, Mr V  
Evans, Mr A.W.  
Gibbons, Ms M  
Griffin, Mr J  
Humphries, Mr K  
Lee, Dr G  
Notley-Smith, Mr B

## AYES

O'Dea, Mr J  
Perrottet, Mr D  
Provest, Mr G  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G  
Wilson, Ms F

Patterson, Mr C (teller)  
Petinos, Ms E  
Roberts, Mr A  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

Pavey, Mrs M  
Piper, Mr G  
Sidoti, Mr J  
Taylor, Mr M  
Upton, Ms G  
Williams, Mrs L

## NOES

Aitchison, Ms J  
Barr, Mr C  
Chanthivong, Mr A  
Dib, Mr J  
Foley, Mr L  
Haylen, Ms J  
Leong, Ms J  
McKay, Ms J  
Minns, Mr C  
Scully, Mr P  
Warren, Mr G  
Zangari, Mr G

Atalla, Mr E  
Car, Ms P  
Crakanthorp, Mr T  
Doyle, Ms T  
Harris, Mr D  
Hornery, Ms S  
Lynch, Mr P  
Mehan, Mr D  
Park, Mr R  
Smith, Ms T.F.  
Washington, Ms K

Bali, Mr S  
Catley, Ms Y  
Daley, Mr M  
Finn, Ms J  
Harrison, Ms J  
Kamper, Mr S  
McDermott, Dr H  
Mihailuk, Ms T  
Parker, Mr J  
Tesch, Ms L (teller)  
Watson, Ms A (teller)

## PAIRS

Berejiklian, Ms G  
Constance, Mr A  
Rowell, Mr J

Cotsis, Ms S  
Hoenig, Mr R  
Lalich, Mr N

**Motion agreed to.***Motions Accorded Priority***ELECTION PREFERENCES****Consideration**

**Mr KEVIN ANDERSON (Tamworth) (15:37):** My motion should be accorded priority purely because we find ourselves in a political environment of unprecedented circumstances.

**The DEPUTY SPEAKER:** Order! The Clerk will stop the clock. Those members who wish to have private conversations will do so outside the Chamber.

**Mr KEVIN ANDERSON:** In the past four by-elections in New South Wales an unofficial coalition has been formed between the Labor Party, the Shooters, Fishers and Farmers Party, and The Greens. Those three parties have sold out their party values in order to fulfil preference deals. We call on the New South Wales Labor Party to rule out any preference deal with the Shooters, Fishers and Farmers Party should a preference deal be made between it and Pauline Hanson's One Nation party. It is interesting to note that I just moved a motion in this House to reorder general business tomorrow so that we can talk about Landcare, the environment and sustaining our trees and our agriculture. The Greens voted with Labor not to discuss Landcare.

It starts to cement the feeling we get as we move towards 2019 that those three parties have formed an alliance that is to the detriment of the people of New South Wales, especially those living in regional areas. We know that under The Greens, the Shooters, Fishers and Farmers Party, and Labor this State will stop. The Stronger Country Communities Fund will be gone; Growing Local Economies, gone; Flagship Events Fund, gone; Regional Sports Infrastructure Fund, gone; Regional Growth – Environment and Tourism Fund, gone; Fixing Country Roads, Fixing Country Rail and the Local Sport Grant Program, gone. All those programs have been funded by the Liberal-Nationals Government to support rural and regional New South Wales.

In 2011 we inherited a financial black hole that one could not see the bottom of. Labor cooked the books and it took this Government to repair the economy. In 2015, with asset recycling and with the financial acumen and the economic stability of this Government, we started the building revolution. And that is what we are seeing now. We are seeing hospitals and schools being built and we are seeing roads being repaired. Since 2011, in the Tamworth electorate alone \$42 million has been spent on roads. When that is replicated across rural and regional New South Wales one can see that our rural and regional areas are doing better under the Liberals and The Nationals. We are witnessing Labor, the Shooters, Fishers and Farmers Party, and The Greens abandoning their core constituency, abandoning their communities, to fulfil their thirst for political ideas. We are seeing deals done with Labor and the Shooters, Fishers and Farmers Party. [*Time expired.*]

## WAGGA WAGGA BY-ELECTION

### Consideration

**Mr MICHAEL DALEY (Maroubra) (15:41):** My motion should be accorded priority because it is always good to see an electorate take out the dirty laundry, and that is exactly what happened in the Wagga Wagga by-election. We welcome the defeat because it is—pardon the pun—exactly what the doctor ordered down there in Wagga Wagga. After suffering through council amalgamations, the ban on greyhound racing, the continual arrogance and untruths of this Government, its secrecy and failure to invest in regions, its obsession with stadiums and light rail, and the complete and utter hopelessness of this Premier, it was a total and utter rejection of the Coalition's business model—including putting privatisations before people.

There were many strange results on polling day, but there have been reverberations after the by-election as well. Many of our colleagues have asked the Leader of the Opposition and I, "Is it within the bounds of electoral propriety for us to put up our own posters of Gladys Berejiklian in our polling booths, because we want a swing to Labor?" I said, "We will check that out." Some colleagues have even asked, "Will you be putting up photos of the Premier in Maroubra?" I can inform the House that I will not be doing that. After I put up all my posters of Andrew Constance in the polling booths there will not be any room for posters of Gladys Berejiklian. The fences have limits.

We admire the team effort and the collusion and cohesion between these bedfellows, the Liberals and The Nationals. The Liberal Party united to keep the National Party out of Wagga Wagga. John Barilaro had a secret meeting with the Premier and agreed to that and then he realised, too late, that he had made a mistake. He even threatened to resign if his national executive made him enter a National Party candidate in the Wagga Wagga by-election. Then, with great but not unprecedented rat cunning, he succeeded in getting the National Party to do over the deal. How? Clothing.

It was not about swapping suits with jeans; the Deputy Premier was far sneakier than that. He made them all put on orange McGirr shirts. I could not pick it; I do not have a trained eye. I thought there were no National Party workers present but they were there. Matthew Mason-Cox, that highly respected party elder, called it. He said that John Barilaro had helped Independent Joe McGirr defeat the Liberal Party for the seat of Wagga Wagga. When Wes Fang opened up on him, his response was telling. He said, "I will not be silenced by this blatant intimidation and bullying." It is going on everywhere—in the upper House and the lower House, at Wagga Wagga and Kiama. They just cannot help themselves. Bring on March.

**The DEPUTY SPEAKER:** The question is that the motion of the member for Tamworth be accorded priority.

### The House divided.

Ayes .....44  
Noes .....36  
Majority.....8

### AYES

Anderson, Mr K  
Bromhead, Mr S (teller)  
Cooke, Ms S  
Davies, Mrs T  
Evans, Mr A.W.  
Gibbons, Ms M  
Griffin, Mr J  
Humphries, Mr K  
Lee, Dr G

Aplin, Mr G  
Brookes, Mr G  
Coure, Mr M  
Dominello, Mr V  
Evans, Mr L.J.  
Goward, Ms P  
Gulaptis, Mr C  
Johnsen, Mr M  
Marshall, Mr A

Ayres, Mr S  
Conolly, Mr K  
Crouch, Mr A  
Elliott, Mr D  
Fraser, Mr A  
Grant, Mr T  
Hazzard, Mr B  
Kean, Mr M  
Notley-Smith, Mr B

## AYES

O'Dea, Mr J  
Perrottet, Mr D  
Roberts, Mr A  
Taylor, Mr M  
Upton, Ms G  
Williams, Mrs L

Patterson, Mr C (teller)  
Petinos, Ms E  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G  
Wilson, Ms F

Pavey, Mrs M  
Provost, Mr G  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

## NOES

Aitchison, Ms J  
Barr, Mr C  
Chanthivong, Mr A  
Dib, Mr J  
Finn, Ms J  
Harrison, Ms J  
Kamper, Mr S  
McDermott, Dr H  
Mehan, Mr D  
Park, Mr R  
Smith, Ms T.F.  
Washington, Ms K

Atalla, Mr E  
Car, Ms P  
Crakanthorp, Mr T  
Donato, Mr P  
Foley, Mr L  
Haylen, Ms J  
Leong, Ms J  
McGirr, Dr J  
Mihailuk, Ms T  
Parker, Mr J  
Tesch, Ms L (teller)  
Watson, Ms A (teller)

Bali, Mr S  
Catley, Ms Y  
Daley, Mr M  
Doyle, Ms T  
Harris, Mr D  
Hornery, Ms S  
Lynch, Mr P  
McKay, Ms J  
Minns, Mr C  
Scully, Mr P  
Warren, Mr G  
Zangari, Mr G

## PAIRS

Barilaro, Mr J  
Berejiklian, Ms G  
Henskens, Mr A

Cotsis, Ms S  
Hoenig, Mr R  
Lalich, Mr N

**Motion agreed to.****ELECTION PREFERENCES****Priority**

**Mr KEVIN ANDERSON (Tamworth) (15:52):** I move:

That this House:

- (1) Recognises that following preference deals made in the last four by-elections in New South Wales an unofficial coalition has formed between the Labor Party, the Shooters, Fishers and Farmers Party and The Greens.
- (2) Notes that these three parties have sold out their party values in order to fulfil these preference deals.
- (3) Calls on the Labor Party to rule out any preference deal with the Shooters, Fishers and Farmers Party should a deal be made between it and Pauline Hanson's One Nation Party.

What a phenomenal political environment we find ourselves in at this time. In the past four by-elections, the Labor Party, the Shooters, Fishers and Farmers Party and The Greens—all blinded by their desperate desire for political power—have formed an unlikely alliance. As occurred in the recent Wagga Wagga by-election, Labor went backwards. The Government expects to lose a margin at a by-election but when the Opposition goes backwards it is cause for concern. So Labor has started to buddy up. They are now saying, "What do we have to do to make ourselves relevant?"

**The DEPUTY SPEAKER:** Order! Stop the clock. I would love to put all members on three calls to order. Government and Opposition members will be silent when members are speaking to the motion. The member for Tamworth has the call.

**Mr KEVIN ANDERSON:** We now know that Labor is so fearful about what happened at Wagga Wagga, particularly that it is going backwards, that it held crisis meetings. Labor members asked, "What do we do now?" They started sniffing around the dark corners of Parliament to try to form an alliance that would boost their numbers. The Leader of the Opposition once called the Shooters, Fishers and Farmers Party "extremists", which is extraordinary, but now he is buddying up with them to get the numbers to get across the line. Labor is also partnering with The Greens. Earlier the House dealt with a reordering motion relating to Landcare. I would

think that everyone would support Landcare and the environment but Labor did not vote in favour of the motion and nor did The Greens. That is appalling.

The Leader of the Opposition is trying to drum up support in the community for Labor's budding up with the Shooters, Fishers and Farmers Party and The Greens. The Labor backbench are nervous and want to know how they will explain to their communities that they are supporting a party that wants to put guns in the hands of 10-year-olds. We have the Shooters, Fishers and Farmers Party who want more guns on the streets, The Greens who want drugs in pubs and the Labor Party who is scrambling for relevance. That is a mix nobody wants. The "vote at all costs" approach will not pay dividends; the community will see through it.

As we turn to the role of the Shooters, Fishers and Farmers Party, we find the same abandonment of values and ideals in a bid for power. They frequently vote with Labor. As I look across the Chamber, I see the Shooters, Fishers and Farmers Party member sitting on the Labor backbench. We have seen at polling booths the Shooters, Fishers and Farmers Party encouraging people to vote for Labor. It is the same Labor Party that for years told my community that it would build a hospital in Tamworth, but it never did. It is the same Labor Party that let our local TAFE facilities fall into a disgraceful state of disrepair. It is the same Labor Party that imposed strict native vegetation laws which strangled farmers across our regions. It is the same Labor Party that destroyed the State's economy. It is the same Labor Party that covered New South Wales with coal seam gas exploration licences but quickly backflipped when it suited them. Mr Popularity said, "We don't want that anymore".

Now the Labor Party is partnering with the Shooters, Fishers and Farmers Party because they need them to help them get into government. This toxic alliance will deliver the same old Labor which we know in the regions will choke our communities and send New South Wales back to the Dark Ages. It will send us back to 2011 when New South Wales was in a terrible economic state, requiring incredible financial repair by the Coalition. As we learnt today from the Deputy Premier during question time, the Shooters, Fishers and Farmers Party is in discussion with Pauline Hanson's One Nation to secure a new preference deal. The Shooters, Fishers and Farmers Party member is not listening; he is discussing tactics with Labor Opposition members. Will there be a new coalition of Labor, The Greens, One Nation and the Shooters? The world will have gone mad when that happens. We do not want that to occur. [*Time expired.*]

**Mr JIHAD DIB (Lakemba) (15:58):** I always thought "the Nile" was a river in Egypt but I have never heard denial as I have heard today.

**Mr Gareth Ward:** That is a new one.

**Mr JIHAD DIB:** That is the best I have.

**The DEPUTY SPEAKER:** Order! Members will cease interjecting.

**Mr JIHAD DIB:** The Wagga Wagga by-election was a disaster. Remember Mega Big Daryl, Mega Deals Daryl, Mega Bucks Daryl? He did the worst thing imaginable by forcing a by-election. At the time the Deputy Premier made a lot of noise—and I heard him use the phrase "coward's castle", which I will come to later. He said that The Nationals would run a candidate, that it was a Nationals seat—gunna, gunna, gunna. He ended up scuttling away. He left it to the Liberal Party which ran a candidate, and it was a disaster. We welcome another Independent member, another doctor in the House. Doctors and teachers, how can members not respect such amazing people?

The motion states that Labor has sold out its values. Let us look at the Liberal-Nationals values over the past eight years. They are real estate agents—sell, sell, sell. They have sold \$50 billion worth of public assets. They are flogging things off left, right and centre—\$50 billion worth; \$2 billion worth in the last year alone. They are the values of this Government. The Government is claiming it has won. Hey guys, you lost the seat. I cannot believe that they are carrying on in the House when they lost the seat. Talk about swings. They had a 30 per cent swing against them. For 61 years the electorate of Wagga Wagga seat has been held by the Liberals and it is gone in one by-election.

This is not the only by-election about which they are worried. As we saw during question time, the Coalition is panicking and is on the attack. Why? Because every time there is a by-election they not only lose the electorate but their numbers go down a fair bit. This Government loves to talk about a fight but they did not turn up to the fight in Blacktown or in Canterbury or in Wollongong. They did turn up in Gosford but they may as well not have because Leisl Tesch was unreal. The Coalition loves to talk the talk. They love to talk about all the things they are going to do. I am reminded of that great book by Hans Christian Anderson *The Emperor's New Clothes*. It has been translated into many different languages and over 100 million copies have been sold. The book is about an emperor who believes having new clothes will make a difference. Everyone knows the story: if you are not dressed appropriately, everyone can see through the facade.

After the Liberal Party was smashed and lost the by-election the Deputy Premier said it was about the clothes members wore and that they should wear jeans. What a stupid thing to say. It is not about the clothes; it is about the policies, selling everything off, not looking after the vulnerable, not being open and transparent and backflipping on decisions. That is what turns people off. It has nothing to do with the clothes members wear. The Premier said, "We have to keep it real." How about a reality check? The reality is that the Government lost the seat. The reality is that we have a new member of Parliament who sits on the crossbench. Government members are worried because they are watching this slow train wreck. At every by-election it is the same result: the Government is going down and going backwards.

As we look across the State everything is a temple to this hopeless Government: schools are overcrowded and school maintenance is \$500 million in arrears, we have roads that we cannot drive on, people are worried about the cost of living and are having to decide whether to turn on the heater or put food on the table. That is the result of this Government's policies. Rather than moving this motion, the Government should be talking about what people want to know. How will it govern for the people of New South Wales? When will it do the right thing? The Deputy Premier might think the emperor needs new clothes but I think the Government needs a new emperor.

**Mr KEVIN HUMPHRIES (Barwon) (16:03):** The previous speaker's speech was a bit like a walk through Myers department store. Being a member of Parliament on this side of the House is a privilege, there is no doubt about that. There is no privilege in closing down 2,000 hospital beds or closing 100 schools, which is what Labor did when it was in government. It is a privilege to be part of a government that has built 73 rural medical hospitals and service facilities. Labor, in its 16 years in government, managed three or four.

Politics is incremental. I have lived a privileged life. For six years my family lived in the southern part of Tasmania and in 1995 we moved to Moree. In 1996 the Port Arthur massacre occurred. The Port Arthur massacre brought about a cultural reset in this country that had bipartisan support, not only John Howard and Kim Beazley, the Prime Minister and Deputy Leader of the Opposition at the time, but from all the States including the then New South Wales Labor Government. The gun amnesty resulted in 750,000 guns being handed in. Today we have nearly three million guns in this country. About a 250,000 are not registered because they are in illegal hands. The 1996 gun laws are important. Labor stood behind those gun laws, as we all did. The opening line of the Firearms Act states why the principles of that legislation are important:

- (a) to confirm that firearm possession and use as being a privilege that is conditional on the overriding need to ensure public safety ...

In relation to the Shooters and Fishers Party—they are not the Farmers party; although I defend anyone's right to represent who they choose as a democratic privilege—I take issue with a cultural push that weakens any aspect of the 1996 gun laws. It does not serve the interests of our communities or this country. When we start to see political alliances, cultural change is incremental. It is a sad day when the Labor Party is drawn or suckered in through preference deals to align with a party whose main aim is to weaken the 1996 gun laws, which protect our community. Whilst I respect the right of all members to be in this place, I warn Labor members to be careful what they wish for. As the saying goes, if you lie down with dogs you wake up with fleas. Anyone who is a part of watering down of the 1996 legislation is a flea-ridden dog. Members should be careful who they lie down with because change is incremental. We do not want to go back on those laws. Members need to check their preference deals because they will be badged with those parties. Labor should maintain its original stance.

**Mr GREG WARREN (Campbelltown) (16:06):** By leave, I move:

That the motion be amended by leaving out paragraphs (2) and (3) with a view to inserting instead:

- "(2) Notes The Nationals have sold out their party's values and people in regional New South Wales.
- (3) Again calls on the Liberal and National parties to again rule out a preference deal with One Nation."

There is a new definition of "irony". The wilted spinach of New South Wales politics, otherwise known as the NSW Nationals, talk about getting into bed and lying with dogs. The Nationals are in coalition with the Liberal Party which is, without doubt, the most questionable and useless party that this State and this nation has ever seen. It has no conviction, no values, no execution, nothing at all. The Nationals are in coalition with that mob and sell out everyone in regional New South Wales every chance they get: greyhounds, council amalgamations. What a joke. No spin, no diversion, no fog, no smear can remove the fact that regional New South Wales are fleeing the NSW Nationals, and so they should. Look at the priorities and agenda of this Government, supported by The Nationals.

The schools are falling apart and road upgrades are being pushed to the side. The sentiment of the people was displayed at the Wagga by-election but The Nationals just do not get it. The hapless, hopeless and ham-fisted NSW Nationals are so far out of touch. Regional New South Wales is fleeing The Nationals like the people fled



from the *Titanic*. It is an absolute joke. Watching this mob is like watching that great 1990s show *Seinfeld*—slightly amusing and repetitious but most of all so predictable. If the Liberal-Nationals are not coming into this Chamber congratulating themselves, they are trying to divert attention away from their wrong priorities.

Let me refer to the by-elections. In Gosford there was an 11.9 per cent swing to Labor. In Manly there was a 24 per cent swing against the Liberal-Nationals. In the North Shore, the swing against them was 15.3 per cent. In Cootamundra, the heartland of the NSW Nationals, the swing was 20 per cent. In Murray the swing was 14.8 per cent. They did not even turn up in Wollongong. There was a 21 per cent swing against the Government. The reality is that they have got nothing. The NSW Nationals can come up with all the spin but nothing will divert the attention of the people in the bush away from their incompetence. They will be punished next year when they will be sitting on the crossbenches. Not only will they be sitting in their rightful place on the Opposition benches, they will be a minority party that is as irrelevant as they are now. [*Time expired.*]

**Mr Philip Donato:** I seek leave to speak to the motion.

**Leave not granted.**

**Mr David Harris:** Point of order: Under Standing Order 57, I move:

That the member be now heard.

**Mr Gareth Ward:** To the point of order: That can only be done if there is an opportunity for the member to speak in debate but leave has been denied.

**Mr David Harris:** To the point of order: Standing Order 57 states:

A Member may move without notice that a Member who has risen but not received the call "That the member for ... be now heard". The question shall be decided without debate or amendment.

**Mr Gareth Ward:** Mr Deputy Speaker, can I suggest you seek some advice from the Clerk?

**The DEPUTY SPEAKER:** Can I suggest I do my job? There is no provision to move that the member be heard.

**Mr David Harris:** I seek leave to move a motion to suspend standing orders and sessional orders to permit the member for Orange to speak to the motion.

**Leave not granted.**

**The DEPUTY SPEAKER:** The member for Barwon will come to order. The disrespect that members have for this place is unbelievable. Leave was sought and not granted. Members are arguing with every decision made by the Chair.

**Mr Greg Warren:** They have been doing it all day.

**The DEPUTY SPEAKER:** There is nothing worse than members on one side blaming members on the other side. The disrespect for this House and this Parliament is unbelievable and unacceptable. I call the member for Tamworth in reply.

**Mr Ryan Park:** Mr Donato, there is a child running against you in Orange for The Nationals.

**The DEPUTY SPEAKER:** Order! I direct the member for Keira to remove himself from the Chamber for a period of one hour and 46 minutes.

[*Pursuant to sessional order the member for Keira left the Chamber at 16:14.*]

**The DEPUTY SPEAKER:** The member for Shellharbour will follow the member for Keira. The member will resume her seat. The interjection by the member for Keira was unsolicited and had nothing to do with the motion. The member for Tamworth has the call.

**Mr Andrew Fraser:** Mr Deputy Speaker, as the member for Tamworth had not commenced his speech in reply I suggest that the clock be reset.

**The DEPUTY SPEAKER:** The Clerk will reset the clock.

**Mr KEVIN ANDERSON (Tamworth) (16:14):** In reply: This motion accorded priority shows why Labor should not be in control of this House, because those opposite have lost control at all aspects not only in this House, in flouting your rules, Mr Deputy Speaker. They continually interject and behave disruptively to a point at which the House stands still. It is exactly what happens in regional New South Wales, to a point at which it stands still. In 2011 regional New South Wales was standing still or even going backwards, and we on this side had to repair the economy. To do that we had to make the tough decisions. We made sure we knocked out those

middle manage, high-level, twenty-third floor Macquarie Tower public servants who were soaking up millions of dollars.

We redirected those funds into frontline services where they mattered most: health, education, police, nursing, roads and across the spectrum. From 2011 to 2015 it was budget repair and from 2015 on we built the infrastructure. There were cranes in the sky. We are seeing a record number of hospitals. We are seeing a record number of schools built. We are seeing roads and buildings being repaired, and schools with a backlog of infrastructure maintenance being completed across the board. We are now ensuring those communities that have supported the coalition from 2011 are rewarded now in 2019 for being with us for so long, for sticking with us through those hard times of economic repair and building the infrastructure.

We will continue with the Stronger Country Communities Fund, pushing money back into the regions and where it matters most. If Labor continues to do dirty deals with The Greens and with the Shooters, Fishers and Farmers Party—and Labor is now talking about a desperate desire for political power through One Nation—we will see members opposite in the dark corners and corridors of Parliament where no one wants to go except those doing dirty deals in a desperate grab for power. Who wants to put guns in the hands of 10 year olds? It is the Shooters, Fishers and Farmers Party. Who wants to put drugs back in pubs? The Greens. And who wants to drive this State back to a halt? Who wants to grind them—

**Mr Christopher Gulaptis:** The slag party.

**Mr KEVIN ANDERSON:** The member for Clarence can keep that for himself. Who wants to stop New South Wales? The Labor Party. We cannot afford to let it happen. Bring on 2019. [*Time expired.*]

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

**The House divided.**

Ayes .....32  
Noes .....45  
Majority.....13

#### AYES

Aitchison, Ms J	Atalla, Mr E	Bali, Mr S
Barr, Mr C	Car, Ms P	Catley, Ms Y
Chanthivong, Mr A	Crakanthorp, Mr T	Daley, Mr M
Dib, Mr J	Donato, Mr P	Doyle, Ms T
Finn, Ms J	Harris, Mr D	Harrison, Ms J
Haylen, Ms J	Hornery, Ms S	Kamper, Mr S
Leong, Ms J	Lynch, Mr P	McKay, Ms J
Mehan, Mr D	Mihailuk, Ms T	Minns, Mr C
Parker, Mr J	Scully, Mr P	Smith, Ms T.F.
Tesch, Ms L (teller)	Warren, Mr G	Washington, Ms K
Watson, Ms A (teller)	Zangari, Mr G	

#### NOES

Anderson, Mr K	Aplin, Mr G	Ayres, Mr S
Bromhead, Mr S (teller)	Brookes, Mr G	Conolly, Mr K
Cooke, Ms S	Coure, Mr M	Crouch, Mr A
Davies, Mrs T	Dominello, Mr V	Elliott, Mr D
Evans, Mr A.W.	Evans, Mr L.J.	Fraser, Mr A
Gibbons, Ms M	Goward, Ms P	Grant, Mr T
Griffin, Mr J	Gulaptis, Mr C	Hazzard, Mr B
Humphries, Mr K	Johnsen, Mr M	Kean, Mr M
Lee, Dr G	Marshall, Mr A	McGirr, Dr J
Notley-Smith, Mr B	O'Dea, Mr J	Patterson, Mr C (teller)
Pavey, Mrs M	Perrottet, Mr D	Petinos, Ms E
Provest, Mr G	Roberts, Mr A	Sidoti, Mr J
Speakman, Mr M	Taylor, Mr M	Toole, Mr P
Tudehope, Mr D	Upton, Ms G	Ward, Mr G
Williams, Mr R	Williams, Mrs L	Wilson, Ms F

## PAIRS

Cotsis, Ms S  
 Foley, Mr L  
 Hoenig, Mr R  
 Lalich, Mr N  
 McDermott, Dr H

Barilaro, Mr J  
 Berejiklian, Ms G  
 Constance, Mr A  
 Henskens, Mr A  
 Rowell, Mr J

**Amendment negatived.**

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

**The House divided.**

Ayes .....42  
 Noes .....35  
 Majority.....7

## AYES

Anderson, Mr K  
 Bromhead, Mr S (teller)  
 Cooke, Ms S  
 Davies, Mrs T  
 Evans, Mr L.J.  
 Goward, Ms P  
 Gulaptis, Mr C  
 Johnsen, Mr M  
 Marshall, Mr A  
 Patterson, Mr C (teller)  
 Provest, Mr G  
 Speakman, Mr M  
 Tudehope, Mr D  
 Williams, Mr R

Aplin, Mr G  
 Brookes, Mr G  
 Coure, Mr M  
 Elliott, Mr D  
 Fraser, Mr A  
 Grant, Mr T  
 Hazzard, Mr B  
 Kean, Mr M  
 Notley-Smith, Mr B  
 Pavey, Mrs M  
 Roberts, Mr A  
 Taylor, Mr M  
 Upton, Ms G  
 Williams, Mrs L

Ayres, Mr S  
 Conolly, Mr K  
 Crouch, Mr A  
 Evans, Mr A.W.  
 Gibbons, Ms M  
 Griffin, Mr J  
 Humphries, Mr K  
 Lee, Dr G  
 O'Dea, Mr J  
 Petinos, Ms E  
 Sidoti, Mr J  
 Toole, Mr P  
 Ward, Mr G  
 Wilson, Ms F

## NOES

Aitchison, Ms J  
 Barr, Mr C  
 Chanthivong, Mr A  
 Dib, Mr J  
 Finn, Ms J  
 Harrison, Ms J  
 Kamper, Mr S  
 McGirr, Dr J  
 Mihailuk, Ms T  
 Piper, Mr G  
 Tesch, Ms L (teller)  
 Watson, Ms A (teller)

Atalla, Mr E  
 Car, Ms P  
 Crakanthorp, Mr T  
 Donato, Mr P  
 Greenwich, Mr A  
 Haylen, Ms J  
 Leong, Ms J  
 McKay, Ms J  
 Minns, Mr C  
 Scully, Mr P  
 Warren, Mr G  
 Zangari, Mr G

Bali, Mr S  
 Catley, Ms Y  
 Daley, Mr M  
 Doyle, Ms T  
 Harris, Mr D  
 Hornery, Ms S  
 Lynch, Mr P  
 Mehan, Mr D  
 Parker, Mr J  
 Smith, Ms T.F.  
 Washington, Ms K

## PAIRS

Barilaro, Mr J  
 Berejiklian, Ms G  
 Dominello, Mr V  
 Henskens, Mr A  
 Perrottet, Mr D

Cotsis, Ms S  
 Foley, Mr L  
 Hoenig, Mr R  
 Lalich, Mr N  
 McDermott, Dr H

**Motion agreed to.***Visitors***VISITORS**

**The DEPUTY SPEAKER:** I welcome a very special person to the Speaker's gallery, Mr John Williams, the former member for Murray-Darling.

*Bills***CHILDREN (EDUCATION AND CARE SERVICES) SUPPLEMENTARY PROVISIONS  
AMENDMENT BILL 2018****Second Reading Speech**

**Mrs LESLIE WILLIAMS (Port Macquarie) (16:29):** On behalf of Mr Rob Stokes: I move:

That this bill be now read a second time.

This bill was introduced in the other place on 15 August 2018 and it is in the same form. The second reading speech appears at pages 58 to 60 in the *Hansard* proof for that day. I commend the bill to the House.

**Second Reading Debate**

**Ms KATE WASHINGTON (Port Stephens) (16:30):** As the shadow Minister for Early Childhood Education I lead for the New South Wales Opposition on the Children (Education and Care Services) Supplementary Provisions Amendment Bill 2018. I state at the outset that the Opposition will not be opposing the bill but I will be highlighting some aspects of it that deserve scrutiny. I commence with some remarks about the reforms introduced by Federal Labor which preceded the bill and where we are at today in early childhood education and the importance of quality in the sector.

Possibly the greatest reform to early childhood education in the past decade was the 2012 National Quality Framework for early childhood education and child care. This important national reform was delivered through the Council of Australian Governments by then Federal education Minister Julia Gillard in 2010, who later saw it rolled out as Prime Minister. This complex and important reform required all States and Territories to agree to a common regulatory approach to early childhood education. That approach beds down the concept that quality is the main determinant of improved outcomes in early childhood education.

It is an unfortunate truth that for many generations successive governments have undervalued early childhood education. I recall in recent years the photographic exhibition by KU Children's Services to celebrate 120 years of early childhood education in New South Wales. From what was then known as the Kindergarten Union, we have seen dedicated work, predominately undertaken by women, to deliver high quality preschool education to improve the opportunities for young children over their lifetime. The 2012 National Quality Framework was a dramatic shift in the way governments thought about and funded early childhood education. Due to the complexity of this new nationwide regulation, and the differing early childhood services that existed in each State, a number of services became known as "out of scope" services and they were not covered by the National Quality Framework as part of the 2012 reforms. The Minister has stated that the number of those services, which are still regulated under State law, currently sit at 120.

Those services, which are the subject of this bill, include occasional care services, home-based care services and mobile preschool services. This legislation will transfer the assessment and rating of the current out of scope services to the same national regulations as their early childhood education counterparts. This will mean that all early childhood education services in New South Wales will sit under the same regulatory reforms and requirements. This transfer will also see the administrative fees these services pay come into line with the same fees as those payable by providers of other education and care services under the national law. In addition, any remaining home-based childcare services regulated under the State legislation will be transitioned to family day care services under the national law. This will provide consistency for the families who use the services. Child-minding services in retail shopping centres are a largely outdated concept and this section of the State Act will be removed. The Act will also make a number of other minor revisions and amendments as a consequence of changes to the national law.

In her second reading speech the Minister did not make reference to the fact that this legislation will make it an offence to advertise an education and care service where an application for a provider approval or service approval is pending, unless it is made clear that the service will only be provided once the relevant approvals have been granted. This is designed to reflect the national law and it should improve transparency for families and create a level playing field for all services. One aspect of the bill which was well noticed by the industry was its impact on mobile preschools. Mobile preschools operate in regional, rural and remote areas of

New South Wales to ensure that children across the State have access to a preschool education. They serve small towns, some which I have never heard of, and I grew up in the country. They ensure that quality preschooling is available in all corners of the State. They also serve as an important community hub, supporting families in areas where often there is little support. They are important services delivered to all corners of the State.

The mobile services generally involve an early childhood teacher transporting equipment to a community to run the preschool sessions for the day before moving on to the next community. They set up and pack up every day. The services incur high travel costs and long days of travel, setting up and packing up. It is a long day and a hard day but it is a rewarding day because the children value it and the families value the services. Because mobile preschools operate out of church halls, council halls and school halls, they do not have the same control over their physical environment that a purpose-built preschool would have. Despite this they now come under the same regulation as purpose-built centres and will need to demonstrate that each of the country halls, school halls and town halls that they use are fit for purpose and meet the regulatory requirements. The Minister in her second reading speech stated:

A pilot assessment and rating program with eight services affected by the changes is currently underway. The department will evaluate the pilot to assess sector support needs. Funding has been allocated for sector support to assist all services to transition to the new arrangements.

I hope that this is the case and that the Minister's commitment is well positioned, supported and funded to ensure that there is that transitional support for mobile preschool services to come within the National Quality Framework. Mobile preschools operate in areas where children are at high risk of missing out on an early childhood education and any backward step or barriers put in place could see these services become untenable. Mobile preschools already operate under a different New South Wales funding model to other service-based preschools in recognition of their unique situations and settings. I hope that the department will continue to work with this sector to ensure its continued viability.

I also hope that the directorate, when conducting its assessment and rating on mobile preschool services, applies a lens that allows for the variability and unique nature of every service, so that when the students are relying on the schools—for example, the use of their toilets—they will not be penalised under the new assessment and rating application for using toilets and services that are not the same as those that are seen in service-based preschools. I also hope that the directorate approaches the task of assessment with a supportive demeanour, not the adversarial approach that I have heard has been the case in the past, because it is important to ensure that services can continue to deliver their all-important life-changing preschooling.

Unfortunately, the future viability of all preschools has been placed in doubt by cuts made at a Federal level in the last Federal budget. By virtue of this bill a number of these centres and their services will be shifted to come under the Federal regulation. It is worth noting the current direction of the Federal Government and its approach to funding preschool services is somewhat fragile, to say the least. Earlier I spoke about the errors of past generations and governments of undervaluing preschool education. It was very concerning to see that the current direction of the Federal Government is looking reminiscent of those past years.

It is almost as if the academic findings and internationally agreed understanding of the importance of early education no longer existed because, under the most recent Federal budget, we have seen a \$440 million cut over the forward estimates through a non-renewal of the national partnership agreement. These yearly or biyearly Council of Australian Governments agreements set out the contribution the Federal Government towards preschools in New South Wales. On current trends the national partnership agreement funding represents approximately one-third of the New South Wales preschool budget. If someone in Canberra had cut a third of my department's budget, I would be shouting about it, but we have not heard this from the Minister.

How can preschools, mobile preschools included, have confidence that they will have the funding to make this transition to the Federal regulation if the Morrison Government is intent on slashing preschool funding? It seems that if there is early childhood funding the Federal Government cares about, it is not that of the preschool services in this State. Mobile preschools are now coming under the Federal assessment and rating system, to which there was a \$7 million Federal cut to funds that previously came to this State to conduct those assessments and ratings.

Under Prime Minister Scott Morrison, the New South Wales Government is expected to fund the assessment and rating of centres against the Commonwealth's regulation without support. This situation is untenable. Minister Mitchell told budget estimates that she did not know that the cuts were going to be made—it is good to see the Coalition Federal and State governments working so well together—and that she covered this funding cut from within the education department's existing budget but was unable to say what services had been cut or delayed to reallocate this funding. So someone somewhere is missing out.

Even without this Commonwealth funding cut, the New South Wales Government was falling behind in its assessment and rating of early childhood services. By virtue of this bill, 120 additional services have entered into this assessment and rating system. It is difficult for the sector to be confident that the department can cope. We have seen cuts, we have seen assessments delayed and we have seen some centres not assessed for more than five years, including centres that were previously assessed as working towards the National Quality Framework more than five years ago. This lack of regular assessment has two worrying impacts. Firstly, when centres are doing the wrong thing these issues are not being picked up for a long time. Children could go through an early childhood education service from birth to school before a centre is even assessed.

The lack of assessment also denies the many good services the opportunity to show how high their quality of service is. We are now seeing centres achieving an "excellent" rating, which is what we want to see, but if a centre is assessed at "meeting the National Quality Framework", there is little drive for it to improve its standards to exceed quality when it knows that its service might not be assessed for another five years. The incentives are not really working in the sector. Saying that, I know that so many people who work in this sector are passionate, dedicated, extraordinarily talented and professional people, who always want to be doing the best by the children within their services. Along with Federal cuts and assessment delays, we have also had an underspend from this level of government that then got poured into the Start Strong funding.

**Mrs Leslie Williams:** It was not an underspend.

**Ms KATE WASHINGTON:** I beg your pardon? There was a \$365 million underspend that the Auditor-General identified. I acknowledge the interjection to clarify exactly what I am referring to because there was a \$365 million underspend by this Government into preschools. The Coalition Berejiklian Government was sitting on money that the Federal Government had given to give to preschools. Instead of giving it to preschools, it sat on it for years, which the Auditor-General highlighted. Year on year this holding back of funds and starving preschools of funding happened under this Government. It took Labor to call this Government out on that and then for the Auditor-General to highlight it and reinforce and confirm exactly what we were saying before appropriate spending was returned to this sector. The lack of importance and lack of understanding of early childhood education under this Government and the Federal Government has been on full display.

It was even more evident in this year's State budget when, in her centrepiece announcement on preschool funding for three-year-olds, the Premier was adamant that it would apply to all three-year-olds across the State. When asked about the policy of preschool funding for three-year-olds the Premier failed to understand that children who attend long day care services also have access to preschool and that they are taught by people with tertiary qualifications to a curriculum that her Government is responsible for enforcing. The Premier said:

Many parents did not have the option of preschool because it was too expensive and they were putting their children in child care.

The sector has taken that as being akin to comments by Senator Leyonhjelm when he referred to the educators and teachers in long day services as babysitters. When the Premier made her centrepiece announcement about preschool funding for three-year-olds she also said:

... this announcement alone will save parents or carers with children in early childhood education about \$800 per year.

The Treasurer—the person in charge of the money—echoed that comment when he said:

... from 2019 ... every three-year-old in New South Wales will now have access to subsidised early learning ... saving families on average \$825 a year.

Even the Minister for Early Childhood Education, Sarah Mitchell, said:

We are now the first state in Australia to provide universal access to preschool for all three-year-olds.

In fact, only 17 per cent of three-year-olds in New South Wales—those who attend community preschools—will benefit from that funding. The misleading nature of the announcement will surely come home to roost next January when families enrolling their children in preschool or long day care will expect reduced fees—or even no fees, because that was also reported but not called out. They will be very disappointed when they turn up. Once again, it will be left to service providers to explain to families that the Government's policies are not as the Premier, Treasurer and the Minister said over and over again in their announcements. There is not universal access funding. The gloss has certainly come off this Government's commitment to fund community preschool for three-year-olds. Things only got worse when people finally got the detail and realised it will represent only 25 per cent of the funding that is currently paid for four-year-olds.

Today's legislation brings mobile preschools, occasional care services and home-based care into line with the national regulation ensuring that all early childhood education services in New South Wales are quality services. That is a good thing, but I urge the Minister to ensure that her department gives the services the support they need to transition to the new regulatory regime. Rural and regional communities across New South Wales

cannot afford to have their mobile preschools, their trusted local occasional care or their home-based service fail through the placement of additional barriers that they do not have the time or energy to climb.

I thank the many dedicated and caring early childhood education teachers, who do some of the most important work in the country for little monetary reward in an ever-changing policy minefield. I especially acknowledge the tireless mobile preschool service operators and workers, who set up and pack up across this State every day. I know that mobile preschool service operators often feel forgotten or ignored. I want them to know that they are an important piece of the early education puzzle because of the difference they make to the lives of children who without their efforts would start their schooling struggling and have reduced educational outcomes from the beginning. The communities who rely on those services deserve the same access to high quality as other communities across New South Wales. Labor does not oppose the bill.

**Ms MELANIE GIBBONS (Holsworthy) (16:48):** I support the Children (Education and Care Services) Supplementary Provisions Amendment Bill 2018. The object of the bill is to amend the Children (Education and Care Services) Supplementary Provisions Act 2011 to more closely align the regulation of mobile and occasional education and care services, which do not fall within the scope of the Children (Education and Care Services) National Law, with the regulation of other education and care services under that law. It will do that by applying the objectives and guiding principles of the national law to the New South Wales Act, providing for New South Wales mobile and occasional education and care services to be assessed and rated in the same way as other education and care services are assessed and rated under the national law, applying the National Quality Standard and National Quality Framework to New South Wales mobile and occasional education and care services, and making the administrative fees payable by providers of mobile and occasional education and care services the same as those payable by providers of other education and care services under the national law.

The amendments in the bill also aim to discontinue State-regulated home-based child care so that all home-based child care in New South Wales will be regulated as a family day care service under the national law. Additionally, the bill aims to provide that childminding services in retail shopping centres will no longer be regulated under the New South Wales Act. Importantly, as discussed earlier, the purpose of the bill is to bring the State Act in line with the Children (Education and Care Services) National Law. That will ensure that the high standards and requirements that are regulated under the national law will also apply to the small number of services regulated under the State law.

When the Children (Education and Care Services) Supplementary Provisions Act, known as the State law, was introduced in 2011 it was brought to this place with the intention of ensuring that the regulation of early childhood education and care services in New South Wales was consistent with the national law. Since that time, progressive amendments to the national law have been made, including significant changes as a result of a comprehensive review of the law in 2014. As a result, some gaps have emerged between the regulatory standards of the State law and the revised regulatory standards of the national law. These amendments are designed to protect the health, safety and wellbeing of children and to ensure the delivery of high-quality early childhood education and care services. This will be done by bringing the State law more closely into alignment with the national law.

The bill includes the transitioning of home-based care under State regulation to either ceasing operations or becoming registered as family day care services under the national law. Home-based care is substantially similar to family day care. The transition will mean that the higher standards introduced through the national law over the past few years to lift the quality of family day care will also be reflected in the few remaining home-based care settings. Under the bill, a person may no longer apply for a provider approval or service approval for a home-based education and care service or approval to provide a centre-based education and care service that is a childminding service at a retail shopping centre in New South Wales. The changes are about ensuring that all children throughout the State have access to the same high quality standards no matter what type of service they attend.

The steady rise in standards for family day care since the introduction of the national law in 2012 includes increased requirements for higher standards of qualifications of educators, limitations on the number of preschool-aged children able to be enrolled and improved reporting requirements. The changes will ensure that all early childhood education and care services regulated in New South Wales must be assessed in accordance with the same high standards as any other service type regulated under the national law. That must include quality auditing to the same rigorous regulatory standards set out in the national law. The alignment of the State law with the national law will achieve that purpose.

This Government has made provisions for sector support in the transition of the few remaining home-based care services to family day care under the national law. The sector support will ensure that they are able to meet the increased standards without significant impacts on their service viability. Families accessing all types of services that are approved and operating under the national law will also accrue financial benefits by having access to higher levels of Commonwealth financial support through the Commonwealth Child Care

Subsidy. The bill has a practical health and wellbeing purpose, and alignment will bring greater transparency and benefits to early childhood education and care. As such, it is a bill worthy of support.

As a mother of two young daughters, early childhood education is rapidly becoming important to me. I am proud of our Government's track record and commitment to providing a high-quality early childhood education and care system. In fact, the Liberal-Nationals Government has invested a record amount of funding into this important sector. In June this year we handed down a budget that invested more than \$474 million in early childhood education. That was a monumental achievement—especially for the children and families who use early childhood education and care. Since coming to government in 2011, the Liberal-Nationals Government has invested more in early childhood education every year—again showing our continued commitment to this sector. I thank the Minister for Early Childhood Education, the Hon. Sarah Mitchell, MLC, for introducing this bill in the other place and I also thank her staff and her department for their work on the bill. I commend the bill to the House.

**Ms FELICITY WILSON (North Shore) (16:54):** I speak in support of the proposed amendments to the Children (Education and Care Services) Supplementary Provisions Act 2011. The changes are being made to bring the regulatory standards and requirements for early childhood education and care services regulated under the Act into line with those regulated under the national system. The National Quality Framework has been progressively updated since 2012 and has established a strong track record in promoting quality. In contrast, the State Act has not been formally amended since 2011, which has led to the emergence of a gap in standards across the two regulatory systems, and requirements under the State Act are now out of step with requirements under the national law.

We know that there is strong support in the sector for the National Quality Framework. Surveys undertaken by the Australian Children's Education & Care Quality Authority—the national body for early childhood education and care—show that sector support for the National Quality Framework has consistently been above 95 per cent. We also know that during the last review of the National Quality Agenda, both mobile services and occasional care services were advocating for inclusion to be regulated under the national law. Unfortunately, that did not come to pass because the National Quality Framework is perceived as a unified, consistent and high-quality national system.

The main changes that we are bringing in with this bill, to align the State law with the national law, will go some way towards bringing the consistency, and higher standards and requirements to those services that are not regulated under the national law. The services currently regulated under the State Act include home-based care, centre-based services in shopping centres, occasional care and mobile services. The first major change to these services will be the transition of home-based care and shopping-centre care. Home-based care services will either cease operations or become registered as family day care services under the national law. This transition will mean that the higher standards brought into the national law over the past few years to lift the quality of family day care will also be reflected in the few remaining home-based care settings.

With regard to the distinct shopping-centre category of service, there was only ever one application received for this service type under the State law, and there are none currently approved. This category will no longer be available, with services based in shopping centres able to meet the criteria of other service types under the national law. The second major change will be the introduction of a requirement for occasional care and mobile services to participate in quality assessment and rating. These services are highly valued, and with the changes to the State law they can now be recognised for the quality service that they provide on the same basis as services regulated under the national law. The assessment and rating process involves each service documenting its plans for quality improvement, with implementation of the plan and outcomes tested and validated by the regulator.

Service performance is assessed against the National Quality Standard, leading to an overall rating, which is published. Introducing assessment and rating to these services will promote transparency and accountability, and will assist parents in making more informed decisions about education and care for their children. It will also provide both services and families with a more accurate understanding of the quality of the services their children attend. These benefits are acknowledged by the sector, and organisations representing mobile and occasional care providers support the introduction of assessment and rating for these service types.

The changes to the Act still acknowledge fundamental differences between State-regulated services and services regulated under the national law. Sector support will be provided to services transitioning to ensure they are able to meet the increased standards without significant impacts on their service viability. These amendments are designed to protect the health, safety and wellbeing of children and to ensure the delivery of high-quality early childhood education services to children in New South Wales. They will enable the quality benchmarks and safeguards in place under the national law to be applied also to State-regulated services to ensure that all children throughout the State have access to the same baseline standards, no matter what type of service they attend.



My own community of North Shore has a significant number of early childhood centres and preschools that are servicing our community and our local children, predominantly because we have so many young professionals and dual-professional households. I have spent a lot of time with my local preschools and early childhood centres and recently the Minister responsible for this legislation, the Hon. Sarah Mitchell, the Minister for Childhood Education, joined me in visiting one of my local childhood centres, KU Mosman Community Preschool. One of the Government's investments in quality learning is the Quality Learning Environments fund and I was pleased to be able to bring the Minister out to my electorate to speak about some of the grants that we have provided to my local early childhood centres and preschools, because the framework itself is one way of ensuring quality, but our investment in that infrastructure is another way of ensuring a quality learning environment for our children.

I visited three preschools in my electorate and delivered to them some funding under the Quality Learning Environments fund. KU Grandstand Preschool in North Sydney received just over \$10,000 for investment in an outdoor learning space. That preschool is located next to North Sydney Oval and it has some beautiful outdoor facilities. It is a wonderful preschool servicing the community in North Sydney and that money will help the school improve its outdoor facilities, which have a strong focus on educational play. I also visited Uniting Shirley Road Preschool at Crows Nest, which received a \$15,000 grant for its outdoor learning space. Excitingly, the children are co-designing the space that they would like to see. Some very interesting design ideas were presented to me, and some drawings were gifted to me as well. Some of the children thought the outdoor learning space should include a moat; others wanted some outdoor cooking facilities. These young preschool students have great minds and I know that they will have wonderful outdoor learning facilities because of this fund.

As I mentioned, I also visited the KU Mosman Community Preschool, where the Minister joined me in presenting a \$15,000 grant for air conditioning. The preschool is in an old church hall. Whilst it is a beautiful building, of course it has its challenges as far as heating and cooling. Even during the warmer months sometimes the kids have to rug up in jackets when they are at the preschool. I was very glad that we were able to provide them with that investment. These preschools are examples in my community of the ongoing commitment of our early childhood educators to ensure that the children in our local community have access to high-quality early childhood education. They make me very proud to be the local member.

I look forward to watching these children in our community thrive from this new funding and from the reforms that we are putting in place through with this bill. I know that the Minister is also very proud of the fund and knows that the quality of the learning environment for children is one area in which we can invest to ensure that we are delivering good outcomes for our kids. I note that this program is part of the \$332 million Start Strong Program, which this Government introduced in 2016 and which has been extended to 2021. This is just another example of this Government's and this Minister's investment in early childhood education—investing in our infrastructure, investing in our educators and investing in our kids' futures. I thank the Minister in the other place and I thank the Parliamentary Secretary for introducing the bill into this place. The bill makes important changes to the Children (Education and Care Services) Supplementary Provisions Act 2011, which will ensure the safety of children in this State. For that reason I commend the bill to the House.

**Mrs LESLIE WILLIAMS (Port Macquarie) (17:03):** On behalf of Mr Rob Stokes: In reply: I thank the member for Port Stephens and shadow Minister, the member for Holsworthy and the member for North Shore who have contributed to the debate this afternoon on the Children (Education and Care Services) Supplementary Provisions Amendment Bill 2018. The bill has been developed to minimise differences in regulatory requirements that currently exist between services regulated under the State law and services regulated under the Education and Care Services National Law and regulations. The National Quality Framework has been progressively updated since 2012 and has established a strong track record in promoting quality.

The bill will bring the NSW Children (Education and Care) Supplementary Provisions Act in line with the national law. It will ensure that no matter which type of early childhood education and care service a child attends in New South Wales, their parents can be confident in the quality of that service, and can be assured that there is an adequate system in place to ensure the safety of their child. The Children (Education and Care Services) Supplementary Provisions Amendment Bill 2018 amends the Children (Education and Care Services) Supplementary Provisions Act 2011 to align with the Children (Education and Care Services) National Law.

As has been outlined by others today, the key provisions of the bill include, first, the transitioning and phasing out of home-based care and care in shopping centres as distinct service types under the State law. The bill provides that upon assent, a person may not apply for a provider approval or service approval for a home-based education and care service or approval to provide a centre-based education and care service that is a childminding service at a retail shopping centre. Shopping centre service approvals have not been widely requested by the sector in New South Wales and, in fact, there has only ever been one service application and there are no services currently approved under this category.

The few remaining home-based care services in the State are being supported to transition to meet the requirements to be approved as family day care services under the national law or to cease operation, to ensure that there is no discrepancy in regulatory standards between these two substantially similar service types and to ensure the services are of the highest quality for the health and safety of children who attend. Secondly, extending the assessment and rating process, which is currently used under the national law, to become also applicable for service types regulated under the New South Wales State law. The main impact on services resulting from alignment with national law standards will be the introduction of a system of quality audits and monitoring. The process, known as assessment and rating, involves each service documenting its plans for quality improvement, with implementation of the plan and outcomes tested and validated by the regulator. Service performance is assessed against the National Quality Standard, leading to an overall rating, which is published and publicly available.

I note the shadow Minister's comments relating to mobile services. This amendment will provide for the recognition of high quality mobile and occasional care services that currently sit outside the national law. This is a change that State-regulated services have been requesting since the introduction of the national law, and reflects the commitment by providers and stakeholders in New South Wales to ensure a high-quality early childhood education sector, regardless of the service type. These services are highly valued and with the changes to the State law they can now be recognised for the quality service that they provide on the same basis as services under the national law.

I advise the House that the decision to introduce the assessment and rating system is not taken lightly. The Department of Education has conducted an extensive consultation process regarding the changes, particularly around the introduction of assessment and rating. The department has consulted with the key stakeholder groups affected by the changes, including the Mobile Children's Service Association, the Occasional Child Care Association NSW and Community Connections Solutions Australia. All of these stakeholder groups have supported the introduction of the proposed provisions. The department is continuing to work closely with these groups to ensure that all affected parties are consulted and to ensure the smooth transition to these new changes.

As has been mentioned, a pilot assessment and rating program with eight services affected by the changes is currently underway and the department will evaluate the pilot to assess sector support needs. Specifically with regard to mobile services, this change will help to recognise the high-quality service that is provided in what can sometimes be very difficult circumstances. Mobile early childhood education and care service provides an essential service that would otherwise be unavailable to families with young children, particularly for those who live in very isolated regional and remote parts of the State. Their business model, which can only involve operating from a number of different locations each week, is unique and requires a distinctive regulatory approach.

Despite this, preliminary analysis from the trial and assessment rating program the department has run indicate that some of these services are already operating at a high level, meeting the standards under the National Quality Framework. This is an amazing achievement, and the great work that all mobile and occasional care services do does deserve to be recognised. This amending bill will allow the good work being done in mobile and occasional care services to be recognised on an equal basis to those early childhood education and care services operating under the national law. The sector support provided to assist in this transition will help to ensure that mobile services are subject to the same requirements as other service types in meeting their obligations under the regulatory system and are also able to demonstrate the quality of their service effectively in assessment and rating process.

These changes recognise that while mobile and occasional care services operate in a substantially different environment to centre-based services, they also provide a quality early childhood education for the children in the areas in which they operate. With these changes, New South Wales will be the only jurisdiction that extends assessment and rating to service types not regulated under the National Quality Framework. These changes will provide both services and families with a more accurate understanding of the quality of the services their children attend. These benefits are acknowledged by the sector and organisations representing mobile and occasional care providers, and support the introduction of assessment and rating for these service types. In closing, I also commend all of the early childhood educators across all electorates in New South Wales, no matter what their service types. I commend them for their commitment and dedication to delivery of high-quality early childhood education in New South Wales.

**The ASSISTANT SPEAKER:** The question is that this bill be now read a second time.

**Motion agreed to.**

### **Third Reading**

**Mrs LESLIE WILLIAMS:** On behalf of Mr Rob Stokes: I move:

That this bill be now read a third time.

**Motion agreed to.**

*Matter of Public Importance***YOM KIPPUR**

**Ms FELICITY WILSON (North Shore) (17:10):** I introduce a matter of public importance on Yom Kippur. I take this opportunity to wish all members of our New South Wales Jewish community an easy fast as you mark Yom Kippur today. This is the most sacred day in the Jewish calendar—a time of fasting, prayer, and spiritual renewal. All over New South Wales our synagogues are full with worshippers today on this holiest of High Holy Days. It follows the New Year of Rosh Hashanah in this, the Hebrew year 5779. Rosh Hashanah concluded last week. On passing my local synagogue, Cremorne Synagogue—which is situated in the street between my home and my electorate office—I had the great pleasure of seeing the festivities taking place last week. It was very well attended by our local community. We have a very strong Cremorne Synagogue locally. I am sure they are all enjoying this incredibly sacred day and worshipping at the synagogue.

This Day of Atonement is a chance for us all to take stock of our shortcomings, to reflect on our purpose, and also reflect on our ability to change and grow. It is a time to realise that we can all live a life full of meaning, in dedicating service to others. This self-reflection, atonement and fasting is common to many of our religions in New South Wales, where we follow 146 different religious beliefs. The Jewish religion spans many diverse forms, from Orthodox through to Reform. This is a sign of a healthy society; it is a sign that religious freedom flourishes in our great State and it incorporates freedoms protected by law. Our Jewish community is an integral part of Australia. We are proud to have nearly 37,000 Jewish residents in New South Wales who have played a prominent role in shaping our modern society since the first Jews arrived with the First Fleet. In 1788, there were between eight and 14 Jewish convicts, and by 1851 there were 2,000 Jewish settlers in Australia, which shows that the Jewish community really is a part of our modern Australian story.

Most of our Jewish migration, of course, occurred after World War II when millions were fleeing the horrors of Nazi Germany. They came from every nation in Europe, Russia, and a sizeable contingent from Shanghai in China, where many had found a safe haven. The 1960s saw 60,000 Jewish Australians contribute so much to every trade, profession and service sector. Many organisations such as the NSW Jewish Board of Deputies, Chabad NSW, Jewish House, and Moving Forward Together play a prominent role today in working for a fairer and more just society. Jewish rabbis and community leaders have done much to ensure interfaith dialogue, mutual respect and religious harmony in this State. I have been privileged to work closely with my local Jewish community, including being involved in matters of broader community interests. One of my constituents, Vic Alhadeff, obviously is the chief executive officer of the Jewish Board of Deputies.

I pay tribute to Mr Vic Alhadeff and the Jewish Board of Deputies for playing a leading role in calling for stronger laws against religious and racial hatred. He works constantly and tirelessly in the face of aggressive and hateful commentary to bring together a coalition of people from all walks of life to fight for this important protection. The Government is pleased to achieve such a successful outcome for the people of New South Wales. I acknowledge the work of the Minister for Multiculturalism and the Attorney General for delivering the reforms. Jewish Australians have served this country in every capacity. The Great Synagogue in Sydney features a newly restored honour board to commemorate the sacrifices made by more than 300 Jews in the First World War.

On this most solemn High Holy Day I thank my own Jewish community, and in particular local Cremorne Synagogue representatives Rabbi Chaim Koncepolski and the youngest ever President, Daniel Glaubert, who is in his thirties. The Cremorne Synagogue was founded in 1960 and consists of more than 100 households. As a small, modern Orthodox Synagogue, it prides itself on its sense of community and providing an opportunity to participate in a range of social, educational and cultural activities. In introducing this matter of public importance, I acknowledge prominent Jewish Australians and their contributions to our community.

**Mr JIHAD DIB (Lakemba) (17:16):** I thank the member for North Shore for bringing forward this matter of public importance. Parts of my speech will overlap with the contributions of previous speakers. Yom Kippur, which is usually expressed in English as the "Day of Atonement", is the most sacred and solemn day of the Jewish year. The day is extremely important to people of Jewish faith around the entire world—as many as 15 million people. The first time I heard the phrase I was speaking to a friend, who said, "I am a non-practising Jew". Secular Jews who are not particularly religious will observe Yom Kippur and attend the synagogue on that day. Similarly, people of other faiths do not practise their faith throughout the year in every way they are meant to but will observe it on one particular day.

"Yom" means "day" in Hebrew and "Kippur" comes from a root that means "to atone". Hence, it is the Day of Atonement. Yom Kippur is the tenth day of the seventh month and is regarded as the Sabbath of Sabbaths. Yom Kippur completes the annual period known in Judaism as the High Holy Days or Yomim Noreim—Days of Awe—which commences with Rosh Hashanah. This is a significant event that I alluded to last week and which the member for North Shore spoke about also. I recently joined my good friend Ron Hoenig, who is of the Jewish

faith, on a six-hour road trip. He is presently observing these holy days. We spoke of many things including Rosh Hashanah and its importance, the book, the way things are sealed and faith in general. In the Jewish faith on Yom Kippur God makes the final decision on what the next year will be like for each person. The Book of Life is closed and sealed, and those who have repented properly for their sins will be granted a good new year. As such, wishes for a "good book" are offered as well.

The Day of Atonement is set aside as a time to repent one's sins and to reflect on the past year and the year to come. This time of reflection is something I recognise from a number of faiths, including my own. Many Christians will note the similarities with the period of Lent, which is a time to atone, seek forgiveness, have your sins washed away and hope for a new year with better beginnings. Whatever faith or morals you live by, it comes down to atoning for any wrongdoing and hoping to be a better person in the future. Yom Kippur begins at sundown on Tuesday and runs through to Wednesday evening. Observant Jews generally attend synagogue, with readings from the *Torah*, and fast for 24 hours as well as adhering to other prohibitions around intimacy, perfumes and washing. These practices encourage Jews to ignore physical desires for at least one day each year and focus instead on spiritual needs. Throughout the day there is a concentration on prayer, repentance and self-improvement before returning to the usual daily routine.

What do you say on Yom Kippur? It is a sombre day, a day of remembrance, so you do not say, "I wish you a happy Yom Kippur". The appropriate greeting for Yom Kippur is "G'mar Hatima Tova", or the shorter version "G'mar Tov". Other greetings related to the practices of this solemn day are "May your fast be easy"—or "good Yontif", as my colleague mentioned earlier. I send my best wishes for Yom Kippur not only to my Jewish friends, including my colleague Ron Hoenig and his family, but also to the Jewish Board of Deputies and associated community groups led by my old friend Vic Alhadeff. We have done a lot of interfaith work together. I send my best wishes for Yom Kippur to his wife, Nadine, and their family; to Ernie Friedlander from Moving Forward Together, who is well known in this Parliament, and his family—I acknowledge that Ernie was recognised at last year's holocaust memorial event for his work in the Australian Jewish community—and to Rabbi Zalman Kastel. I think the beauty of Australia is that you can have any number of faiths or no faith and still work together to make the world a better place. I wish everyone all the best for the year, and may the book be a good one.

**Mr BRUCE NOTLEY-SMITH (Coogee) (17:21):** G'mar Hatima Tova. I extend very warm greetings to all Jewish Australians but special greetings on Yom Kippur to those of the Jewish faith who live in my Coogee electorate. As the most solemn day of fasting, prayer and self-reflection, this special day gives Jewish people the chance to renew their faith and commitment whilst seeking forgiveness. Yom Kippur is the holiest day of the year for Jews, when Jewish people are closest to God and the essence of their souls. As most members know, "Yom Kippur" means the "day of atonement". As the verse states, "From this day he will forgive you, to purify you that you will be cleansed from all your sins before God." For nearly 26 hours, Jewish observers will "afflict their souls" by avoiding the five following actions: eating or drinking, wearing leather shoes, applying lotions or cream, washing or bathing, or engaging in conjugal activities. The last one I would not need to go to any special effort to comply with. As on the Sabbath, no work is done and special holiday candles are lit before the onset of the holy day.

For pious Jews, the day is spent in the synagogue where five prayer services are held. Yom Kippur is a day of introspection, prayer and asking for forgiveness from God. Forty days beyond Yom Kippur, on the first of Elul, the shofar is blown every morning and Psalm 27 is recited after the morning and afternoon prayers. The member for Lakemba mentioned the outstanding figures that we have in the New South Wales Jewish community. My great friends Rabbi Gastetner of the Coogee Synagogue, Mendel Kastel, Dovid Slaven, Ernie Friedlander and Vic Alhadeff have been outstanding—amongst many others. The list is enormous. The Jewish community in my electorate, in Sydney and across this country punch above their weight when it comes to making a positive change in this great country. I wish all those of Jewish faith the very best.

**Ms FELICITY WILSON (North Shore) (17:25):** In reply: I thank the member for Lakemba and the member for Coogee for their contributions to the discussion on this matter of public importance. When the member for Lakemba spoke about how the values and ideals of Yom Kippur transfer across many different faiths in our community, he reflected on the unifying nature of our diverse faiths. His faith, my Christian faith and the period of Lent reflects our wish to be better people. Having better beginnings in the New Year and hoping that our sins will be washed away embodies Yom Kippur and the notion that we can all be better people and that we should all ask for forgiveness. We all slip occasionally and may need to sincerely address our own shortcomings and wholeheartedly let go of grudges or misconceptions of people. Yom Kippur allows not only people of the Jewish faith do that; acknowledging their holy high day allows us to reflect on our own shortcomings and opportunities for betterment. I thank the member for Lakemba for making that point.

I also thank the member for Coogee. He has a significant population of the Jewish faith in his electorate and has been heavily involved with community members of the Jewish faith. I thank him for bringing to this august Chamber his involvement in the Yom Kippur tradition and personal observance of abstinence and the lesson that he teaches all of us in doing so. In this House we often reflect on different faiths and cultures and what they bring to our community and our country. It is important for people who are not of the Jewish faith not only to reflect on the immense diversity of people in our community, what they bring to the community and what we can learn from them but also to show them our respect. That is why, in bringing forward this matter of public importance, I am grateful to members on both sides of the House for joining in and acknowledging the contribution of people of Jewish faith across New South Wales and Australia.

Although Yom Kippur is seen by people of the Jewish faith as the most solemn day of the year, it is also suffused with an undercurrent of joy. It is the joy of being immersed in the spirituality of the day and the expression of confidence that God will accept repentance, forgive their sins and seal their verdict for a year of life, health and happiness. We could all enjoy that message today and every day.

#### *Bills*

### **CRIMINAL PROCEDURE AMENDMENT (PRE-TRIAL DISCLOSURE) BILL 2018**

#### **Returned**

**The ASSISTANT SPEAKER:** I report receipt of a message from the Legislative Council returning the abovementioned bill without amendment.

#### *Private Members' Statements*

### **LAKEMBA ELECTORATE INFRASTRUCTURE**

**Mr JIHAD DIB (Lakemba) (17:28):** My electorate has taken a deep interest in what the Premier and Deputy Premier had to say after the disaster that was the Wagga Wagga by-election result. In one of my first speeches in Parliament I spoke about the dire need for easy access at Punchbowl train station. More than three years later, Punchbowl station is still absent from the Government's Transport Access Program, as is Unanderra. I was pleased to hear that our Deputy Premier is imploring his colleagues to ditch the suit for a pair of jeans so that they can get real with voters and that our Premier also believes members should keep it real with voters. I thought this Government might finally have the courage to get real with my constituents and take on some of the challenges in my electorate.

The people of Lakemba have been asking this Government to get real with them for years. They await every budget with optimism, as I do, only to realise that any real investment in our community is completely ignored. We have heard that Punchbowl station is simply too difficult to upgrade. The reality for many of my constituents is that they are prevented from accessing their local train station. Surely this is discriminatory. The reality is that people using wheelchairs must wait for an accessible bus to take them to a nearby station or find another means of getting where they need to go. The elderly or people with prams have to wait for a good Samaritan to help them up and down the three sets of stairs. Lack of access at local train stations impacts people's everyday lives when they are carrying out the most basic functions.

Will the Premier or the Deputy Premier get real with my constituents when faced with the question of why they should have to travel further for an accessible train? Would either of them be willing to spend an hour with me at the station to see firsthand the struggles that people have? It is an open invitation, and I will even shout them a manousheh and a coffee afterwards. And what about Stacey Street, which is one of Australia's most congested roads and the border between the Lakemba and Bankstown electorates? What about Punchbowl Road, Canterbury Road and King Georges Road? These are arterial roads in my electorate and so far if any effort has been made it has been superficial. We hear Government members congratulate themselves in their echo chamber but I say: Get real and live the experience of people in my electorate to see what life is really like under this Government.

The failure to keep it real with my constituents does not stop there. Riverwood train station desperately needs commuter car parking and residents are sick of their suburban streets turning into de facto car parks. With a line that services the airport and the city circle, how can we encourage people to spend the better part of their journey to and from home on public transport when the parking facilities are so dire around suburban stations that people would rather bear the time and cost of driving directly to the airport or the city? This is one solution: The member for Oatley wants the people of Riverwood to sign a petition. I have two words for the member for Oatley. To quote his boss, get real. What hope does Riverwood have of receiving commuter parking if a member of the Government is asking his residents to sign a petition?

Surely, as the Parliamentary Secretary for Transport and Infrastructure, he knows how desperately it is needed? An incoming Labor Government will build a commuter car park in Riverwood. Our Oatley candidate, Lucy Mannering, Federal candidate for Banks, Chris Gambian, and I believe it is a worthy investment. I am glad that we energised the member for Oatley enough to run a commuter car park petition. It tells me that, as a senior member of Government, he knows his Government is doing such a bad job that he has to organise a petition against himself and his own Government. Figure that one out.

But—like the television advertisements from the 1980s—wait, there is more. The disastrous Sydenham to Bankstown Urban Renewal Strategy, which will dump an extra 100,000 people into a region without any plans for new schools, hospitals or greenspace, is the opposite of keeping it real. Keeping it secret might have been a better way to describe the plans that we have seen. The plans identify only which pockets of land will be rezoned for units, but the Government cannot or will not tell us where the new schools or hospitals might be. The Government is prepared to pour \$2 billion down the drain to rebuild Sydney stadiums. This Government is keeping its priorities real. It comes down to what is real and for whom. What is real under this Government is slugging motorists with an unfair and unnecessary toll on the M4, bringing local businesses to their knees with its disastrous light rail project, a \$500 million school maintenance backlog, an elective surgery waiting list that is getting longer, removing the requirement for registered nurses in aged-care facilities, and rising cost-of-living pressures. I could go on.

The saddest part of all this is that the Premier and the Deputy Premier think a change of outfit is what will keep them in touch with the real issues. That is true: Change the outfit by changing the Government. Here is a suggestion. If they want to see reality, they should get out of their ivory towers and speak to the people in my electorate who, over the past few months, have had to decide between turning on the heater or putting food on the table. Talk to the young people who form an exceptionally high proportion of the unemployed and the families who suffer immense mortgage stress. That is what keeping it real is about. It will never be about the Emperor's new clothes. It is about the multitude of policies that are skewed to favour the big end of town over those who are most in need.

#### MITOCHONDRIAL DISEASE AWARENESS WEEK

**Ms MELANIE GIBBONS (Holsworthy) (17:33):** Today I had the privilege of meeting representatives of the Mito Foundation in support of Mitochondrial Disease Awareness Week. The Mito Foundation has had a stand at Parliament for quite a few years and its members were here again today to raise awareness of mitochondrial disease and to educate members about the condition. As we look around, we see our colleagues wearing green ribbons—like the one I am wearing today—thanks to the Mito Foundation,

The Mito Foundation—formerly known as the Australian Mitochondrial Disease Foundation [AMDF]—supports sufferers and their families, funds essential research into the prevention, diagnosis and treatment of and cures for mitochondrial disorders, and increases awareness and education about this devastating disease. One Australian child born each week will develop a severe or life-threatening form of mitochondrial disease. Unfortunately, mitochondrial disease is terminal; there is no cure and few effective treatments. Mitochondrial disease is a debilitating genetic disorder that robs the body's cells of energy, causing multiple organ dysfunction or failure and potentially death. This disease affects one in 5,000 people, making it the second most commonly diagnosed serious genetic disease after cystic fibrosis. One in 200 people, or more than 120,000 Australians, may carry genetic changes that put them at risk of developing mitochondrial disease or other related symptoms including diabetes, deafness or seizures during their lifetimes. Many of these people are symptomatic but undiagnosed or misdiagnosed, some are not yet symptomatic, and others are unknowingly at risk of passing the disease on to their children.

There are many forms of mitochondrial disease; it is highly complex and can affect anyone of any age. Mitochondrial disease can cause any symptom in any organ at any age. It is estimated that only 10 per cent of people with mitochondrial disease are diagnosed. The Mito Foundation is committed to supporting ways to increase diagnosis rates. The Mito Foundation is working towards establishing five sustainable, connected centres of mito excellence within five years to provide more patients with access to specialist care in their State. The foundation is collaborating with international mitochondrial disease—mito organisations—to form a worldwide registry of patients to build a global picture of the incidence of mito. It raises funds through appeals, grants, community-organised events, Stay in Bed Day—that one sounds good—and The Bloody Long Walk national series, and aims to increase the amount raised by 10 per cent each year.

The Mito Foundation has committed to: improve the experience of mito patients and families by offering a range of AMDF and community-generated activities that result in the mito community feeling cared for, heard, supported and empowered; drive research into mito by identifying and funding strategic research initiatives that improve diagnosis and treatment, and translate into preventions and cures; transform outcomes for mito patients and families by advocating to appropriate stakeholders to achieve equitable access to high-quality diagnosis,

treatment and support; increase awareness and understanding of the disease by educating the mito community and key decision-makers to make mito mainstream; and maintain and grow sustainable fundraising practices to support its work.

Mitochondrial disease awareness has been brought to this House particularly through the work of former Whips, including the former member for Wagga Wagga, Daryl Maguire, and the former member for Mount Druitt, Richard Amery. I note that Mr Amery was in the public gallery and in foyer today. He talked to everybody about mitochondrial awareness. I thank him for his work in providing awareness of this disease. His brother, Norm, who was with him today, has mitochondrial disease. It is so important that they continue to help raise awareness and that we promote awareness of this disease in the House. With only 10 per cent of people with mitochondrial disease knowing they have it, is important for our community to highlight this disease—and what better place than in this Chamber. It has been a privilege to acknowledge Global Mitochondrial Disease Awareness Week and the great work that the Mito Foundation does in assisting, advocating and informing the community. I thank the foundation for its work and wish it all the best in its fundraising.

#### WHITE BALLOON DAY

**Mr TROY GRANT (Dubbo—Minister for Police, and Minister for Emergency Services) (17:38):** National White Balloon Day was held on Friday 7 September this year. While it sounds like a fun and festive day, it is anything but. Held during National Child Protection Week, White Balloon Day is an important initiative that is very close to my heart as it is about protecting innocent children from the horrors of sexual abuse and assault. An initiative of the good people at Bravehearts, White Balloon Day aims to educate children, parents and other adults about the need to do more to protect kids from this heinous crime—a crime that reportedly affects more than 60,000 children across our country every year.

Child protection is everybody's business. It is a horrifying reality. I am advised that one in five children will experience sexual harm in some way before they reach their eighteenth birthday. This statistic is not only disturbing but also completely unacceptable. It is important to acknowledge that this crime does not discriminate: Children of all ages, genders, socio-economic and cultural backgrounds are affected. As all members will be aware, I am extremely passionate about preventing the sexual abuse of children. I have stood in this House on many occasions and states clearly that I will do everything in my power to prevent predators from preying on our young people, and support those who have already been victimised in this way.

Children deserve to grow up feeling safe and secure, and be able to trust the adults in their life. That is why I wholeheartedly support Bravehearts and its national initiative to break the silence that surrounds child sexual abuse and empower children and young people to speak out and speak up if they feel unsafe. We will never know who the child sexual predators are until the victims tell us. And the victims will never tell us until we provide an environment that encourages and helps them to do so. That is why the work of Bravehearts, led by Hetty Johnston, is critical in tackling this issue. Bravehearts teaches kids how to use their voice to speak up and speak out. It teaches children personal safety skills and, importantly, helps to equip young people with the knowledge and awareness they need to identify unsafe or risky situations and helps them to understand that their body is their own.

All too frequently, the abuse of children is not committed by some faceless person hiding in a back lane, ready to pounce. Unfortunately, it is often committed by those they know and should be able to trust. We need to break the ability of these predators to groom and manipulate children and young people into secrecy and silence. And we can do this by talking about child sexual abuse openly and honestly, and by empowering our young people to speak up and let them know they will be believed. I thank Bravehearts for all its hard work in this space and for its unwavering efforts to protect our young people. Finally, I thank all members of the House, no matter what side of politics they are on, for wearing the White Balloon Day pin in Parliament today. I thank them for showing their support for the protection of young people across the State.

I am incredibly proud to be part of a government that has done more than previous governments to hold perpetrators to account, increase sentences and hopefully deter child sexual assaults. Much of the work has been fantastic; it has opened the door and shaken this country out of its slumber regarding awareness of the scope and size of institutional sexual assault of children in this State historically. But there is much more to do. I commit my efforts going forward not only to addressing sentencing issues but also to making sure that those who conceal this heinous crime—whether institutions or individuals—are punished appropriately.

Holding people to account for crimes committed in the past will hopefully deter the commission of similar crimes in the future. That is the least we can do for those brave men and women who have come forward through the Royal Commission into Institutional Responses to Child Sexual Abuse. Reparation is a good start, but we have much more work to do. People across this State should know that from this day forward they have a soldier and a warrior standing beside them to help fight this cause.

### NORTH SHORE NATURAL ENVIRONMENT

**Ms FELICITY WILSON (North Shore) (17:43):** The protection of our environment and local character is something that my community of North Shore values greatly. During my 18 months in this House I have worked closely with the Premier, Gladys Berejiklian; the Minister for Planning, Anthony Roberts, and the Minister for the Environment, and Minister for Local Government, Gabrielle Upton, to achieve significant outcomes for the sustainable management and improvement of our parks, gardens, foreshore and national parks.

In this year's budget I welcomed an almost \$10 million boost for walking tracks to upgrade a section of the Sydney Harbour Scenic Walk as well as to implement the Middle Head and Georges Head Master Plan. Sydney Harbour National Park incorporates an iconic walkway and approximately 22 kilometres of the Sydney Harbour Scenic Walk has already been completed. This funding will provide for about three kilometres of mostly new walking track between Middle Head and Georges Head, linking link it to the Sydney Harbour Federation Trust network. It will provide for path and boardwalk works through Georges Head to be integrated with existing bush tracks, grassed routes and the walk through Middle Head. It will also support a range of associated visitor facilities.

The Sydney Harbour Scenic Walk is one of Australia's classic walks. It provides a spectacular experience for Sydney's residents and visitors. Further work on this walk will only enhance an already popular attraction. It is well known that across my electorate we have outstanding views of Sydney's world-renowned harbour and foreshores. However, it is not well known because of limited accessibility. This funding will help to rectify that. My electorate is home to significant cultural heritage values and famous structures, including a lot of Indigenous artefacts as well as military fortifications and casements which date back as far as the Crimean War and were used as recently as in the Vietnam War. As I said, this funding will support the delivery of key safety and accessibility upgrades to visitor facilities and create new experiences.

On the other side of my electorate in the Lavender Bay area, the New South Wales Government has placed Brett Whiteley House and surrounding parklands, including Wendy Whiteley's Secret Garden, on the State Heritage Register. This listing recognises the significant contribution of Brett Whiteley to the cultural heritage of Australia and Wendy's guerrilla garden to our community and beyond. It will protect and preserve this important part of our local cultural heritage now and into the future. It was wonderful to join Wendy Whiteley in the secret garden on a beautiful sunny day to celebrate the listing, together with so many people who made it possible, including the Minister for the Environment, Ms Gabrielle Upton, and Mayor Jilly Gibson of North Sydney Council.

I will always join with the community to help preserve the local character of our area and protect our local environment. The area in which we live represents the contribution of many generations and we must ensure that we cherish and preserve it for generations to come. One of my election commitments was to form the Lavender Bay High Line Committee, a body of community organisations and government representatives, to investigate the feasibility of turning the Lavender Bay rail siding in part or entirely into a park and walkway for local residents as well as national and international visitors and to link it to Wendy's garden. The committee has been working for more than a year on detailed plans and projects.

I recently discussed the proposal with the Minister for Transport and Infrastructure and the chief executive officer of Sydney Trains. We look forward to taking the next steps which will hopefully make this project possible in the future. Our local environment does not stop at the ground we walk on; it extends into the oceans and harbour we swim in. That is why I have been an advocate for Chowder Bay to be part of the Government's marine park proposal. In the lead-up to the announcement of this proposal, I worked closely with Minister Blair and Minister Upton not only to ensure that we could have appropriate protections and investment in addressing marine pollution but also to ensure that recreational fishing could still take place in the proposed marine park location.

Pleasingly, the Government has extended the same allowance for recreational fishing right across the statewide proposal. This fantastic environmental initiative will protect a wide variety of marine habitats and safeguard the best examples of our unique marine biodiversity while ensuring recreational fishers can still enjoy Chowder Bay. In this regard I note the support of the renowned Sydney Institute of Marine Science located in Chowder Bay. Locally we are very lucky to enjoy Sydney Harbour and the Sydney Harbour National Park. I will always invest in our local community to protect both its local environment and local character.

**The ASSISTANT SPEAKER:** Order! Members have been engaging in private conversations. I remind members that members who are giving a private members' statement should be heard in silence.

### BANKSTOWN LIDCOMBE HOSPITAL

**Ms TANIA MIHAILUK (Bankstown) (17:49):** Last weekend I noted with interest an article that appeared in the Sunday Telegraph entitled "Push to relocate Bankstown-Lidcombe Hospital to new WSU site".



The article suggested that a new hospital may or should be on the cards for the Bankstown central business district [CBD] in light of the new metro. It included the comment by the mayor of Canterbury-Bankstown Council that it was a "fantastic idea" as well as his insight that "there's no room for that hospital to grow", and commentary by the Assistant Vice-Chancellor of the Western Sydney University [WSU] that "poor old Bankstown Hospital needs some work anyway". I noted that the response of the general manager of the Bankstown-Lidcombe Hospital was to highlight the \$25 million investment to upgrade the emergency department at the hospital. As the member for Bankstown, and former mayor of Bankstown City Council, I will now make a few observations about that.

The Government is proposing an inferior, substandard metro shuttle service between Sydenham and Bankstown. The suggested metro will not be underground between Punchbowl and Bankstown. This will not improve the commuter experience and the metro tracks will still be in the same position as the current train tracks. This will result in the same traffic issues that have been experienced in the Bankstown CBD for years. In fact, it is unclear how the current proposal will improve the Bankstown CBD. If the metro were underground it would open up the CBD to a number of opportunities; instead the CBD will continue to be cut in half by a rail line. I note also that it was not very long ago that the Government moved the ambulance station from Meredith Street to a superstation on Canterbury Road, Bankstown. It was my understanding—and I am happy to be corrected—that was because of logistical issues in the Bankstown CBD, given the current traffic chaos.

The Government has set aside only \$25 million for Bankstown hospital, unlike the funding that has been set aside for other projects across New South Wales, such as \$900 million for the Northern Beaches Hospital. Despite the fact that last year 5,000 patients were seen at Bankstown hospital and 1,857 births were recorded, the hospital is yet to receive any significant funding. It is wrong to suggest that Bankstown-Lidcombe Hospital is landlocked. There is both Department of Education and council land directly across from the hospital. The Bankstown Senior College is also there—I went to that college—where adults study year 11 and 12 curricula. I am sure those students could study their Higher School Certificate course at the local Bankstown TAFE. The suggestion that a hospital could be placed within the Western Sydney University vicinity or Bankstown TAFE site has not been explored. Indeed, no proper investigations have been undertaken. To my mind, it is nothing but a porky to hoodwink our community that in light of the new metro we will have a wonderful new hospital in the Bankstown CBD.

We are yet to see exactly where the Western Sydney University site will be in Bankstown. It is my understanding that it will be across the road from the current council building. We already have parking issues in Bankstown. One of the issues that is most often raised with me as the local member is that families and patients struggle to enter the car park at the Bankstown Lidcombe Hospital. An upgrade to that car park is desperately needed. I am greatly concerned by the suggestion of a hospital being put in the Bankstown CBD, possibly on the Western Sydney University site. It is well known that the Western Sydney University site in Parramatta does not provide any parking for its students and there is very limited on-site parking. Hospitals require lots of parking. The Government should be honest about whether there is such talk in the department. I repeat, it is my understanding that no such planning has taken place. The community should be told the truth as to whether the Government intends to build a new hospital at Bankstown. What we do know is that there is an intention to build lots of units and to provide an inferior shuttle service but we have no clear information about any proposed investment in Bankstown hospital.

#### NATIONAL RUGBY LEAGUE IMMORTAL NORM PROVAN

**Mr GREG APLIN (Albury) (17:54):** People take lots of photos, some good, some forgettable. Some photos are truly great, capturing a breathtaking sunrise, a child's smile or a pivotal moment in time. Then there are photos that are so memorable that they get turned into trophies. With one classic photo taken by the late photographer John O'Gready, Norman Provan, his arm around mate Arthur Summons at the conclusion of a game of football, the 1963 grand final, roared into mythical status. The image has been cast in metal for all time. Something about that photo and trophy speaks beyond words of camaraderie, hard yakka, triumph, humour and good sports. Beyond that we can find other layers.

Norman Douglas Somerville Provan never entered a room incognito. Wherever he went he was the leader naturally. Other football players pinned themselves to him as one would latch onto a rock in a storm. He may not have scored the most tries or gained the most points or wins. In a way, his gift was beyond mere statistics and his legacy cannot be defined by numbers. Perhaps Norm "Sticks" Provan was the rugby league Immortal we have all been waiting for, the one who defies simple criteria that can be listed on a piece of paper, as if that could capture the full mettle of the man. We have witnessed a slow, gradual, unstoppable reclamation for rugby league fans of the place Norm Provan holds in the history of this great game.

In 1982 the premiership grand final trophy featuring Provan and Summons took centrestage. In 2008 Norm Provan was named in the Australian Rugby League's Team of the Century and was inductee No. 48 in the National Rugby League [NRL] Hall of Fame. In 2013 the premiership grand final trophy was renamed the

Provan-Summons Trophy. In Albury, around March this year, I caught up with local rugby league stalwart Mike Eden. Mike informed me of the gathering momentum to take on the Immortal challenge for Norm. I thank Mike Eden for the nudge. Quickly I joined the quest, writing to the NRL in strong support of Norm Provan as the next pick. Now we have reached the pinnacle of rugby league success and recognition: Provan is an Immortal.

I have to say that it was not hard to find the material to support this bid. Clearly he has had a terrific career operating at the highest levels of the sport. He was with the St George Dragons during their 11-year consecutive premiership-winning run from 1956 to 1966; he was man of the match in three grand finals; he represented Australia from 1954 to 1960 and had multiple New South Wales, Test and World Cup appearances; and he did much more. Over his career he played 351 first-class games, scored 93 tries and made a total of 281 points. There it is, I have begun using numbers and statistics to define Provan. But it is not enough. Player, coach, Kangaroo, leader, legend—that comes a little closer. One of the miracles of this man's performance is that he was at times captain and coach, from his position close to the earth in the second row of the scrum. How did he score so many tries while holding down the heavy duty of a second-rower? Clearly he was a footballer who knew the game from the inside out and who could make his mark from within the pack.

As the member for Albury, I draw members' attention to another pertinent fact. On 18 December 1932 Norm Provan was born in the Riverina town of Urana, which lies in the north-west of the electorate that I represent. Urana is not a big city; it is not even a big town. It is located between Lockhart and Jerilderie. A massive building there, the Urana Soldiers Memorial Hall, perhaps the largest soldiers hall in Australia, makes an impression. Sources tell us that the name "Urana" is derived from a local Aboriginal word for a temporary shelter usually consisting of a simple frame of branches covered with bark, leaves or grass. It was from this home that Norm Provan set out on his great career based in Sydney. It is my belief that everything that can be achieved by a Sydney or city player can also be achieved by a person from a remote, regional small town—if he or she has twice the commitment and outstanding talent. Provan's philosophy of instilling confidence and training for ultimate fitness and endurance made him a successful coach and role model.

This is the context in which we review the player and his contribution to rugby league. Young rugby league players in Urana and similar regional and remote towns will not fail to be encouraged by this elevation of one of their own, a country kid, to the highest point of recognition. And so it came to pass. In August Norm Provan was made a National Rugby League Immortal, in the year that the State of Origin trophy returned to its rightful home in New South Wales. Competition for this honour was so intense that an unprecedented five former players were accorded this honour: Mal Meninga, Dally Messenger, Frank Burge and Dave Brown. I congratulate them all. My final words for today I leave with Provan's daughter Sue McCloud. At the ceremony she said of her father:

He's always been very humble so it's never worried him these sort of accolades. But he's very proud.

So is Australia and the Riverina town of Urana.

### MUSWELLBROOK MEN'S SHED

**Mr MICHAEL JOHNSEN (Upper Hunter) (17:59):** I inform the House of the wonderful work and dedication of the members of the Muswellbrook Men's Shed. The Muswellbrook Men's Shed is a community-based, non-commercial, not-for-profit organisation that is open to all males. The organisation's primary activity is the provision of a safe, friendly and inclusive environment where males gather together and work on meaningful projects at their own pace, in their own time and in the company of other males, pursuing hobbies, pastimes and interests and to feel a sense of worth, be productive, keep occupied and share skills and knowledge with others. Furthermore, at the Muswellbrook Men's Shed, there is the opportunity to promote the mentoring of younger men and men with disabilities.

The primary objective of the Muswellbrook Men's Shed is to advance the health and wellbeing of its male members. Currently the Muswellbrook Men's Shed has a sustainable futures program where its members break down and recycle used mattresses, reducing landfill by 80 per cent per mattress. The money raised from recycling these mattresses recently went towards the drought relief Need for Feed program. The men's shed also has a can and bottle recycling program. In addition to being a donation partner on two reverse vending machines in Muswellbrook, the men's shed also collects all the cans and bottles from local licensed venues and caravan parks. The money raised here also went towards the drought relief account. On a Thursday night members sell raffle tickets at the local workers club. Recently I attended a function where the men's shed presented a cheque to the Muswellbrook Lions Club for an amazing \$15,000 towards drought relief. I note that this is the single largest donation by a men's shed to the drought relief effort in New South Wales. That is a remarkable effort for all those involved.

This is a win for the Upper Hunter electorate as the Muswellbrook Men's Shed not only is substantially reducing waste into landfill but is also raising funds to donate to the local community. At the Muswellbrook Men's Shed one can see a number of its members making and restoring furniture, assembling bikes for local department

stores, making wildlife breeding boxes and nets, fixing lawnmowers or making a cubby house to raffle. The men can learn how to cook for themselves or how to contact their families by computer, along with being able to have a chat and a cup of tea with their mates. The men's shed movement has now become one of the most powerful tools in addressing men's health and wellbeing. It is with great pleasure I announce that the Muswellbrook Men's Shed is conducting a community open day on Saturday 10 November. The day will have shed displays, entertainment, live music and health checks for men. What a great initiative for men of all ages. I personally look forward to attending on this day.

The Muswellbrook Men's Shed currently has 42 members. It has come long way since the shed began in 2012. Today the Muswellbrook Men's Shed is directed by a hardworking committee: President and Assistant Treasurer Brian White; Vice-President, Shed Manager and Project Officer Dennis Matthews; Secretary, Management Consultant and Grants Officer David Sorensen; Treasurer and Public Officer Michael Jones; and committee members Jason Lambley, Jordy Manton and Lindsay Lambley. I congratulate all members of the Muswellbrook Men's Shed for their dedication, expertise and support of the Muswellbrook community and at the same time their promotion of men's health and social inclusion for men of all ages and backgrounds.

When I made a recent visit I was asked to have a chat with the members. I spent 90 per cent of my time answering questions. A lot of intelligent and good questions came from many of the members of the men's shed. It was clear that they care deeply about their community, particularly the current drought effort. Hence their focus on raising funds and their substantial donation of \$15,000 to the drought relief in our local area. They go out, as individuals and collectively, and find their way in various parts of the community that many people often forget about. That is a special quality of the Muswellbrook Men's Shed; its members care at a micro level and never let people forget that they are valued members of our community and that help is always there. I once again congratulate and offer well wishes to the Muswellbrook Men's Shed.

#### **RAYMOND TERRACE COMMUNITY POSITIVE BEHAVIOUR FOR LEARNING**

**Ms KATE WASHINGTON (Port Stephens) (18:04):** Many New South Wales schools take part in a program called Positive Behaviour for Learning, or PBL. It is an evidence-based whole school program designed to improve learning outcomes for all students. It is not a compulsory program, but, from what I have witnessed, dedication to the program has resulted in positive impacts in the lives of children. A few years ago some school leaders in Port Stephens had a vision and they have taken the program one step further. A dedicated group of schools, teachers, individuals and business owners have expanded the program and partnered with the local shopping centre, MarketPlace Raymond Terrace, and other businesses to create the Raymond Terrace Community Positive Behaviour for Learning. Raymond Terrace community members are STARS, which is an acronym representing the core values of the program of safety, trust and honesty, acting responsibly, respect, and success. They are values for everyone, everywhere, every time. The goal is for schools, parents, businesses and government agencies to embrace the PBL framework and reward those values when they are displayed within the community setting.

How has the program gone from a school-based program to an ever-growing positive network for our children? It began with five schools—Hunter River High School, Raymond Terrace High School, Raymond Terrace Public School, Irrawang Public School and Grahamstown Public School. This year more local schools have become involved—Seaham Public School, Karuah Public School, Medowie Public School and Salt Ash Public School. Whispers suggest that the program is continuing to grow. It is my understanding that Port Stephens is the only area in the State that has proactively expanded the PBL program and implemented it at a community level beyond the school fence. I commend each of the school communities for their vision and I commend their leaders, who have driven positive change within their schools and beyond. It is truly impressive.

Every Thursday evening at MarketPlace Raymond Terrace an awards ceremony is held where one student from each school is awarded a community PBL certificate and prize voucher pack that is supported by many local businesses. The students can be nominated by anyone—teachers, local business owners or community members. Everyone is encouraged to take part and nominate a student if they witness them demonstrating the STARS core values. It is inspiring to hear the stories of students' positive behaviour, from stopping to help a peer in a zone cross-country race to helping an elderly lady with her shopping. The results are tangible and testament to the cohesion of the school communities.

All participating school communities have seen a significant decrease in negative behaviour. Attention and retention has improved and children feel cared for and safe. Their parents, family and community are more involved with the school. The students are responding positively once they understand the expectations, and that is across all settings. MarketPlace Raymond Terrace has reported a significant decrease in shoplifting by minors. Mrs Deborah Dibley, the principal of Hunter River High School, has said that if a student finds a \$10 note in the playground they now hand it into the office. Every one of the teachers involved has positive stories to share. It is heartening to see that we can go back to the community having a positive influence on our children's development.

The PBL program develops a matrix for all areas of the education environment that outlines the positive behaviours that are expected. The students have come to expect to the matrixes. They look for the strong messages and the behaviour to aspire to—so much so that the community PBL team have now created a behaviour matrix for the local skate park, library and pool. I look forward to seeing those signs up very soon. Mr Paul Baxter, the principal of Irrawang High School, has advised the following:

As a result of the community PBL, our students have a greater appreciation of local businesses and organisations who are consistently invested in their social and emotional wellbeing.

As a parent and member of Parliament, I am inspired and in awe of the achievements of the community PBL program in Raymond Terrace. I hope that other schools can join forces and that other communities can emulate what is happening in Port Stephens. I thank all of the schools involved as well as MarketPlace Raymond Terrace. I make special mention of Colleen Mulholland and Stewart Murrell for driving the PBL initiative outside of the schools, together with Raymond Terrace businesses Michel's Patisserie and Cafe, Donut King, Bakers Delight and Greater Bank and the Raymond Terrace Bowling Club. PBL is an impressive community initiative that is succeeding with the support of many partners, growing in effectiveness and outcomes in a community that has been in great need of positive stories. PBL is a positive story that I am very happy to support and share because it means our kids will grow up in a community that they feel part of and a community that they know truly cares. What is apparent out of all of this is our community is full of stars—everyone, everywhere, every time.

### YOUTH SERVICES

**Mr CHRISTOPHER GULAPTIS (Clarence) (18:09):** I have spoken in this place on a number of occasions about the importance of youth services and I have praised the youth in the Clarence Valley in my electorate for their initiative in establishing Clarence Youth Action, which is a youth-based organisation that is largely run by young people for the benefit of young people. The organisation was established at a time when significant issues were confronting young people in the Clarence Valley, including young kids with anxiety, mental illness and identity crisis. The group came together because there was no-one there to help them. It is disappointing to say that youth services disappeared at the same time as anxiety issues ramped up in our kids.

We so often use the clichés that the children are our future and that our children are our most important asset, but it seems that we are simply paying lip-service to them. Clearly, we do not listen to or invest enough in our young people. Let us not forget the contribution young people have made and continue to make to our community. The Swinging Sixties was the youth-driven revolution that changed the world. Music, fashion, the arts, politics and many other facets of daily life changed forever. Look how the world has changed with the contributions of a young Bill Gates, Steve Jobs and Mark Zuckerberg. Their contribution to the digital world in which we live is immeasurable. Our young people have changed and continue to change the world in which we live. We need to nurture and foster them so that tomorrow's world is a better place for our children and grandchildren. The only way to do that is to listen to them and invest in those services and activities that protect them, educate them and make them good community contributors.

I was very heartened when Deputy Premier John Barilaro came to Grafton and met with Clarence Youth Action and other youth agencies to listen to their stories about what threatens our young people, the opportunities that may be available to them and what we could and should do to improve their lives and give them the very best opportunities to succeed. Our young people are the lifeblood of our regional communities. They are our next generation of parents, workers and leaders and are an integral part of our community tapestry. They are our greatest asset and should be treated as such with appropriate recurrent investment in their wellbeing.

I am heartened that the Deputy Premier has decided on a regional youth policy as one of the priorities of The Nationals. Quite frankly, it is a no-brainer. It is equally as important as physical infrastructure like roads, bridges, hospitals, schools and all the other hard infrastructure that government builds. Pivotal to investing in our young is to know where it is best to invest. We need to listen to them. I was thrilled when the Department of Premier and Cabinet held more than 200 meetings with school students across the State to listen to what their fears are, what they do not like about their communities, what they like and what we could improve on. Our young people would like things such as improved public transport in regional communities so they can get an education or travel to work. It is hard for a young person in a country town who does not have a car to get to TAFE and almost it is impossible for them to get a job. Jobs in regional communities are scarce. Even more scarce is a skilled labour force to carry out the work.

There is a desperate need for youth services to help combat drugs and alcohol. There is so much pressure on our kids today that there has never been a greater demand for mental health services. Online bullying, peer pressure and the pressure to succeed build up stress levels and fuel anxiety. We see it in our kids on a daily basis. There is a desperate need for services and programs to support our kids through this vulnerable time. We need to

recognise that we must invest in them in the same way that we invest in other government services like health, schools, roads and so on. They are, after all, the reason that we build hospitals, schools and roads.

Our kids need things to do. Sports and the arts help but we also need activities for those kids who do not participate in traditional sports and arts activities, whether it is at a PCYC or a safe place where kids can express themselves freely and just be kids. We have a responsibility to look after all of our kids and we need to invest accordingly. I am thrilled that the Deputy Premier has listened to the kids across regional New South Wales and has made the delivery of regional youth services a priority for The Nationals. We know our kids are our future and we know we need to invest in them for the long term to give them the very best future possible.

### TRIBUTE TO CHRIS HOBBS

**Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (18:14):** Tonight I speak about a very important person in the Penrith community, Chris Hobbs—or known simply by many as Hobbsy—a teacher at St Dominic's College. This guy is an absolute legend in his community. He was a teacher at the school of St Dominic's, where I was a student. In fact, when I first came to this place I was surprised to find as I walked into this esteemed Chamber as a graduate of this school from Kingswood, that of all of the private schools that have turned out politicians, it was this Christian Brothers school at Kingswood that had the largest number of former students sitting in this Chamber.

Chris Hobbs was such an important part of the story of Penrith. The words "legend" or "icon" would not be used lightly when talking about this man. I doubt there is a person in the Penrith community who has touched the lives of more young men in a positive way than this human being. He was a larger-than-life character in so many ways, both in physical stature and in the size of his heart. He was a hard man, perhaps created in the old-school ways of a Christian Brothers education. He was an absolute genius teacher—he taught you lessons when you did not even realise that you were learning something. He was formally recognised with a teaching excellence award in 1996.

Chris Hobbs' time at St Dominic's started when he was a student. His adult shape and size did not befit the fact that he was once the captain of the school athletics and swimming teams. He was a passionate supporter of rugby league and beyond his teaching his ongoing support of the Brothers Rugby League Club was a way in which he continued to demonstrate his commitment to young people across the Penrith community. He was very much a mentor and there is no doubt that there is many a young man wandering across Western Sydney today who would not be the person that they are without the impact and influence of Chris Hobbs in their life. He was known for dishing out some fairly fearsome punishments. A strap from Hobbsy was a strap well felt. One of the best, six of the best, whatever the number was, you probably wanted it over pretty quickly and you felt it for a long time afterwards.

But he also had some other interesting ways of making sure you learned some lessons in life. I have a very close mate, a former schoolfriend, whom we still affectionately call "Koala" to this very day because one of Chris's favourite punishments was making students hug the gum tree outside his office for the whole lunchtime. If there was a cigarette butt or 100 cigarette butts in some corner of the St Dominic's College campus, Hobbsy knew exactly where they were and he knew where to send you to make up for the time when you had done something wrong. He was a genuinely amazing human being. One only has to look across some of the posts that are now making their way across social media to get some idea of the impact that this individual had on so many people.

But one moment in my time at St Dominic's that I remember so very well was at a year meeting in one of our halls on a Monday where one student—I cannot say who it was; Hobbsy would not want me to anyhow—broke ranks and started to talk when he was not supposed to. Hobbsy asked the whole year group to out this student. None of us broke ranks; none of us wanted to out the student. Hobbsy brought us back lunchtime after lunchtime for an entire week, and not once did one of those students waver or rat on his mate. I thought for the first time I had seen Hobbsy beaten by a cohort of students, but then, in a very rare moment, I noticed that we had not beaten him at all; we had just learnt the lesson he was trying to teach us.

Hobbsy, you were an amazing teacher, an amazing mentor and a wonderful human being—a person who most exemplifies all of the values that St Dominic's College tries to instil in the young men who are educated in that institution. I know that I would not be in this place as a representative of the Penrith community without his education and his mentorship, and I know there are many other people right around Western Sydney who are successful because of it. We will all miss him but he will never, ever be out of our lives. He really was a light for all of us. Dominus lux mea.

### NORTH EPPING RANGERS SPORTS CLUB

**Mr DAMIEN TUDEHOPE (Epping) (18:19):** On Saturday 15 September I attended the annual presentation day of the North Epping Rangers Sports Club. The Rangers is a thriving local sporting club in my electorate, with a history dating back more than 50 years, being incorporated in 1963. It has a proud history of offering both netball and soccer teams in which young people—and older people—in the local area can participate and make a positive contribution to not only their club but to their community. In 2013 the club celebrated its fiftieth anniversary, marking the occasion with a 60s-themed event, a cocktail party and an anniversary dinner at the Epping Club.

Today the club is made up of approximately 1,000 members—300 netballers in 28 netball teams and 700 soccer players in 50 soccer teams; girls' and boys' teams ranging from under 6 to over 45. One of the most impressive and lasting traditions of the North Epping Rangers is the annual parade through the streets of North Epping which is in many respects very similar to a parade through a country town. This tradition began in 1974 when 500 members of the club met at Rowley's Corner, which is at the intersection of Malton and Norfolk roads, and marched down to the oval with banners and bagpipes.

Last Saturday I received a taste of what that first parade might have been like. Marching with the club for the first time, I found myself in awe of their camaraderie and community spirit. This is a community that is proud of their North Epping Rangers and is prepared to come out to support them in force. We marched down Malton Road to North Epping Oval with banners and bagpipes, just as they did back in 1974. Next came the presentation day, when the oval was filled with a sea of orange. I was surrounded by some very proud young players and some even prouder parents as I was asked to help judge the best banners from the parade. The banners were all handmade by the teams and were all very impressive. I thank the club for inviting me to join in their celebration. I left with a feeling of what a community is really meant to be.

I take this opportunity to acknowledge some of the hardworking contributors to the club for 2018. I thank all the coaches, managers and other volunteers. Coaches, managers and volunteers are what make clubs, and this club is not bereft of people who put their hands up to volunteer. In particular, I thank the netball convenor Kristen DeJioia and the soccer convenor Craig Denyer. The club also owes a lot to Michael Stern, the indefatigable President of North Epping Rangers. At the presentation day I was also pleased to run into Derek McCarthy, President of the Epping Bulls Cricket Club—another thriving sporting club in North Epping. The Bulls is an outstanding local club and I am proud to support it.

I offer my congratulations to this year's award recipients. Jacqui Hogan was named the Club Person of the Year and Tara Fidler was awarded the Community Spirit award. Soccer Person of the Year was jointly shared by Annmaree and David Fowler, and Netball Person of the Year was Trevor Hogan, who, I am advised, never missed compiling the results of netball games on Saturdays and ensuring that they were circulated throughout the club. The grand final winning teams were, for netball, the 13/2s, 13/5s, 14/4s, the Cadet 2s and the Cadet 8s; and soccer premiers and grand final winners were the 12/1s, the 12/5s, the 13/5s and the 14/1s. It was truly an astonishing outcome for this club.

I give special mention to the grand-final-winning dads. The over 35/6s formed a new men's team, known as the Dark Knights, and they won their grand final after a thrilling penalty shootout. The team includes Epping Public School's parents and citizens association president John Chung. He told me that the Dark Knights began as a result of a group of blokes who met on a regular basis to play poker and who decided that they should get active. They decided to form this Saturday soccer team and have gone on to win the premiership—well done to them. I wish the 14-1s the best of luck as they go off to the statewide Champion of Champions this week. I am always happy to support local sporting clubs and have had some success of delivering several successful grants in North Epping. These include upgrades to Ron Payne Oval, North Epping Oval, The Epping Public School oval and the sporting facilities at North Epping Bowling Club. Thank you to the Epping Rangers for an enjoyable afternoon and I look forward to joining you again next year.

### ILLAWARRA TRAIN SERVICES

**Mr PAUL SCULLY (Wollongong) (18:24):** On behalf of Illawarra commuters on overcrowded afternoon services, I appeal to the Minister for Transport and Infrastructure to listen and announce a simple, effective and virtually costless solution to afternoon overcrowding on the South Coast line. If the Minister will not meet with me to discuss overcrowding, will not meet with Illawarra commuters to discuss overcrowding, and will not join the member for Keira and me on a train journey to Wollongong to see the overcrowding firsthand, the Minister can at least read the plan for extra carriages on the 3.24 p.m. and 3.54 p.m. services from Central to the Illawarra that I sent to the Minister in June and adopt it.

On behalf of Illawarra commuters I issue this challenge. Within the next week the Minister for Transport and Infrastructure needs to either write back to me and respond to my plan by either adopting it or outlining why it is not possible to adopt it. There is a third option: The Minister can even go further and tell me that he is going to convert all four-car services on the South Coast line to eight-car services as the new intercity fleet makes other rolling stock available. Give us a response—no bureaucratic double-speak, no hiding behind standard text and cute language, just a simple yes or no and a firm timetable for implementation, a fixed plan with fixed dates to fix overcrowding on train services to the Illawarra.

The reason I put this to the Minister is simple: Illawarra commuters are tired of being ignored, they are tired of being overlooked, but most of all they are tired of standing, often all the way to Thirroul or Wollongong, for over an hour. This is because of the ongoing failure by the Berejiklian Government to address train passenger capacity on the South Coast line, a failure that stems from ignorance and a wilful dismissal of Illawarra commuter concerns. I have written multiple letters, made multiple speeches and put multiple questions on the Notice Paper about this issue. In the main the responses can be summarised into one of two: First, everything will be solved when the new intercity fleet is introduced; or secondly, that the Government introduced U-stops in 2016, which are helping to address the issue.

On the first, there has been some tricky language with respect to the rollout of the new intercity fleet. For some time the Government has used language that was a little too cute, suggesting that 2019 was when the fleet started to rollout. It was suggested that it would be coming to the South Coast line after the Newcastle and Blue Mountains lines. Most commuters in the Illawarra concluded that while this was not a perfect solution, by 2019 we would see it—there would be some light at the end of the tunnel. But then a couple more questions were asked and a Transport for NSW spokesperson let slip that the South Coast line would not see the new carriages and accordingly the Government's solution to the overcrowding problem until 2021. The light at the end of the overcrowding tunnel was snuffed out.

But what of the great U-stop policy solution introduced by the Berejiklian Government? Well, it was the Baird Government at the time. U-stops were introduced in late 2016 as part of the Government's overcrowding solution, but nothing could be further from the truth. For those who do not know what a U-stop is, I am not surprised, because even commuters who are supposed to know about them do not know. They do not understand them. U-stops are the Clayton's overcrowding solution—the solution to overcrowding you have when you do not have a solution. U-stops are pick-up only stops at metropolitan stations. They allow commuters heading to Wollongong on services but do not allow city commuters to game the system by using those express services.

It sounds like a fair way of doing things. The U-stop should reduce passenger demand while allowing Illawarra commuters more stations to get onto services. If you are a city commuter who alights at one of the U-stops you can be fined—a fair penalty, many would say—except no-one has ever been fined and as far as I can find out no-one has even been warned. Commuters are abusing the system. Information obtained by the Illawarra Mercury shows that on two dates in May of this year, 208 commuters got off afternoon services to Wollongong at Hurstville and a further 37 got off at Sutherland. That is almost 100 commuters a day under this Government's policies should not have been on those services in the first place. That is approximately 250 people over those two days or 100 people a day getting onto a four-car afternoon service who should not have been on that service.

There is a solution to these two overcrowded four-car services. There is a way to double their capacity. I put it to the Minister in June but have heard nothing. The plan has been pinched by the member for Kiama, so I can only assume someone in the Government has read it and liked the idea before passing it on to him. Given he has pinched it, surely it is only a matter of days or weeks before it is announced as new government policy. The Minister should announce it and he should announce it by the end of the week. Commit to shifting spare carriages freed up by the rollout of the new intercity fleet onto the Newcastle line to the South Coast services today—two services, eight carriages in total, one simple solution. The Minister can even expand it and commit to allow all weekend services and all four-car services to be expanded. This is a test for a Government that is now embarrassed by its ignorance to upgrade Unanderra station for eight years. Do something about it before someone is hurt and it is too late.

#### **CANTERBURY-BANKSTOWN CHILDREN'S FESTIVAL**

**Mr GLENN BROOKES (East Hills) (18:29):** The East Hills electorate is one which incorporates the best of cultures from all over the world. We are a community that encourages and celebrates diversity, not one that moves away from it. One such event which celebrates the cultural diversity of our great community is the annual children's festival which is hosted by the Children's Festival Organisation. This year's festival was held on Sunday 16 September at Paul Keating Park. I was honoured to represent the Minister for Multiculturalism, the Hon. Ray Williams at this event.

This year was extra special for the Children's Festival Organisation as it also celebrated a significant milestone, the twentieth anniversary of this event. Thousands of young people and their families from across the local area, schools, youth clubs and cultural communities came together to celebrate at the festival. Not only is the children's festival important for the people and children of East Hills and surrounding communities; it is also one of the biggest multicultural children's festivals in our State. That is why I am proud to have helped secure funding through the Minister to ensure this event can continue as an annual event well into the future. The funding also helps the Children's Festival Organisation to continue to encourage our children and young people to celebrate cultural diversity and also demonstrates how the Government supports grassroots community organisations.

I would also like to congratulate the President of the Children's Festival Organisation, Mr Thuat Nguyen, OAM, and commend him, the committee and the volunteers for their tireless dedication to promote harmony. Since its beginning in 1999, the children's festival has continued to provide an opportunity for young children, their families and friends to come together and celebrate our diverse community by showcasing music, dance, colourful costumes and vibrant foods from a range of cultures. It is events such as this that allow us to celebrate the common links that bind us in our culturally diverse society and build stronger communities. It also reminds us of the best opportunity we have to ensure the future success of our community: our children.

### NORTHERN TABLELANDS HEALTHCARE FACILITIES

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Tourism and Major Events, and Assistant Minister for Skills) (18:32):** There are few more important contributors to the quality of life of people who call country New South Wales home than high quality healthcare facilities. Whether it be hospitals or the provision of doctors and allied health personnel, the availability of high quality facilities and health services for people in the bush is one of the most fundamental contributors not only to quality of life but also to our prospects of attracting and retaining people to our communities. I am very proud that in the Northern Tablelands electorate we have seen over the last three years a massive investment from the Government in the upgrade and replacement of a number of key hospitals and health facilities across the region. That has only occurred because of the work of the local community, key opinion leaders, key advocates and local councils working in partnership with their local member and a State government that is willing to invest money in upgrading those facilities.

I am very pleased that since 2015 we have seen the \$60 million redevelopment of Armidale Rural Referral Hospital, which is now in its final stages. We have seen at that site the construction of the brand-new four-storey structure to house new operating theatres, a new emergency department and new clinical facilities. We are in the final stages of construction of the new critical care intensive care unit and the new day surgery unit. That work will be completed in November this year providing first class quality health care for people across the Northern Tablelands region.

In Inverell I am delighted to report to the House that the \$60 million redevelopment of that hospital is well underway. Ahead of the 2015 election the Government made a commitment, after a long campaign by the community of more than a decade, with thousands of signatures on petitions and letters to the then health Minister Jillian Skinner, of \$30 million to redevelop that hospital. It became obvious after the election when we got down to the detailed planning that \$30 million would not get the job done. I was pleased to see in the most recent State budget another \$30 million allocated for stage two. Stage one is now underway on that site and stage two will be delivered by the end of this year or early next year.

That outcome came from the hard work of leaders in the community such as Bob Bensley, a tireless advocate for that project since the mid 1970s. I sit and listen in this Chamber to members of Parliament talking about the need for investment in hospital facilities across metropolitan areas. They throw around figures of billions of dollars and talk about waiting lists. But Inverell is a community that has waited since the 1970s for a mere \$60 million redevelopment of its hospital and their time has now come. There will be more beds, more services, operating theatres, general practitioner clinics and dental services, which will move all the allied health services in that community under the one roof. It will be transformative.

The work does not stop there. We now need the full redevelopment of Moree district hospital, 140 kilometres west of Inverell. We will need about \$80 million for that project. It is a facility staffed by wonderful nurses, doctors and staff who do a terrific job, but they are working in facilities that can only be described as substandard. I acknowledge the health Minister Brad Hazzard for the allocation of \$2 million for a new renal dialysis unit, which is amazing for that hospital. That will be finished before the end of the year. That has to be the beginning. The community wants this new hospital and I am determined to make sure that they get it. We need \$80 million for the full redevelopment of that hospital.

Glen Innes District Hospital is in the east of my electorate. Glen Innes is a smaller community of about 5,000 people. It has a hospital with wonderful staff but a tired facility. We desperately need around \$20 million to do a major refurbishment and upgrade of that facility. These upgrades and quantum of money are easy to say—



they roll off the tongue. It is what they do to provide good health services that are fundamental to the Northern Tablelands region as it continues to grow. It will provide quality of life for young and old in our region.

**Mr KEVIN ANDERSON (Tamworth) (18:38):** I thank the member for the Northern Tablelands for his advocacy for health services across the New England. It is part of Hunter New England Health, which is a significant part of the health delivery that happens in the northern half of the State. He has fought hard for Inverell, he has fought hard for Armidale and he is now pushing hard for Moree. I thank the member for the Northern Tablelands. In addition, the old New England Area Health Service, which was part of that northern sector, continues to push for equitable health service delivery in the region. Tamworth is a significant part of that. The member for the Northern Tablelands and I work well together to ensure our communities receive equitable health delivery services across our regions. It is something that we believe is super important to our communities in the New England north-west.

#### **RIVERSTONE ELECTORATE PRIORITY GROWTH AREAS**

**Mr KEVIN CONOLLY (Riverstone) (18:39):** The electorate of Riverstone largely coincides with the North West Priority Growth Area in the north-west of Sydney. The majority of the growth occurring in that region is happening within the electorate of Riverstone. It has been my privilege in the 7½ years I have represented Riverstone in this place to wrestle with the issues relating to rapid growth. That has been a core part of the role. It has been an important task for the good of Sydney and New South Wales. We need to provide housing in that region to meet the housing affordability challenge facing the people of Sydney and New South Wales in order to kickstart the economy of Sydney and New South Wales through the construction sector, which will provide many of the benefits that people associate with home ownership.

It is that time again when we release some more planning precincts preparatory to rezoning to provide more housing in the North West Priority Growth Area. In the last couple of weeks there has been exhibition of the West Schofields precinct and Marsden Park North precinct, each capable of producing thousands of new dwellings for people starting out in life. They can find a home for themselves, find a place to live and contribute to their communities. I encourage all of the landowners in the region and all of the people in the district who have an interest in how these areas are planned to look at the plans online and make a submission if they wish about how the plan should work out. Landowners who have concerns about where lines have been drawn and what zones are shown are welcome to put in a submission and have their say about what they think will work best.

I will comment briefly today on the issue of flooding as it affects the north-west of Sydney, that vast region in the Hawkesbury-Nepean Valley which lies below the massive Warragamba Dam. There is Government policy and a plan to raise the wall of Warragamba Dam to protect hundreds of thousands of people whose homes are downstream of that dam from catastrophic flooding. Catastrophic flooding is possible in the upper reaches of predictions of the potential rainfall and flooding which could occur. A responsible Government has to look not only at the more frequent regular floods that we are used to but also at the rarer possible events which could have grave consequences for the region. As a responsible Government we have to plan for that.

Research in the 1990s showed that we needed to raise the wall of Warragamba Dam at that stage and strengthen it to prevent massive inflows of water in that catchment from overtopping the dam as that would risk breaking the massive Warragamba Dam. The dam is not designed to have water go over the top of it but rather through the flood gates. If the dam collapsed it would be the single largest catastrophe facing Australia. The largest risk of catastrophe that we know about is the collapse of Warragamba Dam. The hundreds of thousands of people downstream of the dam rely on the Government to ensure consequences such as that will not occur.

In the 1990s the dam wall was strengthened and raised to protect against overtopping. The fact remained that the massive inflow of water predicted could surpass the capacity of the dam to hold it back. What was built then was a spillway to let the water go around the dam. If that ever occurred it would still have a tremendous impact on people downstream. In planning the growth areas of Sydney, even though we are talking about remarkably rare events, we have to take that into account. The new growth areas have been designated in a way that only ever allows development above the one in 100 flood level, as with the whole of New South Wales.

We identified the probable maximum flood [PMF] level for the Hawkesbury-Nepean Valley as it affected these precincts and have made a distinction between the two. There will be no new housing below the one in 100 flood level and people worried about the raising of Warragamba Dam can be assured of that. That level is not changing. What will change is that between the level of the one in 100 and the probable maximum flood level we will cap the amount of development that is possible to the amount the road network will support in terms of evacuation from the region if it ever became necessary. That is a responsible approach. It still allows development to occur above the PMF while protecting the people who are going to live in this region from the risk of future flooding. It is a responsible path we take. I encourage residents to have their say about the plans.

## **BROADMEADOW SPORTS AND RECREATION PRECINCT AND NEWCASTLE SHOW**

**Mr TIM CRAKANTHORP (Newcastle) (18:44):** I speak tonight about the Broadmeadow sporting and recreation precinct and the Newcastle show. The Newcastle Regional Show has been under attack by this State Government in the past few years as the Broadmeadow sports and entertainment regional plan undergoes drafting and there are tighter restrictions on what they can and cannot do. In 2017 I met with the show's president, Brett Gleeson, who told me that the show was in a dire financial position and may not proceed. He explained that its bank balance had gone from \$3 million to near zero in the past 10 years. This was due to huge fees being charged by Venues NSW for facilities on the showground, car parking fees going to Sydney—and still are—through Venues NSW, the disappearance of the show holiday, a lack of business support, and simply bad weather. In that year the show was saved by a last minute short-term grant from the Government.

However, I have met with the show association again this year and, sadly, it is the same story. It has been hamstrung by limited opportunities for revenue growth and yet it is constantly approached with business proposals. It could easily make the showground a viable business option if only the Government would let it run its own organisation. The Newcastle Entertainment Centre, which is part of this precinct, was built 26 years ago for \$12 million and clearly needs renewal. Meanwhile, our Government is not interested in sports and entertainment in Newcastle. It is more interested in ripping down perfectly good stadiums such as Allianz and rebuilding at a huge cost. On Friday, 14 September this year, the *Newcastle Herald* ran this front cover "Tin shed's time is up". The story stated that the entertainment centre was no longer a venue worthy of Newcastle's second city. I know where this sentiment came from.

Only two weeks ago a National Basketball League trials match between Sydney Kings and Illawarra Hawks was cancelled. The game was called off shortly after the scheduled start time because the court surface was too slippery. This was embarrassing for the city. There were 3,000 fans who had travelled from far distances to watch the match. However, the Newcastle Entertainment Centre future is now decidedly uncertain. This was made clear last year when the Government released the draft Hunter Sports and Entertainment Precinct concept plan for Broadmeadow. We still have not seen the final plan for the site. In budget estimates last week it was revealed that the Minister's plans for the showground, in fact, are close to completion.

But the public has not seen them. It would appear that all but the heritage-listed grandstands and show ring are up for offer after the Minister for Sport said it was not confirmed that the 2018 show would be held at the showground and could be held at the McDonald Jones Stadium. The show association had not been provided with the opportunity to meet the Minister at the time of the budget estimates. This Government knows the sale price of everything but the value of nothing. We need public space in the city. This is a community asset and a public space. Surely there are some things that are worth more than dollars to this Government. This is an iconic space for Novocastrians. We must look at existing land before flogging off public space to developers.

## **SOUTH COAST EMPLOYMENT**

**Ms SHELLEY HANCOCK (South Coast) (18:48):** The South Coast, like other rural and regional areas of New South Wales, faces its own unique challenges in terms of generating and maintaining employment opportunities, with a number of factors having compounded over the years to produce high unemployment rates. Yet I am proud to say that following a concerted effort and cooperation between many local businesses, the Shoalhaven Business Chamber, Shoalhaven Professional Business Association, Shoalhaven City Council and the New South Wales Government this is now significantly improving. Our region's local economy traditionally has been supported by our ever-increasing tourism industry, small businesses, defence industries and a significant health services sector, including aged care. Thanks to a growing population and the resulting change in demographics as well as record investment by this Government since 2011 this is slowly changing, and South Coast businesses and industry are growing and diversifying.

More and more young families and professionals are moving to the beautiful South Coast in search of a sea change because opportunities and lifestyle are lacking in the more populated parts of our State. With them they bring their skills and acumen in whichever field they have made their vocation. Funded by the Berejiklian Government, large multimillion-dollar infrastructure projects are underway across the region to accommodate our growing population, also stimulating local growth and creating jobs. Projects like the \$58 million Burrill Lake Bridge replacement saw the creation of 50 local jobs and the completion of nine traineeships. That is only one of the many since 2011, which include the Bay and Basin ambulance station, Bay and Basin police station, Berry bypass, Termeil Creek realignment, Albion Park Rail bypass and now the Princes Highway upgrade between Berry and Bomaderry, and soon the Nowra Bridge replacement and Shoalhaven District Memorial Hospital upgrade, to name a few.

Another recent initiative of this Government supporting the South Coast's businesses and jobs growth is the Proudly Shoalhaven campaign. This powerful initiative was made possible by a \$50,000 grant under the

NSW Government's Regional Growth—Marketing and Promotion Fund and encourages business to relocate and grow their industry in the region. It showcases the quality of local businesses and shares the stories of business owners, and why they chose to live and work in the Shoalhaven. It highlights some of the South Coast's business success stories and major employers such as Cupitt's Estate, South Coast Dairy, Global Defence Solutions, Hanlon Windows, Air Affairs, Nowchem and Financial Dynamics.

I thank each of the participating businesses and Shoalhaven City Council's Economic Development Office, in particular Greg Pullen and his team, for helping this vital campaign come to life. By increasing the number of businesses and skilled workers in the region, we will create more jobs and the flow-on effect will create more work for local suppliers, tradies, retailers and restaurants. The campaign is further supported by the New South Wales Government Investment Attraction Package for Regional NSW. This package, alongside the Proudly Shoalhaven campaign, assists businesses to make the move to or invest in regional areas such as the South Coast. It offers a number of incentives with a share of more than \$30 million available to support them throughout the process.

Measures such as grants and interest-free loans to offset government levies and duties, grants for skilled workers to cover the costs of moving, and access to an investment concierge are just some of the ways in which we are making it easier for businesses to make the move to the South Coast. As a government we are not only working to attract new business but we are also delivering for established South Coast businesses. For example, \$40 million has been invested in the South Coast rail line to improve freight movements. Refunds and rebates on heavy vehicle registration have been introduced for primary producers. Additionally, increases to payroll tax incentives are saving local businesses up to \$13,625 per year when they employ new workers, which is helping them to create more local jobs and expand their businesses.

New South Wales Government grants for local businesses are also helping to drive growth, such as \$60,000 to redevelop the Nowchem pharmaceutical manufacturing facility, which is already a major local employer, leading to the creation of 10 new positions at the facility and employing the services of local businesses during construction. Another grant awarded to the Shoalhaven Business Chamber this year is enabling it to run programmes that build on the employment skills and safety capability of young people in the region. While the latest Australian Bureau of Statistics data shows that we are making great headway in reducing the South Coast's unemployment and youth unemployment rate there is still more progress to be made. I will continue to work with local businesses and the community to find innovative solutions, promote our region, drive investment and stimulate the jobs growth needed.

### **LITHGOW REGION EMPLOYMENT**

**Ms TRISH DOYLE (Blue Mountains) (18:52):** Tonight I discuss something that is easily forgotten by members opposite in the Liberal-Nationals Government. Workers in regional and rural New South Wales hardly rate a mention on the agenda of the Coalition party room meetings in this place because at the end of the day they are not the sort of people that most of the members opposite represent. We have the converging pressures in the upper Blue Mountains and Lithgow regions of the effects of climate change and the uptake of renewable energy on a mass scale by middle-class households throughout suburban Sydney. This convergence in the medium to long term will render the core activity of Lithgow and its surrounds, namely the digging up and burning of coal, almost completely obsolete. This is a simple economic reality.

The domestic demand for coal-fired power is reducing year upon year. Micro renewables are being taken up by ever more thousands of households and our Federal Government, along with countries across the globe, is demanding even stronger emissions reductions from State energy utilities. In turn, this will drive new investment in less emissions intensive electricity generation. Many families in my electorate, particularly in Katoomba, Blackheath and Mount Victoria, rely on the skills jobs provided by mining and energy industry jobs in the Lithgow region. Moreover, Lithgow as a whole is dependent on the mines and power stations that keep many of its local residents in well-paid skilled employment.

These issues do not exercise the minds of the Government benches usually because they are only interested in mining company owners, not mining company workers. They are interested only in protecting coalmining interests because it represents the big business status quo, not because they care a jot about the plight of a worker from my electorate who digs coal in Lithgow. Blue collar workers are of little consequence to The Nationals either, especially when many Nationals members of Parliament live in Sydney apartments and buy their RM Williams boots from the Pitt Street Mall.

Only Labor takes an interest in these matters. Only Labor is interested in blue collar workers in our regional and rural electorates like the Blue Mountains and Bathurst, which will bear the economic and social brunt of the transition away from polluting technology like coal-fired power stations. That is why not only are we always at the forefront of legislative reform to reduce our dependence on fossil fuels but we also take care to think about

what these changes will mean for workers employed by these sectors. The Blue Mountains electorate is pulled in three directions economically. Penrith, Parramatta and Sydney to the east offer job opportunities for service industry workers, academics, teachers and white collar professionals. Within the mountains, our creative industries, tourism and hospitality provide local jobs within a short distance of population centres in Blaxland, Springwood, Wentworth Falls and Katoomba.

But the fortunes of the Blue Mountains economy are also tied to our west with the fortunes or not of Lithgow and Bathurst. This means that the economic business of Lithgow and beyond is Blue Mountains business too. To this end, I am acutely aware that as we transition to renewable energy and reduce our dependence on coal we must offer workers employed in the State's Central West a just transition to new jobs and provide them access to training and education that will equip them for those new jobs. The State has a role to play here and it will only be a Labor Government that will turn its mind to activating the workforces west of the mountains and making sure these workers have access to highly skilled jobs with excellent pay and conditions of employment.

There is no reason why Lithgow cannot become the home of railway maintenance facilities for the new intercity fleet or the XPT train replacements. There is no reason why the New South Wales Government should be buying buses from Malaysia, like it has done recently with the new B-Line double-deckers. These buses should have been designed and built in Australia by a local workforce with local materials, and this could be done in regional centres like Lithgow if bus manufacturing companies like Custom Bus and Volgren were incentivised to set up shop locally and supported with consistent, recurring orders. I am not being prescriptive here and I am open-minded about what these future industries may look like, but I do want to start a conversation about jobs in the regions and what they will look like in 10 or 15 years. We need to remember the people whom we are here to represent—the workers.

### SPRING INTO CORRIMAL FESTIVAL

**Mr RYAN PARK (Keira) (18:57):** I was recently involved in Spring into Corrimal, which is the largest regional festival in New South Wales and potentially Australia, in the beautiful electorate of Keira. Corrimal is at the heart of the electorate of Keira. It is where my office is located. It is where I live. It is a very important suburb. Spring into Corrimal drew about 65,000 people to 70,000 people this year. I want to put on the record my heartfelt thanks to the organisers, particularly Mr Paul Boulton, who has been a tireless advocate, as a part of the Corrimal Chamber of Commerce, for Spring into Corrimal and for improving Corrimal. He has a great saying that Corrimal is just a great place to be, and it certainly is. Paul and I have worked very closely to ensure that along with the sponsors, supporters, local government agencies and council agencies Spring into Corrimal can be an important part of the activities that the people of the northern Illawarra experience every year.

I thank everyone involved with the festival, including supporters. But there are some concerns going forward with this event, and that is what I want to talk about. We all know that we are in an environment where, unfortunately, terrorism from across the globe has come to parts of this country, and in all its shapes and forms it has affected the globe in many different ways. Police, appropriately, have responded to that by making sure that large-scale public events are safe and secure. We do need to make sure that community-based events can continue because if we do not do that we are essentially allowing terrorists to dictate our way of life.

This year it was very difficult to make Spring into Corrimal become a reality. To give you a sense, it is held on the Princess Highway, our major thoroughfare along our northern Illawarra between the escarpment and the ocean. There are 70,000-odd people bustling and moving around. The police were rightly concerned, and have been concerned, about making sure that those people are safe. But what we need to do as a community is ensure that perhaps our councils have the infrastructure and the resources to ensure that community events can go on. We do not want festivals like Spring into Corrimal to become the unintended victims of terrorist behaviour occurring around the globe. I wholeheartedly respect the police. I understand why they are cautious. I understand why they do what they need to do. But I also understand that our community has a right to enjoy a festival that is designed to celebrate what is great about living where you live.

It is time that we, as a community—and I am glad that the Minister for Counter Terrorism is in the Chamber—sit down and start to look at how we can support local councils to ensure that community-based events can go on without hurdles that are simply too great to get over—too expensive to stage. It has been said that this may have been the last Spring into Corrimal event. I do not want that to be the case. I hope that I can work with the Government, whoever that is, and the local council to ensure that we can put in sensible security and safety measures, but at the same time continue to celebrate what is great about living in our respective communities. I thank all those involved in the festival—Paul, his team at the Corrimal Chamber of Commerce, supporters, sponsors, volunteers, police and those who assisted. Hopefully next year we can make the process easier, more affordable and more efficient to deal with.

*Visitors***VISITORS**

**TEMPORARY SPEAKER (Ms Sonia Hornery):** I welcome into the public gallery members of the Young Professionals Network, organised by the Department of Parliamentary Services. I hope you enjoy the evening. We are hearing private members' statements, in which members have five minutes to speak generally about their electorates.

*Private Members' Statements***INVICTUS GAMES**

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (19:03):** I thank the member for Lake Macquarie for allowing me to speak before him. I am sure that he will be happy that I am using this as an opportunity to speak to something that is close to his heart. I am also happy to see that my friends and colleagues the member for Tamworth and the member for Campbelltown are in this Chamber because I will be speaking about the Invictus Games 2018—events that are close to their hearts. I look forward to having both the member for Tamworth and the member for Campbelltown attend one or two events with me, given their former military service.

Today I inform the House of recent events in the Baulkham Hills electorate that will undoubtedly see our great State make its mark down under as we draw closer to the upcoming Invictus Games to be held in Sydney from 20 October to 27 October this year. As members may be aware, the Invictus Games is an international adaptive multi-sport competition for our former and fellow serving military personnel who have been wounded, injured or become ill during their military service. This event uses the power of sport to motivate recovery, stimulate rehabilitation and promote a more comprehensive understanding and respect for our wounded, injured and ill service men and women.

In Latin the word "invictus" means "unconquered" or "undefeated" and consolidates the fighting spirit of our current and ex-serving military personnel. The will to survive in the face of a severe test lays at the heart of the word "invictus". No doubt, despite all their difficulties and disadvantages, these fearless and compassionate men and women have not been overcome. They have demonstrated that by embracing each other in mutual solidarity, and through the everlasting love of their family and friends, as well as their former military comrades, they can reclaim their future and that they are, indeed, invictus. Many of us will never experience the savagery of conflict. I note that the member for Tamworth is seated at the table. He served in military operations overseas, as did the member for Lane Cove. They potentially would have seen atrocities so extraordinary to well understand that countless service men and women suffer life-changing injuries, both visible and invisible, while serving their countries—and serving us.

In 2013 on a trip to the Warrior Games in the United States the Duke of Sussex, Prince Harry, saw the promising effect sport could have on the recovery and rehabilitation of wounded, injured and ill service personnel. He vowed to revise the idea and introduce a similar event in the United Kingdom. The Invictus Games Foundation was subsequently founded and in 2014 London hosted the first Invictus Games at the Queen Elizabeth Olympic Park, with more than 400 competitors across 13 nations. Guided by an experienced and profoundly passionate board of trustees, the foundation sponsors the delivery of future Invictus Games, administers the process of selecting future game hosts and endeavours to inculcate the significance of sport and physical activity in the rehabilitation journey of wounded, injured and ill service personnel. Built on the enthusiasm and eagerness of the London games, the Sydney games will draw more than 500 competitors from 18 nations to compete in 11 adaptive sports, and will acknowledge and thank families and friends for their role and the challenges they share in assisting these wounded warriors.

Sydney will host approximately 1,000 family and friends, who will be in the stands cheering. I am delighted to enlighten the House about the immense privilege I had to share with Invictus Games Sydney Chief Executive Office Patrick Kidd, OBE, and 2018 Australian Invictus Games team member Peter Arbuckle in launching the Invictus Games Sydney 2018 Education Project at Baulkham Hills High School on Thursday 2 August. I also had the pleasure of attending the high school last Monday to draw out 30 lucky students who will participate in the education program. I am grateful to be a part of a unique opportunity to help students learn about the inclusivity, mental and physical health, and resilience displayed in the Invictus Games. The project, which is the first of its kind in Australia, will provide teachers with an opportunity to offer an exceptional learning experience in this the Centenary of Anzac year.

I also take this opportunity to thank Minister for Gaming and Racing Paul Toole and Councillor Reena Jethi who joined me at The Hills Bowling Club on 1 August to thank the clubs and charities in the area that have supported the Invictus Games. In particular, I commend the following individuals and clubs for their sponsorship:

Sarah Hillhouse, Baulkham Hills Sports Club; Ken Carroll, The Hills District Bowling Club; Hugh Haslehurst-Smith, Castle Hill Country Club; Chris Courtney, Muirfield Golf Club; and Leon Colosimo, the Bella Vista Hotel. I congratulate our local clubs for their generous efforts in supporting our Invictus Games competitors who all share one common quality: A spirit that has triumphed over adversity. We welcome the athletes, their family and friends to our beautiful State. I am very much looking forward to the Invictus Games Sydney 2018.

**Mr KEVIN ANDERSON (Tamworth) (19:08):** I thank the Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs for coming to Gunnedah and visiting with me the GS Kidd Memorial School, which caters for students with disabilities. The Minister very kindly donated some tickets for the students at that school to attend the Invictus Games in Sydney. The students even put on a show for us. In fact, they got the Minister to dance but he stopped short of singing, for which we all very grateful. The students were over the moon when the Minister announced that tickets were available with transport included for them to witness what will be a significant event not only for the Australian Defence Force but also for the world. I thank the Minister for his support.

### DROUGHT ASSISTANCE

**Mr GREG PIPER (Lake Macquarie) (19:09):** It has been a while since Australia's prosperity rode on the sheep's back, but while our farmers and agricultural sector are a smaller part of our national economy these days, their place in our hearts, our history and cultural identity remain as large as ever. I note that the member for Tamworth and the member for Northern Tablelands are in the Chamber. I am sure the issues I will be talking about in this private members' statement will be very close to their hearts. Perhaps it is because our climate has always presented such difficult hurdles and hardships for our primary producers—when it rains it pours, and when it does not rain, it does not rain for months or even years.

The drought currently gripping this State is among the worst on record. It is frightening to think that these extremes in climate patterns will become more frequent for future generations as climate change deepens. The Government has been doing its bit to assist our drought-ravaged farmers, and there is a fair argument that more can be done, but I wanted to inform the House about some of the incredible assistance coming from communities around the State and nation, including in my electorate of Lake Macquarie. While we are a regional electorate full of busy small towns, we are close to significant rural and agricultural regions that are suffering badly. We know the hardships being faced by farmers producing our food, meat and poultry, grain and dairy, fruits and vegetables, even our wines and cheese. When they need a hand the community is quick to extend one.

In July local truck driver Shane Worrall decided to take a month off work to do what he could to help. He put out a call on social media telling locals that he would be taking his truck to Speers Point Park on a Saturday in August. He asked locals to help fill the truck with supplies for farmers in need and he promised to drive the load to Coonabarabran. By the time 11 August came around, Shane was forced to call in his truck-driving mates. Several thousand people turned up with personal donations large and small. Eight semitrailers were filled with bottled water and farm supplies. More than 200 pallets of non-perishable food items were donated, along with more than \$90,000 in cash and supermarket gift cards. This was delivered without much fanfare. Cash donations were used to anonymously pay the overdue accounts held by farmers at their local stores. Produce and food items were distributed to those in need through agencies and local stores in Coonabarabran. Shane said:

We didn't want to make a big scene because that's the last thing these farmers needed or wanted. We put a few accounts into credit so the next time they went in to get stock feed or produce, they knew they could cover the cost.

Of course, Shane and partner, Bianca, did not do it all alone. Hundreds of volunteers stepped in to fill all the gaps. Late last month, for example, the guys at Wangi Mens Shed hosted a garage sale to raise funds for farmers up at Merriwa in the Hunter Valley. Wangi Wangi is among the many small waterfront communities around Lake Macquarie that never hesitates to dig deep when needed. The garage sale raised \$9,000 from selling unwanted household items that had been donated by the locals. Shed president Peter Garland said the amount more than doubled any previous fundraising effort held at the shed. All of it was delivered in a cheque to Merriwa Country Women's Association, which will no doubt make sure the help goes to where it is needed.

The Wangi Wangi community did not stop there. Only last week, the Hotel Wangi hosted a "Buy a Bale" event with the aim of raising \$9,500 to be used to fill a semitrailer with hay for starving cattle out west. Other businesses got involved, including Wangi Workers Club, which held a country music night at the club, and the town's small businesses all chipped in with cash donations. Not only did the small community fill a semitrailer with hay, they raised a further \$30,000—more than three times the original target. Organiser Peter Coyne said, "People just kept putting their hands up to help. It was an unbelievable amount of money raised from a relatively small community." It was certainly that; a small community doing very big things. I am proud to say that this is typical of many communities in Lake Macquarie that are chipping in when the chips are down for New South Wales farmers.

I know that many Australians are pulling together, as they always do when natural disaster, including drought, hits hard. But it is important that we recognise and thank them, even though they are not looking for any recognition. There is hardly a school, club, pub or community in Lake Macquarie that has not contributed in some way towards helping those affected by the drought. I am extremely proud to represent those communities in the Parliament, and grateful that I can recognise their efforts in the House.

**TEMPORARY SPEAKER (Ms Sonia Horner):** Our office donated five carloads of goods from the community. I visited Lake Macquarie on that Saturday. It was great. It was a wonderful initiative. I also thank Shane and Bianca.

### CENTRAL COAST DRUG-RELATED DEATHS

**Mr DAVID HARRIS (Wyang) (19:14):** Recently I met with a constituent who related to me the tragic death of her son due to prescription drugs. She told me that his death could have been avoided by better monitoring of prescription drug use. This week's local paper has an article that reinforces the sad story related to me by this devastated mother. The article, written by local journalist Fiona Killman, states:

Accidental overdosing on prescription drugs has contributed to an alarming increase in drug-related deaths on the Central Coast. According to the Australia's Annual Overdose Report 2018, overdoses are claiming more lives on the Coast with a 42.5 per cent increase in deaths. The report, by the Penington Institute, revealed that 181 people died of a drug-related death on the Central Coast between 2012 and 2016, compared to 127 deaths from 2002 to 2006.

The article goes on to say:

Central Coast Local Health District manager of drug and alcohol services Steven Childs said drug-related overdoses were a "legitimate concern", with the latest statistics serving as an important public safety message. Mr Childs said prescription opioids, such as morphine, codeine, oxycodone and fentanyl, were driving the increase. "When you go back to the early 2000s drug-related deaths from opioids was dominated by heroin," he said. "Now people are sourcing pills from GPs and through the black market. If taken inappropriately in high dosages, people become addicted." Mr Childs said while people injecting heroin know there is a risk of overdose, people taking prescription drugs are at a higher risk of an accidental overdose. "People using a patch or pill can think it's safe being a prescription, but with misuse it can be unsafe," he said. "While painkillers have a legitimate role, again a mixture of toxicity can cause overdose and death." He said 80 per cent of drug overdoses were accidental. "On one hand it has increased, but on the other hand it means in so many cases it should be preventable," he said. "People are overusing and misusing drugs without realizing. If people are aware of the dangers they can get professional help if they have become addicted." The Penington report revealed sleeping tablets/anxiety tablets, known as Benzos, had become a hidden epidemic.

I am pleased that recently New South Wales Labor proposed to introduce real-time monitoring in pharmacies to reduce the number of people dying from prescription drug overdoses—a policy supported by both doctors and pharmacists. The software will link pharmacies and general practitioner [GP] surgeries via a database to reduce patients "doctor- or chemist-shopping" and abusing prescription medications that are at high risk of misuse. It will also alert patients who are unaware that they have slipped into misuse or addiction.

Under the plan, the real-time monitoring system will be patterned on Victoria's SafeScript scheme, which monitors the prescriptions of all Schedule 8 medicines—opioids, painkillers and stimulants. It also monitors tranquilisers, sleeping tablets, antipsychotics and codeine. It will better equip health professionals to identify people at risk of prescription drug misuse, and include additional training and support for health professionals and a public awareness campaign. New South Wales Leader of the Opposition Luke Foley said this action follows a NSW Coroner's report released last month that criticised a lack of State Government action on the matter. He said that the NSW Coroner was inquiring into the accidental prescription drug overdose death of young Sydney mother Alissa Campbell in 2015 and described her death as "preventable".

Deputy State Coroner Harriet Grahame called on the New South Wales Government to urgently introduce real-time prescription monitoring like Victoria rather than wait for the Federal Government to act. She said that it was both frustrating and depressing that New South Wales did not have a standalone plan. The Deputy Coroner recommended implementing a system that has the capacity to identify immediately a patient's current prescriptions to clearly assist doctors and pharmacists to prescribe and dispense more safely, adding that this would have been particularly useful in caring for complex patients like Alissa who accessed a number of doctors and pharmacies at any one time. Unfortunately, if implemented—and hopefully the Government will implement it—this initiative is too late for my constituent. But we have an obligation to do what we can to limit the opportunities for further tragic deaths from prescription drug overdoses.

### INVESTING IN WOMEN FUNDING PROGRAM

**Mr MARK COURE (Oatley) (19:19):** I speak on the recently announced \$400,000 investment by the New South Wales Government in the Investing in Women Funding Program. I commend the Minister for Women, Tanya Davies, for supporting and driving a program that has delivered funds to a variety of organisations since 2013 with the aim of promoting gender equity in the workplace. It is critical that we support women to access training, education and mentoring so that the rate of female participation in the workforce can grow. Every day

we see women and girls from all walks of life making significant contributions to our communities personally and professionally. In many cases, they have had to overcome gender inequalities to do so.

I have had the privilege to meet and work with many women who are breaking down barriers in male-dominated industries and who are paving the way for other women and girls by taking on leadership roles. Projects funded under the Investing in Women Funding Program create more opportunities for more women and girls to follow this lead and develop the skills and confidence to achieve their goals. This year the New South Wales Government has committed \$400,000 to a program that provides grants of up to \$100,000 each to 14 organisations. This represents a total increase of \$200,000 on previous years and has supported four more projects than in 2017. The Investing in Women Funding Program has several focus areas, including women's economic opportunity and advancement; women in small business; women in science, technology, engineering and mathematics careers; women in male-dominated trades; women in leadership roles; and leadership pathways for young women.

Former projects have successfully increased women's economic and leadership opportunities, and led to benefits for individuals, families and the community. Advancing the role, status and contribution of women and girls in our communities will encourage more diversity and flexibility for women and men in the workplace and result in increased innovation, productivity and prosperity. One of the 14 organisations that received funding under this year's Investing in Women Funding Program is 2Connect Youth & Community, formerly known as St George Youth Services. I am pleased to hear that 2Connect will be receiving \$22,000, with the aim of empowering women and girls in my electorate and across the broader St George area. With this funding injection, 2Connect aims to create a leadership team for Young Women's Hub. This hub will mentor young women from culturally and linguistically diverse [CALD] and Aboriginal and Torres Strait Islander backgrounds. Mentorship will be done by other CALD women who are key businesspeople or leaders in their field across the St George area. The aim of the program is to improve access to self-employment and other employment opportunities for all women, but especially those of non-English-speaking backgrounds.

2Connect is greatly deserving of this funding and I commend the manager of the organisation, Valentina Angelovska, and her team for their tireless commitment to serving the community. 2Connect is a leading not-for-profit that has provided holistic services to empower youth, families and communities in the south-east Sydney region and surrounds for more than 28 years. Its mission is to provide inclusive and sustainable services to improve the wellbeing and connections of young people, families and communities. Its vision is to see communities where all individuals feel a sense of belonging and achieve their full potential as individuals and citizens. To achieve this, 2Connect offers a range of holistic, complimentary services relating to alcohol and other drugs, finding employment, supporting individuals who are at risk of homelessness, and helping youth reconnect with their family or school, as well as running successful community development projects advocating to address local specific needs and issues. Its success story has been incredible.

The impact of 2Connect has been truly impressive. More than 21,000 individuals have engaged in community development projects, 5,000 young people have received drug and alcohol support, and more than 1,000 individuals have been assisted to prevent homelessness. More than 1,000 families have been supported to prevent family breakdown and 337 young people have been connected with employment or education. With a track record and glowing statistics like those, I am excited to witness the future of 2Connect's programs, services, influence and reach. I thank the entire team of 2Connect for pioneering the work of the organisation and being a voice for young people in the community. Now, with \$22,000 being invested through the Investing in Women Funding Program, the impact of 2Connect on the leadership and development of local girls and women will have far greater reach.

### WOY WOY WHARF

**Ms LIESL TESCH (Gosford) (19:25):** The people of the beautiful Central Coast love where we live. Today I am talking about public wharves and accessing our waterways. In the Gosford electorate we have the wonderful Woy Woy Peninsula, which is surrounded on all sides by water. Situated at the mouth of the mighty Hawkesbury River, Brisbane Water was the lifeblood of the community long before white fellas arrived on Darkinjung and Guringai land. Our waterways were the original commute—on boats made by our outstanding boat-building industry that were rowed up from Sydney and from the east side of the Brisbane Water to the station at Woy Woy and markets at Gosford. Being surrounded by water, we are lucky to have several public wharves available for recreational and commercial use. Last month we opened the new floating pontoon at Koolewong Wharf and boat ramp upgrade with our mayor, Jane Smith. We are now working with passionate community activist Colin Bray to create the best possible solution to attach a hoist to the wharf so that people with disabilities can get on and off boats with ease and can easily go fishing and sailing and use the wharf for leisure.

The completion of the upgrade coincided with a great, inclusive tourism meeting held at Ettalong Diggers last weekend. People with disabilities, their carers and their families united with people from the tourism industry



to discuss how we can improve access for all on the Central Coast. On that note, people with disabilities are thrilled with our new floating pontoon wharf at Ettalong that allows much easier access to the ferry as the tide rises and falls. We finally have a great upgrade of the Ettalong Wharf that is connecting our community to the northern beaches, workers to jobs in Sydney, and students and teachers to schools on both sides of the Hawkesbury. It is also giving tourists easy access to Ettalong, Hardy's Bay, the peninsula and the Central Coast.

It is such a pity that for the past six months ferries have been unable to run due to the dredging situation in the Ettalong Channel. The community waited with bated breath for the dredge to arrive. It now sits idle on calm days, whilst the member for Terrigal—who has just left the Chamber—assures the community that dredging is taking place. Last night the people of our community joined together again, led by community champion Bill Jackson, the chief executive officer of Ettalong Diggers, to express their collective frustration at the lack of long-term solutions and the lack of communication from the Berejiklian Government. Even the Federal member for Robertson has finally realised that the people of her electorate are suffering and has called on the State Government to hurry up and fix the problem. The Government needs to understand that our water commuters, tourism industry and local businesses rely heavily on our waterways and associated infrastructure. Even the Spencer Wharf upgrade is on its way, after a successful local campaign run by the community. They will be thrilled to have that delivered in their picturesque riverside area.

Unfortunately, those great upgrades are in stark contrast to the state of the Woy Woy Wharf. The ageing wharf is one of the first things people see as they enter Woy Woy. Although the Aboriginal flag now flying at the Country Women's Association Hall is a distraction, it is clear that the wharf is well overdue for an upgrade. During the January king tides I was with wonderful folk from Central Coast Ferries on the Woy Woy Wharf as the palings floated up and the wharf was submerged. Even my sporty wheelchair did not make the grade up the mobile ramp onto the ferry. Ferry operators and customers alike are frustrated whenever we experience regular tidal changes. Woy Woy is a major commuter wharf that at high tide renders ferries completely inaccessible for people with mobility issues, people with prams or people in wheelchairs. Even members of the general public get their ankles wet when parts of the old wharf are completely submerged.

Despite the importance of the wharf for local business, tourism and commuters, the Berejiklian Government has been knocking back grant applications since 2012. Gosford council previously received grants to undertake a study investigating options for upgrading the wharf. We have done the studies; the community is tired of waiting for the project to be funded. Woy Woy desperately needs a modern, floating pontoon wharf that can rise and fall with the tide. This is why I have started a local campaign calling on the Government to work with Central Coast Council on a joint funding solution to provide a wharf that our community can be proud of.

#### **RYDE ELECTORATE DEVELOPMENT**

**Mr VICTOR DOMINELLO (Ryde—Minister for Finance, Services and Property) (19:29):** Our community recently had a significant win when the Land and Environment Court rejected a proposal to build a block of apartments that was completely out of character with the low-density environment of Lexcen Place, Marsfield. I had been working hard with our community to fight the ridiculous apartment proposal in Marsfield and spoke against the development at both Land and Environment Court hearings. It is pleasing that the court judgement has taken the community's wishes into consideration and rejected the proposal. I give a big shout-out to all of our community and thank them for taking a stand. Such outcomes cannot be achieved without community support. But whilst it is a big win, we must not be complacent as there is still more to do.

The development proposal was a direct result of problems with the Ryde council local environmental plan [LEP], which is essentially our local planning law. It gives the council a blueprint for what gets built in our local government area and controls where there will be medium-density, low-density and high-density development and where there will be parks. To enable Ryde council to address the issues, the State Government has given the council \$2.5 million and two years to fix its outdated LEP. For the record, when council revises its planning laws over the next two years I will be strongly advocating for a planning code that resembles that of Lane Cove or Hunters Hill—that is, very limited medium density and a pause on any further high-rises until the impact of the current pipeline of development is determined over the next five or so years. I will also be strongly advocating that Macquarie Park should remain fundamentally a commercial precinct. We have had enough residential development there: The future focus must be on commercial space and employment.

The *Weekly Times* reported that there will be a new car park in Eastwood. I applaud the council for that proposal because more car parking in Eastwood is desperately needed and long overdue. On 17 August 2018 I wrote to Ryde council seeking further information. I asked questions such as: When will the concept design be available; what is the anticipated cost of the car park; and which development contributions are funding it? I also asked whether there is any proposal for high-rise commercial or residential development on or adjacent to the car park and, if so, would the council please provide more details in relation to the location, scale and density of the development? Finally, I asked whether the location of the site was based on a traffic report that council had

undertaken and, if so, would council make the report publicly available? I will keep the community informed of the council's responses to my questions in the next update. The relocation of Marsden High School to its new site at Meadowbank is progressing and the work of the design reference group is under way. One parent said:

My son and I visited the school during his year 6 and I was amazed that nothing had changed since I was there—bring on the new and updated learning environments, can't wait.

We will keep the community updated as more information comes to hand. There is a sense of excitement in our community about the sports complex that will be built on the existing Marsden High School site that will provide a State-level facility for netball and open up opportunities for other indoor sports. The closure of the railway from Epping to Chatswood is happening on 30 September. It will last for approximately seven months and there will be challenges. The reopening is something to look forward to. We will have a new and improved metro station, with trains every four minutes and the ability to deliver for the future needs of the Macquarie Park area. It is very exciting. More information will be provided in the following weeks. Station Link services are now available online.

The New South Wales Government is investing hundreds of millions of dollars in Ryde, with three new high schools and four new primary schools, a new sports complex to accommodate outdoor and indoor netball and other sports, and new open spaces. For example, the Meadowbank Primary School former site will become public space. There will be a new \$8 billion metro service and a bus interchange at Macquarie Park worth \$100 million. All those projects have budgets in place and they are all on track. Under the former Government, we had lots of promises regarding schools and transport in our area but we witnessed the closure of Peter Board High School and Ryde High School, increasing numbers of demountables and got nothing for the metro. What made things worse was that we inherited debt and deficit. I am proud to say that as a result of strong financial management we now have no debt in New South Wales. We have surpluses that enable us to invest in the major projects we are delivering now for the good people of Ryde. They can rest assured that I will continue to fight hard for our community and work for them to deliver the modern facilities they deserve.

#### CENTRAL COAST MARINE PARK PROPOSALS

**Mr ADAM CROUCH (Terrigal) (19:34):** Fishing is an integral part of the Central Coast's lifestyle and economy. Our region, especially in my electorate of Terrigal, is blessed with many beautiful beaches and waterways. Indeed, many thousands of people visit the Central Coast every year for beachside holidays and fishing trips. Last month the New South Wales Government published the Marine Estate Management Authority's proposal for up to 25 marine park sites between Newcastle and Wollongong. The proposal included three sites in my electorate: an extension at Bouddi; the ex-HMAS *Adelaide*; and from Wamberal Lagoon, along Forresters Beach and up to the southern end of Bateau Bay. I welcomed the opportunity for our community to have a say. In fact, this is the first time the community has had an opportunity to have a say. We all know that the Port Stephens marine park implemented by the former Labor Government was poorly consulted on and unfairly imposed upon that community.

As I have said before, protecting our marine environment is vital but we must ensure that the thousands of locals and visitors with fishing licences are able to continue using our beaches. The State Government is absolutely committed to achieving a balance between the needs of the community and the unique marine environment, which is why I strongly encouraged locals to submit their feedback in response to the marine park proposal. It is clear that the Marine Estate Management Authority's proposal is too extreme. A balanced outcome is not one that bans someone from walking along the beach holding a fishing rod—that is too extreme. Earlier this week the Minister for Primary Industries, the Hon. Niall Blair, announced that any lockouts are now "off the table". As the Minister said, the message coming out of the public consultation is clear: Fishing is not a significant risk to our marine environment. Any threats can be managed without locking out people fishing on our beaches and in local waterways.

As the Minister said, it is clear that the Marine Estate Management Authority's proposed management methods and the size of the sites would have impacted unfairly on low-risk activities, such as fishing and spearfishing, for my community on the Central Coast. I doorknocked Forresters Beach in my electorate last weekend, and out of the hundreds of residents I spoke to not a single one said that they support the marine park proposal. I have also received hundreds of emails, letters and telephone calls from Central Coast residents across the electorates of Terrigal, The Entrance, Gosford and Wyong. I thank the many hundreds of locals who have taken the time to raise their concerns about this proposal with me. It is clear to them who is really listening.

I also take this opportunity to thank a small group of very committed and dedicated local fishermen who have spent hours gathering community support. I acknowledge Simon Hovarth, Scott Thorington, Nathan Bajada, Alex Hamilton and Paul Marsh. I have had the pleasure of meeting with these guys a number of times over the past few weeks and I thank them for the civil way in which they have expressed concerns and engaged with this

issue. As their local member of Parliament and their strong voice within the Government, I have made representations to the Minister on their behalf.

This decision by the Government shows that we do listen to local communities across New South Wales when making decisions and policies. But it is disappointing that Labor members on the Central Coast have remained strangely quiet on this issue and have not said anything publicly. In the past few weeks we have heard the Leader of the Opposition declare that he opposes lockouts and then his shadow environment Minister declare publicly that her party supports them. Mass confusion reigns with those opposite. I also draw the attention of the House to the website [www.themarineparks.com.au](http://www.themarineparks.com.au), which claims that fishing and mining is endangering all marine life and asks people to sign a petition to protect marine parks.

A simple Google search reveals that the website is registered to Grace Cramer from none other than the Australian Labor Party (New South Wales Branch). The Labor Party must have realised that it had been sprung, because it very quickly changed the ownership of the website to Essential Media Communications. But the fisherfolk on the Central Coast can smell a rotten fish and they happily shared that information with the 60,000 people in the Stop The Lockout group. They know who has their backs on this issue, and it certainly is not the Labor Party on the Central Coast. Unlike those opposite, I am more than happy to stand up for our community. Right from the beginning I have openly opposed the marine park proposal as being too extreme.

I thank the Minister for Primary Industries, the Hon. Niall Blair, for listening to my concerns and for making it clear that fishing lockouts are off the table. The six-week consultation period will continue until 27 September. This is an excellent opportunity for everyone—whether it be my constituents, local fishing club members or small business owners—to have their say so that we can reach the best possible outcome for our region, the beautiful Central Coast.

**TEMPORARY SPEAKER (Ms Sonia Hornery):** I assure the member for Terrigal that there is nothing fishy in Wallsend.

#### **BEROWRA APEX CLUB**

**Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (19:39):** Tonight I pay tribute to an organisation in Hornsby that has stepped up to help our farmers in a big way. Berowra Apex has been responsible for organising a convoy of 14 cars and trailers to do a 16-hour round trip to deliver much-needed cash and supplies to farmers who are doing it really tough at the moment. What started with just five mates getting together and offering to drive donations up to the Country Women's Association of NSW organisations west of Cobar grew to 14 cars and trailers packed to the brim with donations and cash, which went straight to where it was needed most. Many of the donations also included notes of support from local families.

Berowra Apex, the organisation behind the wonderful Berowra Woodchop Festival, used the event to call on the community to make donations for the convoy. The community answered in a big way and each one of the 14 trailers overflowed with goods. They also raised more than \$3,000 in cash donations at the festival. Berowra Apex was joined by the Sydney District 4WD Club and Ku-ring-gai Netball Association. Ros Roots from Ku-ring-gai Netball Association even put on a cow suit and collected \$18,000 in cash donations, including a single donation of \$6,000, as well as thousands of dollars in food and supplies.

The convoy was on the road for three days, and they always ensured that they stayed together along the way. They gave back to the small towns, staying in local accommodation, fuelling up in local towns and eating at the local pubs. They also purchased dog food and powdered milk for the lambs from the small towns they passed through. When the farmers are doing it tough so are the small towns, and these volunteers wanted to be able to help them out as well. Each member of the convoy had donated their own fuel, paid for their accommodation and food, and taken time off work. They are truly selfless volunteers. I take this opportunity to thank Nathan Gilbert and his team for their part in this convoy. I know this has made a big difference for those families who are doing it tough in the Central Western New South Wales region.

Berowra Apex became a fully fledged club in December 1977 and has been serving the community of Berowra and abroad ever since. The club first started by cleaning the seven barbeque areas on Berowra Waters Road. Members of the club would also assist elderly residents by doing odd jobs around the house and mowing their lawns. From these beginnings, giving back to the local community, Berowra Apex has grown to become a strong force in the local community. It is not a local event if Berowra Apex is not involved—its members put their hand up every time.

As I have mentioned, the Berowra Woodchop Festival is one of the biggest drawcards for those living in Berowra and in the surrounding suburbs. The day is packed with entertainment for the kids, market stalls from local businesses and delicious food. There are also woodchopping events throughout the day. Along with this event is the annual Movie Under The Stars, which is supported by Hornsby council. This event gives the

community a chance to get together and enjoy a good movie and some dinner. Berowra Apex members are the kings of the barbecue. With their custom-built barbecue trailer, they answer the call for any community group wanting to run a barbecue. If local schools or charities need a barbecue they should remember that they can call Berowra Apex.

Berowra Apex is also involved with commemorative services for Anzac Day and Long Tan, along with the Red Shield Appeal and Daffodil Day. If one asks the kids of Berowra what is their favourite event though, they will say it is the Santa Run. Members of Berowra Apex go to collect Santa and they drive him through the streets of Berowra in a custom-built sleigh. This is a highlight for the local kids, who flood the streets for a glimpse of Santa. Also at Christmas time, Berowra Apex sells trees, makes hamper donations to the Salvation Army and attends the Asquith carols.

The Berowra Apex Club has also been responsible for some local infrastructure projects. It built the bike track in Berowra Anzac Park and the seating area at Warrina Street Oval. I know those watching the Berowra Wallabies thank the Apex club very much for the seating. Along with these community events, the group also supports Guide Dogs on the North Shore. An initiative that was started 70 years ago when Apex began, Berowra likes to continue this tradition through the local branch. It also helps to maintain The Shack in Perisher Valley, which gives families in need a snow adventure.

The drought relief convoy is not the first time that Berowra Apex has assisted in a national emergency. In 2009 it was on hand to support bushfire victims. Once people join Apex they are given their own nickname, but today I thank the men behind those nicknames for their dedication, hard work and unwavering support for our local community: Mark Giles, Ruaird Gerritsen, Brad Waters, Keith Roscarel, Nathan Gilbert, Mick Smart, Gavin Street, Matthew Francis, Shane Foster, Shawn Fead, Barry Abrams, Jon Ward, Quan Chung, Mick Lynch, Charles Blaxland, Ron James, Richard Frewin, Geoffrey Harris, Stuart Montgomery, Greg Waters, David Cook, Terry Flippance and David Manning. Congratulations to each and every Berowra Apex member. They are truly local heroes and we salute them. I thank them sincerely not only on behalf of a very grateful community but also on behalf of those in the Central West, who have been the great beneficiaries of this wonderful generosity.

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Tourism and Major Events, and Assistant Minister for Skills) (19:44):** I thank the Minister for Innovation and Better Regulation and member for Hornsby for bringing to the House such an erudite report of the activities of the Berowra Apex Club. I am glad that he highlighted the efforts of club members, particularly Nathan Gilbert in leading the convoy to assist farmers in the Central West near Cobar. Cobar is not in the electorate of Northern Tablelands but, on behalf of the farming families and communities in my region who are doing it tough—just like those in the Central West—I sincerely thank, through the member for Hornsby, the members of the Berowra Apex Club. That is a tremendous effort. Governments—both this Government, with more than \$1 billion of assistance on the table, and the Federal Government—are doing their part, but it is wonderful to see communities from right across this State band together to support those in need, including members of the Berowra Apex Club. It is a tremendous effort to drive that far with a convey. It is a wonderful gesture and I am sure that it was very warmly welcomed.

*Bills*

**RSL NSW BILL 2018**

**STRATA SCHEMES MANAGEMENT AMENDMENT (BUILDING DEFECTS SCHEME) BILL 2018**

**Returned**

**TEMPORARY SPEAKER (Ms Sonia Hornery):** I report receipt of messages from the Legislative Council returning the abovementioned bills without amendment.

**The House adjourned, pursuant to standing and sessional orders, at 19:46 until  
Thursday 20 September 2018 at 10:00**