New South Wales

Legislative Assembly

PARLIAMENTARY DEBATES
(HANSARD)

Fifty-Sixth Parliament
First Session

Wednesday, 26 September 2018

Authorised by the Parliament of New South Wales

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LEGISLATIVE ASSEMBLY

Wednesday, 26 September 2018

Presiding Officers

ABSENCE OF THE SPEAKER

The Clerk announced the absence of the Speaker.

The Deputy Speaker (The Hon. Thomas George) took the chair at 10:00.

The Deputy Speaker read the Prayer and acknowledgement of country.

Bills

ROAD TRANSPORT LEGISLATION AMENDMENT (PENALTIES AND OTHER SANCTIONS) BILL 2018

Returned

The DEPUTY SPEAKER: I report receipt of a message from the Legislative Council returning the abovementioned bill with amendments. I order that consideration of Legislative Council's amendments be set down as an order of the day for a later hour.

WORKERS COMPENSATION LEGISLATION AMENDMENT BILL 2018

First Reading

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

The DEPUTY SPEAKER: I order that the second reading of the bill stand as an order of the day for a later hour.

[*Notices of motions given.*]

WESTERN CITY AND AEROTROPOLIS AUTHORITY BILL 2018

Second Reading Debate

Debate resumed from 19 September 2018.

Mr MICHAEL DALEY (Maroubra) (10:13): I lead for the Opposition in debate on the Western City and Aerotropolis Authority Bill 2018. At the outset I indicate that the Opposition supports the bill. Part of the evolution of Badgerys Creek airport, particularly over the past for five years, is that it has received bipartisan support for the progress of that airport. We all realise how important the Badgerys Creek airport, or the Western Sydney Airport as it will be known, is to the ongoing economic prosperity not only of Western Sydney but also the rest of Sydney and the State. All reasonable people who look at this issue objectively would conclude that it will be a great boom for Western Sydney.

I live five or six kilometres from Sydney Kingsford Smith Airport. I worked there three or four working lifetimes ago as a customs officer. I see the economic activity and jobs that are generated by Port Botany and Sydney Kingsford Smith Airport. People come from all over New South Wales to work there. It is a massive jobs generator. The people of Western Sydney have every expectation that Western Sydney Airport will perform the same role for them. It is the most exciting project, if we can call it that, that has happened in New South Wales for a very long time. It proceeds with bipartisan support at both the State and Federal levels. It should continue that way because, first, it has an important mission statement, and, secondly, because the one thing that business needs, regardless of the political climate, is certainty. With a project like this, which will probably have a 30-year evolution before it is really up and running, it is important that business, investors and all of those who will play their role in bringing this precinct to fruition know that there will be no deviation from the plan and that the major parties support it wholeheartedly.

I have called for quite some time and, if I am not mistaken, the Leader of the Opposition in his past two budget reply speeches has also joined the call from our Federal colleagues for a single development authority. This bill brings that to fruition. Essentially, it creates what the Minister for Western Sydney, who is in the Chamber, has described as the master developer and the master planner for the site. We should acknowledge that the bill takes away planning powers from councils, but I like to think it is not simply a matter of walking in and removing them. It will be done in consultation with those councils, particularly the eight councils that have signed

up for the Western Sydney City Deal, being Blue Mountains, Camden, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly. The Minister has assured me in a briefing, for which I am grateful, that the Government will continue to consult with the councils in preparation of the master plan. I accept that in good faith.

I note that the master plan is now proceeding in conjunction with other State bodies such as the Greater Sydney Commission, the Department of Planning and Environment and all the other associated government departments under the Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan, Stage 1: Initial Precincts, which is now released. The plan makes for informative reading for those who care about this, and most people in public life should care. As I say, we accept in good faith that the councils will be consulted along the way. If the strong characters who are mayors are not consulted we will all know quickly, as is generally the case with mayors. As I said, I live close to Kingsford Smith Airport. Sydney, in particular old Sydney, to a large extent has been subject to ad hoc planning. In the southern part of Randwick City Council and Bayside Council, where I live, we see friction between competing land uses, with residential buildings on one side of the road and port- and airport-related infrastructure on the other side of the road. This is to be avoided at all costs, and the only way to do that is to master plan a site properly.

I have been perturbed by the advances and visits I have had from landholders in and around the precinct, the affectation area, if you like, of the airport. They have come to show me—and the Government on some occasions—their proposals for land within the aerotropolis precinct. I am looking at the map on page 21 of the Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan, which is replicated in the bill. If some of those proposals from developers are allowed to go ahead, by accident or design, we will import the very problems that we now see around Sydney Kingsford Smith Airport. That is why a single development authority for the aerotropolis—not the airport itself, although there is one that applies to that land as well—is needed.

The Opposition supports the bill. I will now refer to provisions in the bill. Part 2 deals with the constitution and management of the authority, the board of which has joint Commonwealth and State representation. The Opposition takes no exception to any of those provisions. The functions of the authority set out in part 3 are quite straightforward and we take no exception to those either. Clause 18 of the bill enables the authority to form private subsidiary corporations with the approval of the Minister. I have had some fruitful discussions with the Minister on this issue. The Opposition is concerned that the situation that manifested with the Sydney Motorway Corporation—which was formed under the Commonwealth Corporations Act, not State legislation—does not happen again.

Members of this House will recall, as will people who have followed the evolution of the WestConnex, that from time to time the Opposition has tried to elicit from the Government the most rudimentary details about the functioning of the Sydney Motorway Corporation, such as what the chief executive officer [CEO] was paid. I recall that in budget estimates the Hon. Duncan Gay gave an answer with a smile on his face—a non-answer—stating, "It is a corporation formed under the Commonwealth Corporations Act and it does not have to explain itself to the Parliament of New South Wales. It does not have to comply with the Government Information (Public Access) [GIPA] Act. All it has to do is account to its shareholders." When he was asked, "But you are one of them. Tell us how much the CEO is being paid," he said, "I don't have to." We do not want to see that again in relation to the Badgerys Creek airport.

The one thing that will destroy public confidence and faith in a project, no matter what size or magnitude, is lack of transparency. We do not want to see a private subsidiary corporation that holds information that belongs to the public but does not account to the public. Yesterday the Minister and I had a conversation about other bills in the State realm that have analogous provisions. The Opposition will consider this issue and I will talk to my colleagues in the upper House. I foreshadow that the Opposition may move an amendment that any corporation formed pursuant to what will be section 18 of the Act will have to be amenable to the auspices of the Independent Commission Against Corruption, the GIPA Act and the like. Another option is to seek to remove clause 18 from the bill, and I am reluctant to do that. I have told the Minister that we will have ongoing conversations on that issue before the bill is dealt with in the Legislative Council. To sum up what the public feels about Western Sydney Airport, it is a very simple exhortation: just get on with it.

Ms MELANIE GIBBONS (Holsworthy) (10:24): I support the Western City and Aerotropolis Bill 2018. Planning is important. As such, this bill provides for the creation of a government agency to oversee the master planning for Western Sydney Aerotropolis and for continued support for Western Sydney. The Government has 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. The creation of a new authority will harness this opportunity. Through the Western Sydney City Deal the three levels of government are committed to the creation of 200,000 new jobs across a wide range of industries over the next 20 years. Residents of the new Western City do not currently have access to the jobs 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 in the Eastern City.

The Western City will grow by 500,000 residents over the next 20 years to 1.5 million people. We need to deliver high-quality, accessible jobs and training opportunities and support a vibrant sustainable community. By delivering an aerotropolis, centred in Badgerys Creek and catalysed by the Western Sydney Airport, the Government will drive jobs creation through an integrated approach to the master planning of precincts and industry attraction. The authority will deliver the aerotropolis. It has been designed to coordinate government agencies and deliver investment and jobs for the people of the Western City. The authority will ensure the Western City competes with global cities for industries seeking to invest in world-class facilities in proximity to an international airport. We are placing the Western City on the world stage.

Once established, the authority will be permitted to initially operate in the aerotropolis. This will comprise the three early release precincts for rezoning in the aerotropolis as released by the Department of Planning and Environment in its Land Use and Infrastructure Implementation Plan. These three precincts are the Aerotropolis core, which is the 114 hectares of Commonwealth land at North Bringelly, the Northern Gateway and South Creek. Each of the areas is critical for development of the aerotropolis because each will include crucial infrastructure, such as the North South Rail Line connecting the aerotropolis to St Marys, and key environmental assets. Through the Western Sydney City Deal, the Commonwealth agreed to enable this 114 hectares of land for development to form the central metropolitan hub of the aerotropolis.

Master planning and development of this area in partnership with government agencies will be the genesis of the aerotropolis as an active, vibrant and sustainable employment centre. Over time, the authority will operate in a new growth area announced in the City Deal, the Greater Penrith to Eastern Creek Growth Area. The authority will also be given the power to operate on specific sites across the Western City to support urban renewal and jobs creation. These operations will be subject to a request from a council and ministerial approval. This is how the Government will not only deliver the aerotropolis but also support the creation of the Western City. As announced in the City Deal, the initial focus of the authority will be on developing 114 hectares of Commonwealth land at North Bringelly. This will kick-start jobs growth and will be the centrepiece of the aerotropolis. The opportunity is unprecedented. The Commonwealth land alone is almost the size of half the central business district of the Eastern Harbour City, approximately 270 hectares.

Here we have a greenfield site in close proximity to a new international airport and the three levels of government committed to infrastructure investment connecting the area to the existing metropolitan centres of Liverpool, Penrith and Campbelltown. The Government is rezoning the land to support a variety of industry types. Sectors that will find a home in the aerotropolis include aviation, aerospace, defence industries, advanced manufacturing and agricultural science. The authority will work with industry sectors to undertake master planning and deliver precincts tailored to the facilities needed by industries to deliver jobs. The Government is already working to attract investors by promoting these opportunities. The authority will have a key coordinating role in attracting investment by entering into agreements with landowners to design and promote land packages in the aerotropolis to potential investors. The Government is already seeing success from its investment attraction strategies. There is significant demand from international investors looking to bring jobs to the Western City.

In May 2018 the New South Wales and Commonwealth governments hosted an aerotropolis investor forum with international and domestic business representatives invited, and 233 delegates representing 192 organisations and 15 countries attended. The international business community is recognising the opportunity and the potential of basing operations in the Western Sydney aerotropolis. The Government is committed to bringing this investment to the west and ensuring it benefits the whole community through job creation and economic growth. Companies and organisations are beginning to commit to the aerotropolis. Northrop Grumman, a major United States defence contractor, has committed to invest $50 million in a site within the aerospace and defence industries precinct in the aerotropolis.

Recently we announced a partnership of four leading New South Wales universities: the University of Newcastle, University of Wollongong, University of New South Wales and the Western Sydney University. That partnership is committed to building a new university campus for them all, focusing on science, technology, engineering, and mathematics [STEM] teaching and research. It is phenomenal that those four universities have come together to create an opportunity for people in Western Sydney. It will make a huge difference to the local area, and this is just the beginning. The Government is actively pursuing investment and there will be further announcements in the coming months. Establishing the authority will accelerate investment attraction because there will be a dedicated entity ready to work with businesses and organisations on master planning and creating precincts.

Recently, in Warwick Farm at the Sydney Business Chamber lunch, the Premier announced the university partnership opportunity. It was received very well and was a popular decision. I am thrilled to see the four

universities come together. As I said previously, it will make a huge difference. Whilst discussing the new airport, I believe that time has to be given to deciding on what name should be given to it, and that is something I believe the new authority should investigate. I have written to many members of Parliament and people with decision-making capacity around the airport with my suggestion. My suggestion, which I believe deserves serious consideration, is naming the airport after Nancy Bird Walton. Nancy Bird Walton was born in New South Wales and her flying lessons were conducted by Charles Kingsford Smith. She was one of his flying school's very first pupils. I think there is a nice synergy with our first international airport named after him and our second named after her. She became known as the first lady of aviation and the angel of the outback after operating an air ambulance for remote areas. She trained women in skills needed to support the men flying in and out of the Royal Australian Air Force when World War II broke out over 70 years ago.

Our Parliament has recently focused on the many firsts for women. We have been doing it for a while now and I think this would be another way to note a particularly important trailblazer. She stopped flying for a time, after being pressured by politicians and colleagues that women were not biologically suited to flying, but she came back stronger as the founder and long-term patron of the Australian Women Pilots' Association. Her charitable work was noted in 1966 when she was invested as an Officer of the Order of the British Empire [OBE]. She was also later appointed as an Officer of the Order of Australia. In 1997 she was declared as an Australian living treasure by the National Trust of Australia.

As I said, Nancy Bird Walton was a trailblazer for women. She eased suffering through the operation of the air ambulance and made a significant contribution to the war effort by encouraging and training more women to serve. As one of Charles Kingsford Smith's first pupils, I believe she is in the perfect position to have an airport named after her. Further to the excitement that is building around the airport coming to Western Sydney, yesterday, the Mayor of Liverpool, Wendy Waller, welcomed the turning of the first sod at Badgerys Creek by Prime Minister Scott Morrison as the day talking stopped and action started for the Western Sydney airport, particularly for Liverpool as its gateway city. She stated: This is the day things get real for Western Sydney Airport … The Prime Minister has moved the first bit of dirt today. Local people will now be putting their own sweat into this 1,700-hectare site over the coming years to make Sydney's newest international airport a reality. Some 28,000 jobs will be available when the airport and aerotropolis is built and operating. We know that Western Sydney residents will be at the front of the queue for those jobs.

[*Extension of time*]

At the turning of the first sod the Prime Minister stated, "This is the biggest game-changer I think for the city of Sydney since we built the Harbour Bridge. That's how big a deal this is." That is exactly how the people of Liverpool see it. It is a massive deal for us because we will benefit from jobs and it will make a big difference. It is important to note that Liverpool will be the middle city between the two airports, so it will be an exciting time for us as the hub of it all. In fact, the hub is being centred at Liverpool whilst construction takes place. Mr Morrison further said:

> Western Sydney University has actually built a vertical campus in Liverpool because of this. The reason they decided to invest in Liverpool was because of this. That's what I mean by game-changing, city-changing infrastructure investments—it is leading investment right across Western Sydney.

How exciting is that? The mayor went on to say:

> A major international airport needs a big city as its partner and we will be growing up with the airport providing all the types of workers it needs to make it a success from labourers to sales and retail staff, office managers, technicians and tradies all the way to the aeronautical engineers and science-based professionals who will work in the Aerotropolis.

The council is pushing for the construction of a rapid transport corridor for fast, reliable and efficient transport to and from the airport. This is obviously a good time to look into that significant piece of infrastructure to bring the idea of the 30-minute city to Sydney's south-west. It would make such a difference. We could do the trip from Liverpool to the airport in about 20 minutes along the rapid transport corridor, which would open up a huge amount of jobs and opportunities. Liverpool City Council has also been awarded a $1.55 million grant from the Department of Planning and Environment to do a detailed design and strategic business case to widen and extend Fifteenth Avenue to the Badgerys Creek side of Western Sydney Airport, which will also open things up there. In the time I have left I will touch on the tourist boom that is coming with the airport as interest takes hold in south-west Sydney. The South West Sydney Tourism Taskforce has recently been formed with president Harry Hunt, OAM.

Dr Geoff Lee: President Harry was a great leader on the Chamber of Commerce.

Ms MELANIE GIBBONS: He is a great man, as the member for Parramatta said, and he has been brilliant on the Chamber of Commerce. In fact, he served the Chamber of Commerce from 1980 to 2016. He was its president from 1998 and he left it in a healthy situation. Harry Hunt knows Liverpool, and he knows about

tourism from operating his Country Comfort Hunts motel at Casula. He has stated how well tourism has been going. Figures collected from Ibis Styles in Lansvale, Holiday Inn Warwick Farm, Quest Apartments Liverpool, the Mercure in Liverpool and Country Comfort Hunts Liverpool show that in the past 12 months there were more than 200,000 international visitors to the Liverpool and Fairfield local government areas.

The area is going to boom. International visitors are already flocking to Liverpool, with the number of tourists jumping 79 per cent over the past five years. In 2011 there were 20,000 overseas visitors to the Liverpool local government area. Last year there were 35,000. That shows the difference the airport will make. Mr Hunt has invested more than $1 million to transform his motel from 3 ½ stars to four stars. The task force hopes to gain the support of Liverpool council to drive the local tourism economy, which last year received a $266 million boost from the international and domestic markets, representing a 62 per cent increase compared with 2011. I particularly thank the Minister for Western Sydney, Stuart Ayres, and his staff for introducing this bill to the House. As members can see, I am excited by the difference it will make. Earlier I described the development of a new Western Parkland City centred around the new airport as "a once-in-a-lifetime opportunity". The key word in that phrase is "once". We will only get one chance to do this right and the new authority is a key pillar in allowing us to do exactly that. I commend the bill to the House.

Dr GEOFF LEE (Parramatta) (10:39): I support the Western City and Aerotropolis Authority Bill 2018. Before I go into why I support the bill, on a personal note it is a fantastic opportunity for Western Sydney. As the member for Holsworthy has just said, it is a once-in-a-generation opportunity to create a megaproject in Western Sydney—a catalyst project in Western Sydney, actually—to drive not only the 200,000 jobs that will eventuate but also international, domestic and intrastate tourism. Western Sydney brings so many advantages. I know that the member for Heathcote, who is currently in the chair, is from down south and would appreciate the beauty of his area. I acknowledge the beauty of the Heathcote electorate, but I assure the member that this whole Chamber knows—I am sure we are all behind it—that Western Sydney is even more beautiful than down south, especially places like the river cities of Parramatta, Liverpool and Penrith. This megaproject will be a catalyst of substantial development not only for the economy but of the change drivers of the future in Western Sydney.

The aerotropolis is the Western City. The Greater Sydney Commission has done its strategic planning: the three cities strategy for Greater Sydney. We have the Western City and the aerotropolis at Badgerys Creek; we have the Central City, which is Parramatta—I like to describe it as the capital of Western Sydney—and we have the Eastern City, which is the Sydney central business district, where we are now. This bill addresses the Western City and the aerotropolis. It is a fantastic opportunity. Sydney needs two airports and this airport is the catalyst to develop employment areas, industry sectors and hubs, and also new homes for people. This is essential as we face the expansion of Western Sydney: another million people over the next 20 years. The Government needs to plan for that future.

At the moment, some 200,000 people in Western Sydney wake up in the morning and have to leave their homes and drive into the sun in the eastern side of the city just to get work. The Government has to address that. The Western City and aerotropolis will address the need to be able to work close to home. It will increase amenity for the people who live in the area. Fortunately, Parramatta is a jobs hub. The Government is excited about the new aerotropolis. It is approximately 25 kilometres. Whilst there is a north-south rail link committed to the aerotropolis, we would also like to see the east-west link between Parramatta and the aerotropolis.

The Government has already committed to the Metro West going from Central station to Parramatta and Westmead. It would be great if, in the not too distant future, that metro could extend from Parramatta to the airport. Whilst we all can agree that north-south links and east-west links are essential for rail access, from my personal point of view, when people fly into the new Badgerys Creek airport, they will want to go east—not only to Parramatta but also to the city. I humbly suggest to the Minister that whilst north-south and east-west links are required, the Government should also consider how it can extend Metro West not just for the future of Parramatta and the Sydney central business district, but also for the visitors who fly into the aerotropolis.

Mr Temporary Speaker Evans, I can see that you are very excited about today's bill, but if you could just keep your comments down that would be great. I can see the Opposition is excited by the bill itself and the rationale for the bill. I note that the member for Blacktown is in the Chamber. He and I should work closely together on the east-west link which, I am sure, we have talked about it in the past. Obviously Parramatta and Blacktown have many common interests and what is good for Parramatta is also good for Blacktown. We certainly want to work together for the future of all our communities.

The Western City and Aerotropolis Authority will help deliver the significant employment opportunities I talked about earlier and will unlock economic value for the people of Western Sydney. The people in Western Sydney deserve to have decent jobs close to home—so they do not spend hours every week commuting—and they deserve to have time to spend with their families, to play sport and to pursue their own activities. It is part of the full lifestyle that people want. The development authority meets the Western Sydney City Deal

commitment to implement the authority and to focus on developing the Commonwealth's 114 hectares of land at North Bringelly. This will lead to the delivery of 200,000 jobs over the next 20 years for Western Sydney.

Delivery of the aerotropolis will support connections to Western Sydney airport and across New South Wales. Access to the airport, operating 24 hours a day to global locations, will generate significant economic benefits. It will be an international gateway not only for tourists but also for people wanting to do business in Sydney, especially in Western Sydney. It will also mean that those people who live in Western Sydney will not have to travel to Sydney Kingsford Smith Airport. It is great to know that we will give that fantastic opportunity to those people in Western Sydney.

But it will do more. It will also give exporters and manufacturers in Western Sydney and across the Great Dividing Range access to an international gateway to export their goods to markets, especially in Asia. It is not just me—Deloitte has also reinforced the importance of the new aerotropolis and estimated that by 2050 the airport alone will generate some $9 billion in economic output for Western Sydney. The authority will use this input as a catalyst for further growth and job creation across Western Sydney.

It is important to note that the leaders of industry are also behind the development of the Western City and aerotropolis as a catalyst for the future social and economic development of Western Sydney. With the development of the industry precincts and the integrated transport framework across the aerotropolis, this output could increase several times over. The authority will have the capacity to generate returns to the Government on the lands under its control by entering into lease agreements with businesses and organisations investing in the aerotropolis. The total aerotropolis site is 11,200 hectares, which will give the authority an unprecedented scope to make investments, enter into commercial arrangements and generate returns, all for the benefit of Western Sydney.

A year ago I had the privilege of visiting Incheon International Airport in Seoul, Korea—one of the best and most modern airports in the world. It demonstrated how, with the right planning, an airport becomes a catalyst that enables the development of planned business precincts around the airport. We can follow that type of planning and develop precincts—including defence, logistics, aerospace, education and other valuable precincts—around the aerotropolis and generate the jobs that are so desperately required in Western Sydney. Housing precincts have also been developed around the airport site in Seoul, with coordinated and integrated transport, and offering wonderful opportunities for recreation, parks and gardens and the amenities that people desire for a great life. I certainly commend the Minister for Western Sydney, the Hon. Stuart Ayres, and his staff for bringing this important bill to the House with the vision of all three levels of government—Federal, State and local—working together to deliver for the benefit of the community by providing not only jobs but also the homes and lifestyle that the local people deserve. I commend the Western City and Aerotropolis Authority Bill 2018 to the House.

Mr GREG WARREN (Campbelltown) (10:49): I delight in contributing to debate on the Western City and Aerotropolis Authority Bill 2018. As did the Deputy Leader of the Opposition during his contribution to this debate, I flag from the outset that the Labor Opposition will not oppose this bill. In essence, the bill creates the Western City and Aerotropolis Authority as per the Western Sydney City Deal agreement that was reached between the New South Wales Government, the Commonwealth Government and the eight local councils in Western Sydney, including the Campbelltown City Council in my electorate.

I take this opportunity to express my confusion as to why a city such as Blacktown has not been included in the deal while other areas of Western Sydney that are not cities have been included. That does not make sense to me. The Government's figures indicate that the Western Sydney airport will be the catalyst for significant residential and commercial development in the Western Parkland City, particularly between the major centres of Penrith, Liverpool and Campbelltown. Over the next 20 years there is the potential for more than 500,000 new residents across the Blue Mountains, Hawkesbury, Penrith, Liverpool, Fairfield, Camden, Campbelltown and Wollondilly local government areas. Such a massive influx of new residents has the potential to deliver growth and economic benefits, but only if it is properly managed and planned with significant investment from all levels of government, but particularly the New South Wales Government, in services and infrastructure to support new and existing residents.

Critical to the management of this huge growth is ensuring that local residents can get local jobs. Currently, fewer than half of the local residents in the eight council areas are employed in Western Sydney, compared to more than 90 per cent of residents in the eastern suburbs. The Western Sydney jobs deficit is an enormous economic drain on economic activity and productivity. It also contributes enormously to the huge congestion issues experienced across Western Sydney and south-western Sydney as local residents are forced to travel increasingly further to get to work. The Government cannot simply put all its eggs in one basket when it comes to job creation in Western Sydney. Yes, the Western Sydney Airport will be a catalyst for significant job creation, but even the Government is predicting that we are looking at a maximum of 200,000 new jobs as a result of the airport development and commercial investment in the surrounding aerotropolis. Creating 200,000 jobs for

500,000 new residents, as well as the existing local residents, clearly will not be enough and more needs to be done.

It is critical that the Government also focus on investment in major regional city centres throughout the Western Parkland City area, namely, Campbelltown, Liverpool, Penrith and, as I previously mentioned, Blacktown, which will require support. That will stimulate job creation in those centres. We must not rely solely on the Western Sydney Airport to act as a silver bullet and we cannot have an inward focus on this issue. Equally important to the creation of jobs is the delivery of infrastructure to allow new and existing residents to get around more quickly without sitting on gridlocked roads or in overcrowded trains for hours on end. While the Western Sydney City Deal includes a vital commitment to deliver rail services connecting the future Western Sydney Airport to the existing western line at St Marys, it is missing the equally vital commitment to connect the Western Sydney Airport to Camden, Campbelltown and Macarthur.

Today one can board a train at Campbelltown station and be at the existing Sydney Kingsford Smith Airport in 45 minutes without needing to change trains. If the Government fails to deliver a rail connection between Campbelltown and the future Western Sydney Airport, it will be easier and quicker for someone to access the Sydney Kingsford Smith Airport by public transport than the Western Sydney Airport. That is despite the Sydney Kingsford Smith Airport being approximately twice as far away from Campbelltown. Labor, both State and Federal, has recognised the importance of a full north-south rail link to connect the future Western Sydney Airport to the existing rail network at St Marys and in the Macarthur. I am delighted that Federal Labor has committed $3 billion to kick-start this vital connection.

I take this opportunity to acknowledge Dr Mike Freelander, MP, the Federal member for Macarthur, and Ms Anne Stanley, MP, the Federal member for Werriwa, for their strong advocacy in securing that commitment from a future Shorten Labor Government. The delivery of infrastructure and the creation of jobs throughout Western Sydney should be the greatest priority of the New South Wales Government over the next two decades. This region will be home to the fastest growth and development of any region in the State—and quite possibly anywhere in the country—and as such it needs the full attention of government.

While this bill and the authority it seeks to create are an important piece of the jobs and infrastructure puzzle in the region, it is no silver bullet. We all need to work collaboratively. However, and I say this with all due respect to the Minister who I know has worked very hard to bring this together and I commend him for that, I fear an element of politics is getting in the way of better outcomes being achieved in the City Deal. Indeed, I was disappointed to see Campbelltown and the Macarthur overlooked in the rail connections as part of that deal. I acknowledge the contribution of Campbelltown City Council to the City Deal, but ultimately it is a matter for the Federal and State governments, with councils having no choice other than to take part. I again draw the attention of the House to my opposition to the exclusion of Blacktown and other cities that have not been included in the City Deal. I simply do not understand it. I again say that I fear an element of politics has motivated the decision. I would like to believe that is not the case but I cannot think of any other explanation for their exclusion.

All year round a common theme in my electorate office is local jobs for local people. Why? Because most people are sitting on an overcrowded train or a congested road. I have previously spoken in this House on the growing disparity between the level of infrastructure, the delivery of services and urban growth. An enormous number of people continue to come to our regions and cities. The Government has changed the planning laws, which is opening flood gates of development, and that means more people. Powers have also been taken away from local councils, which try to determine the best outcomes for their communities.

It has always been my strong view that if you are not on the bus then you cannot determine where the bus is going. Good councils get on that bus and they try to do the right thing, but they need the support of government. The disparity between the level of infrastructure, the delivery of services and urban growth continues to grow. Indeed, this will have an enormous sociological effect on the sustainability of our communities not only in road and rail infrastructure but also social infrastructure. It is simply not keeping pace. The return of the revenue collected and the distribution of that wealth needs to be in the right place for the right reasons. I note that the Government prides itself on its infrastructure agenda but I think its priorities as to where that infrastructure is being located are wrong.

As I said before, nearly half a million people are coming into our region and we are not seeing the appropriate level of infrastructure and services in health, education, public transport, roads and other associated State matters. I commend the Deputy Leader of the Opposition, Michael Daley, for his strong advocacy in this area, but we need to ensure that a framework is in place that puts communities before corporates and puts people before profits. Yes, it is one thing to build a house, but it requires a whole different level—a whole different agenda—to build a sustainable community. Ultimately, life is about priorities but it is also about happiness, so let us build a good sustainable community. I thank the House.

Mr STEPHEN BALI (Blacktown) (11:00): The Western City and Aerotropolis Authority Bill 2018 provides a framework that encourages the economic growth and development of the Western Sydney Aerotropolis and the rest of Western Sydney. The bill focuses on economic growth, development and jobs. Whilst the intentions of the bill are plausible, I have many concerns about their delivery. The bill defines Western Sydney as the local government areas of the Blue Mountains, Camden, Campbelltown, Fairfield, Hawkesbury, Liverpool, Penrith and Wollondilly. How can you have a Western Sydney Aerotropolis when you exclude 50 per cent of the population and 50 per cent of the economy of Western Sydney? The Government has selected the eight small population councils and failed to include the big four.

Western Sydney is a large geographic area with communities that are dependent on each other to deliver the best outcomes for the region so it becomes a success. So many times in this House the member for Parramatta—as well as the member for Penrith, who is also the Minister for Western Sydney—has spoken about Parramatta as the capital of Western Sydney or how Parramatta Stadium and the stadiums in Homebush will be part of Western Sydney. So the Federal and State governments have decided to negotiate with eight councils and ignore four. The problem with these negotiations is that they have effectively split Western Sydney in half. The current population, the expected population growth and the gross regional product of the councils is roughly evenly divided between the four councils that missed out and the eight that were included. It is amazing that Blacktown, Cumberland, The Hills and Parramatta have been excluded from these negotiations. Their exclusion will have a damaging effect on the success of the Western Sydney Airport precinct.

The Government talks about the rail line from Badgerys Creek to St Marys. I am disappointed that apart from the business plan being funded there is not one dollar allocated in the Federal Government or State Government forward estimates to build this railway line. I am also concerned as to the true manner in which the project will be funded. On several occasions the former Prime Minister said that the business case will examine how value capture can be used in building the rail line. Seven out of the eight mayors signed a document that listed value capture as a means of project funding. Why does Western Sydney need to pay for its own rail line while the light rail from the city to the Eastern Suburbs is paid for by all residents of New South Wales? Why do we in the west need to pay tolls for our roads to be upgraded on the M4, as well as paying for the WestConnex, whilst the northern suburbs get a free tunnel to connect into the Sydney road system?

I return to the rail proposal. Everyone knows that a rail line from Badgerys Creek needs to link through to Marsden Park and Tallawong station. The importance of this is to link three major industrial parks—the Sydney Business Park in Marsden Park, Norwest Business Park and Macquarie Business Park. Excluding Blacktown, The Hills and Parramatta from the Western Sydney Aerotropolis will lower the economic success and make it become Badgerys Creek Airport rather than the Western Sydney Aerotropolis. Yesterday in question time the Premier and the Treasurer were boasting about 3.5 per cent economic growth in New South Wales. I wish to inform the House that the Blacktown City Council region has been growing on average over the past five years at a rate of 4.5 per cent per annum, with an economy in excess of $16 billion.

If it was the Democratic People's Republic of Blacktown, Blacktown City would have a larger economy than 84 nations in the world. I wish to make it clear to the Minister that Blacktown gets economic growth. I also wish to inform the Minister that the City of Parramatta Council's annual economic growth rate was 3.9 per cent per annum over the five years. These growth rates are substantially higher than those of any of the eight Western City councils in this deal. For Western Sydney to thrive we need a holistic approach to planning for the area but the practicalities of this bill split Western Sydney into regions. I am amazed that the Minister for Western Sydney cannot mention the name of Blacktown City Council. The Minister, in his second reading speech, said:

> 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.

I would like to inform the Minister that this growth area is identified in the Greater Sydney Region Plan that covers the western part of Blacktown, essentially west from Eastern Creek to Penrith. Yes, Minister: Eastern Creek is part of the region of Blacktown yet it has never been included in any Western City negotiations. But I am happy to inform the Minister that whilst he may ignore us we have been in discussions with Penrith City Council and the Department of Planning and Environment about the planning of this area. In Western Sydney—actually in the whole of New South Wales—Blacktown has one of the fastest growing economies, despite this State Government relocating government jobs out of Blacktown.

I acknowledge that at least the Minister for Education and the Minister for Planning and their respective departments work closely with me and with the council. Blacktown City's population is growing at approximately 8,000 to 10,000 people per annum. Blacktown's current population is 360,000, and by 2026, when Badgerys Creek Airport opens, it will be approximately 430,000. By 2036 we will have 522,000 residents living in the City of Blacktown. With 18,000 university students currently living in Blacktown City and travelling at least 45 minutes

every day to get to their place of education, in this bill we have a government that is focused on building a university in a cow paddock.

On Monday I counted around 100 cows at the launch of the earthworks at the airport and, given the major earthworks required around Badgerys Creek, we would be lucky to have 50,000 people living within a 10 kilometre radius of the airport by 2026. Blacktown City Council announced—a week before the State Government made its announcement about the Western Sydney university conglomerate—its first expressions of interest in the new Blacktown combined universities, which will be up and running by 2021. We should be working together rather than in competition. For Western Sydney to grow, we need a collective approach.

The Greater Sydney Commission spoke of the string of pearls linking all the major cities across Western Sydney—including Parramatta and Blacktown—to the new Western Sydney Aerotropolis. It seems that the focus has now changed from building a collective of cities to a focus on one city centre to the detriment of the others across Western Sydney. There are billions of dollars worth of outstanding infrastructure projects in the Blacktown region. I will list just a few. There are no lifts at Doonside station. The State road system is already failing the current population, let alone the 522,000 it is anticipated will be living in Blacktown City by 2036. Richmond and Windsor roads are already bottlenecks.

Despite Roads and Maritime Services recommending that the Blacktown Road and Prospect Highway connection to the M4 is one of the major projects that must be done it gets rejected every year by this Government. There is a lack of commuter car parking at all stations. Rouse Hill Hospital has hardly progressed in the past four years. A site has still not been identified. There has been a failure to adequately plan and fund the rail line from Badgerys Creek to Tallawong. We need a university in Blacktown City today, and we need Government support for that.

Duke Street overpass is in desperate need of duplication. The council estimates that there is some $3 billion of State infrastructure—excluding the $9 billion rail extension from St Marys to Tallawong—that must be developed prior to 2036. That means that in each government budget from today to 2036 there should be at least $166 million allocated to the City of Blacktown, and this is not occurring. If the Government cannot deliver for an existing growing community then how can we trust this Government to deliver all the necessary projects to make the Badgerys Creek precinct work?

Much has been said about the close cooperation between the eight mayors and the State and Federal governments to make this Badgerys Creek Aerotropolis work. If there is such a strong relationship, why is it that no mayor knew of this bill? Why was it that as soon as the Western Sydney deal was signed the M9 announcement debacle occurred without any of the mayors being consulted? Why were the mayors all sworn to secrecy in regard to all negotiations and were not even allowed to inform their councillors until the end of negotiations? It does not sound transparent to me. This bill effectively stops Liverpool and Penrith councils from having any say in the rezoning of their areas. Are these councils being relegated to being informed and possibly consulted but effectively having no real say in the future of the Badgerys Creek region? [*Extension of time*]

I wish to bring to this Government's attention that whilst it is focusing on the Badgerys Creek precinct and this authority, it is not delivering the sewerage that is required in many parts of the north-west and south-west industrial precincts. Imagine that: Industrial parks today across Western Sydney are on septic tanks. Fancy that: In this modern world the New South Wales Liberal-Nationals Government is failing to deliver adequate sewerage, drainage, roads and water to new growth areas. It is not councils holding up development but State Government not delivering adequate infrastructure for these areas. We are supposed to believe that this Government will deliver the Badgerys Creek Airport precinct that is required when it has failed to support the rest of Western Sydney.

Western Sydney needs to be considered as a whole, not sliced and diced into competing parts. It is a crying shame that economic development officers from eight of the councils are being trained separately from those of the other four. This Government wants to train eight of the economic development officers from the Western Sydney City Deal and exclude the four which make up the biggest part of the economy. Blacktown, Parramatta, the Hills and Cumberland are not allowed to be part of the training of economic development officers to bring more development to Western Sydney. I cannot understand why this Government refuses to acknowledge those councils.

It must be embarrassing for the members for Riverstone and Seven Hills to try to justify why their electorates have been excluded from the Western Sydney City Deal and therefore denied $15 million in liveability funding. This bill is needed for the success of the proposed Western Sydney Aerotropolis, but the track record of investment in Western Sydney is failing. We on this side call on the Government to work cooperatively with all 12 Western Sydney councils to ensure that the region thrives, succeeds and meets the standards that everybody hopes it will achieve.

Mr RON HOENIG (Heffron) (11:12): I make a contribution to the debate on the Western City and Aerotropolis Authority Bill 2018. The member for Maroubra has articulated the Opposition's position. Whatever views he expresses, I endorse, and I should not be seen to be inconsistent either expressly or by implication in respect of anything he might have said in respect of the bill. I understand that the bill is controversial amongst some members. Many members of this House do not like the idea of either removing planning powers from councils or seceding planning powers from the State. However, the reality of the situation is that it is now some 45 years since the Whitlam Government in 1973 announced the site of a second airport in Galston.

It has been something in the order of more than half a century that everybody within this State or within the Commonwealth has known that a second airport is required for Sydney. The battle for a second airport, naming a site and proceeding to this point has been long and arduous. Many involved in that battle have had their political careers destroyed as a result. Some 35 years ago, in 1983 or 1984, then aviation Minister Kim Beazley began a site selection process and Badgerys Creek was selected as a site for Sydney's second airport. That decision had a number of opponents, including those living in Western Sydney who feared the aircraft noise that would occur to them, similar to the disasters that occurred for those residents living around Sydney Kingsford Smith Airport. There was also considerable opposition from vested interests in the aviation industry.

Under the then Two Airlines Policy, neither Qantas nor Ansett Airlines wanted to have a second airport for Sydney. Consequently, they advocated for some years for the establishment of a third runway solely for the purpose of delaying the development of a second Sydney airport. With the advent of competition in the aviation industry after the departure of the Two Airlines Agreement, it was important to them that they could destroy every opponent. Any competitor who did not have free access to Sydney Airport was bound not to succeed in a competitive aviation market. We all saw what happened and how they used their market power to destroy airlines like Compass, for example. In the past Qantas said it would never move to a second Sydney airport and would only operate out of Sydney. It is interesting to note that the current Qantas management is now quite supportive of the project.

Bearing in mind the volume of flights that go in and out of Sydney Airport, the reality is it is on the smallest footprint of land possible. What everybody has known for half a century needs to take place in Western Sydney. It has been a long and arduous battle. Those who have finally pushed this matter to proceed down the path on which it has proceeded should be commended. This bill results from an agreement with the Commonwealth and an agreement signed by eight mayors. It is of vital national interest and it is in the interest of this State that Sydney's second airport in Western Sydney be successful. There are some 200,000 jobs indirectly associated with Kingsford Smith Airport. It would be a wonderful result if something similar could be generated as the result of an aerotropolis.

"Aerotropolis" is an interesting word. It has been used in presentations to the Australian Mayoral Aviation Council by overseas consultants who, two or three years ago, made a presentation at their annual general meeting, at which the member for Blacktown and the current mayor of Blacktown were present. That was the first time the mayor of Blacktown and I had ever heard of the expression. No doubt it has been picked up by a variety of bureaucrats. It was then that they stressed the importance of a fast and efficient rail link for the success of the aerotropolis.

The constitution of this management authority, which requires the input of both State and Commonwealth governments, is vital. It is important that this development succeed in a cooperative manner between the three tiers of government. It is vitally important that it is properly planned and master planned, and that both Commonwealth and State governments have joint input to ensure success. Apart from the chairman, the authority will comprise three persons nominated by the New South Wales Minister and three persons nominated by a Commonwealth Minister to ensure that there is a joint Commonwealth-State approach. Clause 13 of part 3 of the bill gives the authority these functions:

(a) to prepare master plans ... within precincts ...

(b) to carry out development ...

(c) to participate in the planning, funding, prioritisation and co-ordination of public infrastructure ...

(d) to co-ordinate, secure and attract investment,

(e) to develop and, if directed by the Minister, implement schemes for funding ...

(f) to promote, organise, manage, provide and conduct cultural, educational, commercial, transport, tourist and recreational activities ...

(g) to provide consultancy and other services in relation to the carrying out of development,

(h) to enter into joint ventures ...

The bill gives the Minister power of direction over the authority, as it should be, but the Minister is required to consult with the Commonwealth Minister before he or she gives a direction, as it should be. This is one of the most significant and major developments in this State, and it is important that the authority is established correctly, transparently and cooperatively with the three tiers of government. That will be a novel approach for the State of New South Wales. Since 1788 the planning in this State has been completely ad hoc; even now New South Wales government infrastructure planning is also completely ad hoc. That is why there have been cost blowouts and why the objects of original infrastructure announcements are never achieved.

It is important that this authority does not become a political football and that decisions are not ad hoc. Decisions must be taken in a cooperative manner and in a way that will make this project a model airport in terms of development. Right around the world there have been airport development failures, and the Sydney Airport has experienced problems and adverse impacts associated with growing on a constrained site. The opportunity exists to build the most modern airport or aerotropolis and generate hundreds of thousands of jobs in Western Sydney, where the majority of Sydney's population lives. The opportunity exists for a developed country like Australia, which is far away from the rest of the developed world and therefore needs modern facilities to sell itself, to develop a major airport of which Australia can be proud. This legislation, if properly implemented, should make the people of not just New South Wales but the whole of Australia proud of the potential of this aerotropolis.

Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (11:21): In reply: I thank the member for Maroubra, the member for Holsworthy, the member for Parramatta, the member for Campbelltown, the member for Blacktown and the member for Heffron for their contributions to the debate on the Western City and Aerotropolis Authority Bill 2018. As I stated in my second reading speech, the Western City and Aerotropolis Authority will be the master planner and the master developer of the 11,000 hectare site that currently surrounds the new Western Sydney airport. The bill also provides for the expansion via regulation of that site over time to reflect the growing nature of the Western City. It also makes provisions for councils that are included in the defined Western City area to seek the use of the authority to assist them with their master planning and development provisions.

Echoing some of the words of the member for Heffron, I said in my second reading speech that 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 political leaders working in a collaborative fashion to put people first. I share the member for Heffron's view that this is not just a model way forward to deliver an airport but also an opportunity to create a new model for collaborative planning across the three tiers of government to ensure that we get right land use planning for delivery of infrastructure and the provision of liveability and community facilities from the very beginning.

The member for Holsworthy said this is a once-in-a-lifetime opportunity, with an emphasis on the word "once", meaning that we get one chance to get this development right. I believe that as well, and that is why I, as the Minister who has led this process, have been invested in the development of the Western Sydney City Deal, which is about bringing councils and the Commonwealth Government together with the State Government to make sure that we create the economic, social and environmental opportunities that are critical for Western Sydney. The city deal is made up of the State Government, the Commonwealth Government and eight local councils, being Penrith, Liverpool, Camden, Campbelltown, Blue Mountains, Wollondilly, Hawkesbury and Fairfield.

For their hard work during the consultation period for this legislation with representatives from the State Government and the Commonwealth Government, I thank representatives from all of those councils, particularly the leadership of those councils, including the mayors, general managers and senior executive staff. As a demonstration of ensuring that this authority requires ongoing collaboration, we have built into this legislation the requirements for the State Minister to consult with the Commonwealth Minister when making substantive changes. That embeds the level of collaboration right from the very beginning. It is important to recognise that this site represents one of the most significant economic opportunities that exist anywhere in Australia. It is also important to recognise that the focus of this authority, whilst at the moment defined around 11,000 hectares of opportunity for the development of the aerotropolis, is not the Government's only focus when it comes to creating economic and social opportunities across Western Sydney.

The member for Maroubra spoke largely in support of the bill. He spoke a lot about the need for consultation with councils and the work being done through the city deal. He referred to the land use infrastructure implementation plan, which has been put out by the Department of Planning and Environment. One critically important point I will make for all members, particularly the member for Blacktown, whose contribution was a bit different from the contributions of other members on that side of the Chamber in that he spoke about the lack of engagement with councils around rezoning opportunities and collaboration around land use planning, is that the city deal has created a local government-led planning partnership where shared resources across all of the

councils come together. The member for Blacktown may not be aware of this planning partnership, which will lead the rezoning of the land within the aerotropolis boundary as defined in this bill through the land use infrastructure plan.

It is also worth noting that Blacktown City Council is a participant in the planning partnership. We have embedded right from the very beginning a level of collaboration with local government to make sure that local councils stay on this journey over a sustained period of time. In fact, when it comes to rezoning provisions, rather than a top-down authoritarian approach, we have adopted a far more collaborative approach. From a planning partnership perspective, I would even go as far as saying it is a local government-led approach. That should provide a strong degree of comfort to the member for Blacktown in response to his concerns about engagement with local government.

The member for Campbelltown spoke about the North South Rail Line. Whilst this legislation does not have a direct provision for the delivery of the north-south line, there is no doubt that this authority will work closely with other government authorities, such as Landcom and the Sydney Metro authority. The rail corridor runs from the T1 Western Line through this site to North Bringelly, and from there further south to link up with the Macarthur Line. Both the Commonwealth and State governments are currently undertaking a business case around establishing the costings for the first stage of delivery of that rail line.

It is important for both the member for Campbelltown and the member for Blacktown to note that as part of the city deal there is a clear recognition of the north-south rail connecting as far south as the Macarthur Line and a clear recognition of the long-term requirement to connect that line from the T1 Western Line around to the Sydney Metro Northwest. That is reflected in the State Government's transport master plan as well as the long-term future planning for transport in this part of the world. This legislation will give the public a level of confidence that we are working together to take full advantage of the opportunity that this aerotropolis presents. We have said that the delivery of the city deal, the delivery of the airport and the development of the land surrounding the airport need to create 200,000 jobs. That is our primary focus.

It is also critical to recognise that the provision for councils to seek the assistance and support of the authority means that, if councils across the Western City want to use the powers of the authority to help master- plan and create those opportunities, they can do that. That once again reinforces the opportunities for councils and State Government to work together. I note that the member for Maroubra raised some concerns around clause 18, the establishment of private subsidiary corporations as part of the Act. It is important to note that the authority itself is not, will not and cannot be a private corporation. There are other Acts that have been established through this Parliament that have provided the provision for private subsidiary corporations to be established, including the Barangaroo Delivery Authority Act, the Food Act 2003, the Property NSW Act, the Sporting Venues Authority Act, the Transport Administration Act and the Western Sydney Parklands Act. All of those Acts are still subject to the oversight provisions that exist here in the Parliament and other government oversight Acts.

We have inserted the provision for public subsidiary corporations largely because we know that this a very dynamic environment. We also know that the authority is likely to enter into joint venture arrangements with other government organisations or private operators in the geographical area. It is important that the authority has the capacity to operate on a level playing field when it is representing the public, particularly when it is engaged in competition with other private operators. We need to ensure that we do not curtail the ability for investment to be attracted to this particular location. I will work with the member for Maroubra on the concerns he has raised and see what is raised in the Legislative Council. The member for Maroubra and I have had a very encouraging interaction over the development of the bill. I have briefed him personally and I am more than happy to work through those concerns with him. The level of collaboration between councils and different political colours has been one of the reasons the bill has advanced at the speed it has. It has also ensured that there has been increasing public support for the delivery of the airport.

The Government has said time and again that the delivery of the airport cannot take place only for the sake of delivering an airport in Western Sydney; it must be a catalyst for economic opportunity. The member for Heffron and the member for Maroubra, who both live in close proximity to and represent constituents who live in areas that border Sydney Airport, bring experience. They have seen—to use the words of the member for Maroubra—the ad hoc nature of planning and the impact it can have on communities. It is crucial that we learn those historical lessons. The member for Heffron described this level of coordinated and collaborative planning as "novel". Perhaps in his experience it is novel; it is definitely different. But that is the challenge we must accept in the modern environment. It is what the public demands of us. They ask us to put our political colours aside to put people first to create opportunities in places where people can live and raise a family and where jobs can be created and economic opportunity can increase. That is what this authority is designed to do.

In many respects, it is the first chapter of a long book about the long-term success of Western Sydney. To put the mind of the member for Blacktown at ease, I will clarify one point. The Act defines the "Western City"; it does not define "Western Sydney". The Greater Sydney Commission has created a three cities strategic plan for a growing Sydney that clearly defines an east, a centre and a Western City. The city deal was brought about by bringing eight councils together. I am not here to say that Parramatta and Blacktown are not in Western Sydney; it would be farcical to suggest that they are not. But what we have to do is create a defined area in which the law can function and a defined area in which we can focus effort. The area largely to the west of the M7—bearing in mind that there are some sections of those council areas that are to the east—presents a new frontier for the development of economic and social opportunity in New South Wales. The Federal Government's commitment to the airport has been a catalyst for that. The support of the eight councils is part of the city deal—the bringing together of the State and Commonwealth governments in a new way of doing business. A collaborative approach that puts people first is the exact intent of the bill. I commend the bill to the House.

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

Motion agreed to.

Third Reading

Mr STUART AYRES: I move:

That this bill be now read a third time.

Motion agreed to.

IMPOUNDING AMENDMENT (SHARED BICYCLES AND OTHER DEVICES) BILL 2018

Second Reading Debate

Debate resumed from 19 September 2018.

Ms JODI McKAY (Strathfield) (11:35): I lead for the Opposition on the Impounding Amendment (Shared Bicycles and Other Devices) Bill 2018. I say from the outset that Labor is committed to encouraging active transport modes such as cycling and walking and, as such, we support bike sharing as a way of getting people out of their cars and encouraging them to be active in moving about the city and our regional areas. Rental bike sharing can have an important role to play in Sydney's transport future, but operators of dockless bike share schemes must be appropriately held to account. While Labor supports this bill, it has been far too long in coming. Despite cries of assistance from local councils, the Government is only now moving to create a supportive environment for share bikes—ironically, at a time when the majority of share bike companies have left the city.

In formulating its response to this bill, the Opposition has sought the advice of local councils and Local Government NSW. Unfortunately, the responsibility of managing this issue has to date fallen unfairly on councils. The Opposition believes this bill will begin to address the public safety and impoundment cost issues that councils have for too long been carrying the burden of. As I said, Labor understands the great environmental, health and traffic benefits that cycling brings to New South Wales. Cycling is a highly beneficial mode of active transport for short trips, particularly the "first mile" and the "last mile" of a commuter's journey—the journey from home to the train station on the way to work and vice versa. We are committed to ensuring that cycling is encouraged as a legitimate mode of transport and that cycling infrastructure is properly funded and resourced.

In considering active transport, share bikes or dockless bikes are a relatively recent phenomenon, characterised by ease of access, availability and mobility. Share bikes have been successfully introduced in cities around the world, but in Sydney the experience has not been a positive one for residents. Dockless bikes are picked up and dropped off where and when the user wishes, and this has been the cause of great discontent. It is not that people oppose share bikes; they just oppose the way in which the introduction of share bikes has been managed. We saw companies such as ofo, Mobike, oBike and Reddy Go establish themselves in Sydney in a relatively short period of time, but it was not long before residents, particularly those in inner-city areas, saw a fundamental flaw in the system as the number of bike operators and therefore number of bikes increased.

Bikes have been left strewn along the footpath, obstructing driveways and blocking shop entrances. They have been dumped in waterways and left in front yards. These were not just one-off incidents. In the Western Sydney area I could not drive around a residential block without seeing an abandoned bike—yellow, red and black bikes were dumped in the streets. What was supposed to be a positive inclusion to our transport offering quickly developed into a major public safety issue, as bikes were regularly dumped, blocking thoroughfares and causing safety concerns. Currently, the Impounding Act 1993 confers powers on enforcement officers to impound bikes when the enforcement officer believes on reasonable grounds that the bike has been abandoned or left unattended. However—and this is why this bill is needed—the powers of councils and public landowners to impound abandoned articles do not allow for the owners of those articles or objects to be penalised. Only the individuals

who left them behind in that public space will be penalised. In the case of share bikes, that is the user, not the operator.

Councils have called for greater regulation to allow them to deal with the issue of dumped share bikes. Impounding bikes that are dangerously and badly parked by the user is highly costly and time consuming for councils. Ultimately, ratepayers have to bear the cost. In the absence of action by the Government, a group of six Sydney councils convened in December 2017 to develop the guidelines for dockless bike share operators—a framework that aimed to set out minimum standards and expectations for dockless bike sharing operations in Sydney. While the guidelines provided a framework around customer safety and conduct, data sharing and insurance, it also outlined the conditions by which a bike could be impounded if dangerously parked or abandoned. Following the end of a three-month trial of those guidelines, mayors from the City of Sydney, the Inner West Council, Waverley Council and Woollahra Municipal Council called for immediate action from the State Government on new laws to cover dockless bike sharing.

I thank those councils for being proactive in this space. They have not opposed share bikes, but they have called for greater support from the State Government to develop a workable framework to manage them. As the dockless bike share system is dependent on a network of users who regularly cross council boundaries, it is clear— and it was clear from the very beginning—that a standardised approach is needed. I will now briefly turn to the contents of the bill. As we have heard, the bill amends the Impounding Act 1993 and Impounding Regulation 2013. As stated, the primary purpose of the bill is to give impounding officers appointed by local councils, or by other public authorities, additional powers to move or impound shared bicycles and other devices that are provided for hire as part of a sharing service and that have been left in a public place.

Broadly, the bill outlines two circumstances in which a shared device may be impounded or removed by an impounding officer. Proposed new section 19D notes that a device may be impounded or moved when it has been left in a public place and the impounding officer believes on reasonable grounds that the shared device has been left in a way that causes an obstruction or safety risk. The circumstances under which a discarded bike is considered an obstruction or safety risk is when it is left in a way that causes an obstruction to traffic, whether vehicular or pedestrian, or that is likely to be a danger to road users or the public. Once notified by an impounding officer, the operator must remove the bike within three hours. I believe that many pedestrians, residents and shopkeepers will be pleased with this proposed new section because the onus will be on the operators to remove the bikes quickly and efficiently while also permitting impounding officers to simply move the bike to a safer location at their own discretion.

Proposed new section 19E notes that a device also may be impounded if the device has been abandoned, which is defined as being left in a public place for more than seven consecutive days. In some circumstances, a share bike user or any other person is also able to trigger the provisions. Perhaps the Minister will provide some guidance on how that will work with an individual if they contact the operator—how that is proven and by what method that will be acceptable. Given the extraordinary number of bikes we have seen dumped, I believe this is an important addition because it allows residents who see a dumped bike to report the location of the bike and seek to have it removed. But I again ask the Minister: How will this work in practical terms? How will residents know how to report the bike? How will residents know where they can report it and what communication channels they can use?

I also note that in proposed new section 19B the bill does not limit the definition of a "device" to encompass dockless bikes only but also encompasses any other device used for transporting persons. I am pleased with the inclusion of this proposed new section, and I congratulate the Minister, as scooters or any other shared transportation devices that may be introduced to the market in the future also will be properly regulated. This will provide councils with more scope to deal with new emerging personal transportation trends. That is incredibly important. I note that bike share companies have been open and keen to work with the Government in a positive and constructive way. I applaud those companies that strived for the long-term benefit for the community rather than rushed and cheap solutions. Unfortunately, while they have waited for action, many have not financially survived and have been forced to leave the city.

Stakeholders, including the Mayor of the Inner West Council and Local Government NSW, are broadly supportive of the bill and see it as a positive step in helping councils better manage dockless ride-sharing services. I note that some councils, including the City of Sydney, maintain the view that a permit system would be a better option for regulating shared devices. While acknowledging the concerns of that council, the Opposition believes it is necessary to proceed with the legislation in its current form as a matter of urgency, due to the lack of current regulation in the space. We have waited far too long for this. As I have mentioned, Labor is committed to ensuring that bike share and dockless services are integrated in a properly regulated system that works in conjunction with councils and the State Government. This bill will begin to empower councils to properly address the significant

public safety and obstruction issues that for some time they alone have had the burden of addressing. As stated, Labor will not oppose the bill.

Mr MARK COURE (Oatley) (11:45): It is a great honour to speak in support of the Impounding Amendment (Shared Bicycles and Other Devices) Bill 2018. I am pleased to support the bill because bike sharing has been a part of daily life in many cities around the world for many years. There are well-established bike sharing schemes in international cities such as Paris, London and New York. The main feature of those schemes is that they are docked systems. Bikes are available from fixed docking stations to which they are locked until the user enters their payment details in the docking station. The user can then ride the bike where they please but must return it to a docking station, where it is relocked. In Australia, Melbourne and Brisbane have docked bike share systems. Melbourne Bike Share has 600 bikes at 50 stations and is owned by the Victorian Government, which contracts the Royal Automobile Club of Victoria—Victoria's equivalent of the NRMA—to operate the service.

Installing a docking station is not a cheap or simple matter. A docking station makes permanent use of public land. It involves up-front costs to install and ongoing costs to maintain. In most cities, they are publicly funded. The locations of docking stations need to be carefully planned to minimise the impact and costs. As a result, there is not always a docking station available close to where a user finishes a trip. Dockless bike share, by contrast, is a lower cost version that can be delivered without public investment. Free floating dockless share bikes do not need to be returned to a fixed docking station. They can be left anywhere by the user at the end of the trip. They usually have an electronic rear wheel lock. Bikes are located by their global positioning system coordinates on a map and then unlocked and paid for using a phone app.

The absence of costly infrastructure makes dockless bike share more attractive to private operators. That is exactly what we have seen, not just in Sydney but all over the world, with private operators setting up dockless bike sharing services in many cities and towns. From a user's point of view, dockless bike sharing is much more convenient. Available bikes can be located via the app, unlocked, ridden to wherever the user wants to go, and relocked, ready for the next user. A small-scale survey undertaken by Transport for NSW revealed that the ease of finding a bike and being able to leave it at the user's destination were two of the things users most valued about these services.

Private enterprise has identified a gap in the market and provided a low-cost and convenient alternative for those who want to take advantage of an active transport option for getting around any town or city. All of this comes at little direct cost to government—no docking stations and no contracting for services. On the other hand, we are all aware that the dockless model creates some negative externalities, as economists refer to them, which are the impacts of the services that are borne by the public and for which some operators take little responsibility. Bikes that are able to be left anywhere can, if mishandled, pose a threat to public safety and the surrounding amenities. They can get in the way, presenting obstacles for people with disabilities, for example, particularly those who have a visual impairment. Sometimes they are left in front of fire exits, shop entrances and station entrances. Often it falls to councils and other public land managers to ensure that those public spaces are clear and safe for everyone. Thus, there is an indirect cost for the businesses operating a dockless bike share service. The bill before us seeks to return the responsibility for that indirect cost to the business without interfering with the business model or the ability of the operator to innovate in the way it delivers its service.

While councils will have enhanced powers to impound shared bikes where they are causing problems, the key responsibility will be on the operator to move them after being notified of the problem. The problem might be that the bike has been left in front of a fire exit, an access ramp or stairs, or is sometimes getting in the way of pedestrians. The problem might be that the shared bike has simply been left unused in one place for too long—in front of a railway station, for example. In those circumstances, the public land manager or any member of the public can notify the operator that it needs to move its bike. Time then begins to run and, when the bike is not moved within the legislated time frame, the operator will find itself liable to a penalty.

This Government is committed to reducing red tape. It is not imposing a heavy-handed permit or licensing system that requires operators to jump through hoops before they are allowed to set up their businesses or that tells them how their businesses should or should not be run. Licensing, permits or exclusive tenders would address safety and access issues less directly, discourage competition and add unnecessary regulatory burden for businesses and innovation in New South Wales. We want to give operators scope to come up with further innovations and develop even more effective models for filling transport gaps.

The business model for dockless bike share and for shared services more generally is still evolving, not just in New South Wales and Australia but also around the globe. Companies are starting to become more selective about the markets they contest. Some companies have already left Australian markets. New companies may arrive, and new modes of transport, or indeed other devices for sharing, may be provided through similar service models. Regardless of which companies stay in or go from New South Wales and across Australia, it is important to have

a set of practical, enforceable rules to properly manage side effects of the business model. This will ensure that public safety and amenity are not undermined.

That is why, rather than introducing a pre-approval process, the bill provides clear time frames within which a shared bike causing an obstruction or safety risk must be moved. These are based on guidelines voluntarily entered into by some Sydney councils and operators in December 2017. The Government consulted with land managers and operators, who confirmed that these are feasible, effective and practical standards. The bill also provides the ability for further regulations and a code of practice to be made, should further obligations on operators be required. The consultations revealed that some operators are already responding to the standards set by these guidelines, taking steps to move their bikes where they remain unused or are unsafe for a period of time. However, everyone agreed that some level of enforceability by council officers was required to ensure that all operators take seriously their responsibility to meet those standards.

I commend the Minister for developing a framework that empowers land managers to remind operators of their obligations to the community, the public and all who use that land by way of active engagement with operators in the first instance and through compliance notices or penalties where necessary. By making operators responsible for abiding by the standards, the new framework will take the pressure off councils and land managers. I look forward to seeing operators and land managers working together to ensure that the standards set by the bill are met and that New South Wales can enjoy the benefits of well-managed dockless bike sharing services that contribute to public amenity and safety as well as maximise the convenience for users. I commend the bill to the House.

Mr JAMES GRIFFIN (Manly) (11:54): I am pleased to speak in support of the Impounding Amendment (Shared Bicycles and Other Devices) Bill 2018. The bill demonstrates the Government's ongoing commitment to planning for the State's transport future to deliver seamless, technology-enabled transport solutions for customers. I have spoken in this place before about the Government's vision for delivering innovative transport solutions set out in Future Transport 2056. That vision is focused on transport outcomes that meet the needs of customers, help build vibrant and liveable places, support a strong and growing economy, deliver on safety and performance, and ensure that services are accessible as well as environmentally and financially sustainable.

Like many aspects of our lives, transport is undergoing profound change, which will continue at a more rapid pace in coming years. Members will be familiar with many examples of the innovative approach that the Government has taken in delivering effective transport solutions to date—from the state-of-the-art Sydney Metro, Australia's first fully automated metro system, to trials of automated vehicles and on-demand bus services, through to digital licensing. Technology is revolutionising the way we do things. We are using our mobile phones for a large number of purposes, with many services now offered digitally or through an app. The on-demand bus trials currently underway at 11 locations across Sydney are an excellent example of the Government's innovative approach. I am happy to report that the on-demand bus trial called Ride Plus, operating in my electorate, has been a huge success. More than 760 services are provided every week in the Manly area, stretching from Manly Wharf through to Dee Why. Across all the trial areas, more than 80,000 trips have been made since the program began last year.

Using a phone app, passengers can book a bus at a time of their choosing to travel the first and last mile from their homes to transport hubs, local shops or other key destinations such as hospitals. Transport services have never been more flexible or convenient. Recently, University of Sydney transport specialist Garry Bowditch said that on-demand buses help overcome the tyranny of distance between transport hubs and areas with poor access to public transport and that "this sort of innovation of on-demand services is valuable in being complementary to main trunk routes. That is very important from an inclusion and innovation point of view."

Dockless shared bikes similarly provide a flexible and convenient option for people to make short trips for the first mile/last mile to connect to public transport, enabling a smooth overall journey experience. Dockless shared bikes are an excellent example of how technology can deliver more transport options for the community, allowing people to easily locate, book and pay for their bike trip by simply using a phone app. Global positioning system [GPS], geofencing and other technological innovations mean that operators and customers know where bikes are located. Future Transport 2056 recognises that shared bikes can contribute to achieving our overall future transport vision. Dockless bike share services are an environmentally sustainable option that has the potential to reduce car ownership and usage, minimising greenhouse gas emissions and local air pollution. It will also help us manage congestion and improve the performance and reliability of our road network.

Importantly, shared bikes encourage active transport, helping improve the health of our community. They have the potential to improve people's access to public transport by providing a cheap, convenient and flexible way to get to major transport hubs. Shared bikes, like car share, are an important part of a new shared-use on-demand transport service offering. They will form part of future integrated multimodal transport services, providing customers with increased choice and flexibility. In future, we will plan our daily trips by simply picking

up our phone and using an app to identify the best transport options for our personal needs. While recognising the important role shared bikes can play in delivering seamless integrated transport solutions, we need to ensure that they are managed in a way that puts public safety first and does not adversely impact on the community's enjoyment of public spaces.

I congratulate the Minister on striking the right balance by introducing these amendments to the Impounding Act 1993. This bill represents an appropriate and proportionate regulatory response to protecting public safety and amenity, while not stifling innovation in service delivery. Appropriately, the bill empowers councils and other public landowners to take effective enforcement action when operators fail to move bikes that are parked in a way that causes obstruction or safety risks, or are left in one place for more than a week, without imposing unnecessary red tape such as requiring approvals, permits or licences. It will be up to the operators to ensure that their businesses are run in a way that protects public safety and amenity, as the community would rightly expect.

This bill helps ensure the sustainability of bike sharing services in the long term and is an example of the Government planning for emerging transport technologies. However, the business model for these services is still evolving and individual companies may stay or go. The presence of these new services is a sure sign that we are well on our way to a new era of technology-enabled mobility. There is no doubt that with the rapid pace of technology change there will be other examples of shared transport services that will need to be similarly managed in the future. The bill ensures measures are in place to effectively manage any new shared transport services that emerge by providing a proactive and measured regulatory response. I commend the bill to the House.

Business interrupted.

Members

INAUGURAL SPEECH

The DEPUTY SPEAKER: Before I call the member for Wagga Wagga, I welcome to the Speaker's gallery the wife of the member for Wagga Wagga, Dr Kerin Fielding; his daughters, Ms Lara McGirr, Ms Natasha McGirr and Ms Anna McGirr; his son, Mr Dylan McGirr; along with Mr Rob and Mrs Margaret Brain, Mr Max and Mrs Frances Day, Mr Tony and Mrs Fran Trench, Dr Julian Wojtulewicz, and Ms Trish McCaskill. A very warm welcome to you all. It is with pleasure that I call the member for Wagga Wagga.

Dr JOE McGIRR (Wagga Wagga) (12:01): I am honoured to have been elected to serve as the member for Wagga Wagga. I begin by acknowledging the traditional owners of the land on which the Parliament stands, and also the traditional owners of the land on which the electorate of Wagga Wagga is located—the Wiradjuri nation—and I pay tribute to elders past, present and emerging. The electorate of Wagga Wagga is located in south-west New South Wales and in addition to Wagga Wagga incorporates the towns of Tumut, Batlow, Adelong, Lockhart, Uranquinty, The Rock, Yerong Creek, Collingullie, Currawarna, Ladysmith, Mangoplah, Pleasant Hills, Talbingo, Tarcutta and surrounding communities.

Located on rich agricultural land, the electorate encompasses vibrant health, education and retail sectors, and has developed into a hub for innovative industry. In addition, the defence forces continue to make a significant contribution to the community. First established in 1894 the electorate of Wagga Wagga has been in continuous existence since 1927. I am the sixth member to represent the electorate in the past 91 years. The electorate has been served by a number of outstanding members from both sides of the Parliament, and I acknowledge and pay tribute to them.

As is customary in an inaugural speech, I wish to outline the personal journey that has led me to joining these members in service to the community. In doing so I will describe the critical issues facing my electorate as a key and influential part of rural New South Wales. I was born and grew up in North Sydney. I did not know my grandfather, Greg McGirr, from Parkes, who served as a Labor Minister in this Parliament in the 1920s and had a fierce rivalry with Jack Lang. Nor did I know his brother, James, who was Labor Premier from 1947 to 1952. But I felt their influence growing up in a devoutly Catholic household where discussion centred on religion, politics and the Democratic Labor Party.

I vividly remember listening to Bob Santamaria on a Sunday afternoon, after watching *World Championship Wrestling*, and before *The Footy Show*. Later, I followed the career of my aunt Trixie Gardner, also born in Parkes, who became a Conservative life peeress in the House of Lords. My father graduated from Hawkesbury Agricultural College in the 1940s and subsequently worked in farming in the Harden, Murrumburrah area. Although he returned to the city after some years, he clearly had a strong love of the country and nearly all our holidays were spent travelling in rural areas. He met my mother, Maureen Baxter, a pharmacist, in Sydney and they married in 1959.

My parents dealt with many challenges, including my father's long illness with kidney failure. However, they were devoted to their children and loved us. My mother was the strong foundation of our family, and I remember particularly how she managed juggling the demands of our family, a job and my father's long and frequent visits to Sydney Hospital. I was fortunate to receive a marvellous Jesuit education at St Aloysius' College, where the fight against communism was mixed with a strong focus on social justice. After studying medicine at the University of Sydney, where I admit I was active in university politics, I commenced my residency training at St Vincent's Hospital.

While at St Vincent's I rotated to Wagga Wagga as a junior doctor, and it was there that I fell in love with my wife, Kerin Fielding, and also with the Riverina. Kerin and I returned to Wagga Wagga many times as part of our training and eventually settled there in 1991. We have been blessed with four wonderful children, who were born and have grown up in Wagga Wagga, and of whom we are extremely proud. Kerin is an inspiration and a wonderful partner who has served our region as an orthopaedic and trauma surgeon, and as a teacher. Without her, I would not be standing in this Chamber today. Interestingly, her mother's family hails from Parkes too, and she had many rural experiences in her upbringing in Australia.

My first position was as Director of the Emergency Department at the Wagga Wagga Base Hospital where, among other duties, I undertook ambulance retrieval work, bringing patients from Tumut, Batlow, Lockhart and other towns. I remember the dedicated and professional nursing, allied health and ambulance personal with whom I worked, but above all I remember the patients and their families who trusted us and who often bore terrible tragedy with great courage. I then worked in administration in a variety of roles across southern New South Wales. I was fortunate to visit many rural towns. The discussions I had with health professionals and community members were often robust.

This was the time when so-called rural decline seemed to dominate the thinking of the Government bureaucracy. The belief was that rural towns would soon wither, people would move to cities and major centres, and investment in rural areas was misplaced. The thinking was that the banks were leaving town, so other services would follow. How could rural services survive in an efficient, free market? Needless to say, the communities had other ideas and fought to maintain and increase health services and other critical structures, and worked effectively with their local politicians to achieve this. At one stage I was the director of clinical operations and medical services in an area health service the size of two-thirds of Victoria.

Communities reacted strongly to the distance between themselves and where decisions were being made about them, and that distance could be great, physically, mentally and emotionally. In 2011 I stood as an Independent for the electorate of Wagga Wagga. I obtained more than 30 per cent of the primary vote and it was clear that I had an impact, particularly with regard to the delivery of the new Wagga Wagga Base Hospital. At the time community members of the towns such as Tumut, Batlow, Adelong and Lockhart and surrounding areas were telling me that this was a major priority. My concern at the time was that after a decade of planning and consultation through the normal government processes, the decision on the new hospital seemed to depend on the politically marginal nature—or otherwise—of the electorate.

I then worked for the University of Notre Dame Australia, training medical students in rural locations to help meet the shortfall in doctors in rural areas and improve the health of rural communities. Only 20 years ago there was a belief that you could not train doctors outside large universities in major cities or, if you did, they wold be somehow not as good as city-trained doctors. This has taken many years to prove wrong, but wrong it is: Training, education and services in many areas can be every bit as good in rural locations as in the city. Then came the unfortunate circumstances that lead to the resignation of the former member. I was prompted to stand again because I believed there was a need to change the way our communities are represented. I genuinely believe I can improve the link between the community and government, industry and infrastructure throughout the area.

I have so far spoken about three aspects of an anti-rural mindset that has plagued rural communities: the view that rural is in decline, that the best training and services can only be provided in or from the city and that decisions for communities are best made by people far away from those communities. Over the past two decades this mindset has been accompanied by increasing centralisation of services. I want to make clear that I am not negative about technology and the economic benefits that can arise from centralising services. But when it comes in the context of the anti-rural mindset, then I believe it leads to growing frustration and disenchantment. Perhaps this has been reflected in the rural by-elections of recent years.

The anger that followed in the wake of the council amalgamations or the decisions affecting the greyhound industry was the anger of people who had things done to them, not with them. It was a disenchantment I encountered while campaigning for the recent by-election: a sense of real distance between politicians and the concerns of the community. People talked to me of job insecurity, stagnant wage growth and a higher cost of living, especially because of electricity prices. They want certainty on renewable energy and they are concerned about climate change. They want access to affordable child care and public transport options. They want health

and community services in their towns. Those living in regional areas also want to feel safe. Along with support for our law enforcement services, people spoke of a need to improve mental health and drug treatment services, including rehabilitation facilities—especially for the current ice issue affecting many communities in New South Wales.

People also spoke to me of the need to ensure there are educational pathways that interact with business and industry that lead to local job opportunities for our children and grandchildren, along with access to meaningful activity for young people. Families want modern, up-to-date, well maintained schools. They want modern, well staffed health services. They want well maintained roads so that local lives are not lost on our rural roads. They want to see support and respect for our farmers, especially in this time of drought. These are the 3.00 a.m. issues—the ones that wake people with worry.

People also spoke to me of the desire to grow their communities, particularly by attracting small to medium businesses, supporting tourism and developing infrastructure. There was a positive response to my proposal to abolish payroll tax for rural and regional businesses with turnovers of up to $4 million. This would encourage a decentralisation approach by industries. After all, there is a growing realisation we cannot all live in Sydney. These were the concerns and desires of the people of our electorate, and these were the concerns and desires that were not being acknowledged by politicians. The residents in the electorate of Wagga Wagga who spoke to me during the recent by-election do not see the political leadership they want.

In my view, we rely on our political institutions and, indeed, our political parties to protect us, and our rights and interests. This applies as much to the threats of centralised bureaucracies and the free market as it does to external threats. What then happens when the parties themselves are bureaucracies, centrally run—professional and efficient, no doubt—but perhaps more concerned with power than service? Is this what ails rural Australia? Has this led to the rise of the so-called "country Independent"? For rural and regional people, the rise of bureaucracy and technology has meant the centralisation of control. The key issue is one of control. Do we have the ability to make the decisions that affect our communities, or are those decisions made elsewhere? And if so, what are our political institutions doing to protect our right to contribute to the decisions that affect us?

One of the great strengths of our country and our State has been the political process that protects and acts on the concerns of people and communities. We must ensure that the political processes continue to support rural communities and their members to reach their full potential. During my career I have formed a strong belief that communication is the key to the ultimate success of any venture. I believe the role of the local member is to communicate with constituents, and harness the local knowledge and skills for the benefit of the community. It is my intention that everyone in the electorate of Wagga Wagga feels that they are connected to the decision-making process through the local member's office.

I wish to note that the Government made a number of commitments during the by-election, including funding for Tumut Hospital, stage 3, a car park for Wagga Wagga Base Hospital, the Riverina Intermodal Freight and Logistics Hub, the Multisport Cycling Complex, and work on Marshall's bridge and the Gobbagombalin bridge turning lanes among other commitments. I acknowledge the Government's commitments and the benefit they will have for the electorate of Wagga Wagga. I also note that the candidate for the Liberal Party gave an undertaking on ABC Radio that all the commitments would be delivered regardless of who was elected, and I look forward to working with the Government to deliver the promises it has made during the campaign. The people of the Wagga Wagga electorate were dismayed that the election promises were espoused as a gift; in fact, they see them as essential services that they are entitled to as a matter of equity. I will relentlessly pursue the delivery of these promises on behalf of the people.

I wish to close by making a number of acknowledgements. I would like to thank those who have supported me professionally to make a rapid start to my work as a member of Parliament, including the Clerk of the Legislative Assembly and her team, and the staff of Parliamentary Services. To my fellow Independents, my thanks to you for the ways you have provided me with support and advice over the past weeks. To the many who handed out and put up posters, were active on social media and in other ways supported the campaign, thank you. Your local people power was tremendous. I wish to thank the people of the electorate of Wagga Wagga for entrusting me with the honour of serving as their local member, and I assure them of my commitment to serving to the best of my ability.

I would like to make special mention of two particular people who have given me and Kerin and our family many years of unqualified support in our time in Wagga Wagga, who were the backbone of the campaign in 2011 and who were the heart and soul of the campaign this year. I am speaking of Rob and Margaret Brain, who are in the Chamber today. Thank you. Finally, I wish to thank my family: my children Lara, Natasha, Dylan and Anna and above all my wife, Kerin, for their wonderful love and support.

The DEPUTY SPEAKER: I take this opportunity to thank the member for Wagga Wagga and to congratulate him on his inaugural speech.

[*Members stood in their places and applauded.*]

Visitors

VISITORS

The DEPUTY SPEAKER: I extend a warm welcome to John and Nicola Ellis, guests of the Attorney General.

Bills

CIVIL LIABILITY AMENDMENT (ORGANISATIONAL CHILD ABUSE LIABILITY) 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) (12:22): I move:

That this bill be now read a second time.

The Government is pleased to introduce the Civil Liability Amendment (Organisational Child Abuse Liability) Bill 2018. The bill completes the New South Wales Government's response to the civil litigation recommendations made by the Royal Commission into Institutional Responses to Child Sexual Abuse. The bill enacts three significant reforms that remove legal barriers identified by the royal commission and that provide clear pathways to justice for survivors of child abuse in institutional settings. The Royal Commission into Institutional Responses to Child Sexual Abuse made profound revelations about our society. Over the five years of its inquiry, we learnt about the thousands of children in institutions who have been sexually abused.

The Government is determined to learn from the findings of the royal commission and from the stories of the survivors who came forward. New South Wales has been a leader among States and Territories, acting swiftly on the recommendations of the royal commission. On 23 June the Government formally responded to the royal commission, accepting the overwhelming majority of its recommendations. The Government's response covers changes already implemented and new reforms. This includes measures across government to keep children safe, to hold perpetrators to account, and to provide justice and support to survivors. The Government has committed to provide annual progress reports to Parliament, starting in December this year.

Many of the critical reforms the Government is delivering sit within the Justice portfolio. This includes the criminal justice reforms, participation in the National Redress Scheme and changes to civil litigation laws. In response to the royal commission's criminal justice recommendations, the Government has implemented one of the State's largest reform packages. The legislation passed both Houses of Parliament in June. Three key reforms commenced operation on 31 August, and the reminder of the Act is expected to commence before the end of this year. The reforms will strengthen and extend the criminal law in New South Wales so that it better meets the needs of survivors of child sexual abuse and improves the ways in which perpetrators are held to account.

In March this year New South Wales was one of the first two States to announce that it would opt into a National Redress Scheme for survivors of institutional child sexual abuse. The Government has consistently supported the establishment of a single national scheme that is comprehensive, sustainable and best meets the needs of survivors. It is delighted to have taken the lead as the first State to pass legislation referring powers to the Commonwealth Government to establish the redress scheme. The National Redress Scheme commenced on 1 July. It includes a monetary payment of up to $150,000, access to counselling and psychological support, and a direct personal response from the participating institution or institutions.

The commencement of the scheme represents a major milestone with government and non-government organisations coming together to recognise and to take action to address the harm and suffering caused by institutional child sexual abuse in this country. The redress scheme applies only to past abuse as recommended by the royal commission, which found that civil litigation simply is not an effective means for all survivors to obtain adequate redress. This is due to society's failure to protect children across a number of generations. The royal commission also concluded that reforms to civil litigation are required to provide justice more effectively to survivors in the future.

In the redress and civil litigation report, the royal commission explained that, having heard from survivors and support groups about the many difficulties people have faced in seeking damages for child abuse through litigation, the very nature and impact of institutional child sexual abuse can work against the survivors' ability to

seek damages through existing avenues. Many told the royal commission that without a strong legal position they had to go cap in hand to institutions and accept what was offered no matter how inadequate. Another key factor is the years and decades it can take for survivors to disclose child sexual abuse. Survivors who attended private sessions through the royal commission took on average 23.9 years to disclose.

The royal commission made 15 recommendations for reform to improve the capacity of civil litigation systems to provide justice to survivors. It noted that, if adopted, the reforms may contribute to a substantial change in the power balance between institutions and survivors. The Government acted early, implementing a number of the royal commission's civil litigation recommendations in 2016. It removed limitation periods for survivors to launch civil compensation claims, which means that survivors of child sexual abuse can claim damages regardless of when the abuse occurred. It implemented guiding principles to ensure that a more caring and compassionate approach is taken across government when responding to civil claims for child sexual abuse.

The three reforms to be enacted by this bill respond to the remaining royal commission civil litigation recommendations. First, the bill imposes a statutory duty on organisations that exercise care, supervision or authority over children to prevent child abuse perpetrated by individuals associated with the organisation. As recommended by the royal commission, the onus of proof is reversed so that the organisation must establish that it took reasonable precautions to prevent the abuse. Secondly, the bill codifies the common law approach to vicarious liability of organisations for child abuse perpetrated by employees. It extends this vicarious liability to include child abuse perpetrated by non-employees whose relationship with the organisation is akin to employment. This implements the intent of the royal commission's recommendation to impose a non-delegable duty on certain institutions. Thirdly, the bill implements the royal commission's recommendation to enable survivors to identify a proper defendant to sue.

These reforms have been developed through an extensive consultation process with stakeholders, including service providers, survivor groups, churches, the insurance industry and the legal profession. Broadly speaking, the purpose of the reforms is to provide better access to justice for survivors. More specifically, for child abuse that happens after the laws commence, the statutory liabilities will provide fair and certain avenues for survivors to pursue civil compensation. The duty of organisations to prevent child abuse will hold organisations accountable by articulating what the community expects of them. That is, to do everything they can to prevent child abuse from happening in the first place.

Currently under the common law, vicarious liability of organisations is limited to child abuse perpetrated by employees. So an organisation is not vicariously liable for the actions of a contractor or volunteer even if for all intents and purposes that person is like an employee. This creates an inequitable situation where survivors of abuse in institutions run by non-employees, like religious officers, are denied a cause of action in vicarious liability. The bill levels the playing field to ensure that all survivors have access to a civil remedy through vicarious liability and provides a deterrent to all institutions where appropriate.

Finally, the royal commission highlighted that one of the main challenges faced by survivors has been identifying a proper defendant to sue. This is because many religious organisations are unincorporated organisations with no "legal personality", meaning they cannot be sued. This is more commonly known as the "Ellis defence", which, upon enactment of this bill, will be consigned to the history books. The Ellis defence is named after survivor and legal advocate John Ellis, who joins us today in the gallery with his wife, Nicola. I thank John and Nicola so much for being with us here today to mark this momentous occasion for survivors right across New South Wales. The proper defendant reform in the bill applies prospectively and retrospectively. This is important because it means that no matter when the abuse occurred survivors will now be able to sue a proper defendant with sufficient assets to satisfy a claim.

I now turn to the detail of the bill. The bill amends the Civil Liability Act 2002 to insert a new part 1B, Child Abuse—liability of organisations. Division 1 of part 1B covers preliminary matters. Proposed section 6A contains a number of key concepts for the operation of the reforms, including the definition of "organisation", which forms part of the later definition of "unincorporated organisation". The bill states, "organisation means any organisation, whether incorporated or not, and includes a public sector body but does not include the State." This definition is flexible to accommodate the many varieties of organisations to which the reforms may apply.

Division 2 deals with the statutory duty to prevent child abuse with reverse onus. Under division 2 of the bill, an organisation with responsibility for a child must take reasonable precautions to prevent an individual associated with the organisation abusing a child in connection with the organisation's responsibility for the child. Proposed section 6F establishes that duty as the foundation of a negligence action. An organisation is responsible for a child if the organisation, or any part of it, exercises care, supervision or authority over the child. Proposed section 6F (3) provides that an organisation is presumed to have breached the duty if the plaintiff establishes that an individual associated with the organisation perpetrated the child abuse in connection with the organisation's responsibility for the child. This presumption does not apply if the organisation establishes that it took reasonable

precautions to prevent the child abuse. The "reasonable precautions" test makes it clear that this statutory duty is fault based, not a strict liability.

The royal commission recommended shifting the onus of proving reasonable precautions to organisations because they are better placed to prove the steps they took to prevent the abuse. Proposed section 6F (4) states that in assessing whether an organisation took reasonable precautions, the court may consider the nature of the organisation; the resources reasonably available to it; the relationship between the organisation and the child; whether the organisation has delegated organisational responsibility for the child; the role in the organisation of the individual who perpetrated the child abuse; the level of control the organisation had over the individual who perpetrated the abuse; whether the organisation complied with applicable child safety standards; and other matters prescribed by regulations or considered relevant by the court. That is, the reasonableness of the precautions will be measured against the facts of the case, the nature of the organisation itself, and child safety standards applicable at the time. This is a particularly important point in instances where an organisation has delegated the exercise of care, supervision or authority over a child to another organisation.

Proposed section 6D (b) provides that both organisations are responsible for the child. Proposed section 6E (3) states that an individual associated with an organisation to which these functions have been delegated is also taken to be an individual associated with the delegating organisation. The purpose of these provisions is to make clear that these responsibilities do not fall away simply because delegation has occurred. However, the precautions the organisations are reasonably expected to take to prevent the child abuse are likely to be very different and commensurate with their respective roles and relationship to both the child and the individual who perpetrated the abuse.

An example of this is if a government agency with parental responsibility for the child delegates the exercise of care, supervision or authority over a child to a non-government organisation, an employee of which perpetrates the abuse. In this situation the government agency would need to establish it had taken reasonable precautions in delegating the responsibilities to the non-government agency. This would include complying with all relevant legislation and regulations to ensure that the non-government agency is appropriately accredited to fulfil its responsibilities. The non-government organisation would need to establish it had taken reasonable precautions in line with its responsibility for the child and with relevant child safe standards. This would include, for example, appropriate safeguards and checks when recruiting and managing employees.

The statutory duty applies to "child abuse" defined in proposed section 6F (5) as "sexual abuse or physical abuse" of a child. This does not include an act that was lawful at the time it took place. The term "child abuse" should be interpreted beneficially. This requires courts to determine whether abuse has occurred with regard to the circumstances of each case and to apply the ordinary meaning of the terms "sexual abuse" and "physical abuse". I note that the royal commission defined "sexual abuse" of a child as "any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards".

Although other forms of abuse are not within the definition, a plaintiff may still seek damages for, say, psychological or emotional harm suffered as a result of the sexual or physical abuse. The extent of such emotional and psychological harms may well be very significant in quantifying a damages award for a successful claim of physical or sexual abuse. The statutory duty is prospective only, meaning it applies to child abuse that occurs after the commencement of the legislation. New Division 3 will codify the common law of vicarious liability for child abuse perpetrated by employees and extend it to those who are akin to employees. As with the statutory duty, division 3 is prospective only and applies to child abuse as defined, being sexual abuse or physical abuse excluding lawful acts.

Division 3 has an interesting history that bears some brief description. The royal commission recommended legislation to "impose a non-delegable duty on certain institutions for institutional child abuse despite it being the deliberate criminal act of a person associated with the institution." No State or Territory has done this. That recommendation was made in 2015. At the time the law of vicarious liability and non-delegable duties was unclear, as the royal commission noted. A year after the royal commission recommendation, the law of vicarious liability for child abuse was clarified by the High Court in *Prince Alfred College Incorporated v ADC* [2016] HCA 37. That case concerned child sexual abuse perpetrated by a housemaster employed by the child's school. The High Court outlined the correct approach to be taken to the question of an organisation's vicarious liability for child abuse perpetrated by an employee. That 2016 High Court decision provided a legally stable basis on which to implement the intent of the royal commission's non-delegable duty recommendation. The High Court's approach in Prince Alfred College is codified in proposed section 6H, which states:

(1) An organisation is vicariously liable for child abuse perpetrated against a child by an employee of the organisation if:

(a) the apparent performance by the employee of a role in which the organisation placed the employee supplies the occasion for the perpetration of the child abuse by the employee, and

(b) the employee takes advantage of that occasion to perpetrate the child abuse on the child.

In determining that test, the court must consider whether the role in which the employer placed the employee gave the employee authority, power, or control over the child, trust of the child or the ability to achieve intimacy with the child. The purpose of the codification, given that the common law has already developed to this point, is to extend this test to those who are akin to employees, as has already occurred in several overseas jurisdictions. The reason for this is that the royal commission learned that in many cases abuse may be perpetrated against children by those who, strictly speaking, are not employees within the existing law of vicarious liability. In faith-based organisations, this could include members of the clergy or similar, and in all organisations it could include volunteers or contractors, who are often involved in the child services sector. Proposed section 6G closes this loophole by applying the existing common law in Prince Alfred College to those who are "akin to an employee". Proposed section 6G (2) states:

(2) An individual is ***akin to an employee*** of an organisation if the individual carries out activities as an integral part of the activities carried on by the organisation and does so for the benefit of the organisation.

An individual is not akin to an employee if his or her activities are carried out for a recognisably independent business of the individual or of another person or organisation. That test comes from the decision of the United Kingdom Supreme Court in *Cox v Ministry of Justice* [2016] UKSC 10, which was decided after the royal commission made its recommendations. The extension does not include foster and kinship carers, who were specifically excluded by the royal commission from the scope of this reform in recognition of the fact that they are too far removed from the care, supervision and control of the relevant institution to justify imposing liability. The vicarious liability codification does not affect the Australian common law of vicarious liability. To avoid doubt, proposed section 6H (3) makes that clear.

The prospective liabilities in divisions 2 and 3 both relate to child sexual abuse and child physical abuse in an organisational context. There is potential overlap of the liabilities but each stands alone in the bill, as they currently do in common law. The statutory duty applies to a broader range of individuals but is fault based, embodying a reasonable precautions test by which an organisation may displace the presumed breach of its statutory duty. The vicarious liability is confined to those in employment or employment-like relationships, but it is a strict liability. A plaintiff may bring an action under both in relation to a single set of facts. That is already the case under the current law of negligence and vicarious liability. Under ordinary common law principles, a plaintiff will not be double compensated for the harm despite it providing plural civil causes of action. To avoid doubt, proposed section 6B (2) will make it clear that an award of damages under either division 2 or division 3 in respect of the same abuse must be taken into account in any award made under the other division.

The proper defendant reforms, to be contained in the new division 4, respond to the legal obstacle that is referred to as the Ellis defence. John Ellis was an altar boy in the Roman Catholic parish at Bass Hill between the ages of 13 and 17 during the 1970s. His claim related to frequent sexual abuse at the hands of an assistant priest, Father Duggan, and proceedings were commenced against that priest, the Archbishop of the Sydney diocese and the trustees of the Roman Catholic Church Trust for the Archdiocese of Sydney. The priest died before the case was heard. The New South Wales Court of Appeal held that the archbishop could not be held liable for acts of his predecessors and that the trustees were too remote to be liable for the abuse because they did not have the power to appoint, manage, discipline or remove priests under the trust's establishing statute. This meant that there were no proper defendants to the proceedings.

John, I want to acknowledge the injustice and the pain that you suffered both at the hands of the Catholic Church in the 1970s and as a result of the New South Wales Court of Appeal's decision in 2007. The law failed you, but today the Government says never again. No more will New South Wales laws permit organisations to escape liability in the way you experienced. No longer will institutions be allowed to enable child abuse by hiding behind their corporate structures, as you experienced. I thank you for being with us today in the gallery and for your ongoing advocacy on behalf of survivors.

Division 4 eliminates the Ellis defence. It does so by requiring unincorporated organisations to appoint a proper defendant with legal personality and sufficient assets to satisfy judgement and by allowing courts to do so if those organisations do not. In so doing, survivors of historical abuse in unincorporated organisations are finally enabled to pursue civil claims. The Ellis defence has been rightly criticised for the unfair result it produces, and this bill is intended to overcome it. The proposition in the Ellis case that an unincorporated organisation cannot be sued in its own name under the common law is overturned by proposed section 6K (1) and proposed section 6O (c) and (d). The proposition in Ellis that trustees are too remote to be liable for the abuse is overturned by the proposed sections 6N and 6O (a) and (b). The proposition in Ellis that an organisation like a church with fluctuating membership has insufficient existence to be held responsible for abuse within it by individuals who would otherwise satisfy the tests proposed in sections 6E and 6G is overturned by proposed section 6K (2) and the definitions of "unincorporated organisation" and "function".

The corporate status of these institutions is irrelevant to the suffering of survivors and must be irrelevant to their quest for justice. This is beneficial legislation and is to be interpreted as such by the courts, even if that requires them to crystallise an abstract concept of an unincorporated organisation with fluctuating membership. Proposed section 6K will allow a plaintiff to commence or continue child abuse proceedings against an unincorporated organisation. An unincorporated organisation's functions may be exercised by a management member, and courts have broad powers to make orders and directions, including directing a management member to exercise a function of the unincorporated organisation under the division. The purpose of this section is to prevent unincorporated organisations defeating the purpose of the proper defendant mechanism by simply refusing to respond to proceedings or to comply with orders of the court in reliance on their inability to be sued. Particularly in relation to the period prior to the appointment of a proper defendant, the courts need sufficient powers to compel unincorporated organisations to participate in proceedings.

Proposed section 6J defines "child abuse proceedings" as meaning both common law proceedings and proceedings under the amended Act that arise from abuse against a child. That definition is not limited to actions claiming physical or sexual abuse, which ensures the proper defendant provisions of division 4 apply beyond the liabilities in divisions 2 and 3 to any other future or historical common law actions in respect of child abuse. Under proposed section 6L, an unincorporated organisation may appoint a proper defendant at any time with the proper defendant's consent. This enables unincorporated organisations to be proactive in establishing, funding and proffering proper defendants.

Proposed section 6M sets out the suitability criteria for a proper defendant, whether appointed by the unincorporated organisation or by the court, being the ability to be sued and having sufficient assets. In limited circumstances, a court may appoint a proper defendant to child abuse proceedings. Under proposed section 6N, if the unincorporated organisation has not appointed a suitable proper defendant after 120 days from the service of initiating proceedings, or if a proper defendant becomes unsuitable, perhaps for lack of assets, the plaintiff may ask the court to appoint a proper defendant. The unincorporated organisation then has 28 days to identify to the court any associated trusts and their financial capacity. The court may appoint as a proper defendant the trustees of one or more associated trusts.

Section 6N (3) sets out a control test for determining if a trust is an associated trust of an unincorporated organisation. This is a concept used in corporations and taxations law to associate one entity with another. One or more of the factors listed must apply in order for a trust to be deemed associated. This includes, for example, the power to appoint or remove the trustees, the power to control the distribution of the property of the trust and the power to determine the outcome of decisions about the trust's operations. To be clear, if an unincorporated organisation does the right thing and appoints a proper defendant that has legal capacity to be sued and sufficient assets to meet judgement, the court has no cause and no power to appoint trustees of associated trusts of a defendant organisation. That mechanism is enacted as an option of last resort and indeed may never be used. Any unincorporated organisation that wishes to avoid the involvement of its associated trusts in litigation has a clear pathway and an incentive to organise its affairs accordingly.

Proposed section 6O sets out the relationship between the unincorporated organisation and the proper defendant in the proceedings and their respective roles and responsibilities. The proper defendant is not a separate second defendant to the action. The proper defendant stands in the shoes of the unincorporated organisation itself, and the unincorporated organisation remains involved in the proceedings. Importantly, a court may make substantive findings against an unincorporated organisation as if it had legal personality. It is important for survivors that responsibility be squarely attributed to the organisation in which they were abused.

Proposed section 6P allows the trustees of an associated trust to consent to be appointed as a proper defendant, to supply information about the trust including financial capacity and to apply trust property to satisfy the liability in child abuse proceedings. The proposed section protects the trustees from liability for breach of trust for taking these actions and displaces the Corporations Act 2001 of the Commonwealth, so that a trustee who is a director cannot be in breach of duties under the Corporations Act for complying with proposed section 6P.

To conclude, the completion of the New South Wales Government's response to the royal commission's civil litigation recommendations is an historic milestone in the long path survivors are walking towards justice. The bill removes the remaining legal barriers to justice for survivors of past abuse and it sets the standard for better protections for the children now and in the future. The bill is a key part of the Government's comprehensive response to the royal commission, accepting the overwhelming moral imperative to do all we can to keep our children safe. I commend the bill to the House.

Debate adjourned.

CRIMINAL LEGISLATION AMENDMENT (CONSORTING AND RESTRICTED PREMISES) BILL 2018

Returned

TEMPORARY SPEAKER (Mr Geoff Provest): I report receipt of a message from the Legislative Council returning the abovementioned bill without amendment.

IMPOUNDING AMENDMENT (SHARED BICYCLES AND OTHER DEVICES) BILL 2018

Second Reading Debate

Debate resumed from an earlier hour.

Mr JAMES GRIFFIN (Manly) (12:55): Continuing my earlier remarks on the Impounding Amendment (Shared Bicycles and Other Devices) 2018, I congratulate the Minister for Transport and Infrastructure, who is in the Chamber, on striking the right balance by introducing these amendments to the Impounding Act 1993. The bill represents an appropriate and proportionate regulatory response to protecting public safety and amenity while not stifling innovation in service delivery. Appropriately, the bill empowers councils and other public landowners to take effective enforcement action when operators fail to move bikes that are parked in a way that causes obstruction or safety risks or are left in one place for more than a week without imposing unnecessary red tape such as requiring approvals, permits or licences. It will be up to the operators to ensure that their businesses are run in a way that protects public safety and amenity, as the community would rightly expect.

This bill provides operators with certainty about the community's expectations of them, which should inform how they manage their business. By delivering an effective regulatory framework, this bill provides for the continuing availability of share bikes as an innovative transport option while giving the community confidence that public safety and amenity are protected. This bill is designed to ensure the sustainability of bike-sharing services in the longer term and is an example of the Government planning for emerging transport technologies. As I acknowledged earlier, however, the business model for these services is still evolving, and individual companies may stay or go. The presence of these new services is a sure sign that we are well on our way to a new era of technology-enabled mobility. There is no doubt that with the rapid pace of technology change there will be other examples of shared transport services that will need to be similarly managed in the future. This bill means that we will be set up to effectively manage any new shared transport services as they emerge by providing a proactive and measured regulatory response. I commend the bill to the House.

Mr JAMIE PARKER (Balmain) (12:57): On behalf of The Greens, I address the Impounding Amendment (Shared Bicycles and Other Devices) Bill 2018. From the outset, I note that The Greens support new and emerging technologies in regard to share and dockless bikes. We believe these bikes are particularly important in encouraging people to cycle, which will improve health outcomes and reduce traffic congestion. However, we acknowledge that significant issues have arisen as a result of this new technology in terms of the need to protect pedestrian safety and to ensure the accessibility of our footpaths and streets. In my electorate in the inner west, this is a popular technology, especially around the suburbs of Ultimo and Glebe, which are very close to the central business district where this type of technology comes into its own.

I note with interest the comments of the Minister for Transport and Infrastructure, who said that currently public transport infrastructure accounted for around eight million journeys of less than two kilometres. It is obvious that cycling infrastructure and improved pedestrian access can reduce the number of short journeys on public transport and therefore reduce congestion on our public transport system. Of course, it is important, as was identified by the Minister, for Transport for NSW to look at opportunities around our large transport hubs to provide low-impact spaces where bicycles can be stored to ensure they are easily accessible to people but do not impact ingress and egress to these sites. I believe that work is important and I encourage the Minister and the department to explore opportunities and implement changes. My concluding comments concern the importance of the legislation in terms of ensuring that councils can manage the storage of share bikes and also that cycling is safe.

We know from the answer to a recent question that I asked of the Minister for Roads, Maritime and Freight in this place that there has been an increasing number of cyclist deaths and injuries and significant accidents. That means we need to develop proper cycling infrastructure. We need to invest in the types of projects that the City of Sydney and the Inner West Council have developed. Councils have insufficient funds to be able to develop these projects in a way that is necessary for an active transport, cycling and pedestrian future. This bill is important. It will assist safety and accessibility. But we need to do far more when it comes to investing in cycling infrastructure and supporting cyclists. We need to do more to make sure that the eight million journeys of

under two kilometres that the Minister identified are cycling friendly. We must protect cyclists and use new and emerging infrastructure to ensure accessibility and safety.

Mr BRUCE NOTLEY-SMITH (Coogee) (13:00): I make a short contribution to debate on the Impounding Amendment (Shared Bicycles and Other Devices) Bill 2018. With Coogee being so close to the central business district and so many Coogee residents working in the CBD, cycling is one of the most sensible ways to commute to the city as an alternative to using private cars or taking public transport. It is a great way to reduce childhood obesity, stay fit and keep people cycling from the time they are kids throughout their adult life. Bike-share schemes are the perfect way to allow access to bikes. People can use them for only the amount of time they need to and then responsible bike-share operators can pick them up. This is a great leap forward in how we are going to get around the city. Electric bikes are on the horizon so maybe one day we will not have to go and pick up the bikes; they will simply find their own way back to a docking station somewhere. The future is bright for bike-sharing schemes. I support the bill.

Mr ANDREW CONSTANCE (Bega—Minister for Transport and Infrastructure) (13:01): In reply: I thank the member for Coogee, the member for Balmain, the member for Manly, the member for Oatley and the member for Strathfield, who contributed to debate on the Impounding Amendment (Shared Bicycles and Other Devices) Bill 2018, for their support of these commonsense amendments. It is nice to hear members talking about active transport in that manner. Over the past five years the Government has invested more than $250 million in active transport projects—a level of funding never seen before. Members are aware that councils already have some powers to deal with the impacts of share bikes and the bill further empowers councils to take action if they choose to do so. Frankly—I have to be honest—it is a bit of a shame that the State has had to intervene in local government matters in this way but, ultimately, we are here to make life easier for everyone, including local government.

I will make a couple of key points about the bill. We want to take the right approach to regulating this new, innovative form of mobility. The Government, through Transport for NSW and the Office of Local Government, has engaged with six inner-city councils on the implementation and effectiveness of the voluntary guidelines. Unfortunately, I have seen some politics played around this issue by old mate the Inner West Council mayor. I encourage the mayor to work constructively with the Government in the future. The code of practice, which will be enforced under the regulations, has largely been developed through good local government leadership—it is important to acknowledge that. Many councils have engaged in a very proactive and sensible way, which is nice to see.

There is no doubt that further consultation on the legislation will be required with councils beyond those six. That is important. We must ensure the right issues are covered under the voluntary guidelines that have been developed. Given that there will be an enforceable code, we want to ensure there is ongoing assessment—it is not something that we can legislate, regulate and hope goes away. One thing I will say in response to the observation about innovation is that the legislation and regulations must be agile. I do not want us Uber-ed again—the situation with share bikes was a little similar. We are going to have to be a bit more agile in our thinking around legislation and regulation in the future, given the pace of technology.

The Government consulted with customer advocacy groups such as Guide Dogs NSW and Vision Australia, as well as peak cycling groups. We are about striking a balance between supporting innovative transport options and helping councils and other public land managers respond to legitimate community concerns about a loss of amenity and the increased safety risks posed by share bikes. I will address a couple of issues that came up during the debate. With regard to the costs imposed on councils, yesterday a member of The Greens told me that they were concerned about cost shifting. Councils are already incurring costs in managing share bikes, including the impost on rangers' time, dealing with complaints from residents and bearing the cost of impounding bikes. While the law provides that a council can recover these costs when the owner seeks to recover the bike, under the current framework operators do not always seek to recover an impounded bike. In that case, the cost remains with the council.

We are trying to provide a better means of managing bikes that are part of dockless sharing services and generate revenue for councils. The bill creates an ability for councils to cover costs through revenue generation from fines. It is anticipated that local authorities will receive fewer complaints about abandoned bikes, and hopefully we will see less impounding. The bill also provides for penalties to be imposed on share bike operators who do not do the right thing. As I said, under section 694 of the Local Government Act 1993, fines and penalties—including penalty notice amounts proposed under the Impounding Act—that are recovered in proceedings instituted by a council are to be paid to the council. That covers the cost of enforcement. So we do not need to worry about the issue of cost shifts, which was raised with me by a member of the other place.

The bill provides for an enforceable code of practice, which is intended to be based on the voluntary guidelines developed by inner-city councils in consultation with the operators. The code can impose additional

obligations on operators, including that the contact details of the operator be provided on the bikes themselves or otherwise be made public; the need to have, and the level of, public liability insurance; the requirement to provide data to authorities; and removing or making unavailable for hire bikes that are unsafe—for instance, if the brake lines are cut. Unfortunately, we have seen this sort of damage done to bikes, which creates all sorts of potential risks to future users.

With regard to the practical implementation of the new rules, the new rules will extend powers that already exist under the Impounding Act, which authorities already apply on a regular basis. So a degree of experience is brought to this by local government. Any necessary guidance material will be provided to support impounding officers and impounding authorities to implement the new rules, including guidance to ensure that the law is applied appropriately and consistently. The code of practice will need to strike a balance between avoiding over-regulation and allowing innovation, which is important, while providing the necessary safeguards for our community and public amenity.

The operators now have a framework to work under that provides a degree of security and surety not only to the community but also to operators around the environment in which the service will be provided. That is important. I have heard calls for Transport for NSW to somehow license these organisations. That, to me, is over-regulation and is unnecessary. If we have rules in place to deal with the bikes we do not need to set up a separate licensing regime through Transport for NSW. That is fairly important. I thank the Opposition and The Greens for supporting the bill. It is sensible to make these changes. I commend the bill to the House.

TEMPORARY SPEAKER (Mr Geoff Provest): The question is that this bill be now read a second time.

Motion agreed to.

Third Reading

Mr ANDREW CONSTANCE: I move:

That this bill be now read a third time.

Motion agreed to.

Community Recognition Statements

TAREE GIRLS HIGH SCHOOL HOCKEY TEAM

Mr STEPHEN BROMHEAD (Myall Lakes) (13:09): I congratulate the Taree High School girls hockey team, which won the second successive combined high schools [CHS] championship. I congratulate coach Jordan Hardy, captain Tahni Walters, and team members Lara Watts, Abby Watts, Jordan Moscatt, Taylah Clark, Tyler Williams, Hayley Manusu, Bree Pensini, Brianna Williams, Makayla Manusu, Chloe Neal, Georgina Tran, Phoebe Cause and Kalani Cross. It is an absolutely fantastic feat to be CHS hockey champions two years in a row, which means it is best girls hockey team in the State. Well done to the girls and to Taree High School.

LAMBTON RESIDENTS GROUP BLOOMING HISTORY

Ms SONIA HORNERY (Wallsend) (13:10): We love remembering our local history. I thank the Lambton Residents Group Blooming History for its invitation to celebrate 150 years of retail history in Elder Street, Lambton. The group produced a brochure full of historical photographs of the thriving retail strip. I congratulate the producer of Blooming History, Julie Keating, and the Community Placemaking project, supported by Newcastle City Council. I acknowledge researcher Julie Keating, designer Kirrily Dures and website creator Lachlan Wetherall, and I thank Louise Evans from the Lambton Residents Group for the invitation. I especially thank Newcastle Region Library, Local Studies Section, and the University of Newcastle, Cultural Collections, for supplying the historical photos.

WAVERLEY LIFESAVERS SURF RESCUE

Mr BRUCE NOTLEY-SMITH (Coogee) (13:11): Waverley lifeguard Andrew Reid—who is better known for his appearance on the popular television show *Bondi Rescue*—recently made headlines in my local community of Bronte. Both Andrew and Troy Stewart participated in the brave rescue of a woman struggling in massive surf on Thursday 30 August. The swimmer, known as Susy, found herself in trouble swimming in the unusually large surf on the day and struggling against the rips that Bronte is known for. Troy and Andrew both acted decisively to bring Susy safely back to shore. This rescue comes as a timely reminder before our summer begins in earnest for all visitors to our most beautiful beaches to take caution when entering the water, and to always swim between the flags.

MOUNT DRUITT SENIOR CITIZENS AND WELFARE ASSOCIATION

Mr EDMOND ATALLA (Mount Druitt) (13:12): I ask the House to join me to recognise and thank Mr Ray Jordan of the Mount Druitt Senior Citizens and Welfare Association for his years of service to this seniors group. Ray has been the president of the Mount Druitt seniors group for more than five years, and has dedicated his time and energy to providing a comfortable space for our seniors to meet and socialise, as well as organising outings and functions for them to enjoy. Ray has always gone above and beyond to assist the senior members of our community, and I take this opportunity to thank him for his services. I also welcome Mr Geoff Owen, the newly appointed president of the Mount Druitt seniors, who I am sure will be a great asset to the group. Geoff is off to a flying start and, amongst his other duties, has initiated a fundraising drive in support of our farmers. I very much look forward to working with Geoff in the future.

ST JOSEPH'S CATHOLIC PRIMARY SCHOOL PUBLIC SPEAKING COMPETITION

Ms MELANIE GIBBONS (Holsworthy) (13:13): I recognise Chelsea Moussa and Peter Stewart from St Joseph's Catholic Primary School Moorebank. The year 5 and year 6 students have both qualified for round three of the Interschool Public Speaking Competition. The quality of the speakers in this competition is very high and it is an amazing achievement to make it this far. I also thank Michaela and Marissa, who are year 9 students from All Saints Catholic College, for donating their time on 5 September to the students of St Joseph's primary school to help them prepare for the upcoming public speaking competition. The high school students took time to sit and listen to the students' speeches and give them great advice on improving their delivery to the audience. Public speaking is an incredibly important life skill, and I am so happy to see the younger generation embrace this task. I wish Chelsea and Peter the best of luck at the upcoming Interschool Public Speaking Competition, and I look forward to seeing the results.

HUNTER MOUNTAIN BIKE ASSOCIATION

Mr GREG PIPER (Lake Macquarie) (13:14): This week I had the pleasure of attending the Hunter Mountain Bike Association club base at Awaba to announce a $450,000 Stronger Country Communities Fund grant to expand the mountain bike park with world-class trails. Included in that expansion is the addition of trails for disabled riders, making the park the first such venue on the New South Wales east coast to be fully inclusive. While I was there I met Hank Duchateau, a disabled rider who travels regularly from Coffs Harbour—five hours away—just to ride and compete at the park. The club is the oldest mountain bike club in New South Wales and is going from strength to strength.

Mountain biking is growing rapidly in popularity, and this particular park is attracting hundreds of weekend visitors from outside the region. It is a fantastic club run by an energetic committee that provides not only an all-inclusive sporting venue but also a real tourism destination. I applaud president Clint Musgrave, vice-president Dallas Barham, secretary Andrew Hardy and all the club's members for their work to provide this valuable community facility that is putting both their sport and Lake Macquarie on the map. I thank the Government and Lake Macquarie City Council for supporting this application.

MOSMAN ART PRIZE WINNER NATASHA WALSH

Ms FELICITY WILSON (North Shore) (13:15): I congratulate Neutral Bay resident Natasha Walsh, who last night won the Mosman Art Prize. At age 24, Walsh is the youngest artist to win the prestigious prize since 1947. She had been awarded the Brett Whiteley Travelling Art Scholarship, and is also one of only four local artists to win the major painting category in the entire history of the Mosman Art Prize. Walsh's winning entry is a softly rendered self-portrait painted on a copper base, the latest in a series of small self-portraits that have seen her chosen as a finalist in the Archibald Prize for the past three years. I congratulate Natasha Walsh on her success, along with all her fellow competitors, in this prestigious competition. I look forward to seeing her exceptional work in the future.

CHESTER HILL NEIGHBOURHOOD CENTRE

Ms TANIA MIHAILUK (Bankstown) (13:15): Last Friday I attended the Chester Hill Neighbourhood Centre 2018 annual general meeting. I thank president David Crawford, secretary Raymond Robb and the long-serving manager of Chester Hill Neighbourhood Centre, Dale Donadel, for inviting me to address the meeting. I congratulate management committee members on being re-elected to their roles. It was a delight to see the school captains of Chester Hill primary on that occasion. I also pay tribute to the many volunteers who are the backbone of the centre. I congratulate all the volunteers and the staff on their amazing work in producing many different projects and programs throughout the year that support the community. I also thank St John Mark Anglican Church for hosting a lovely lunch.

AFL NSW/ACT VOLUNTEER OF THE YEAR DARREN MEARRICK

Mrs LESLIE WILLIAMS (Port Macquarie) (13:16): I recognise the outstanding contribution by Camden Haven Bombers member Darren Mearrick, who was named the AFL NSW/ACT Volunteer of the Year in 2018 for his leadership and involvement in the junior Australian Football League [AFL]. We could not get a more passionate and dedicated volunteer for the Camden Haven Bombers than Darren Mearrick, who, for the past 10 years, has supported the general management operations of the club, from the growth of sponsorship to marketing and promotions and training development for children in the junior AFL.

In his time at the Bombers, Darren has been instrumental in ensuring that AFL juniors receive the best training for a match on field through the club's focus on fitness, ball skills, eye coordination and team building. The Camden Haven Bombers formed in 2006, with the idea of creating community interest in AFL so that children could have the opportunity to learn new skills and play the game. Since then, the club has gone from strength to strength and is recognised as one of the leading AFL junior clubs on the mid North Coast. In his role as president of the Bombers, Darren has led the charge in fundraising initiatives and implemented procedures to phase out disposable cups, straws and plastic bags. I congratulate Darren on his dedication and commitment to junior AFL in our community. This is a worthy accolade in recognition of his commendable volunteer service to the Camden Haven Bombers.

ILLAWARRA PREMIER LEAGUE GRAND FINAL

Mr PAUL SCULLY (Wollongong) (13:17): An epic football battle was held at WIN Stadium on Sunday between minor premiers Bulli Knights and Wollongong United Football Club to decide the winner of the 2018 Illawarra Premier League grand final. I congratulate Bulli players, coaching and administrative staff, sponsors and supporters on their win. I also acknowledge my good mate the member for Keira on his own victory on Sunday. He won the friendly wager we made at the start of the season about the outcome of the grand final. A bet is a bet, and I admit that in 2018 a club from Keira was superior to a club from the Wollongong electorate. But there is always next year.

I note that that the Cringila Lions took out the under 23s and Coniston took out the District League grand final and were promoted to the Premier League for next year, so all was not lost for teams in the Wollongong electorate. The 22 rounds of the 2018 Illawarra Premier League saw some fantastic football, and there is a lot to be said about a competition when the grand final goes down to the last 30 seconds. I congratulate all the players, families, clubs and supporters.

MULGOA ELECTORATE YOUNG ACHIEVERS MARK NIELSEN AND ISABEL VELLA

Ms TANYA DAVIES (Mulgoa—Minister for Mental Health, Minister for Women, and Minister for Ageing) (13:18): After watching several of his friends and family receive treatment at Westmead Children's Hospital, 14-year-old Mark Nielsen decided that he would take it upon himself to raise money for the hospital. For seven months the Penrith Anglican College student saved his pocket and birthday money until he felt he had enough to fill two Easter hampers with wine, chocolates, blankets and porcelain collectables. He then placed the hampers at two cafes and collected the money raised through raffle tickets. He raised an incredible $3,010 from the hampers. The following year he made up another hamper and raised an additional $1,500. Mark wants to be a politician one day so that he can help more people. I look forward to taking him on a tour of the Parliament and seeing what he will do in years to come. I congratulate Mark.

At only 19 years of age, Glenmore Park resident Isabel Vella has achieved her dream of owning a hairdressing salon. Her salon, The Cabello Room, specialises in colouring, styling, cutting and extensions. Isabel achieved her business goal after three years of diligent work at the salon. I congratulate Isabel on her ambition and wish her all the best for a bright future as her business continues to grow.

BALLINA-ON-RICHMOND ROTARY CLUB

Ms TAMARA SMITH (Ballina) (13:20): I commend the work of the Ballina-on-Richmond Rotary Club in its dedication to my community and communities around the world. Without doubt, the Rotarian values of supporting greater equality, harmony and unity in society are exemplified by the club members and the history of the club. Whether it is hosting the Ballina Food and Wine Festival each year, donating to local charities and organisations such as the Rural Fire Service, surf lifesaving clubs, Meals on Wheels and Marine Rescue, or supporting schools and communities in Indonesia and Nepal, members give selflessly of their time and energy to make the world a better place. I am deeply proud and touched to have been nominated by Col Lee to be an honorary member of the Ballina-on-Richmond Rotary Club—a nomination I have wholeheartedly accepted and communicated as much to current club president John Nicolson. I know that honorary membership is the highest distinction a club can bestow. I hope that I can live up to the faith the club has in me to support Rotary's cause.

WESTERN SYDNEY LOCAL HEALTH DISTRICT CHIEF EXECUTIVE DANNY O'CONNOR

Mr MARK TAYLOR (Seven Hills) (13:20): I acknowledge Danny O'Connor, the retiring chief executive of the Western Sydney Local Health District. Danny served the people of Western Sydney in his role since January 2011 and also served on the boards of the Westmead Institute for Medical Research, HealthShare NSW and the Westmead Medical Research Foundation. Danny is well known for his highly collaborative approach and his ability to get things done. He has secured billions of dollars in crucial investment for the Western Sydney Local Health District, in particular for the redevelopments of Westmead, Blacktown and Mount Druitt hospitals, due to his incredible dedication to ensuring that locals in Western Sydney and my electorate of Seven Hills get the best health outcomes possible. Danny was a quintessential civil servant who was always able to convey any type of news in a positive light. I echo the many messages of thanks for his service from the member for Parramatta, NSW Health Secretary Elizabeth Koff, Emeritus Professor Stephen Leeder, Professor Chris Peck and University of Sydney Vice-Chancellor Dr Michael Spence. I wish Danny all the best in his retirement.

KATOOMBA AQUATIC CENTRE FIRST-AID VOLUNTEERS MICHAEL GARWOOD, CHARLES KEENE AND MELANIE FARRY

Ms TRISH DOYLE (Blue Mountains) (13:21): I recognise members of the Blue Mountains community who recently offered their time to save a man's life. During a sporting event at the Katoomba Aquatic Centre a senior player collapsed from a heart attack. Three amazing people assisted in keeping the man alive by performing cardiopulmonary resuscitation and sourcing and applying the defibrillator. Without the quick thinking of Michael Garwood, Charles Keene and Melanie Farry the outcome may have been much worse. I am grateful that our community has such unselfish and caring individuals who tirelessly offer their time and energy to help others. I also acknowledge the great contribution of Sue Kondek, who runs the futsal competition at Katoomba. She wanted her remarkable sports colleagues honoured for saving a life. I thank them all.

SUPERINTENDENT MICHAEL ROBINSON RETIREMENT

Mr PAUL TOOLE (Bathurst—Minister for Lands and Forestry, and Minister for Racing) (13:22): I congratulate Chifley Local Area Commander Superintendent Michael Robinson, who has recently retired. Mick had the city's top job for almost a decade and retired officially on 20 September. On his last day, after 30 years of distinguished service to the community, he was led out of Bathurst police station by a piper. Mick Robinson was appointed superintendent on 30 May 2009. He always put people first and his door was always open. Mick had a fine career, having worked in Sydney and also the Far West. I thank him for his years of service, for his professionalism and engagement with our community, and for his efforts in making our area a safe place to live. I wish him all the best for his retirement as he stays in Bathurst with his family.

KULNURA PUBLIC SCHOOL NINETIETH ANNIVERSARY

Ms LIESL TESCH (Gosford) (13:23): Last weekend it was great to join the Kulnura Public School community for a lovely celebration of the school's ninetieth birthday. Principal Steve Collins introduced Bob Cairncross as master for ceremonies for the day. Bob is one of the old favourites. Starting as a teacher who ended up at Kulnura almost accidently, he stayed for more than 20 years and finished up working as principal between 1986 and 1991. It was an honour to gather with the community as three local families planted a tree in the school grounds. The Wilson, Gibson and Starkey families have each had four generations of family members attend Kulnura Public School.

I am not sure, but I think I saw four generations of family members standing over the shovel together. There were plenty of old school tales to tell as ex-students who are now adults recounted stories of having to move the stones off the oval one by one while it was constructed by hand. Former students Chantall Vassallo and Jake Bright, who were captains in 2011, addressed the gathered crowd. Current students performed and all attendees milled around the great displays of memorabilia, photographs and past official documents, and enjoyed a school tour. I wish Kulnura Public School a happy ninetieth birthday.

DAVIDSON ELECTORATE FOOTBALL CLUB FUNDING

Mr JONATHAN O'DEA (Davidson) (13:24): Football facilities in my electorate of Davidson will be substantially enhanced following successful funding applications by two local clubs. The Wakehurst and the St Ives football clubs will each receive $150,000 from the New South Wales Government's $4.1 million reinvestment in football through the Asian Cup 2015 Legacy Fund. It is fantastic that a major 2015 international sporting event continues to benefit grassroots sport through the allocation of money to help boost local participation. The St Ives club will use the funds to convert the pitch at Warrimoo Oval from grass to a more durable all-weather synthetic surface. The Wakehurst club will commit its funds to a similar project, converting two of the four fields at Lionel Watts Oval to a more robust synthetic finish. I congratulate the clubs on their

successful applications and thank them for all they do to encourage and facilitate healthy outdoor activity in my community.

RUTHERFORD LIONESS CLUB

Ms JENNY AITCHISON (Maitland) (13:25): On behalf of the Maitland community, I thank the members of the Rutherford Lioness Club for their service for nearly 30 years. Sadly, the club ceased operations in June because it was unable to form a new executive due to diminishing membership. The Rutherford Lionesses have long been a part of Maitland, initially sponsored by the Rutherford Lions Club and in more recent years by the Maitland Lions Club. Its fundraising has supported a variety of organisations including the Cancer Council, the Fred Hollows Foundation, and the Mark Hughes Foundation in its efforts to assist brain cancer research. At the final meeting in June charter members Glenda Howe, Barbara Humphries and Glad Vickery were recognised for their unceasing efforts and outstanding community service. It was heartening to see comments in local paper the *Maitland Mercury* following the announcement that the club's work was done. They included, "Well done ladies, you have made a difference in so many lives," and, "Such a shame for all these selfless ladies." Their distinctive red-and-white uniforms may disappear from our view but the work of the Rutherford Lionesses will never be forgotten.

EMPIRE BAY PUBLIC SCHOOL

Mr ADAM CROUCH (Terrigal) (13:26): A few weeks ago I joined students and staff at Empire Bay Public School for their inaugural leadership breakfast. It was a pleasure to attend with my Federal colleague, member for Robertson Lucy Wicks, and leaders from local government, sports clubs, men's sheds, rotary clubs and local businesses such as Mitre 10 Kincumber. Lucy and I were asked a range of probing questions by school captain Sunday about leadership, our jobs in the community and the skills involved in becoming a leader. She did an amazing job and it was a pleasure to take part in the discussion. I thank principal Simone Champion for facilitating the event and I thank amazing school chaplain Chris Rubie for organising it. I acknowledge the great work that Chris does. We were able to secure $10,000 for what is probably the world's first kids shed at Empire Bay Public School. Recently, Premier Gladys Berejiklian provided additional funding to provide the shed with power and water.

CHARLESTOWN ELECTORATE VOLUNTEER SURF LIFESAVERS

Ms JODIE HARRISON (Charlestown) (13:27): With the surf lifesaving season starting this weekend, I congratulate and praise our volunteer surf lifesavers for their selfless and tireless efforts. When I was attending the annual general meeting of Redhead Surf Life Saving Club on 5 August a young child suffered a seizure while playing on the sand. Despite the surf lifesaving season being in recess, when the lifesavers in the clubhouse saw what was happening they switched straight to performing their duties and rushed to the young boy's aid. Luckily, a doctor also happened to be on the beach and worked with the Redhead volunteers. They quickly placed him in the recovery position until an ambulance arrived and took him to hospital. Volunteer lifesavers provide an invaluable service on our beaches all year round, not just during the spring and summer seasons—as was demonstrated on that Sunday morning. I am glad to report that the young boy is well thanks to the skills and training that the lifesavers have received as members of an incredible community organisation. I know the Redhead surf lifesavers are well and truly ready for the upcoming season.

PETER SHARP SCHOLARSHIP RECIPIENT CHRISTOPHER HAGAN

Ms STEPH COOKE (Cootamundra) (13:28): Today I recognise Christopher Hagan, an accomplished young Wiradjuri man from Koorawatha. Christopher, just 22 years old, is a passionate advocate for Indigenous health and is a first-year student of medicine at the Australian National University in Canberra. He was recently awarded the 2018 Peter Sharp Scholarship, which is an initiative to support Indigenous students through their medical degrees. I am thrilled that Christopher aims to return to Cowra or Young after his graduation as a rural general practitioner [GP] to care for his community. Our region will be blessed to have someone with Christopher's drive and humility as a local GP. I offer my warmest congratulations from everyone back at home.

MAROUBRA SYNAGOGUE PRESIDENT DARYL ROBINSON

Mr RON HOENIG (Heffron) (13:29): I bring to the attention of the House the outstanding contribution made by Daryl Robinson as he completes his term as president of Maroubra Synagogue after five years of service. Daryl and his family emigrated from South Africa and joined the Maroubra Synagogue on his arrival in the area in 2006. In 2008 he joined the synagogue's board of management, served as vice-president from 2009 and was elected president in 2013, a post he is required to retire from shortly. During his term as president, which is a voluntary position, he has overseen an ambitious building and renovation program and the appointment and management of the synagogue rabbis, and he has made himself available day and night to listen to the feedback and complaints from the local Jewish community. Anyone who is a member of the Jewish community knows

there is never a shortage of complaints. Having served on the board of management with Daryl, I have seen firsthand his contribution and the achievements that have been made as a result of his strong leadership. I ask the House to pay tribute to Daryl's outstanding service to the Jewish community.

PROBUS CLUB LIFE MEMBERSHIP AWARD RECIPIENT BERYL POMLUN

Mr STEPHEN BROMHEAD (Myall Lakes) (13:30): I celebrate the contribution of Beryl Pomlun from Taree, who has been recognised for her long-term commitment to my community. Beryl moved to Taree with her family in 1940 and this month, at 96, was awarded a life membership award from the Probus Club of Taree on Manning. Beryl has been involved in many clubs and activities, including golf and bowls, and she is also a keen knitter who has contributed to many charity knitting events over the years. I thank Beryl for her contribution to the Myall Lakes community.

HUNTER MANUFACTURERS AND TECHNOLOGY FESTIVAL

Ms KATE WASHINGTON (Port Stephens) (13:31): The Hunter is the heart of manufacturing in New South Wales, so it was terrific to see many of the Hunter's impressive and innovative manufacturers on display at the Ai Group Greater Hunter Makers and Technology Festival. I was particularly pleased to meet school students attending the festival, even some who had their own stalls. I make special mention of the amazing girls who participated in the Cessnock Academy of STEM Excellence who had helped design a Formula One car with the support of Boeing.

The power of the program could not have been demonstrated more clearly to me than when one of the girls disclosed she had once wanted to be a beautician but now wants to be a pilot. I also spoke with the keen Hunter River High School students who raved about their involvement with the P Tech program, which connects local students with local manufacturers. They were excited by the future opportunities they now know are just on their doorstep. I thank the Ai Group for showcasing the Hunter's manufacturers and recognise Ai Group's Mark Goodsell and Adrian Price for their ongoing support of the important, impressive and innovative manufacturers in the Hunter.

JOHN LINCOLN YOUTH COMMUNITY AWARD RECIPIENTS

Mr BRUCE NOTLEY-SMITH (Coogee) (13:32): Congratulations to Thomas Carey and Ned Wieland of Waverley College and Anna Coutts-Trotter of Randwick Girls High School who were recognised for their community service, receiving the John Lincoln Youth Community Award. Thomas received his award after raising $25,000 in honour of his twin sister, Elisabeth, who passed away from leukaemia. Ned raised $44,000 for the R U OK? foundation after swimming the Triple Crown Event; completing swims of the English Channel, Catalina Channel and Manhattan Island Swim. Anna was recognised for her hours of community service supporting Montefiore Home, creating Christmas packages for the homeless in Kings Cross, and campaigning for recognition of Indigenous communities in her school. I congratulate all recipients of this year's John Lincoln Youth Community Award.

COMMUNITY HAIR PROJECT

Mr DAVID HARRIS (Wyong) (13:33): Last Friday I had the pleasure of being part of a great initiative taking place in my electorate called the Community Hair Project. I visited the Wyong Neighbourhood Centre and watched the program in play. Getting a haircut is something we all tend to take for granted, but for many in our community who are doing it tough it is not something they can easily access. This takes away from their self-esteem and can alienate them from people around them. The community hair project aims to overcome this by allowing those doing it tough to get a haircut in their time of need. It aims to get local hairdressers and barbers to donate some of their time to help. They have been successful in brightening the lives of hundreds since the initiative started. The project is the brainchild of Christina Mastello, who saw a need in her community on the Central Coast and sought to take the project Australia-wide. It was great to see this initiative in action at Wyong and I cannot wait to see them next time.

WATTLE GROVE SCOUT GROUP AWARD RECIPIENT TRYSTAN BUDGE

Ms MELANIE GIBBONS (Holsworthy) (13:34): Today I recognise the heroic efforts of young Trystan Budge of 1st Wattle Grove Scout Group. Recently Trystan was presented with a Chief Commissioner of Scouts NSW award. He was awarded the honour after his scout training meant he was able to help rescue his mother after she fell down stairs at their home in Holsworthy. Trystan remembered the first aid steps that he had learned through being a Scout, and was therefore able to properly help his mother after the accident. Trystan has special needs, and it is heart warming to see his Scout's instincts kick in at a critical time, enabling him to have the knowledge and skills to perform first aid. Scouts NSW is an important organisation that encourages children to become involved in life skills and gives them the knowledge that will last a lifetime. Scout training is highly

beneficial for all children, as demonstrated by Trystan. Once again, I congratulate Trystan Budge on his amazing effort in helping his mother. I also recognise the Wattle Grove Scouts, their leaders and their successful training.

INVICTUS GAMES FLAG RAISING

Ms JULIA FINN (Granville) (13:34): On 14 September 2016 I was delighted to join members of the Granville RSL Sub-Branch for their Invictus Games flag-raising ceremony at Granville Memorial Park. The word "invictus" means unconquered. It embodies the fighting spirit of wounded, injured and sick service personnel and personifies what they can achieve after injury. Granville service in war dates back to the First World War and the sub-branch has a proud history. The first person from Granville to die during the First World War was Private Frederick Gordon Howse, who died of malaria on 24 January 1915 in New Guinea. Since then the people of Granville have built upon this service. The 2018 Invictus Games will harness the power of sport to inspire recovery, support rehabilitation and generate a wider understanding and respect for those who serve their country. This year Sydney will host 500 competitors and 1,000 family and friends in 11 sports across Greater Sydney. I joined representatives of the Invictus Games, sub-branch president Tao Bai and members John Haines, Russell Jardine and Alice O'Connor in raising the Invictus Games flag in anticipation of this great event.

RAISE FOUNDATION SPARKLE BALL

Ms FELICITY WILSON (North Shore) (13:36): Raise Foundation, which was founded in Mosman, works to connect young people with a mentor to help them as they grow into adults. For those who need it, this is an incredible service within our community. I congratulate Raise and everyone who attended the 2018 Sparkle Ball, which led to almost $310,000 being raised. That will allow the foundation to pair mentors with 155 more young people in 2019 and take 11 schools off the waiting list. It was their biggest and brightest Sparkle yet, and it was a truly fantastic evening. The success of Sparkle was due to lots of hard work. I thank the executive and board members Vicki Condon, Leanne Ralph, Andrew Birch and Leon Condon; along with organising committee members Ali Meades, Jennie Kovacs, Carrie Bellotti, Bec Fitzpatrick, Liz Jeavons-Fellows, Su Cordiner, Simone Starikov, Jo Porter and Hannah Staas. Raise saves lives. It is extraordinary work. The members dedicate their expertise and compassion every day to support our community. I thank everyone involved and look forward to working closely with this organisation.

ST PETER'S PRIMARY SCHOOL STOCKTON MUSICAL PERFORMANCE

Mr TIM CRAKANTHORP (Newcastle) (13:37): I acknowledge the students of St Peter's Primary School Stockton, who today are performing *Save Stockton Beach: The Musical*. These dedicated students understand the serious nature of coastal erosion unfolding on their beach. This is something the Minister should be paying close attention to. The 13 students of year 6 wrote the musical with the assistance of their wonderful teacher, Mrs Jane Boyd. The storyline follows a family concerned about the coastal erosion as they meet characters including a lifeguard, a teacher, the IGA manager, a cat lady, a seal, a shark and a government representative to discuss what they can do to help. When asked about the musical, year 6 student Emerson Williams said: "Everyone has a role to play. Don't stand back. Do something about it." Grace Williams said it was "hurtful" the day-care centre was falling into the sea. She helped collect signatures for the Save Stockton Beach petition. Grace said she wanted people to "open their hearts and minds" about solutions. I offer congratulations to all the students involved. I wish I could be there with you today. I am sure the musical will be an outstanding success.

PORT MACQUARIE-HASTINGS BUSINESS COMMUNITY FUNDRAISING

Mrs LESLIE WILLIAMS (Port Macquarie) (13:38): Today I recognise the tremendous efforts and charitable support from our local business owners in the Port Macquarie-Hastings community for coordinating fundraising events to support our drought-stricken farmers who are struggling to keep up with the costs of living and other pressures. Over the past weeks I have been overwhelmed to see the amount of charitable support from and generosity displayed by our local community in organising several campaigns to help our battling farmers in the west who are doing it tough. Farmers are the lifeblood of our community. They contribute 3 per cent of Australia's total gross domestic product while adding a gross value of $60 billion in farming production in 2016-17 to our economy.

There is no mistaking the devastation and personal heartbreak on a farming community impacted by drought, so it is humbling to see businesses and organisations such as the Lake Cathie-Bonny Hills Junior Rugby League Club, Port Macquarie IGA, Mitre 10, Coles Lake Innes, Kew Corner Store and the Kendall Takeaway promoting donation bucket drops to raise funds for families in need. I commend Bunnings Port Macquarie for recently holding a sausage sizzle on 4 August 2018, with all proceeds raised going to support the Buy a Bale program. I also commend Four Espresso's amazing support in donating $2 from every cappuccino sold towards the cause, as well as the efforts of Waniora Butchery, Ken Little's Fruit and Veg, and Gold Dust Trader.

TUE THANH SCHOOL ALUMNI MOON FESTIVAL DINNER

Mr NICK LALICH (Cabramatta) (13:39): Last weekend the Tue Thanh Viet Tu Alumni Association Australia Inc. held its mid-autumn moon festival dinner, bringing together more than 200 community members at Canley Heights. The alumni association previously has held events for senior citizens to try to stave off social isolation and holds Chinese classes for the younger generation so that the heritage and culture of their forebears is not lost over time. Last Saturday night's dinner continued the association's legacy of keeping their cultural traditions alive while celebrating the mid-autumn moon festival. Traditionally, one of the reasons the moon festival is important is that it brings families together to give thanks for the harvest. In these modern times, we all spare a thought for the farmers and animals suffering in the current drought. Congratulations to president Phillip Wong and his committee members, Vincent Kong, OAM, Michael Chan, Tich Lu, Cal Than, and Robert Ly, for their hard work keeping the alumni association going from strength to strength.

KU-RING-GAI LIONS CLUB COMMUNITY SERVICE AWARDS

Mr JONATHAN O'DEA (Davidson) (13:40): Earlier this month I attended the Lions Club of Ku-ring-gai Community Service Awards along with other local members of Parliament Paul Fletcher and Alister Henskens as well as local mayor Jennifer Anderson. Under the leadership of the Ku-ring-gai Lions Club President, Harold Zev, the awards night celebrated volunteers and recognised their invaluable contribution to our complex and diverse communities. The award recipients, including some from my Davidson electorate, were Loraine Unicomb for services to sport, Steve Drakoulas for services to the disabled, Pauline Hutcheson for services to the aged, Walter Knowles for services to the environment, Susan Smart for services to the arts and community, and Anne Matheson for services to youth.

Lions Clubs help to create strong, caring and compassionate communities and exemplify the best qualities of Australians. They offer hope and reassurance that people care about the lives of others and want to act positively in the community's interest. As many people recently focused on helping New South Wales farmers through a period of intense and expansive drought, the Australian Lions Foundation national appeal helped raise funds for fodder and other essential items for farming families. Thanks to the Lions movement and to all our volunteers.

AUSTRALIAN YOUTH CLIMATE COALITION

Mr ANOULACK CHANTHIVONG (Macquarie Fields) (13:41): I acknowledge the Australian Youth Climate Coalition representatives Miss Katerina Trung and Miss Francesca Smith, who are year 9 and year 10 students respectively from the Hurlstone Agricultural High School in Glenfield. Both Francesca and Katerina met with me recently to outline the youth coalition's vision for combating climate change and improving sustainability, starting with our public high schools. Both students outlined a number of measures they would like to see their own school adopt, such as: reducing food waste through implementing worm farms for students; applying the 10¢ a bottle refund at their school; introducing renewable energy, such as solar panels; and encouraging plastic recycling within classrooms and in the playground. On a much broader scale, the Australian Youth Climate Coalition has developed a comprehensive policy package, Repower Our Schools. The policy outlines a plan to deliver 100 per cent renewable energy throughout schools in New South Wales. Young people are the future. I am mightily impressed by both Katerina and Francesca for taking a stand and working on an issue that is important to them and to future generations.

JUNEE GIRLS NIGHT IN

Ms STEPH COOKE (Cootamundra) (13:42): For more than a decade a dedicated group of Junee women have been pretty in pink, raising money for breast cancer. Sixteen years ago a committee was formed to raise funds for the Cancer Council. In 2005 when member Kerrie Holmes was diagnosed with breast cancer the Girls Night In was born. In its first year it was a group of just 20 ladies around a kitchen table. It has grown to be one of the biggest events on Junee's annual calendar, drawing in approximately150 people. The girls choreograph a hilarious dance-musical number, painstakingly kept secret each year. Men also have been invited to the party since 2012. This year's event on 1 September raised $10,000. To date, more than $85,000 has been donated to the local Can Assist branch and cancer research. I thank the committee members for their hard work, humour and compassion.

MARYLAND FLETCHER BULLDOGS PLAYER JASPER LINACRE

Ms SONIA HORNERY (Wallsend) (13:43): Jasper Linacre is a local talented young footballer who has caught the eye of many football fans. Jasper plays for the Maryland Fletcher Bulldogs and is blessed with natural skills and loads of determination. This season, he scored more than 100 goals in the local competition—an amazing tally, which is all the more impressive when you consider that Jasper is just six years of age. Jasper's goal-scoring feat has not gone unnoticed by football coaches and scouts. Last weekend he played in an under-8s

combined NSW-ACT Barcelona Academy team at a Brisbane tournament. His side finished third in the tournament, despite Jasper being well below the age limit. Jasper had been selected to join the Football Club Barcelona's Official Youth School of Football in Sydney and will participate in the Edgeworth Eagles Football Club development program next year. Congratulations to Jasper and his proud dad, Adam.

KU-RING-GAI WILDFLOWER GARDEN

Mr JONATHAN O'DEA (Davidson) (13:44): The Ku-ring-gai Wildflower Garden in St Ives occupies 123 hectares of urban bushland and is a wonderful place for bushwalking, picnicking and special events. It was first officially opened in 1968 by the noted humanitarian and former New South Wales Governor, Sir Roden Cutler. The garden's fiftieth anniversary will be celebrated in 2018. On Saturday 6 October this significant milestone will be celebrated at the Fiftieth Anniversary Gala Celebration in Caley's Pavilion function centre in the garden's grounds. The pavilion will be transformed for the evening with decorations, historical photo exhibitions and film showcases, and of course plenty of beautiful wildflowers. The evening will include a gala dinner and live music from the Aston Martinis. I wish the Ku-ring-gai Wildflower Garden a very happy fiftieth birthday and commend all those involved in its history, including through the Ku-ring-gai Council.

SALVATION ARMY STREET LEVEL MISSION, WATERLOO

Mr RON HOENIG (Heffron) (13:45): Recently I was delighted to visit the Salvation Army Street Level Mission at Waterloo. I had the opportunity to meet with Mitchell Evans, the new mission leader, and learn about the program. What I saw there was fabulous. Not only does the mission run all manner of outreach programs, providing a whole range of activities for seniors and the local public housing community; it also works closely with great organisations such as Foodbank to source free or heavily discounted food for local people. The mission provides English language classes, which are so helpful for the two in three Waterloo residents who were born in a country other than Australia. On top of that, it also provides out-of-school hours care programs for Waterloo kids. I encourage Waterloo residents to get involved in this fantastic program. I applaud Mitchell, the Salvation Army and the team at Waterloo Street Level Mission for their initiative.

TEMPORARY SPEAKER (Mr Geoff Provest): I shall now leave the chair. The House will resume at 2.15 p.m.

Visitors

VISITORS

The DEPUTY SPEAKER: I extend a warm welcome to Roni Cress, Josie Jakovac, Deyi Wu, Laura Middleton, Laura Glase and Rebekah Cromie from the Young Liberals, guests of the member for Willoughby and Premier of New South Wales. I also welcome Robyn Young, who is a very involved and long-time Wakehurst constituent and supporter of Brad Hazzard. She is a guest of the Minister for Health, and Minister for Medical Research, and the member for Wakehurst.

I acknowledge and welcome to the gallery Jason Rofe, a guest of the member for Tweed. I acknowledge in the gallery school leaders Kerstyn Taylor and Lilliana Chick, their teacher Judith Hall and their principal, Leonie Stevenson, from E A Southee Public School, guests of the member for Cootamundra. I also welcome the students and their teachers from Harwood Island Public School and Lawrence Public School, guests of the member for Clarence. I also welcome Shannon Donato, the Chief Commercial Officer of the South Sydney Rabbitohs, a guest of the member for Orange.

Members

REPRESENTATION OF MINISTER ABSENT DURING QUESTIONS

Mr ANTHONY ROBERTS: On behalf of Ms Gladys Berejiklian: I inform the House that for the remainder of the week the Attorney General will answer questions in the absence of the Minister for Police, and Minister for Emergency Services.

Notices

PRESENTATION

[*During the giving of notices of motions*]

The DEPUTY SPEAKER: Order! I call the member for Campbelltown to order for the first time.

Question Time

LIBERAL PARTY PRESELECTION

Mr LUKE FOLEY (Auburn) (14:25): My question is directed to the Minister for Innovation and Better Regulation. Did the Minister or anyone acting on his instruction or at his request raise with the Minister for Multiculturalism, and Minister for Disability Services the prospect of a paid government appointment in return for him relinquishing his seat of Castle Hill?

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (14:26): Typical Labor gutter politics. Typical grubby politics from Labor.

The DEPUTY SPEAKER: Order! The Minister will resume his seat.

Mr Michael Daley: Stop the clock. We want to hear this.

The DEPUTY SPEAKER: I will not stop the clock. I call the member for Maroubra to order for the first time. A question has been asked. The Minister has hardly said six words and there is an outburst. I apologise to everyone in the gallery, especially the schoolchildren, because this is no way to behave. Members will sit back and listen to the answer.

Mr MATT KEAN: In answer to the Leader of the Opposition's question: I have never discussed, I have never mentioned, I have never offered the member for Castle Hill anything—

The DEPUTY SPEAKER: I call the member for Cessnock to order for the first time.

Mr MATT KEAN: —except my love and support. Why would Labor ask a question such as that? Because that is how it does politics. That is how it does smear politics.

The DEPUTY SPEAKER: Order! The Minister will resume his seat.

Mr Michael Daley: Point of order: The Minister has answered half the question. Was there anyone acting on his instruction or at his request?

The DEPUTY SPEAKER: There is no point of order. The Minister is being relevant to the question he was asked.

Mr MATT KEAN: The answer is no. If we want to talk about jobs for the boys, let us talk about some jobs for the boys, because that is exactly what Labor does. It gives jobs to the boys. Let us talk about the unremarkable Terry Rumble. Anyone remember him? No-one remembers him. How did Labor get him out of the Parliament? He was appointed to the Port Authority at Port Kembla. It is not just Terry Rumble; it is also John Price. Does anyone remember him? He had another undistinguished career. What did Labor do with John Price?

The DEPUTY SPEAKER: Order! The Minister will resume his seat.

Ms Jenny Aitchison: Point of order: My point of order is under Standing Order 73. If the Minister wants to cast aspersions about the former member for Maitland he should do so by substantive motion, not in the House hiding behind parliamentary privilege.

Mr MATT KEAN: The question was about jobs being offered. I am talking about John Price, who was offered the job on the board of TransGrid to get him out of the Parliament. If we want to talk about the ultimate sinecure being offered to someone, that is none other than the job that was offered to the unqualified member for Keira. He was offered a $250,000 plum job in the department to get him out of the—

Mr Michael Daley: Point of order: My point of order relates to Standing Order 129. Why do we not freshen up the appointments and talk about Rob Vella, appointed last week to Landcom?

The DEPUTY SPEAKER: There is no point of order.

Mr MATT KEAN: Labor needed to get the member for Keira out of the Minister's office. After about 12 months experience it gave him a $250,000 plum job in the Department of Transport, running one of the biggest agencies in the whole government. I am not going to be lectured by those opposite about jobs being offered to people who were out of their depth, because that is exactly how Labor does politics. It puts unqualified people into jobs on taxpayers' dollars, because that is what Labor does.

The DEPUTY SPEAKER: I might owe the member for Cessnock an apology. The member called to order is the member for Kogarah.

Mr Chris Minns: No, that's alright.

Mr Stephen Kamper: He'll take it! Take a hit for the team.

Mr Clayton Barr: I'll owe you one.

The DEPUTY SPEAKER: I call the members for Rockdale, Kogarah and Cessnock to order for the first time.

SCHOOL INFRASTRUCTURE

Mr JAI ROWELL (Wollondilly) (14:32): My question is addressed to the Premier. How is the New South Wales Government supporting the students and teachers across the State?

Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:32): I thank the member for Wollondilly for his question. He represents an electorate which is growing and is in need of major school upgrades, and I am very pleased that we are delivering that for his community. I thank him for the interest he takes in education in particular, but also in all major issues in his community. We are very pleased as a government to have an exceptional record in delivering in education. I give credit to the Minister for Education, who has been able to successfully extract from the outstanding Treasurer billions of dollars in infrastructure spending over the next four years.

Since we were elected we have employed more than 5,000 extra teachers in our classrooms. We have also funded more than 3,500 new classrooms and an additional 81,000 places. That is just since we have been in government, since 2011. This has resulted in 18 new schools and 41 major upgrades in the last five or six years alone. That is a massive investment in education. Of course, regrettably, when Labor left office it left us with a $1 billion maintenance backlog.

Mr Jihad Dib: That is not true, and I have tabled that.

Ms GLADYS BEREJIKLIAN: It is true. Labor might try to fight the truth, but the truth hurts.

Mr Jihad Dib: Deputy Speaker, I am happy to again table that document from the previous Minister—

The DEPUTY SPEAKER: Does the member have a point of order?

Mr Jihad Dib: —that shows that is not true.

The DEPUTY SPEAKER: The member for Lakemba will resume his seat.

Ms GLADYS BEREJIKLIAN: The truth hurts because they have a lot to say about education, but when they were in government they failed to deliver.

Mr Jihad Dib: We actually opened more schools than you did, on average.

Ms GLADYS BEREJIKLIAN: No, no, no. As the House would know, this year we announced that we are providing at least $747 million on top of existing funding to really eat into this maintenance backlog that we inherited. But we are also very pleased—again, with the hard work of the Treasurer and the education Minister—that we are investing $6 billion over four years for more than 170 new and upgraded schools. This is the biggest investment in schools in the history of our State, and we are very proud of it. I know that many electorates across the State and many constituents will benefit—including the member for Wollondilly, who asked me this question. I know how proud he was just last month when he and the Minister for Education were at the old Picton High School for a final farewell before construction of the new high school takes place.

I know how important that high school is to his community, and I commend him for his work in securing that for his community. This new facility alone will have 112 classrooms, allowing it to cater for the more than 1,500 students. It will be a state-of-the-art facility and we know this is important to give students that much-valued education. I am pleased to update the House that just in the last few months we have delivered more than 39 new classrooms—in the form of either new schools or upgraded schools—libraries, canteens and a new gym for the Hunter Sports High School. We know how much that is appreciated. In the last few months there has been a big boost in regional New South Wales with the opening of day one of term 3 of the NSW School of Languages, which is a distance education language specialist school providing opportunities for distance learning. We know how important that is for students outside of Sydney.

We have also started new work on a number of projects and new schools in the last little while, like Pottsville public school in Tweed—well done to the member for Tweed. The Minister for Education and the local member, Geoff Provest, turned the sod on the upgrade that will deliver 13 new classrooms for that school, new admin facilities and new library facilities. In August I joined the Deputy Premier and the Minister for Education to unveil the site of the new school for specific purposes in Queanbeyan. That was really exciting, being there for the sod-turning for that project. In Wauchope in the electorate of Oxley—I know the member there is very excited—we turned the sod last week for the upgrade, which will deliver 13 new classrooms in that school. Congratulations. [*Extension of time*]

I am happy to say this, in the absence of the Speaker: We purchased the Shoalhaven Anglican School site in Milton in the South Coast electorate after passionate advocacy from the Speaker. The new site will provide education opportunity for the local community for generations to come. We are extremely pleased, not just with the record investment we are making in the bricks-and-mortar capital investment but also with the other opportunities we are providing our students, whether it is extra access to science, technology, engineering and mathematics [STEM] equipment; whether it is the extra coding challenges we are doing; whether it is extra opportunities to support those students who need extra support within the classroom. It is not just the bricks and mortar but also the quality education that our students are receiving inside those classrooms. I know the shadow Minister for Education interjected a bit earlier in this answer, but it is a statement of fact that Labor closed more than 90 schools when it was in power. Some examples include Macquarie Boys High School, Beacon Hill High School, Maroubra High School—

Mr Jihad Dib: Point of order—

Mr Andrew Constance: Just say something stupid. Say something silly and we'll laugh at you.

Mr Jihad Dib: That normally comes out of your mouth, doesn't it—stupid stuff? That normally comes out of your mouth, mate. That's you; you invented it. Stupid stuff comes out of your mouth. Good on you.

The DEPUTY SPEAKER: The member for Lakemba will resume his seat. The Minister for Transport and Infrastructure and the member for Lakemba are both as bad as each other.

Mr Jihad Dib: Does he go on a call? Do we both go on a call?

The DEPUTY SPEAKER: I have not put either of you on a call to order, but I am happy to do so.

Mr Jihad Dib: I'm happy to take one if he takes one.

The DEPUTY SPEAKER: I call the member for Lakemba to order for the first time. I call the Minister for Transport and Infrastructure to order for the first time.

Ms GLADYS BEREJIKLIAN: Again, the truth hurts. Some of the 90 schools those opposite closed included Macquarie Boys High, Beacon Hill High, Maroubra High and Redfern Public High School. We also know of their secret proposal for $1 billion in cuts—in fact, they proposed closing more than 100 schools, axing thousands of teachers. That is what they do. I take this opportunity to say not only are we committed to our record-breaking infrastructure pipeline and our maintenance activity but also we were the first State very proudly to sign up to Gonski. We have held firm with the Gonski principles of needs-based funding. I commend the Minister for Education and every member of my Government for being such strong advocates of that needs-based funding. We are incredibly proud of it. We are also dedicated to supporting all students, no matter which school they go to, because we believe in choice and we believe in world-class education services— [*Time expired.*]

Visitors

VISITORS

The DEPUTY SPEAKER: I welcome to the public gallery Maisie Fiescki, guest of the member for Blue Mountains; Libby Lloyd, AM, board member of the Red Rose Foundation and guest of the member for Maitland; and teachers and school parliament members of Wyoming Public School, guests of the member for The Entrance. I hope they behave better than members do here. I remind members to please forward all recognition or welcome statements to the Speaker's office so that guests can be acknowledged in orderly fashion at the start of the session.

Question Time

LIBERAL PARTY PRESELECTION

Ms JODI McKAY (Strathfield) (14:41): My question is directed to the Premier. Why did the Premier intervene to fix the preselections for three men—Ray Williams, Dominic Perrottet and Damien Tudehope—but Liberal women under preselection challenges from blokes are left to fend for themselves?

Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:42): Those opposite feel that they want to be the next government of New South Wales and that is the best question they can bowl to the Premier of New South Wales? I am incredibly proud to have received the support of my party in order to be the Premier of this great State. Actions speak louder than words. I say to those opposite: Why do they not ask me questions about what matters to the people of New South Wales: health, education, roads, rail? I say this today of all days: It takes hard work to take our budget and economy from last in the nation to first in the nation. It takes hard work to have the largest jobs growth rate in the nation. It takes hard work to have the largest infrastructure pipeline in the nation. It takes hard work to build roads, rail—

Ms Jodi McKay: Point of order: It is Standing Order 129. It was a legitimate question about two members of this Parliament who are under a preselection challenge and about why the Premier will not save them but will save three blokes. It is a legitimate question, for which we want an answer.

Ms GLADYS BEREJIKLIAN: I will not be lectured by a Leader of the Opposition who did over Barbara Perry in order to get his seat. He pushed aside—

The DEPUTY SPEAKER: Order!

Ms GLADYS BEREJIKLIAN: I will not be lectured by members of the Opposition when it comes to the treatment of women. I will resume my answer. Members opposite should be asking me about the things that matter to the people of New South Wales, the issues being discussed around kitchen and dining room tables every night. That is why those opposite will be consigned to those benches forever—because they do not understand what the people actually want.

Ms Jodi McKay: Point of order: We know the Liberal Party has a problem with women—

The DEPUTY SPEAKER: Order! The Premier has finished her answer. The member for Strathfield will resume her seat. I call the member for Strathfield to order for the first time.

RURAL AND REGIONAL MENTAL HEALTH PROGRAMS

Mr AUSTIN EVANS (Murray) (14:45): I address my question 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 investing in innovative programs to assist with mental health in rural and regional New South Wales?

Ms Kate Washington: Patrick McGorry was in the House today.

Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business) (14:46): Does the member really want to start like that? Seriously? We are talking about mental health. Let us be nice. I know that it is hard for the member.

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

Mr JOHN BARILARO: I thank the member for Murray for his question. He understands the issues we are facing in regional New South Wales, especially when it comes to mental health and the wellbeing of our communities. We are all aware that we are enduring one of the toughest droughts ever in regional areas. That has an impact on not only farmers but also their families and the broader community. It is impacting and it is difficult, and the mental health issue is very real. When the Government announced the second drought relief package, I went on the road from Tamworth, through the Upper Hunter and back to Sydney by car visiting a few of the affected farmers. They are tough and resilient and they do not hide what they are feeling. I remember visiting one farm with the member for Upper Hunter and the farmer reached out because he was doing it tough and struggling.

I thank the Minister for Mental Health for making an announcement about the millions of dollars in the package that have been provided to support regional New South Wales, especially the $6.3 million that will provide 20 counsellors at the farm gate working face to face with regional communities. The Minister and I also announced today a partnership between the Government, the Baggy Blues and the Rural Adversity Mental Health Program. We all know that sport means a lot in regional New South Wales and that it cuts through and breaks down barriers. The identity of a community is often attached to what happens on the footy field or the netball court.

Regional cricket is extremely important, and that is why the Government has a strong focus on sporting infrastructure in regional areas. Today's partnership announcement of $120,000 will see the Baggy Blues tour regional areas over the next three years to sell the message and to talk about mental health. They will run tournaments, hold coaching clinics, have dinners and breakfasts and focus on mental health. The first four regional centres to be visited will be Tamworth, Dubbo, Griffith and Bega. The Dubbo cricket team will play the Orange team, the Tamworth team will play a local team, the Bega team will play the Tathra team, and the Griffith team will play the Leeton team. There will be a broader regional footprint. Most importantly, this is a three-year program designed to break down the stigma of mental health.

Ms Jodie Harrison: At $40,000 a year?

Mr JOHN BARILARO: This is just one program. We are spending millions of dollars on mental health, but you want to criticise this small initiative brought to us by the Baggy Blues! You want to criticise—I cannot believe this.

The DEPUTY SPEAKER: Order! The Clerk will stop the clock.

Ms Jodi McKay: Mr Deputy Speaker, please tell the Deputy Premier to direct his comments through the Chair, not across the table.

The DEPUTY SPEAKER: I would have thought that every member of this place would respect any discussion about mental health.

Mr JOHN BARILARO: There was an interjection criticising the announcement of a $120,000 program. The announcement about drought relief included a $14 million package, and there was another package provided by the Federal Government. This is just one program and it was pitched to the New South Wales Government by the Baggy Blues, who want to use cricket to break down the stigma of mental health, but the member thinks it is not worth it. They are a disgrace. They have no right to sit in this House on the Opposition benches, let alone the Government benches.

This is the truth, and it is the reality regional members face each and every day. The suicide rate is 66 per cent higher in regional New South Wales than it is in metropolitan areas like Sydney. If members opposite do not think it is serious or that this investment does not matter, they have their priorities wrong. In regional New South Wales we were resilient, in regional New South Wales we do not look for handouts, and in regional New South Wales we come together as communities to work through the issues we face. We also want to partner with organisations and governments to ensure that we deliver services to address those issues.

My fears for regional New South Wales relate to the crystal methamphetamine "ice" epidemic, substance abuse, depression, anxiety, mental health and suicides. Places like Grafton and Clarence have seen 60 suicides over the past three years. My greatest fear for regional New South Wales is the loss of the next generation of kids. If those kids are not in our regional centres, regional New South Wales will not exist. That is where our produce comes from. It generates mining royalties, and it provides our tourism experiences. How dare members opposite criticise this program? [*Extension of time*]

I was going to answer this question with an inclusive message, and one that every member of this Chamber should promote. I am talking about the opportunity to break down the stigma of mental health regardless of whether we live in Sydney or regional New South Wales. We are doing that in a unique way: We are using sport as the vehicle. Seventy per cent of the cricketers we follow who play for Australia or one of the State teams come from regional New South Wales. Glenn McGrath comes from Dubbo, and Brad Haddin comes from my backyard. They are our people; they are the sons and daughters of regional New South Wales. Those guys are coming back into our communities as ambassadors to break down the stigma of mental health and to start the conversation.

There is nothing to criticise about this investment. It is only one program. I am sure the Minister for Mental Health will talk about the tens of millions of dollars allocated in the recent budget to address this issue. There was a great announcement recently about the Gidget Foundation, which addresses perinatal depression and young mums who are struggling after having given birth. We are breaking down the tyranny of distance in New South Wales by using technology. This is a small investment, but this Government's collective investments are making a difference. I cannot believe that I have had to get worked up this afternoon to answer this question. I hope the kids in the gallery—

The DEPUTY SPEAKER: Order! The Clerk will stop the clock.

Mr Chris Minns: With respect, Deputy Premier, please do not politicise this issue. It is too serious.

The DEPUTY SPEAKER: The member for Kogarah will resume his seat.

Mr JOHN BARILARO: I respect the member for Kogarah. He is being serious. It was the member for Charlestown who politicised this issue. The member for Kogarah should lecture members on his side of the Chamber, especially the member for Charlestown. It was her interjection that showed she wanted to play politics on what is a real issue for the people of regional New South Wales. It is the New South Wales Liberals and Nationals that will deliver the services we require in regional New South Wales.

NORTH SHORE ELECTORATE REPRESENTATION

Ms TANIA MIHAILUK (Bankstown) (14:54): My question is directed to the Premier. Given that there are only eight Liberal women in this place—it is hard to believe there are actually eight—will the Premier act to stop a Liberal man taking out the member for North Shore in preselection?

The DEPUTY SPEAKER: Order! A question has been asked. Again, I would have thought Opposition members would want to hear the answer. But I also want to hear it. The Premier has the call.

Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:55): While, obviously, everybody is interested in gender politics, these are important matters. But I find it curious that the question was asked of me

by the member for Bankstown. There were media reports about two incidents in shadow Cabinet, where she felt she was disrespected by the Leader of the Opposition.

Ms Jodi McKay: Point of order: My point of order is under Standing Order 129. The Premier can deflect all she likes. It is a simple question: Will she save the member for North Shore?

The DEPUTY SPEAKER: Order! Resume your seat.

Ms Jodi McKay: Will she save a female in this place?

The DEPUTY SPEAKER: The member for Strathfield will resume her seat.

Ms GLADYS BEREJIKLIAN: If Opposition members are going to ask me questions of that nature they really should take a good hard look at themselves. The member for Bankstown, on two occasions—

Ms Tania Mihailuk: Point of order: My point of order relates to relevance—Standing Order 129. The member for North Shore is about five or six months pregnant. That is pretty difficult. I know what it is like to go through a preselection when you are pregnant.

The DEPUTY SPEAKER: Order! Resume your seat.

Ms Tania Mihailuk: Why isn't the Premier giving her any support?

The DEPUTY SPEAKER: Resume your seat. I call the member for Bankstown to order for the first time.

Ms Tania Mihailuk: Why isn't the Premier giving her any support? She sure as hell gave—

The DEPUTY SPEAKER: I call the member for Bankstown to order for the second time.

Ms Tania Mihailuk: —support to Damien Tudehope and to the Treasurer.

The DEPUTY SPEAKER: I call the member for Bankstown to order for the third time. Resume your seat.

Ms GLADYS BEREJIKLIAN: I think this question has backfired, somehow, because I never, ever like to comment on speculation in this place—I do not. You can look back. But when I am asked a question about a member and it was reported that her own leader offended her and—

Ms Tania Mihailuk: Why don't you help the member for North Shore?

The DEPUTY SPEAKER: Order! The member for Bankstown will come to order.

Ms GLADYS BEREJIKLIAN: I know the member is very sensitive about the issue. I am just saying—

The DEPUTY SPEAKER: Order!

Mr Luke Foley: Felicity, just move a spill and you'll be okay.

The DEPUTY SPEAKER: Resume your seat. Order! The Premier has the call.

Ms GLADYS BEREJIKLIAN: I make those two points again. First, I refer to media reports where the member for Bankstown was so offended and affected that she had to leave the meeting—

Ms Jodi McKay: Point of order—

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

Ms GLADYS BEREJIKLIAN: —because of the way the Leader of the Opposition treated her. The second point I want to make is—

Ms Tania Mihailuk: That is a blatant lie. It is very hard to offend me, Gladys.

Ms GLADYS BEREJIKLIAN: It was in the media.

Ms Jodi McKay: Point of order—

The DEPUTY SPEAKER: I will not accept another point of order from the member for Strathfield after the last outburst.

Ms Jodi McKay: I promise to behave.

The DEPUTY SPEAKER: Resume your seat. I am not taking a point of order. Order!

Ms GLADYS BEREJIKLIAN: I do not even know if Opposition members realise they did this—I do not even know if the Leader of the Opposition realises he did this—but the way they just got up and addressed the member for North Shore was completely inappropriate; the way they yelled at her! They are not even aware of the kinds of actions that they condone. But I say—

Ms Tania Mihailuk: Point of order: My point of order relates to relevance—Standing Order 129. Why doesn't the Premier support the member for North Shore? She has had a hard enough time. The Leader of the House or his henchman is the one attacking her. Why doesn't the Premier support her?

The DEPUTY SPEAKER: The member for Bankstown will resume her seat. The Premier has the call.

Ms GLADYS BEREJIKLIAN: I will just say this: I always make a point of making sure that we discuss issues that matter to the people of New South Wales, but we will not be lectured to by those on the other side of the Chamber about the treatment of women, especially by the Leader of the Opposition.

The DEPUTY SPEAKER: I call the member for Swansea to order for the first time. I call the member for Strathfield to order for the third time.

Mr Anthony Roberts: Jodi had to use—

Ms Jodi McKay: I cannot hear you, Anthony. Say it again.

The DEPUTY SPEAKER: I direct the Deputy Serjeant-at-Arms to remove the member for Strathfield from the Chamber under Standing Order 249.

[*The member for Strathfield left the Chamber at 15.01 accompanied by the Deputy Serjeant-at-Arms.*]

The DEPUTY SPEAKER: Order! The member for Strathfield had been called to order on numerous occasions.

Ms Gladys Berejiklian: More than that.

Mr Michael Daley: And how many Government members were on any calls? None of them!

The DEPUTY SPEAKER: Order! Would you like to see the list?

Ms Liesl Tesch: None.

The DEPUTY SPEAKER: I beg your pardon?

Ms Liesl Tesch: I said, "None."

The DEPUTY SPEAKER: You might want to come to have a look at the list.

Ms Liesl Tesch: I apologise.

The DEPUTY SPEAKER: The member for Strathfield stood at the lectern and kept going on and on when she was already on three calls to order. That is the reason she has been removed from the Chamber.

Mr Luke Foley: Point of order: The reason she is out is that she was sitting in her place and a male Minister attacked her. She responded and you threw her out. Come off it!

The DEPUTY SPEAKER: You resume your seat. That would be the weakest point of order I have heard since I have been in the chair. Order! That was absolutely out of order. The member may think he scored points, but he will not threaten me.

Mr Andrew Constance: Point of order—

Ms Yasmin Catley: He was standing up for a woman—

The DEPUTY SPEAKER: I beg your pardon? There is only one side of the House that has turned this into that debate, and it is not the Government.

Mr Andrew Constance: I seek a withdrawal of that comment by the Leader of the Opposition.

Mr Clayton Barr: The heir apparent.

The DEPUTY SPEAKER: I call the member for Cessnock to order for the second time. The Minister for Transport and Infrastructure has the call.

Mr Andrew Constance: I seek a withdrawal of that offensive comment by the Leader of the Opposition.

The DEPUTY SPEAKER: The Minister for Transport and Infrastructure will resume his seat. The Leader of the Opposition has been asked to withdraw his comment.

Ms Tania Mihailuk: No. There was nothing offensive about it.

The DEPUTY SPEAKER: He is not withdrawing the comment?

[*Interruption*]

The DEPUTY SPEAKER: I direct the Deputy Serjeant-at-Arms to remove the member for Bankstown from the Chamber under Standing Order 249.

[*The member for Bankstown left the Chamber at 15.04 accompanied by the Deputy Serjeant-at-Arms.*]

Ms Tania Mihailuk: Another woman gone!

The DEPUTY SPEAKER: The Leader of the Opposition was asked to withdraw those comments. Does he withdraw them?

Mr Luke Foley: No.

Mr Andrew Fraser: Point of order: I draw the attention of the House to Standing Order 250 (3), which states that a member can be named by the Speaker for refusing to withdraw offensive words. The member for Bega regards the words that were said as offensive. If the Leader of the Opposition refuses to withdraw them, he should be named and suspended from this House for a period of two days.

Mr Stephen Kamper: Who determines what "offensive" is?

Mr Michael Daley: To the point of order—

The DEPUTY SPEAKER: Order! Opposition members might treat this whole question time as a joke.

Mr Clayton Barr: It has been a disgrace.

The DEPUTY SPEAKER: Opposition members have been treating it as a joke every day for the past four weeks. Now, as soon as someone takes a point of order, they just treat it as a joke. This is a pretty serious point of order. The member for Maroubra has the call to the point of order.

Mr Michael Daley: The point of order goes to upholding standards in this place. If we do not name members for physically assaulting Ministers, as has been the case in here once during my time, I hardly think we would stoop to an alleged, manufactured offence.

The DEPUTY SPEAKER: That just reinforces your—Order!

Mr John Barilaro: The way you treat Madam Speaker, mate? Mind yourself.

Mr Michael Daley: Four hundred to nil is the scoreboard, mate. I don't think we're at that point yet.

Mr Andrew Fraser: Further to the point of order—

The DEPUTY SPEAKER: Order! Before I call the Assistant Speaker further to the point of order, I make the point that that point of order just reinforces that this is a stunt. Those comments—

Mr Clayton Barr: It's your authority.

The DEPUTY SPEAKER: I call the member for Cessnock to order for the third time.

Mr Andrew Fraser: I also draw your attention to standing orders 250 (4) and 250 (5), where the members who have been suspended from the House today did persistently and wilfully refuse to conform to any standing order and persistently and wilfully disregarded the authority of the Chair.

The DEPUTY SPEAKER: That is exactly why I had them removed from the Chamber.

Mr Andrew Fraser: I suggest that those members should have been named and suspended for two days, as the Leader of the Opposition should be. In regard to the comments from the member of Maroubra, I was named and I was suspended from the House for eight days.

The DEPUTY SPEAKER: Order! I was here and I well remember it. I was in the Chamber. He was named. In relation to the two members removed from the Chamber, regardless of who they were, they persistently stood at the lectern taking points of order when they were asked to sit down. They were not evicted from the House then. When they made further comments from their seats, that was when I asked them to leave. They have both been removed from the Chamber for the rest of the day. I will not name the Leader of the Opposition. He has been asked to withdraw those comments and he has said publicly that he will not withdraw them. That is his decision.

Mr Greg Warren: Further to the point of order and with regard to—

The DEPUTY SPEAKER: I have ruled on the point of order, so you must come up with a new point of order.

Mr Greg Warren: Point of order: In response to your ruling, with respect and regard, standing orders 250 (1), 250 (2), 250 (3), 250 (4) and 250 (5) ultimately exist within the standing orders for the Speaker to name someone who would be otherwise unrecognised.

Mr John Barilaro: Not by the public.

Mr Greg Warren: The Leader of the Opposition came to the lectern and very clearly he is the member of Auburn—

The DEPUTY SPEAKER: Order! I have heard enough.

Mr Greg Warren: He made his statement appropriately. I would suggest—

The DEPUTY SPEAKER: Order! I have ruled on that point of order. There is no need for members to continue to speak on it.

Mr John Barilaro: Nobody knows him. Nobody knows Luke.

Mr Luke Foley: What's that, John? What did you say?

Mr John Barilaro: I said some people don't know who you are.

Mr Luke Foley: Yes, and I am still preferred Premier, mate.

Mr John Barilaro: He has got tapped on his back. Let's wait for the next poll and see how he polls.

The DEPUTY SPEAKER: Order! At the moment, I am the preferred Speaker but I do not know whether I want to be that.

Mr Andrew Fraser: I'll take it over.

WESTERN SYDNEY INFRASTRUCTURE

Ms MELANIE GIBBONS (Holsworthy) (15:09): My question is addressed to the Minister for Western Sydney, Minister for WestConnex, and Minister for Sport. Will the Minister update the House on the record investment into services and infrastructure that is already building stronger communities across Western Sydney and are there other matters?

Mr STUART AYRES (Penrith—Minister for Western Sydney, Minister for WestConnex, and Minister for Sport) (15:10): I thank the member for Holsworthy for her question. It is good to know that there are people in this House who are still asking questions on behalf of their community and staying focused on the things that really matter to mums and dads, and people right across New South Wales. When it comes to Western Sydney, the delivery of infrastructure, the creation of jobs and the provision of services is the key focus for these communities. We have seen, over many, many years, the lack of job opportunities in Western Sydney. A lot of that has come from the fact that the infrastructure that Western Sydney needed to grow and develop simply was not invested in.

This Government, along with local governments and the Federal Government, is making a concerted effort to change that. Right at the forefront of that is the joint delivery of Western City, which also includes the Western Sydney airport. The Commonwealth has invested $5 billion into this airport. The New South Wales Government is establishing the Western City and Aerotropolis Authority, which will facilitate the delivery of more than 200,000 jobs across Western Sydney. This is about making sure that people are able to work closer to where they live so that they can spend more time with their families and in their communities doing the things they want to be able to do.

I know that the member for Holsworthy is committed to local sporting fields and upgraded and safer roads. She is also incredibly passionate, as are many other members across Western Sydney, about local hospitals. In the early stages this Government invested more than $397 million into Liverpool Hospital. It has now backed that up with another $740 million not only to develop an upgraded Liverpool Hospital but also to allow for the creation of the health and academic precinct. This will be a key driver for job opportunities in the south-west and across to Liverpool. Three major universities—the University of New South Wales, the University of Wollongong, and the Western Sydney University—have all committed into this precinct. That comes from strong advocacy, like that of the member for Heathcote, and also from representatives right across Western Sydney.

Across Western Sydney we have also seen over one-third of the $1 billion in paramedic support that the Government has increased going into Western Sydney, including the delivery of the Liverpool Ambulance

Superstation. Using the member for Holsworthy's electorate as an example, we have also seen more than 7,000 Active Kids vouchers being taken up or downloaded across the Holsworthy electorate. That is more than 1 per cent of the overall 624,000 vouchers that have been utilised by mums and dads right across New South Wales, with a huge chunk of those being in Western Sydney, putting $100 back in the pockets of mums and dads so we can have more kids out playing sport.

It is not just in Liverpool. We have already seen investment right across the hospital network in Western Sydney—Westmead Hospital, more than $900 million; Blacktown and Mount Druitt Hospital, more than $700 million; Campbelltown Hospital, $775 million; Liverpool Hospital, $740 million, as I said earlier; and Nepean Hospital, more than $1 billion. That is more than $600 million more into Nepean Hospital than those opposite have committed to the community. That is a clear cut to Nepean Hospital. If we want a clear understanding around what those opposite stand for, it is $600 million less investment in Nepean Hospital compared to those on this side of the Chamber.

And it is just not in health care; we are actually delivering results for young people as well. For the first time in recorded history the youth unemployment rate in Western Sydney is now in single digits; less than 10 per cent for the first time. That means young people living in Western Sydney have never had a better opportunity to get into a job to start their career. When we double that down into investment in universities and what vocational training is offering people—increased opportunities around apprenticeships—it is the strong economic management of this Government that is creating new opportunities right across Western Sydney in health care, education and job creation.

We are also investing in new opportunities around cultural and sporting advancement. We are making sure that people across Western Sydney get access to one of our fantastic national cultural institutions, the Museum of Applied Arts and Sciences, by moving it to Parramatta. We are also investing in a new Western Sydney stadium at Parramatta. We have not once seen any of those from the opposite side of the Chamber support that development. I know that they do not support the Western Sydney Wanderers or any of the rugby league teams that want to play in Western Sydney or any of the sporting opportunities—

Mr Guy Zangari: Point of order—

The DEPUTY SPEAKER: I do see a sticker on your folder; I noticed that earlier.

Mr Guy Zangari: The Minister is misleading the House. I am a foundation member, and so is the Leader of the Opposition, of the Western Sydney Wanderers and proud of it. We are members and many other members on this side are foundation members and supporters.

The DEPUTY SPEAKER: You have made your point.

[*Extension of time*]

Mr STUART AYRES: There we have it; you have the guys who say they support the team, but they do not support any place for the team to play. If that is their definition of support then that is a pretty good example. One part of the question that the member for Holsworthy asked about was risk to the Western Sydney community. There is no greater risk to the Western Sydney community than flood risk, which is one of the reasons why the New South Wales Government is committed to raising the Warragamba Dam wall by 14 metres, for no other purpose than to create flood mitigation opportunities.

The DEPUTY SPEAKER: Order!

Mr STUART AYRES: For all of those watching this, if a Brisbane 2011 flood happened in Western Sydney today, 5,000 homes would be impacted, there would be $2 billion worth of damages and 64,000 people would need to be evacuated.

Mr Chris Minns: Then why are you putting another 100,000 people there?

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

Mr Stephen Kamper: You want more people at risk.

Mr STUART AYRES: If the largest recorded flood in history happened today, there would be 12,000 homes impacted and $5 billion worth of damages, and 90,000 people would need to be evacuated.

Mr Chris Minns: Then don't put any more people in the flood zone.

Mr STUART AYRES: The member for Kogarah just said, "Don't put any more people in the flood zone." The problem is there are currently 25,000—

The DEPUTY SPEAKER: Order!

Mr Stephen Kamper: You've already committed, haven't you?

Mr STUART AYRES: —residential properties and 2 million square metres of commercial floor space that would be impacted by those floods.

Mr Chris Minns: How many more people are you putting in?

Mr STUART AYRES: It has nothing to do with additional development on the floodplain.

Mr Chris Minns: So you are putting more people— ?

Mr STUART AYRES: No, it is about protecting people who currently live there. The first obligation of any government is to protect its citizens.

The DEPUTY SPEAKER: Order!

Mr STUART AYRES: Only one side of politics in New South Wales right now wants to protect the citizens of Western Sydney from what is a very clear flood risk.

LIBERAL PARTY PRESELECTION

Ms JENNY AITCHISON (Maitland) (15:18): My question is directed to the Premier. Given that there are only eight Liberal women in this place, will the Premier act to stop a Liberal man from taking out the member for Miranda in preselection? A simple yes or no will suffice.

Mr Andrew Fraser: Point of order: Mr Deputy Speaker, I draw your attention to Standing Order 126, which says a Minister, in this case the Premier, may be asked a question that relates to:

(1) Public affairs;

(2) Matters under the Minister's administration; or

(3) Proceedings pending in the House for which the Minister has carriage.

I would suggest to you that that is not a public affair; it is a matter for the Liberal Party, number one. Number two, the Premier has no influence over a Liberal Party branch and, in fact, it is not a proceeding pending in this House.

Mr Clayton Barr: To the point of order: Mr Deputy Speaker, Standing Order 49 actually requires that you are in charge of the House, not the member for Coffs Harbour. I would appreciate it if the member for Coffs Harbour could be reminded of that.

The DEPUTY SPEAKER: What sort of point of order do you think that was?

Mr Clayton Barr: Standing Order 49.

The DEPUTY SPEAKER: There is no point of order.

Mr John Barilaro: A standing order boofhead, that's what that is.

The DEPUTY SPEAKER: Order! The Premier will resume her seat while I sort this out. The member for Coffs Harbour raised the point as to whether the question relates to public affairs or not. In terms of party matters, that is a matter for the party to look after, and it is up to the Premier now as to whether she wants to answer, or I am happy to rule it out of order.

Mr Andrew Fraser: It is out of order. The question is out of order.

Mr Michael Daley: To the point of order: With all of the discussion coming out of Canberra and here, and things are truly—

The DEPUTY SPEAKER: What is the member's point of order?

Mr Michael Daley: It is to the point of order raised by the member for Coffs Harbour.

The DEPUTY SPEAKER: What does that have to do with Canberra?

Mr Michael Daley: If you think that equal representation of women in Parliament is not a matter of public affairs, that is extraordinary.

The DEPUTY SPEAKER: Resume your his seat.

Mr Michael Daley: Are you saying it is not a matter of public affairs? Extraordinary.

The DEPUTY SPEAKER: So are you. I think that is pretty generous.

Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (15:22): We are proudly a Coalition Government—Liberals and Nationals. I notice the Labor Party does not want to acknowledge the three fantastic Nationals women in here. I am incredibly proud of the fact that the Liberal-Nationals Coalition elected the first female Speaker to this Chamber, the first female Treasurer, the first female Minister for Transport, the first female Attorney General. Of course there is more to do. All of us want to see more women in Parliament, but we will not take lectures from those opposite who have an appalling record in how they treat women. It starts at the top. We will not be lectured by a leader who has been accused of intimidating his own front bench, a leader who has been accused—

Ms Jenny Aitchison: Point of order: My point of order is taken under Standing Order 129. It is not about the biggest female contingent of frontbench shadow Ministers in the State's history; it is about the fact that we have to go down to No. 13 before there is another woman on that side of the House. The Premier needs to show leadership.

The DEPUTY SPEAKER: Resume your seat. The Premier has the call. The Deputy Premier will come to order.

Ms GLADYS BEREJIKLIAN: Can I say I am incredibly proud of the men and women I lead. I am incredibly proud of the resilience of the men and women I lead. I am incredibly proud of the number of firsts that the Liberals and Nationals have together in relation to female representation. Is there more to do by all sides of politics? Of course there is. Actions speak louder than words, and I will not be lectured by a party whose leader does not respect women.

INVICTUS GAMES

CENTENARY OF ANZAC

Mr ADAM CROUCH (Terrigal) (15:24): My question is addressed to Minister for Counter Terrorism, Minister for Corrections, and Minister for Veteran Affairs. How is the New South Wales Government embracing the Invictus Games 2018 and what is the Government doing to commemorate the Centenary of Anzac?

Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (15:24): I thank the member for Terrigal for his compassion towards our veterans. I take this opportunity to welcome back the member for Cabramatta. He is a great friend of mine. Only a few short years ago I went through the dark tunnel that he has been through. The support I received from members of this House was very helpful. The former member for Wollongong, the former member for Kogarah and the former member for Blacktown helped me and my family during that journey. I appreciate that the member for Cabramatta is back in this place. When I think about the way the Labor Party reached out to me on that journey and I think about the wicked way the member for Maitland treated the Premier—

Ms Kate Washington: Point of order: My point of order is Standing Order 73. If the Minister wants to make personal reflections on a member of this House he should do so by way of substantive motion.

Mr DAVID ELLIOTT: It is a matter of public record.

Ms Kate Washington: It does not matter if it is a matter of public record or not, Minister.

The DEPUTY SPEAKER: Order! I have not heard the final part of the Minister's sentence.

Mr DAVID ELLIOTT: I am highlighting that there are two types of members of Parliament; the first acts with distinction and the other acts in a wicked manner.

Ms Kate Washington: Point of order—

The DEPUTY SPEAKER: The Minister will resume his seat.

Ms Kate Washington: Deputy Speaker, I ask that you rule on my earlier point of order now that you have heard the Minister speak in such a disparaging way about the member for Maitland.

Mr DAVID ELLIOTT: Coming from the woman who was the first person to use the F word in the Chamber, I will not accept that point of order.

Ms Kate Washington: Point of order—

The DEPUTY SPEAKER: The Minister will resume his seat.

Ms Kate Washington: I had hoped that the Minister was going to speak about a very important matter—that is, the Invictus Games. Instead he is dragging everyone in the House down by making disparaging comments.

Standing Order 73 is available to him. If he wants to make disparaging comments about me or the member for Maitland he must do so by way of substantive motion. Deputy Speaker, I ask that you direct him in that way.

The DEPUTY SPEAKER: The Minister has the call.

Mr DAVID ELLIOTT: The Invictus Games complement the Government's commemoration of the centenary of the World War I Armistice. The Government has invested more than $1 million into the revitalisation of local war memorials from Brewarrina to Kiama. In particular, regional communities across New South Wales have places to remember the service and sacrifice of defence personnel. A week ago I visited the member for Tamworth to announce a grant for the illumination of the beautiful Tamworth Boer War Memorial in his electorate. I acknowledge the very keen members of the Tamworth RSL Sub-Branch and the military service of the member for Tamworth.

The Government has championed a number of education programs, including the ClubsNSW Anzac Ambassadors Program and the Premier's Anzac Memorial Scholarship, which takes students to key battlegrounds, something they would not normally be able to experience. The Government has invested $20 million toward the extension of the Anzac Memorial at Hyde Park. This funding will complete the memorial project; after its original construction in the 1930s the memorial was never finished due a lack of funds during the Great Depression. All these programs and initiatives come to a head with the Invictus Games next month. The games, which will run for seven days, will provide the people of New South Wales with an opportunity to support and celebrate service men and women who refuse to give in to their injury or hardship, despite mental health issues.

By definition "invictus" means "undefeated" and "unconquered". It embodies the fighting spirit of the injured and ill service personnel and exemplifies what can be accomplished in the face of adversity. I have no doubt that the people of New South Wales will feel empowered when they witness the tenacity, resilience and courage of our veterans as they compete in a number of sports. His Royal Highness the Duke of Sussex, Prince Harry, created the Invictus Games after a trip to the Warrior Games in the United States in 2013 where he saw physically and psychologically wounded soldiers use sport to assist in their recovery. The Government has embraced the Invictus spirit by investing in a number of related education programs and commemorative initiatives for students. I acknowledge the work that the Minister for Education has done to assist us in that regard. [*Extension of time*]

Each school has had the opportunity to access 6,500 special tickets to the games. The excursions will complement school curriculum materials that explore the central themes of inclusion, resilience, service and the healing power of sport. In addition to history lessons, students will be taught about the sacrifices of our forebears and contemporary veterans. One of the most exciting things for a student is when the classroom comes to life, and that is exactly what they will see when competitors from 18 nations compete in sports such as wheelchair basketball, sitting volleyball, wheelchair rugby, sailing on our beautiful harbour and indoor rowing. This project is the first of its kind in Australia and will give teachers an opportunity to offer a unique learning experience. Recently the member for Manly and I launched a "walk and talk" track along the Manly beachfront, which is designed to encourage members to be active and connect with friends and family members to improve mental and physical wellbeing.

The Invictus flag has been flown from some of the most iconic locations in New South Wales, including the Anzac Memorial and Defence Force bases, to actively demonstrate our support for our veterans and service personnel. The Duke and Duchess of Sussex have now officially revealed part of their itinerary for the games, which includes a visit to the central west of New South Wales. I am sure the area will share in the royal mania that the Invictus spirit will bring. The Invictus Games will not only bring the royal family but also bring together injured defence personnel, promote a stronger connection between veterans and the broader community and contribute to reducing and ultimately eliminating sport-specific barriers that prevent people with disability from participating.

The Government has been a strong voice for veterans and their families, as evidenced through all the commemorative and educational projects. I am delighted that we will continue to advocate for the veterans community while we remain in government. In only 25 days, the spirit of the Anzac will come alive. Let us not forget that an Invictus Games 2017 champion said, "The Games give me a new chance at life, which is not necessarily worse than the old one."

PRISONER TRANSITIONAL SUPPORT ACCOMMODATION

Mr ALEX GREENWICH (Sydney) (15:32): My question is directed to the Minister for Counter Terrorism, Minister for Corrections, and Minister for Veteran Affairs. Given that thousands of prisoners leave prisons homeless or at risk of homelessness every year, will the Government ensure homelessness services have

access to all prisons to develop pre-release plans to ensure that all those at risk of homelessness can get back on their feet with a safe roof over their head?

Mr DAVID ELLIOTT (Baulkham Hills—Minister for Counter Terrorism, Minister for Corrections, and Minister for Veterans Affairs) (15:32): I thank the member for Sydney for his question. The member and I have had a number of private conversations about this issue and I am genuinely happy that he has such an interest. I share his concerns about access to safe accommodation as an option to reduce reoffending. I am pleased to report that the Government, through Corrective Services, offers a number of pathways to assist offenders to source secure accommodation upon their release from custody. These pathways include programs in custody, complemented by services run in partnership with Housing NSW and non-government and not-for-profit organisations.

The first day someone enters custody needs to be the first day we plan for their release, be it through programs to address offending and addictions, providing education and training to help inmates access work and ensuring inmates have a stable place to live on release. Addressing an inmate's accommodation needs must not be left until their impending release. That is why Corrective Services has two inmate screening processes—an intake screening questionnaire and information sharing protocols with Housing NSW. A notification of incarceration process notifies Housing NSW when a tenant or applicant enters custody. It affords the inmate an opportunity to maintain a relationship with Housing NSW, including the capacity to maintain a tenancy for up to six months. The notification process facilitates the placement of inmates as priority applicants on release.

Corrective Services provides a range of initiatives and programs that minimise the risk of homelessness of offenders following release from custody or sentence, including the time that they may be on parole. The programs are the Nexus Program, which takes an offender-centred approach to reintegration and commences when a person enters custody. Under this program, Corrections staff assist inmates to plan their release, including their accommodation needs. While inmates are incarcerated they have access to the legal portal developed by the prisoner legal information team, which includes a going home module, which outlines such topics as accommodation, social security and Centrelink. It is well known that a significant number of inmates access Centrelink and many recipients are given those payments for rental assistance.

Corrective Services funds a partnership initiative, which provides funding to not-for-profit non-government organisations to deliver a range of services that support reintegration into the community. Since 2014 this Government has invested $17.2 million in these initiatives. The Transitional Support Accommodation service provides up to 12 weeks of supported accommodation as well as outreach support. The beds are dedicated for higher risk offenders who require additional or more in-depth support. Of particular interest to the member for Sydney and the member for Balmain would be that those services include two settlements in Glebe. The initial transition service links our Community Corrections officers with non-government organisations to provide up to 12 weeks support for higher risk offenders while under the supervision of Community Corrections. This includes access to accommodation. In February 2018 the service was expanded to include an additional 12 locations around the State.

The extended reintegration service is a partnership developed by Corrective Services, Housing, mental health services and the South Western Sydney Local Health District. It also provides support services to offenders with significant complex needs in the Bankstown, Fairfield and Liverpool areas. Under this program, offenders who are homeless or who are at risk of homelessness are provided with 12 months support, which includes up to three months pre-release engagement and up to nine months post-release engagement. Corrective Services also provides additional transition support services that include Set to Go, which is a collaboration between a link to home and Corrections that provides pre-booked accommodation to eligible inmates who are being released imminently. Emergency accommodation funding, which the New South Wales Drug Summit provides funding for, is emergency and crisis accommodation of up to three days for offenders who are under the supervision of Community Corrections.

Residential facilities, such as the Community Corrections operations at Campbelltown and Long Bay, provide up to three months supported accommodation for a small number of offenders to assist with transition from custody to community. They are facilities of last resort and are often most used for offenders with no other accommodation options. I conclude by saying that Corrective Services recognises the risk of homelessness associated with release. We are constantly working to ensure that inmates are released into stable housing through inmate programs, education, prison infrastructure or reintegration support services. I am very proud of this Government's continued investment in community safety and a reduction of reoffending. For that reason, I am very grateful that the member for Sydney has an interest in this topic.

STATE INFRASTRUCTURE

Mr CHRISTOPHER GULAPTIS (Clarence) (15:37): My question is addressed to the Minister for Roads, Maritime and Freight. How is the New South Wales Government delivering vital infrastructure projects across New South Wales? Are there any alternatives?

Mr Stephen Kamper: Oh no! Are you going to go crazy again?

Mrs MELINDA PAVEY (Oxley—Minister for Roads, Maritime and Freight) (15:37): I thank the member for Clarence for a great question. Never have there been more cranes in the Clarence electorate than there are today. The new crossing of the Clarence River at Grafton is 55 per cent complete. Only a couple of weeks ago we were on top of the span on the new Harwood bridge, which is nearly 50 metres above the water. Those projects are underway, as this Government moves towards 100 per cent completion of the Pacific Highway duplication—something that Labor members could never even dream of. This Government is delivering and changing the lives of our community. The Government's projects and priorities are there for all to see, clear as day. This Government's process is delivering a new age of infrastructure not only in Sydney but also across the whole of New South Wales.

The Government is on the right path to make people's lives easier, simpler, affordable and, for those who live along the Pacific Highway, much safer. Today the member for Coffs Harbour spoke on local radio. He was celebrating that the Coffs Harbour bypass is on its way. He also made rubble of the Federal Labor candidate. The member for Coffs Harbour tore him apart. The member for Coffs Harbour knows that we need to get the trucks out of Coffs Harbour. His community needs a proper bypass. The Federal Labor candidate continues to make a fool of himself in our local community. It is not just Federal Labor that opposes major infrastructure but their comrades as well. Labor opposed the leasing of the poles and wires, which means that Labor opposes fixing country roads and fixing country rail programs.

The DEPUTY SPEAKER: Order! The Clerk will stop the clock. Earlier today an Opposition member made comments about the preselection of women for this House. Here is a woman who is providing an answer, yet she is being treated badly by the Opposition. The Opposition cannot say that it is not a stunt.

Mr Chris Minns: She is hurting our ears.

The DEPUTY SPEAKER: I do not care. The interjections by Opposition members are a disgrace. Earlier the member for Strathfield criticised the Government, yet now the Opposition is interjecting on a female member of this House. It is a disgrace and it is unacceptable.

Mr Stephen Kamper: She is scaring me, Mr Deputy Speaker.

The DEPUTY SPEAKER: The Minister has the call.

Mrs MELINDA PAVEY: They said I scare them. The member for Rockdale called me crazy. All he wanted when he got elected was the F6.

Mr Stephen Kamper: You are not delivering the F6.

Mrs MELINDA PAVEY: He wanted the F6. This Government is delivering the first stage of the F6.

Mr Stephen Kamper: You are delivering the F-less.

Mrs MELINDA PAVEY: All he can do is criticise and carp and whinge and moan and whine.

Mr Stephen Kamper: You do even not know what you are delivering.

Mrs MELINDA PAVEY: We are delivering the Sydney Gateway project. Yesterday the Labor Opposition opposed that in this House. This Government continues to deliver project after project to improve the lives of people in our communities that we proudly and passionately represent. Labor will tear up the contract for the Western Harbour Tunnel and Beaches Link, a project that will slash at least 41 minutes of travel time from Dee Why into the central business district [CBD]. The F6, the Sydney Gateway and WestConnex are all projects that Labor opposed.

Mr Stephen Kamper: What about SouthConnex?

Mrs MELINDA PAVEY: The member for Rockdale criticises and carps about this Government's infrastructure projects, but Labor does not have any plans for the future. There has been discussion about alternatives. I will cite an example of how Labor managed this State and people can compare and contrast that with this Government's performance. Life under Labor meant that every dollar that was spent was matched by $1 being spent on running the agency whereas the current New South Wales Government spends $1 running the agency and $4 building roads. That is a fact that Labor members cannot bear to hear. Labor members cannot bear

the contrast between this Government's skill and ability to work with the private sector to do the work to run the State and Labor's performance.

As the Minister for Transport and Infrastructure said yesterday, 15 of the current Labor frontbench were an integral part of the previous Labor Government—a government that could not plan, that was shovel shy and that could not do the work that the people of this State wanted. One consistent theme occurring among Labor members is that they are led by a union and Sussex Street hack. He is union born, union led and union all the way. The Leader of the Opposition says that he wants to create more events and wants more visitors coming to Sydney. He recently said that on the radio, yet his own deputy is at complete odds with him. The member for Maroubra wants to cut jobs and opportunities. The Deputy Leader of the Opposition wants to cut opportunities and jobs. He wants to ban projects from Sydney. [*Extension of time*]

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

Mrs MELINDA PAVEY: The Deputy Leader of the Opposition wants to ban cruise ships from Sydney. The cruise industry in this city and State supports more than 12,000 jobs and injects $1.6 billion into our economy each year. Sydney is so desired as a city to visit that we need to build more infrastructure. The Government is doing strategic business cases for our future. But the Deputy Leader of the Opposition is criticising, carping and whining and he does not want to participate in a process that will help the cruise industry in the State.

As the transport Minister said yesterday, 15 members from the Opposition frontbench ran the State into the ground when the Labor Party was in government, and that is exactly what they will do in the future. Labor is lost on its infrastructure policy. It wants to scrap Bridges for the Bush, it does not want to fix country roads, and it wants to cut rail in the bush and in the city. The F6 will not happen under Labor; the Beaches Link is in the shredder; and the Sydney Gateway is a roundabout. Labor prefers symbolism over substance and commentary over construction. It is the same old Labor and the same old excuses. Labor is asleep at the wheel when it comes to fixing this State.

Petitions

PETITIONS RECEIVED

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**.

Inner-city Ferry Services

Petition calling on the Government to fast-track project work for ferry wharves and services at Glebe Point; Johnstons Bay, Pyrmont; Woolloomooloo; and Elizabeth Bay, received from **Mr Alex Greenwich**.

Sydney Football Stadium

Petition requesting that the Government upgrade rather than rebuild the Sydney Football Stadium and invest the money saved into health, education and community sports facilities, received from **Mr Alex Greenwich**.

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

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**.

Business of the House

DEMENTIA AWARENESS MONTH

Reordering

Mrs LESLIE WILLIAMS (Port Macquarie) (15:46): I move:

> That the General Business Notice of Motion given by me this day [Dementia Awareness Month] have precedence on Thursday, 27 September 2018.

Dementia Awareness Month, which is September, coincides with World Alzheimer's Day, which was on Friday 21 September. The theme of this year's Dementia Awareness Month is brain health. Significant advancements in

health have led to increased life expectancy, which has impacted the prevalence of dementia today. Dementia is the second leading cause of death in Australians and contributes to 5.4 per cent of all deaths in males and 10.6 per cent of all deaths in females each year. In 2018 there are an estimated 425,000 Australians with dementia, and females make up more than half of this number.

In 2017 in New South Wales an estimated 138,000 people were living with dementia. By 2056 that figure is expected to increase to 326,000. The rising number of people with dementia in Australia and internationally is a source of concern and has significant social and economic impact. In Australia, the estimated national cost of dementia is $15 billion in 2018 and it is predicted to reach more than $36.8 billion by 2056. Aside from its economic impacts, dementia also poses significant challenges for health. Dementia is the single greatest cause of disability in older Australians aged 65 years and older, and the risk of dementia increases with age. It should be noted that dementia is not limited to only older Australians, with some under 65 years of age developing early onset dementia, although the numbers are smaller, around 6 per cent of the total population of people with dementia in 2017.

Dementia affects not only the person diagnosed with the condition but also their family, friends and carers. It also has significant negative impacts on the social engagement and quality of life of the person, as well as their informal carers. The recently released Australian Institute of Health and Welfare's report entitled "Older Australia at a glance 2017" revealed that a majority of older Australians reside in New South Wales, accounting for 16 per cent of the total State population. That figure indicates that as people age and the number of people with dementia increases, New South Wales will be one of the States greatly impacted by dementia. That is why it is important for the New South Wales Government to continue to raise awareness about dementia as a critical priority.

Mr RYAN PARK (Keira) (15:49): The events of this week clearly indicate that the motion of which I have given notice is far more critical to be debated tomorrow. I understand that Dom is a Parramatta supporter. Like Parramatta at the start of the year, he had so many hopes, dreams and expectations—top four, top three, even a top two finish. But they picked up the wooden spoon. Wasn't yesterday interesting? The Treasurer got a little bit of feedback from his local residents. One or two people had a few things to say in this place. Why would they have a problem? It is because the New South Wales economy, in terms of economic growth, is now behind Victoria, behind South Australia and, wait for it, behind that economic powerhouse of Tasmania.

Under the Treasurer's leadership, people love New South Wales so much they are fleeing to Victoria, far more than the Melbourne Storm fans. What about wage growth? This guy loves a good wage increase so much he wants the Premier's top job. But tragically for the men and women of New South Wales wage growth has not been the case. Wage growth now is completely flatlining. Under his leadership, wage growth is at its lowest level in the last eight years. The men and women of New South Wales have not had a wage increase for eight long years. But last week the Treasurer wanted to do himself a good deal. He wanted to save a little bit of the weekly budget by not having to commute so far in his ministerial car.

The worst sin of this Treasurer is that he signed off on more than $2 billion worth of stadium funding and rebuild while schools and hospitals are struggling with basic maintenance. This Treasurer is completely out of touch with the men and women of New South Wales. This Treasurer is making sure that New South Wales is falling further and further behind. This Treasurer is more interested in building stadiums than in building good quality schools and hospitals. [*Time expired.*]

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

The House divided.

Ayes 47
Noes 35
Majority.....12

AYES

Anderson, Mr K	Aplin, Mr G	Ayres, Mr S
Barilaro, Mr J	Bromhead, Mr S (teller)	Conolly, Mr K
Constance, Mr A	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
Griffin, Mr J	Gulaptis, Mr C	Hazzard, Mr B
Henskens, Mr A	Humphries, Mr K	Johnsen, Mr M

AYES

Kean, Mr M	Lee, Dr G	Marshall, Mr A
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	Rowell, Mr J
Sidoti, Mr J	Speakman, Mr M	Stokes, Mr R
Taylor, Mr M	Toole, Mr P	Tudehope, Mr D
Upton, Ms G	Ward, Mr G	Williams, Mr R
Williams, Mrs L	Wilson, Ms F	

NOES

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	Doyle, Ms T	Finn, Ms J
Foley, Mr L	Greenwich, Mr A	Harris, Mr D
Harrison, Ms J	Haylen, Ms J	Hoenig, Mr R
Hornery, Ms S	Kamper, Mr S	Lalich, Mr N
Leong, Ms J	Lynch, Mr P	McDermott, Dr H
Mehan, Mr D (teller)	Minns, Mr C	Park, Mr R
Parker, Mr J	Piper, Mr G	Scully, Mr P
Tesch, Ms L	Warren, Mr G	Washington, Ms K
Watson, Ms A (teller)	Zangari, Mr G	

PAIRS

Grant, Mr T	Cotsis, Ms S

Motion agreed to.

Motions Accorded Priority

TWEED HOSPITAL

Consideration

Mr GEOFF PROVEST (Tweed) (15:59): My motion, which should be accorded priority, is in the following terms:

That this House:

(1) Recognises the Government's commitment to build a brand new $582 million hospital for the Tweed.

(2) Commends NSW Health Infrastructure for its extensive work to select the site for the new hospital.

(3) Notes that the Opposition, when in government, promised and failed to deliver hospitals at Tamworth, Wagga Wagga and the Northern Beaches.

(4) Condemns the Opposition for misleading the Tweed community over the Tweed hospital in an attempt to delay the much-needed project.

We on this side of the House are proud of our track record on health services and infrastructure. This year alone in my electorate of Tweed we celebrated a great number of achievements: the investment of $6 million in mental health; the investment of $1.9 million in the Connected Health Hub at Kingscliff TAFE; the announcement of a new ambulance station on which building will start towards the end of this month; completion of the second stage of the upgrades to the Tweed Hospital; delivery of 12 new inpatient beds; and, of course, the new $582 million hospital. It is clear the New South Wales Liberal-Nationals Government has a clear plan for health services in the Tweed electorate; however, this plan is under threat.

In a bizarre and twisted move the New South Wales Labor Party ignored expert advice from NSW Health Infrastructure and decided it knew better. The New South Wales Labor leader decided he would pick his own site for the new hospital. One can imagine the shock and dismay of those at NSW Health Infrastructure when they learnt that the extensive, expert work they had done to select the new ideal site was metaphorically being spat on

by the New South Wales Labor Party. Naturally the Government became greatly concerned about this blatant disregard for expert health and took it upon itself to look into Labor's chosen hospital site in Kings Forest. With no surprise, it was quickly discovered that the owner of this land is a major Labor Party donor. Following these revelations, ex-Labor staffer the Hon. Walt Secord spent quite a bit of time in Tweed trying to flog the Leader of the Opposition's bad policy, mainly because his ex-boss's husband is the Labor candidate.

However, as I understand it, there were some in the Labor Party who were not overly impressed with this, so instead of getting the State candidate to take up the fight they asked the Federal member—the Hon. Walt Secord's former boss—to do the dirty work for them in a bid to distance him from the developer. We have seen it all in Tweed from Labor: full-page advertisements objecting to the development and Labor posing for photographs with Kings Forest developers, campaign posters, and of course lies, lies and more lies from Labor. Those opposite claim the site Health Infrastructure has chosen needs to be referred to the Federal Government—a lie. They claim Kings Forest was shovel-ready—a lie. Nothing the Labor Party says in relation to the brand-new hospital is positive. It has total disregard for the people of the Tweed. Look what happened in Tamworth, Wagga Wagga and the northern beaches—no wonder the people of the Tweed have no faith in Labor to develop a hospital.

LIBERAL PARTY PRESELECTION

Consideration

Ms PRUE CAR (Londonderry) (16:02): My motion should be accorded priority because it really has been a shocking couple of weeks for the Government, in case anyone has not noticed. Now we know that those two great big powerbrokers, Matt Kean and Dom Perrottet, have agreed on a fair few things in the past few weeks—not just who gets the blue ribbons handed out but also that you can run a printing operation through a McMansion in Bella Vista that does not have a printer. This is the Treasurer of New South Wales, in charge of the State's finances, presiding over a complex scheme to wash taxpayers' money into the pockets of Liberal Party donors. But he is not the only one riding the gravy train straight to Zion Graphics—there is my hapless neighbour, the soon-to-be former member for Penrith, Stuart Ayres. What is it with Liberal members in Penrith and screwing up pamphlets? There is Tanya Davies, the member for Mulgoa—the Minister for Personality herself—happy to take donations from the likes of Ian Malouf, and now repaying the favour through her communications allowance. There is Matt Kean, the puppet master; I am just glad to see him agreeing with Dom on something finally.

Then there is Mark Taylor—if someone can point him out to me, that would be useful. And of course there is everyone's favourite, the member for Baulkham Hills and Minister for Counter Intelligence himself, David Elliott—in fact, he is so intelligent he thinks he is going to get away from running some sort of jobs for the boys. The people of New South Wales know that this Government has form on this. They are the party that brought us Eight By Five, the Millennium Forum, Chris Hartcher and basically the whole of the Hunter and the Central Coast. I take this opportunity to congratulate the new member for Wagga Wagga on his speech today. The Premier has had a very hard time of late. She has had a hard time keeping this lot together. It must be hard: She has to manage 500 factions, a reckless backbench and Michael Photios. But hats off to the Premier—she has done it. She has united them all finally under the time-honoured Liberal Party tradition of washing public money for Liberal Party donors.

Mr Stuart Ayres: You know what? Here is the pamphlet distributed in Londonderry today by the member for Londonderry, printed by Jeffries Printing.

Ms PRUE CAR: They have got a printer. Sit down.

Mr Stuart Ayres: And there is Jeffries Printing's donation donated to the Labor Party. You got your own donation under your own form.

The DEPUTY SPEAKER: I place Minister Ayres on three calls to order.

Ms PRUE CAR: If any of us did that, we would be straight out of here for the whole day.

Mr Stuart Ayres: I will happily table it. It's a donation from your printer.

Mr Clayton Barr: Point of order: It is Standing Order 49. Earlier today, you explicitly and specifically said that you would evict two members on this side of the Chamber because they stood at the lectern and ignored your instruction to stop.

The DEPUTY SPEAKER: That is exactly what the member for Londonderry and Minister Ayres did. That is why he has been placed on three calls.

Mr Clayton Barr: But he has not been evicted.

The DEPUTY SPEAKER: He was not on three calls to order before the event. Your members were on six calls. I will defend that.

Mr ANTHONY ROBERTS: Could I take a moment to welcome Statler and Waldorf sitting up the back, who have joined us here today?

The DEPUTY SPEAKER: I remind members from all sides that this is the Parliament. I ask members to respect that. The question is that the motion of the member for Tweed be accorded priority.

The House divided.

Ayes 47
Noes 36
Majority.....11

AYES

Anderson, Mr K	Aplin, Mr G	Ayres, Mr S
Barilaro, Mr J	Bromhead, Mr S (teller)	Conolly, Mr K
Constance, Mr A	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
Griffin, Mr J	Gulaptis, Mr C	Hazzard, Mr B
Henskens, Mr A	Humphries, Mr K	Johnsen, Mr M
Kean, Mr M	Lee, Dr G	Marshall, Mr A
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	Rowell, Mr J
Sidoti, Mr J	Speakman, Mr M	Stokes, Mr R
Taylor, Mr M	Toole, Mr P	Tudehope, Mr D
Upton, Ms G	Ward, Mr G	Williams, Mr R
Williams, Mrs L	Wilson, Ms F	

NOES

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	Doyle, Ms T	Finn, Ms J
Foley, Mr L	Greenwich, Mr A	Harris, Mr D
Harrison, Ms J	Haylen, Ms J	Hoenig, Mr R
Hornery, Ms S	Kamper, Mr S	Lalich, Mr N
Leong, Ms J	Lynch, Mr P	McDermott, Dr H
Mehan, Mr D (teller)	Minns, Mr C	Park, Mr R
Parker, Mr J	Piper, Mr G	Scully, Mr P
Smith, Ms T.F.	Tesch, Ms L	Warren, Mr G
Washington, Ms K	Watson, Ms A (teller)	Zangari, Mr G

PAIRS

Grant, Mr T	Cotsis, Ms S

Motion agreed to.

The ASSISTANT SPEAKER: Members leaving the Chamber will do so quickly and quietly. I remind members who are on three calls to order that I am now in the chair.

TWEED HOSPITAL

Priority

Mr GEOFF PROVEST (Tweed) (16:13): I move:

That this House:

(1) Recognises the Government's commitment to build a brand new $582 million hospital for the Tweed.

(2) Commends NSW Health Infrastructure for its extensive work to select the site for the new hospital.

(3) Notes that the Opposition, when in government, promised and failed to deliver hospitals at Tamworth, Wagga Wagga and the Northern Beaches.

(4) Condemns the Opposition for misleading the Tweed community over the Tweed Hospital in an attempt to delay the much- needed project.

This Government is proud to be able to deliver a new hospital for the Tweed. The Hon. Brad Hazzard's first regional visit after he became the Minister for Health was to the Tweed. He jumped on a plane and met at length with our clinicians and saw the desperate need for upgraded hospital facilities. I pay credit to him for doing that. He has pushed this project time and again, and he has visited the Tweed a number of times apart from for the official announcement. We had a large community meeting on the day before the State budget was handed down and the Minister flew to the Tweed to attend. Minister Hazzard is highly respected by clinicians. They have been in direct contact with him. Without his foresight and his grunt this would never have happened.

The people of the Tweed are extraordinarily excited that we are getting a state-of-the-art hospital. It would be remiss of me not to mention that when Kingscliff was initially announced as the site for the new hospital concern was expressed by some in the community. However, as a good government does, this Government allowed the community to have its say about the sites being considered. In fact, the Minister for Health extended the consultation period by six weeks. In addition, NSW Health Infrastructure worked diligently to ensure the site selected met all the necessary criteria to ensure that the hospital met not only the community's current needs but also its future needs, with room to grow. I take this opportunity to thank NSW Health Infrastructure, the Minister for Health and his office for the support they have offered me and the Tweed community to ensure we get the best possible result for our new hospital.

In contrast, the New South Wales Labor Party, without any public consultation and against expert advice, has pursued an alternative site for the hospital that would appease a major Labor Party donor. With an election just six months away, it is important to point out that this Labor Party decision is a reminder to the people of New South Wales that the party has not changed. Was this a decision made after the Labor Party consulted with the community? No, it was not. Was this a decision made in consultation with NSW Health Infrastructure? No, it was not. Was this a decision made after one phone call from Labor headquarters to say, "Hey Luke, we need a favour?" Yes, it was.

This week NSW Health Infrastructure gave an insight into the plans for the new Tweed Hospital. The new hospital will make use of the picturesque surroundings of Kingscliff to aid in the healing process. As architect Mark Healey said, "When nature and architecture coexist in a hospital space, it has a calming effect and any design will recognise the modern shift in thinking to heal." That is the philosophy that will be at the core of this hospital. When we work together we will build something extraordinary for the Tweed community. I cannot stress enough that all of this will be at risk from the Labor Party when it needs to fulfil its dodgy deals. I will never let my community forget the Labor Party's track record on health on the North Coast. Members of the Labor Party turned up in my electorate in a bus with "Schools and hospitals first" written on the side. That was nothing short of embarrassing. The Labor Party was literally asking the community to hold off building a hospital again and it misled the Tweed community. This is a community crying out for a new hospital; people are overwhelmingly saying, "Just get on and build it."

It is absolutely bizarre that the Labor Party has chosen to go down this route. We saw Eddie Obeid and Ian Macdonald make ministerial decisions without taking expert advice. Where did they end up? They ended up in jail. I cannot believe that Labor members are standing in front of the hardworking clinicians, doctors, nurses and others, including the sick, and against expert advice, and saying they want to build on a site they have not even set foot on. They have undertaken no review of the site. Why? Because the person who owns the land is a major donor to the New South Wales Labor Party. That is an absolute disgrace. They have let down the people of New South Wales. This Government will not stand by idly; it will get on and build this hospital because the people of the Tweed need it, and they need it now. People will suffer because of the Labor Party's actions.

Ms KATE WASHINGTON (Port Stephens) (16:18): I thank the member for Tweed for moving this motion because it gives us an opportunity to put on the record the truth about what is happening with the new Tweed Hospital. I make it very clear from the outset that a vote for Craig Elliot, the Labor Party's incredible local hero, thug-tackling candidate for the Tweed, is a vote for the new Tweed Hospital at Kings Forest. That is a very clear commitment by the Labor Party. This is an opportunity for the good people of the Tweed to make their decision about where they would like their hospital to be. The Liberals and their Nationals mates have been in government in New South Wales since 2011, and the member for Tweed has been the local member since 2007.

How long will The Nationals and their Liberal mates continue to blame the Opposition for the appalling state of hospitals and health in this State? It is important that we fully understand the Government's proposal for the new Tweed Hospital. People need to understand that the Government has rejected a planned and approved shovel-ready site which the community favours—

Mr Geoff Provest: That is an outright lie.

Ms KATE WASHINGTON: —but which the Government does not support. This situation has been mired in controversy and it is appalling. What does the Government intend to do with the old hospital site? It is a good question that is on everyone's lips, and it has been answered by the member for Tweed. It will be sold off. That should not come as a surprise to anyone.

Mr Brad Hazzard: Point of order: The standing orders of this Parliament are predicated on the understanding that members will at least present the truth in this place. Mr Assistant Speaker, I ask that you direct the member to tell the truth in this Chamber.

The ASSISTANT SPEAKER: There is no point of order. The member for Tweed will have an opportunity in his reply to refute claims made by the member for Port Stephens.

Ms KATE WASHINGTON: It is a significant concern and the people of the Tweed deserve to know the truth about what will happen with the old site. What is more concerning is not only the likelihood of a sell-off but also that when the new hospital is built it could still be sold off. This Government has presented privatisation plans for regional hospitals across this State. It has been only as a result of enormous pressure placed on the Government by communities and unions that it has backflipped on planned privatisation of hospitals in Maitland, Goulburn, Wyong, Shellharbour and Bowral. Had those communities not voiced their concerns, this Government would have done what it planned and privatised those hospitals.

The people of the Tweed should be concerned about not only where and when their hospital will be built but also what the Government will do with it when it is built. Will it privatise this hospital like it plans to privatise everything else? The Nationals did nothing to protect those hospitals and they will do nothing to protect the new Tweed Hospital if it is under threat of privatisation from this Government. It is in the Government's DNA to privatise. It is certainly in its DNA to sell everything. We have already seen it sell off $50 billion worth of public assets. If there is any question left in the minds of the people of the Tweed about what will happen with the old hospital, that question has been answered.

I will tell the House what will happen under a Luke Foley-led Government: The people of the Tweed will get a new hospital and it will be built at Kings Forest. Only the Labor Party will deliver the hospital that the good people of the Tweed deserve. We will protect it from being flogged off; it will not be privatised under a Labor Government. What the Tweed really needs is local hero Craig Elliot fighting for them in this place. He is a former police officer and he will fight for the people of the Tweed. He will protect their local services and ensure they get a new public hospital.

Mrs LESLIE WILLIAMS (Port Macquarie) (16:24): Congratulations to the member for Tweed for shining a light on this issue and for talking about the appalling behaviour of Labor members in this House, and of their candidates, when it comes to talking the truth about the new Tweed Hospital. The member for Tweed rightly gave much credit to the Minister for Health, who is in the Chamber tonight, but he too should take an enormous amount of credit. It was because of his hard work—and his work with the Liberal-Nationals Government—that we are now going to see the $582 million Tweed Hospital built.

He is unlike the Federal member, who, it is very clear, is only interested in getting her husband elected. The start of the diatribe from the member opposite was all about the Labor candidate, and that is how she finished. She is not interested in the new Tweed Hospital for the good people of the Tweed; she is only interested in politicking on this issue. I want to talk about some facts—which we did not hear from the other side—relating to Labor's record when it comes to health.

I have an article here from 19 May 2009, when I was working on the front line of the Port Macquarie Base Hospital. The heading of the article is "400 local health jobs to be axed"—and they were. Labor did that very well! I see Assistant Speaker Fraser nodding because he was there: He knows exactly what happened. As well as the 400 health jobs it axed on the North Coast, Labor closed 2,000 hospital beds. Labor promised it would slash waiting times when in fact waiting times in hospitals doubled under a Labor Government. Labor promised a Northern Beaches hospital but never delivered it. Labor promised to redevelop Parkes Hospital but never followed through with it. Labor promised to redevelop Tamworth Hospital but never followed through with it. Labor made promises about Wagga Wagga Hospital but never followed through with that.

The Labor Government could not even get it right with the one hospital that was built—the Bathurst Hospital. The hallways were too narrow for the beds and the radiology department was not fitted out with lead. This is Labor's record when it comes to health. Thirty-seven maternity units were closed in regional New South Wales—Ballina, Cessnock, Coolah, Cowra, Crookwell, West Wyalong, Wellington, Hay, Yass—and the list goes on. Labor members like to present themselves as the defenders of health but I warn the community—and I will continue to remind the community—to beware of the Trojan Horse. The single biggest threat to health services, including health services in regional New South Wales, is New South Wales Labor. The madness that those opposite are carrying on with in relation to the Tweed Hospital is nothing short of an embarrassment to the Opposition.

Ms JENNY AITCHISON (Maitland) (16:27): I speak to this motion as someone who has recently experienced the public health system in this State as a patient. I have talked to people who have also experienced the public health system, so I am vitally interested—and I am neither going to deliver a speech that has been written by the department nor talk about statistics. I will talk about things that have been said to me by people in our community who have really experienced the state of our health systems here in New South Wales. When talking about health in regional New South Wales we probably should be honest. I know that some of those on the other side of the Chamber are experiencing some hurt feelings at the moment. They are a bit sensitive about this. Apparently if you want good health service in New South Wales you have to be gracious and polite and hope that somebody might come and help you out. Perhaps if you tell those delivering the health services who you are they might be able to give you better treatment! I received a letter from the Premier, and I will say—

Mrs Leslie Williams: Point of order: I ask that the Assistant Speaker draw the member back to the motion that we are debating here this evening. It is specifically about the $582 million hospital, about Labor's record of failing to deliver our hospitals and about condemning Labor for misleading the Tweed community when regarding the Tweed Hospital.

The ASSISTANT SPEAKER: I uphold the point of order. I ask the member for Maitland to address the motion before the House, not matters relating to her electorate or anywhere else.

Ms JENNY AITCHISON: Thank you, Mr Temporary Speaker.

The ASSISTANT SPEAKER: I also point out to the member for Maitland that she has been here long enough to know that my title is Assistant Speaker, not Temporary Speaker.

Ms JENNY AITCHISON: I am concerned that this motion is another self-congratulatory motion about how great the people on the Government side of the House think they are. The reality on the ground is different. The one thing that my recent statements have done is to bring out—

Mr Brad Hazzard: Point of order: The central tenet of this motion is the Tweed and the Tweed Hospital. The member has not mentioned the Tweed Hospital once in her speech. I ask that she be brought back to the leave of the motion.

The ASSISTANT SPEAKER: Order! I have already asked the member for Maitland to speak to the motion before the House.

Mr Michael Daley: If that is the way you want to do motions accorded priority, that is fine.

The ASSISTANT SPEAKER: Order! I draw the attention of the member for Maroubra to Standing Order 54.

Mr Michael Daley: I draw your attention to the traditions of what we do with motions accorded priority. We do not do that.

The ASSISTANT SPEAKER: I call the member for Maroubra to order for the second time.

Mr GEOFF PROVEST (Tweed) (16:31): In reply: I have heard from the member for Port Stephens and the member for Maitland. I thank my colleague the member for Port Macquarie for her contributions. The truth of the matter is that the Federal Labor member for Richmond is running full-page ads—$1,700 an ad— supporting the Labor State candidate. That would be illegal if the State candidate was doing it. Every time she runs one of those ads bagging the hospital situation, it is like a hand in the pockets of the taxpayers—not only in the Tweed but across the State of New South Wales. It is shameful that the Federal Labor member is running a campaign. The member for Maitland talks about health facilities. Currently there are no radiology services available for public patients in the Tweed. What this new hospital will do— [*Quorum called for*.]

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

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: MEMBER'S SPEAKING TIME

Mr BRAD HAZZARD (Wakehurst—Minister for Health, and Minister for Medical Research) (16:34): I move:

That standing and sessional orders be suspended to reinstate the speaking time in reply of the member for Tweed to two minutes and 15 seconds.

Mr MICHAEL DALEY (Maroubra) (16:34): The Opposition opposes this. There has been an understanding that there is no gratuitous waste of time by interruptions during motions accorded priority [MAPs]. That is a gentleperson's agreement. The Minister knows that. The problem with the Minister is that he is so precious: He is one of the few Ministers that has to sit here and interrupt—

Mr Thomas George: What's your point of order?

Mr MICHAEL DALEY: It is not a point of order. I am responding to the motion. This is one of the few Ministers who is so thin-skinned and precious that he has to sit here while members of the Opposition dare to have a go at his portfolio.

Mrs Leslie Williams: It was actually about his portfolio.

Mr MICHAEL DALEY: That is right. So, rather than sit there and have faith in his speakers to sum up and refute, he lowers himself to interrupting members of the Opposition while they speak. That is not what we have been doing here in quorums. The agreement was that there is great latitude extended to members when they speak on quorums. We rarely interrupt or call points of order on members of the Government during quorums. If the Minister wants to play this game, we are happy to do it. We oppose the motion.

The ASSISTANT SPEAKER: Order! I point out to the member for Maroubra that this is not a matter of public importance.

Mr MICHAEL DALEY: I did not say it was an MPI—

The ASSISTANT SPEAKER: You did—

Mr MICHAEL DALEY: —I said it was a MAP.

The ASSISTANT SPEAKER: —and then you stated it was a quorum. I point out to the member for Maroubra and Leader of the House for the Labor Party that the quorum was called by his side: I suggest that that is wasting time. The question is that standing and sessional orders be suspended to reinstate the speaking time in reply of the member for Tweed to two minutes and 15 seconds.

Motion agreed to.

Motions Accorded Priority

TWEED HOSPITAL

Priority

Mr GEOFF PROVEST (Tweed) (16:37): As I was saying—

Mr MICHAEL DALEY: I move:

That the member for Tweed be not further heard.

The House divided.

Ayes 30
Noes 48
Majority.....18

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	Doyle, Ms T	Finn, Ms J
Foley, Mr L	Harris, Mr D	Harrison, Ms J
Haylen, Ms J	Hoenig, Mr R	Hornery, Ms S
Lalich, Mr N	Lynch, Mr P	McDermott, Dr H

AYES

Mehan, Mr D (teller)	Minns, Mr C	Park, Mr R
Scully, Mr P	Tesch, Ms L	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)	Conolly, Mr K	Cooke, Ms S
Coure, Mr M	Crouch, Mr A	Davies, Mrs T
Elliott, Mr D	Evans, Mr A.W.	Evans, Mr L.J.
George, Mr T	Gibbons, Ms M	Goward, Ms P
Greenwich, Mr A	Griffin, Mr J	Gulaptis, Mr C
Hazzard, Mr B	Henskens, Mr A	Humphries, Mr K
Johnsen, Mr M	Kean, Mr M	Lee, Dr G
Leong, Ms J	Marshall, Mr A	McGirr, Dr J
Notley-Smith, Mr B	O'Dea, Mr J	Parker, Mr J
Patterson, Mr C (teller)	Pavey, Mrs M	Petinos, Ms E
Piper, Mr G	Provest, Mr G	Roberts, Mr A
Sidoti, Mr J	Smith, Ms T.F.	Speakman, Mr M
Stokes, Mr R	Taylor, Mr M	Toole, Mr P
Tudehope, Mr D	Upton, Ms G	Ward, Mr G
Williams, Mr R	Williams, Mrs L	Wilson, Ms F

PAIRS

Cotsis, Ms S	Brookes, Mr G
Kamper, Mr S	Grant, Mr T

Motion negatived.

Mr Thomas George: Mr Assistant Speaker, I couldn't hear you.

The ASSISTANT SPEAKER: I call the member for Lismore to order for the first time. I ask members to be quiet. I draw the House's attention to Standing Order 109, Motions Accorded Priority. I will read this onto the record so that all members understand what is required during debate on a motion accorded priority.

The procedure for consideration of Motions Accorded Priority shall be as follows:

(1) Prior to Question Time on Tuesday and Wednesday, the Speaker shall ask if there are any written notices of motions to be accorded priority over the other business of the House.

(2) No more than two notices shall be accepted at any one sitting.

(3) The notices shall be set down for consideration later in the sitting in accordance with the Routine of Business.

(4) (a) Members giving notices shall be permitted to make statements of up to 3 minutes as to why their notice should be accorded priority. No points of order regarding the scope or substance of the notice, or a quorum call will be entertained during the minutes provided for the statement.

(b) At the conclusion of the 3 minute statements the Speaker shall put the question on the first notice "That the motion of the Member for … be accorded priority".

(c) If this motion to accord priority is carried, the Member may proceed to move their motion.

(d) If the first motion to accord priority is not carried, the Speaker will then put the question on the second motion.

Mr Ryan Park: Yep, yep.

The ASSISTANT SPEAKER: Keep listening, member for Keira. I ask that the member for Keira be quiet. If he wants to disregard that, I will have him removed for the day.

(5) When the motion for priority is determined and the motion is moved, the following time limits shall apply:

Mover - 5 minutes

Member next speaking - 5 minutes

Two other Members - 3 minutes

Reply - 3 minutes

Total - 19 minutes

The last part of the standing order is—and I would draw this part especially to the attention of the member for Swansea:

No quorum call will be permitted during the time set aside for a Motion Accorded Priority.

Even though I had no advice from the Clerks, the quorum bells were rung. If the member for Swansea wishes to carry on like a banshee, she will be called to order for the third time.

Mr GEOFF PROVEST: As I was saying, what the Labor member for the Australian House of Representatives seat of Richmond, Justine Elliot, is doing in the electorate of Tweed is spending $1,700 on full-page advertisements, which means she has her hands in every taxpayer's pocket. These advertisements, which are black, say that people cannot trust the Liberals and Nationals on health and hospitals. All she is doing is supporting her husband standing as the State Labor candidate. This action would be totally illegal for any State member, but it is permissible federally. I am so upset by this action that I have referred it to the Commonwealth Ombudsman and other appropriate authorities.

How can a major developer, who is a major donor to the Labor Party, be picked for preselection for the seat of Tweed? He has made statements about the Tweed Hospital development without any reference to any experts in the field. He has said, "We're just going to build it there." That smacks of hypocrisy and corruption. It absolutely stinks, and the people of the Tweed are seeing through his statements. The Labor Party may think it is being very smart using taxpayer money to fund a political campaign, but I can tell you that the people of Tweed are seeing through it and angst is growing. I believe the Labor Party conducted a poll in the area, and it did not turn out well for the party.

The Labor Party is stealing money from the taxpayers at the same time as delaying our hospital development. That will end up costing lives in the area. Currently, we have a four-year window in which to redevelop this hospital. I asked the clinicians and they said that taking any longer than that would cost lives in the Tweed. The Labor Party will have blood on its hands. It already has its hands in the pockets of taxpayers. It is looking after its political mates by donation, donation, donation. Currently we are spending $48 million on the existing hospital for two new operating theatres and 17 new beds to look after the health needs of the Tweed over the next four years. This Government has vision and does not have its hands in the pockets of taxpayers. I thought we got over the corrupt Labor Party—people like Eddie Obeid, Ian Macdonald. Walt Secord in the other place is still here; there is still corruption in politics. Walt Secord took any seat he was offered. What should we expect? The Tweed needs a hospital and it needs it now. [*Time expired.*]

The ASSISTANT SPEAKER: Order! I remind the member for Maroubra that he is on two calls to order. If he continues to interject, he will be called to order for the third time and he will be removed from the Chamber. The question is that the motion of the member for Tweed be agreed to.

The House divided.

Ayes 43
Noes 34
Majority.....9

AYES

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

AYES

Wilson, Ms F

NOES

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	Doyle, Ms T	Finn, Ms J
Foley, Mr L	Harris, Mr D	Harrison, Ms J
Haylen, Ms J	Hoenig, Mr R	Hornery, Ms S
Lalich, Mr N	Leong, Ms J	Lynch, Mr P
McDermott, Dr H	Mehan, Mr D (teller)	Minns, Mr C
Park, Mr R	Parker, Mr J	Piper, Mr G
Scully, Mr P	Smith, Ms T.F.	Tesch, Ms L
Warren, Mr G	Washington, Ms K	Watson, Ms A (teller)
Zangari, Mr G		

PAIRS

Berejiklian, Ms G	Cotsis, Ms S
Grant, Mr T	Kamper, Mr S

Motion agreed to.

Bills

PARLIAMENTARY BUDGET OFFICER AMENDMENT BILL 2018

Returned

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

RESIDENTIAL TENANCIES AMENDMENT (REVIEW) BILL 2018

Second Reading Debate

Debate resumed from 20 September 2018.

Ms YASMIN CATLEY (Swansea) (16:54): I am pleased to lead for the Opposition on the Residential Tenancies Amendment (Review) Bill 2018. The bill introduces a vast number of changes to the Residential Tenancies Act. As we all know, one-third of New South Wales residents are renters, either by necessity or choice, so it is vital that we get these reforms right. We have a housing affordability problem in this State. With the rising cost of housing across New South Wales, it is inevitable that the number of renters will continue to grow and that renters will continue to rent for longer periods of time. The fact of the matter is that many people will now rent for their entire lives. It is incumbent on us here in the Parliament to legislate to protect those who rent and ensure that they have a safe, secure and comfortable place to live.

The Minister tells us just how important these reforms are, so why has this bill taken such a long time to be developed? Again and again the Minister has dangled the carrot in front of the renters of New South Wales promising vital reforms, yet it is only in the Government's last hour that we are seeing this bill come to Parliament. However, it is the change that matters—that is what is most important. The change that is conspicuously missing from this bill that renters, advocates and experts have been calling for it for years and say is the one change that will truly make a difference for renters is the vital amendment to end no-fault evictions. Members do not have to listen only to me. Yesterday, a letter was published in the *Sydney Morning Herald* that was signed by 45 academics. It stated:

> Following a review of the New South Wales Residential Tenancies Act 2010 in 2016 and extended consultations, the New South Wales Government has introduced a number of reforms to Parliament. Debate is expected to occur this week. However, without reform to current eviction proceedings, many housing advocates have expressed concern that these generally good proposals will have little effect. Today, 45 housing researchers from a range of disciplines have signed the following open letter.

> We are academics who research and teach about housing. We come from a range of disciplines–for example law, economics, social sciences, planning–and many of us have worked variously with housing providers, tenants' groups and government agencies on housing issues. We have in common commitment to the principle that everyone should have a secure, affordable home of decent standard, whether they own or rent.
>
> Too often, however, our rental housing sector fails to deliver on this principle. There are numerous reasons for this; one of them is the legal insecurity of tenants under current New South Wales residential tenancy laws.

According to the letter, the most important reform is ending no grounds terminations by landlords:

> In particular, the provision for landlords to give termination notices, with no grounds, at the end of a fixed-term tenancy or during a continuing tenancy is contrary to genuine security.
>
> "No grounds" termination notices give cover for bad reasons for seeking termination, such as retaliation and discrimination. The prospect that a "no grounds" termination notice may be given hangs over all tenancies, discouraging tenants from raising concerns with agents and landlords and undermining the legal rights otherwise provided for by their leases and the legislation.
>
> The deficiencies of our current laws are becoming worse, as more households rent, and rent for longer into their lives. About 32 per cent of New South Wales households rent and this proportion is growing. Over the five years to 2016, 63 per cent of the net growth in the number of New South Wales households was households in rental housing. And 42 per cent of New South Wales renter households include children.

The letter goes on but at this point I want to tell the House about a story I heard a couple of years ago when I met with the Western Sydney Tenants' Service. A representative there, Frenya, told me a story about a single mum and her ten-year-old son. They were evicted on no grounds on six difference occasions. That young boy had been to six different schools, had six different friend groups to try to assimilate with and six different uniforms. His mother was told that he had a learning difficulty. With the good hard work of Frenya at the Western Sydney Tenants' Service, the family found a secure home. The young boy did not have a learning difficulty at all; he had just been pushed from pillar to post. He was anxious and felt unsettled. The family now has a good story to tell. I shared that story because that is what this is about. It is about ensuring that people have security of tenor. We have the opportunity to do that in this House today. I inform the House of the last sentence of the letter from the 45 esteemed representatives. It says:

> But, in tenancy law, the single most important reform is ending "no grounds" termination by landlords. And the Parliament could do it now.

I agree with those sentiments. The Government needs to get serious about protecting renters. Advocates have been loud and clear on no-fault evictions. In fact, advocates from across the State met at Parliament today to talk about the importance of no-fault evictions. I was proud and humbled to address the group and was pleased to stand with the Leader of the Opposition, Luke Foley, who supports tenants' rights, just like the rest of his party. The end of no-fault evictions is the one big change advocates have been calling for, yet the Minister has been either unable or unwilling to get his own party room over the line on this issue.

While some of the Government's changes are commendable, the door is still wide open for tenants to be evicted for no reason, including the reasons that the Minister is legislating for in this bill. Renting undoubtedly touches every socio-economic group in New South Wales; it is not a niche issue. In some areas of our city, such as Newtown, Coogee, Bondi and other inner-city locations, more than 50 per cent of the population are renters. It is therefore vital we support tenants to ensure they can live comfortably and securely in their home. This is not a niche issue.

I will now address some of the key amendments in this bill. A number of amendments in the bill will make life easier for renters in the initial lease-signing process. First, schedule 1 [1] requires a landlord to provide a prospective tenant in a strata complex with a copy of that strata's by-laws. Secondly, schedule 1 [7] makes it an offence if the landlord fails to sign the acknowledgement on a residential tenancies agreement to acknowledge that the landlord has read and understood the contents of a rights and obligations information statement. Lastly, schedules 1 [4] to [6] create an offence for the failure of a landlord to provide a completed condition report before or at the time the tenant signs the residential tenancy agreement. The tenant must then complete and return that report within seven days after taking possession of the premises.

I support any measures that create better checks and balances in the rental process. This ensures tenants are not held liable for any damage caused to the property before they move into the residence, and that landlords can hold tenants accountable for real, costly damage at the end of a lease. I am worried about schedules 1 [11] and [12], which allow landlords access to the premises without the tenant's consent to take photos or visual recordings for the purpose of advertising the premises. This will undermine tenants' rights to the enjoyment of the property they are renting. Several months ago I had a constituent in my electorate office inquiring about this exact matter. He is an artist, so of course his work is unique. Photographs were taken of his artwork, which is quite outrageous. I am concerned that there may be other examples where this practice is certainly not in the best interests of the tenant.

The amendment states that landlords cannot unreasonably and without the consent of tenants use imagery that displays the possessions of the tenant. As I have just described, that is happening. It is deeply concerning that this Government is legislating that landlords can access a property without the permission of the tenant. Additionally, I am concerned about schedule 1 [35], which sets out that the secretary may grant or loan from the Rental Bond Interest Account for other consumer protection purposes. I argue that this is not the express purpose of the Rental Bond Interest Account. The Rental Bond Interest Account is designed specifically to provide protections to tenants.

I ask the Minister for Housing: Which consumer protection activities do you intend to fund from the Rental Bond Interest Account that are beyond the scope of tenants' protections? I ask the Minister to provide an answer to that question during his reply. There are growing numbers of tenants across our State, so why does the Minister think it is appropriate to funnel this money away from where it is needed most, which of course is with tenants? It is not appropriate to use tenants' money to plug up the holes in the Minister's department. That should be dealt with in the budget and day-to-day operations of Fair Trading. I also ask the Minister: Can he confirm that he is not using this money inappropriately?

I will now discuss this bill's series of amendments in relation to the termination of leases. The bill proposed a number of amendments relating specifically to the termination of a lease. First, the bill allows for the termination of the lease if the tenant has bills unpaid for not less than 14 days, including the failure to pay rent, water, electricity or utilities. Secondly, the bill allows for the termination if the tenant has been induced into an agreement by misleading or deceptive statements or representations. I acknowledge that this is particularly a problem when tenants move in and find that their property has mould or other hidden problems that were not disclosed during the rental inspection process.

Thirdly, I will discuss the most important reform: If a tenant or co-tenant is the victim of domestic violence and is being protected by an in-force domestic violence order and that person has been declared to be a victim of domestic violence by a medical practitioner, the date of termination can be a date on or after the notice is given, including before the end of a fixed term lease. Of course we must ensure that victims of domestic violence are protected. Labor supports all moves to ensure that victims of domestic violence and their children can live safely and free from violence.

This highlights the introduction of schedule 1 [11] to the bill, which says that tenants will not be penalised for damage caused in a domestic violence offence by a person other than the tenant or co-tenant. However, one still has to wonder. The Minister and his predecessor have been spruiking about this reform for years, yet we are only just seeing these reforms being introduced to the House now. This Minister and the Minister before him delayed and delayed the introduction of this vital policy reform. I ask: Why did it take such a long time to see action on the vital area of reform relating to domestic violence?

I will now address the issue of rent increases. Schedule 1 [9] addresses the matter of rent increases. This schedule introduces new provisions that certain requirements, which must be met before rent can be increased, do not apply to a fixed term agreement of less than two years that specifies the date in which, and the amount by which, the rent payable will be increased. This schedule also provides that rent payable under a specific periodic agreement may not be increased more than once in any 12-rnonth period. Of course I am pleased that the Minister has taken on New South Wales Labor's policy position to restrict rent increases to once every 12 months. However, I also wonder why it took so long to implement something so simple. I make it clear that this has been Labor policy for some time. In 2017, I stood with the Leader of the Opposition, Luke Foley, and announced our policy to restrict rent increases to once every 12 months**.**

Members of this house will recall the *Sydney Morning Herald*'s front page article at that time when Zetland resident Liana Levin was evicted with no fault. Ms Levin is a single mother of two. In Zetland, child care was close to her home and her separated partner lived across the road. Ms Levin had complained about the number of rent increases and the amount of those rent increases. She strongly believes that that was the reason she was served with an eviction notice. As we can imagine, this no-fault eviction was devastating for her and her family. If we did not have no-fault evictions, Ms Levin would have been protected. She would have been able to continue to live in her apartment, close to her family and the services that she and her family relied upon. Most importantly, her landlord would have had to have given a valid reason for evicting her.

What this story tells us is that even with the new amendment restricting rent increases to once per year, the door is still wide open for landlords to evict a tenant if that tenant makes a complaint about rent increases. The landlord would not need to give a reason to a potential tenant—just as the landlord was not obliged to give Ms Levin a reason for her abrupt eviction. I again note in this Chamber that while the Minister can promise restricted rent increases, minimum standards and more, he cannot guarantee renters the security of tenancy they need. It is important to ensure that a renter's home is safe, secure and fit for habitation. Schedule 1 [10] clarifies the circumstances in which residential premises would be fit for habitation by a tenant, and that includes ensuring that

premises are structurally sound, have adequate lighting in each room and adequate ventilation, are supplied with power, have adequate plumbing and drainage, are connected to the water supply, and contain bathroom facilities that allow privacy for the user.

Given the state of some rental properties, those minimum standards will be a welcome change for renters across this State—particularly those who have to live with poor ventilation that leads to mould, dangerous wiring, or inadequate access to power or other utilities. Additionally, Schedule 1 [36] allows both the landlord and the tenant to request the Commissioner for Fair Trading to carry out inquiries in relation to damage to premises by tenants and, importantly, breaches by a landlord of a responsibility to maintain premises in a state as described in this bill. Any repairs that have to be made, as ordered by the NSW Civil and Administrative Tribunal, must take into account the guidelines for the timeliness of urgent repairs, including investigating the diligence of the landlord in such matters. Schedule 1 [19] to the bill prescribes a number of areas where it would be unreasonable for the landlord or agent to refuse or withhold consent for minor alterations to the property. This includes ensuring that the landlord may stipulate that the alterations be carried out by an appropriately qualified person.

However, I have to wonder whether these minimum standards will be of any use to tenants. If a landlord can choose to evict their tenant at any time with a no-fault eviction, then the legal minimum standards have no teeth whatsoever. Just last week I read the story of Hanna Torsh, a postgraduate student living in Campsie. Hannah and her partner, a trainee doctor, have lived in their property for over four years with their three young children. They were served with a no-fault eviction after they complained to their real estate agent about a faulty stove. They had even offered to split the cost of a new, good-quality stove with the landlord. They were invested in the property and invested in making it a home. Hanna said:

> We were invested in the property. We'd looked after it. We had moved into it as a family home, because we couldn't afford to buy.

The Minister can promise minimum standards, but the sad reality is that renters like Hanna and her partner will still be unable to ask for necessary repairs or replacements without the fear of being evicted. Again, these reforms ignore the crux of the problem: security of tenancy. That leads me to speak to the amendment that the Opposition will introduce in this place. The amendment addresses the important issue of no-fault evictions and aims to level the playing field for renters in New South Wales. Probably no amendment is more important for renters than this one and the Minister has chosen to ignore the calls of advocates, experts in the field and even the one-third of New South Wales renters who have been crying out for this change. This Government has had four years to get it right, yet this Minister cannot seem to get no-fault evictions over the line in his own caucus. The Government has had four years to give renters a fair go. The difference between this Government and the Opposition could not be more stark.

The Opposition intends to move this amendment, which calls for the landlord to provide a reason for the termination of a lease. The grounds or reason for the termination will not be prescribed in the legislation, but instead will be a matter for the regulation. The amendment will set in place a set of clear and reasonable grounds where a tenancy can be terminated. That will provide protection for tenants who are at the mercy of landlords who are ready to abuse their power and use no-fault evictions in a retaliatory fashion. In introducing a list of fair grounds, I intend to consult with all available stakeholders to ensure that the regulation is fair for all parties. That includes consulting with tenants' unions, community legal centres, academics, landlords, agents and Fair Trading to formulate an appropriate and fair list of grounds for termination.

Ensuring that renters have a fair go, and feel safe and secure in their homes is the number one priority for Labor. No-fault evictions will bring stability and security to renting in a way that no other amendment ever will. While this Government tinkers around the edges, Labor will bring real reform to renting by ending no-fault evictions. It is only right that tenants feel safe and secure in their home. This Government thinks that by introducing amendments in the last hour of its term, it can win over tenants across New South Wales to help it hold electorates like Coogee and Penrith. Without removing no-fault evictions, this Government is simply, as I said, tinkering around the edges. This Government needs to get serious about protecting renters and get rid of no fault evictions. The Premier was willing to go into bat for the member for Castle Hill, who was going to be evicted without any grounds, but when it comes to this bill, the Government will not stand up for the one-in-three in our State who rent. That is deplorable.

A Labor government will make it a first priority of business in March 2019. We will make it our priority to make renting fair. We will put an end to unfair, no-fault evictions. We will continue our conversations with all stakeholders to get fairer and balanced outcomes. Every renter in New South Wales knows that a Foley Labor government will be serious about ending no-fault evictions, and this bill has made it clear that the Berejiklian Government is not. The Opposition will move its amendments and I hope that the Government will see its way clear to support Labor's amendments when they come back to this place. But we will support this bill because of the domestic violence provisions. This is an enormous advancement even from the Liberal Party when it comes

to renters, but I urge the Government to support Labor's sensible amendments to ensure that renters in New South Wales have secure tenancy.

Ms FELICITY WILSON (North Shore) (17:21): I speak in support of the Residential Tenancies Amendment (Review) Bill 2018 as a representative of the electorate of North Shore. As the member for Swansea mentioned, many of our inner-city electorates have a high proportion of tenancies. In the electorate of North Shore, approximately 40 per cent of residents are renting. My husband and I are two of those tenants and have a long history of renting. It is not unusual for people of our age and profile who choose to live in communities like ours to be renters. I am proud, as a member of this Government and as a renter, to support the legislation because the bill gives effect to the recommendations of a statutory review, which was undertaken into the Residential Tenancies Act in 2010 and introduced a number of other additional forms. Members in this place probably would be aware that the outcome of that statutory review was that, while New South Wales tenancy laws were working reasonably well and that overall the terms of the Act remain valid for securing its policy objectives, 27 recommendations were made for modernising and improving the Act.

This bill introduces a number of key provisions. Its intention is to modernise the residential tenancies framework and make sure that we strike an appropriate balance between the needs, rights and obligations of tenants and landlords. The renting population profile has changed significantly since the Act commenced in 2010. We know that tenants are staying in the rental market for longer periods, families now make up the majority of renters, and many expect better security and stability in their renting experience than is currently provided for by the law. These trends are expected to continue. A number of changes proposed in the bill will ensure that they improve protections—for instance, as the member for Swansea said, for victims of domestic violence, which I will speak about in some detail in a moment; improve tenants' ability to make a rented property into a genuine home; provide tenants with a greater financial stability; ensure that rented properties comply with basic standards of repairs; and also provide more straightforward processes for tenants and landlords.

The bill will introduce a five-year lease term option in the standard form of residential tenancy agreement. As I mentioned earlier, I particularly speak about the domestic violence reforms that are proposed. As the Opposition has identified, they are a significant reform and will make a huge difference to people in our community. Members in this place know that I have a significant and personal interest in addressing domestic violence and supporting the prevention of domestic violence in our communities. I acknowledge the work of Minister Kean, the Minister for Innovation and Better Regulation, and Minister Goward, the Minister for the Prevention of Domestic Violence and Sexual Assault, in initiating these important reforms, which will make a significant difference to people's lives.

The bill will introduce the aspect of safety, which is currently lacking for so many individuals and families when they have no capacity to escape from their home. These significant changes that are proposed in the bill will not only strengthen existing protections under the Act but also provide new and important protections for victims of domestic violence living in rented accommodation. Domestic violence is a serious problem across New South Wales and one that tragically impacts too many families. As lawmakers and representatives of our community, it is our responsibility to do everything we can to reduce the incidence of domestic violence and to help victims build new lives away from violence.

Currently, the Residential Tenancies Act 2010 under section 100 (1) (d) provides that a tenant may terminate a tenancy with 14 days notice on the basis that a current or former co-tenant or occupant is excluded by a final apprehended violence order from access to the premises. While this may have helped some victims, the statutory review found and stakeholders considered that these existing provisions were just not enough. Today's bill puts forward reforms that will make it easier for victims of domestic violence to flee to safety. They will enable a tenant who needs to escape a violent situation with the capacity to terminate their tenancy agreement immediately and without penalty.

To end their tenancy agreement, tenants will need to provide a termination notice and attach one of the following permitted forms of evidence of domestic violence: a provisional, interim or final domestic violence order; a certificate of conviction for a domestic violence offence; a family law injunction; or a declaration by a medical practitioner that the tenant is the victim of domestic violence. The inclusion of the final form of evidence—a declaration by a medical practitioner—is a particularly important reform. This additional form of evidence seeks to address concerns that some victims of domestic violence cannot easily obtain the other forms of evidence, often because they do not contact police or engage with the justice system.

This has been brought to my attention on many occasions when I have met with domestic violence officers from the North Shore Police Area Command and the lower North Shore domestic violence victims advocacy group and when I have visited refuges and women's support groups across my broader area. Medical practitioners are highly trusted professionals and play a key role in many of our communities. By including a medical practitioner declaration as an evidence option, the bill offers an important avenue to help victims leave

a rented home and find safety as soon as possible. Sadly, there are circumstances where people may be unable or unwilling to approach the police and this gives them an important pathway. The declaration will be in a standard form prescribed by the regulations. It will be an offence for the tenant to provide false or misleading information or for the medical practitioner to make a false or misleading declaration.

In introducing these provisions, the bill recognises the very private and sensitive nature of the termination document and its attached evidence by including a number of measures designed to protect the victim and the use of these documents. It includes that the evidence of domestic violence is only provided to the landlord or agent and not to any co-tenants. Proposed section 105F provides that the contents of any declaration from a medical practitioner are not reviewable by the New South Wales Civil and Administrative Tribunal [NCAT], which will mean that NCAT will not need to review evidence that has been considered by a competent professional. Proposed section 105C (3) requires that all these documents and their content cannot at any time be used or disclosed except as allowed for in the bill or unless a person is permitted or compelled by law. This is designed to protect the privacy of the victim but also to ensure that any domestic violence-related termination cannot be referred to as part of reference checks in future rental applications by the victim.

Another key aspect of these reforms is to ensure that victims of domestic violence are not held responsible for the impacts of domestic violence on their rental property, either financially or through a listing on a tenancy database. In particular, proposed section 54 (1A) provides that victims of domestic violence as well as co-tenants who are not the domestic violence perpetrator are not liable for damage caused to the property as part of a domestic violence incident. Proposed section 213A prohibits landlords and agents from listing anyone on a residential tenancy database if they have terminated a tenancy agreement due to circumstances of domestic violence. The bill also introduces reforms that create new requirements around consent for publishing photographs or visual court recordings of the interior of residential premises where a tenant's possessions are visible.

Proposed section 55A requires that landlords and their agents must first obtain the written consent of the tenant. While the reforms also provide that a tenant must not unreasonably withhold consent, proposed section 55A (3) clarifies that it would not be considered unreasonable for a tenant to withhold consent if the tenant is in circumstances of domestic violence. This particular limitation on consent will help ensure that the location of victims of domestic violence who may have fled a violent situation is not revealed through personal items such as furniture or photographs and that their safety is not compromised.

Finally, given the importance of these reforms, it is vital that there are processes in place to ensure that the approach in this bill works effectively to protect victims of domestic violence. That is why the bill under proposed section 105I includes a requirement to review the domestic violence provisions within three years of commencement and to make a report publicly available no later than four years after commencement. This will allow the Government to evaluate the provisions and consider if any additional reforms are required to assist victims of domestic violence under the Act. The domestic violence reforms in this bill will help and support victims of domestic violence to leave abusive relationships and move forward with their lives without incurring further penalties. We all know how difficult it is for individuals to be able to escape domestic violence and find a safe path out. I am confident that these provisions will bring a significant and positive change for any tenants experiencing domestic violence and the other provisions in this bill also will lead to a significant and positive change for tenants across New South Wales. I commend the bill to the House.

Ms JENNY LEONG (Newtown) (17:31): I speak on behalf of The Greens to the Residential Tenancies Amendment (Review) Bill 2018. I have thought about this day for many years. I know many members in this Chamber and many people watching on the high-demand live feed of the New South Wales Legislative Assembly also have been waiting for this moment. We have been waiting for this moment because it is the opportunity for a solution. More than 90 organisations in New South Wales, after much consultation, agreed it was the best solution and I have heard rumours that the Real Estate Institute of New South Wales believed, in the end, it was a good idea. That solution is that we put an end to unfair no-grounds evictions in New South Wales. I have looked forward to that day but, sadly, it is not today.

There is a huge omission from this review bill. Landlords will still be able to unfairly evict tenants for no reason, which undermines all of the other improvements in this bill in a raft of ways that are cause for concern. I say to anybody who is listening and to our colleagues in the other place that it is not too late. If our amendments to the bill are not successful in this place, we would happily receive the bill back from the other House with amendments so that we are able to celebrate, at the end of the week or the end of the month, the introduction of no-grounds evictions in New South Wales. We know that dodgy landlords misuse their powers by evicting tenants as retaliation for their requests for maintenance or for concerns raised about unfair rent hikes or for a range of other issues that are discriminatory to the individuals involved and that cause unnecessary hardship to the people who are living in rental properties. People who live in rental properties are not second-class citizens. These rental

properties are their homes and they should be able to put down roots in safe, secure, affordable housing and see themselves connected to a community without the risk of an unfair no-grounds eviction.

The statutory review of the 2010 Act commenced in 2015 and the consultation closed in January 2016. Then Minister Victor Dominello examined a number of key areas that needed reform. I think we all would agree that the changes in this bill that have been introduced to protect people escaping or surviving domestic violence are significant. But as was pointed out by the member for Swansea, they were announced a long time ago. There are other reforms that we could be celebrating and other things we want to see. During that time, there have been many consultations and many people have participated in campaigns to push for rental reform in New South Wales. I will do a bit of a name check because it is important for everybody to hear how many organisations in New South Wales support the Make Renting Fair campaign, which seeks an end to no-grounds evictions.

They are not just the usual suspects who support The Greens' amendments. They are not just the little fringe organisations that one might expect. They are large organisations that hold big sway in our communities: councils such as the Randwick Council, the Inner West Council, the Australian Association of Social Workers, the Ethnic Communities Council of NSW, Community Legal Centres NSW, the Tenants' Union of NSW, Homelessness NSW, Shelter NSW, the Uniting Church of NSW and ACT, United Voice NSW, the Newtown Neighbourhood Centre, the NSW Teachers Federation, Unions NSW, NSW Nurses and Midwives Association, National Shelter, the Daughters of Charity of St Vincent de Pauls, a number of legal centres, the NSW Council of Social Services [NCOSS], Inner Sydney Voice, Youth Action, Local Community Services Association, People with Disabilities Australia, the Mercy Foundation, the Samaritans, Y Foundations, the Physical Disability Council of NSW, the Australian Services Union, student organisations, Settlement Services International, REDWatch, St Vincent de Paul Society, Choice, Welfare Rights Centre and Counterpoint Community Services.

More than 90 organisations in New South Wales are saying one thing with a united voice: it is time to make renting fair. We have an opportunity to end no-grounds evictions. The Greens have a 10-point plan for protecting renters' rights in New South Wales and I am pleased to say that with this bill we have achieved four of those. That is a pretty good outcome for a Greens plan that is coming from the Liberal Party and The Nationals, but there is still a lot more work to be done. As we heard from the member for Swansea, so many academics have written a letter in support.

Housing researchers have said that they support an end to no-grounds evictions. The thing that perhaps hurts the most for the more than two million renters in New South Wales—the people who are forced to move on average every six to 12 months; the parents of young children who have to keep buying new school uniforms and uproot their families because they can no longer afford to pay the rent; the people who get booted out of their homes because they make requests for a workable oven or do not want mould on their bedroom walls that it is damaging to their health—is that this is a lost opportunity.

As we heard from the member for Swansea, people in the city are hugely impacted by this issue. The member for North Shore said that 40 per cent of people in her electorate are renting. In Coogee we see significant numbers: 48 per cent of households are renting. In Parramatta there are significantly high proportions of renters, 42 per cent. We know that this issue does not just impact on people in the city. In Wollongong, Ballina, Lismore, Coffs Harbour and areas across the State people are suffering as a result of increased rates of renting. Some of the reforms in this bill will make wonderful changes but some of them will be undermined by the fact that we do not see an end to no-grounds evictions.

I turn to the detail of the amendments in the bill. As I have said, there are improvements to flexibility for tenants in the case of family and domestic violence. That is definitely welcome, although it is important to note that people working in the sector have highlighted that a competent person—the person who would be able to provide evidence, such as a statutory declaration, of a situation of domestic violence—should include social workers or other counsellors as well as medical practitioners. This is a key change that needs to be looked at in terms of flexibility to allow support for women escaping domestic violence. We value the idea of inserting minimum standards for rental properties, although I foreshadow that The Greens will be moving amendments in this Chamber to a number of provisions in the bill. One amendment will be that if a bathroom is considered to be a minimum standard for rental properties then so too a kitchen or food preparation area should be considered to be a basic minimum standard.

I never thought it would happen but the Liberal Party and The Nationals have introduced what could be described as some form of rent cap. When The Greens announced a plan to cut rents, when I was running as the candidate for Newtown, the Real Estate Institute of NSW said that it was a wacky Greens idea. But clearly people are starting to listen to arguments about the real risks around rental affordability in this State. The Greens will move amendments to make sure that the cap can be linked to the premises, not to the tenancy, so that it does not have unnecessary consequences. I recognise that there have been shifts around minor modifications to properties. Again, there are areas for improvement there. The Greens will move a number of amendments to strengthen

renters' rights and protections in this State. We want to make sure that renters are not counted as second-class citizens. That means that if house owners can have a pet, then renters should be able to have a pet. If house owners feel that they have a level of security in having a place to call home, then as much as is possible we should provide renters with protections so that they can have a place to call home.

I acknowledge that a number of people have provided support and assistance to build this campaign. In particular I acknowledge Dan Buhagiar, a former staffer working in our office, for providing support and leading our campaign on exposing rental horror stories. I also acknowledge Hazel Blundlen, Ben Spies-Butcher, Sylvie Ellsmore, Joel Pringle and Emma Bacon, who also were part of forming the initial plans for The Greens renters' rights reforms. Many people from Shelter, the Tenants Union and many organisations have been feeding in. To the thousands of renters who have written or joined actions, I say that the fight for renters' rights is not over. The Greens will stand with them in the struggle to make sure that renters are not forgotten by this Cabinet, which is made up of landlords.

Mr DAVID MEHAN (The Entrance) (17:42): If the aim in this place is to ensure all our citizens have access to secure and affordable homes of a decent standard, the Residential Tenancies Amendment (Review) Bill 2018 is a tremendous disappointment. That the bill is the result of a thorough review of the 2010 Act shows that we have reached the limits of what this Government is prepared to do to make renting fair in this State. The object of the bill is to amend the Residential Tenancies Act 2010 to give effect to recommendations of the statutory review of the Act, contained in the Residential Tenancies Act 2010–Statutory Review report, dated 17 June 2016.

The amendments in this bill relate to areas that the shadow Minister has gone through in some detail. I will not refer to all of them but I support her comments. I will highlight some concerns raised with me by my local tenants' advisory service about the complexity and the clunky language used in provisions of the Act relating to domestic violence. They feel that a lot more explaining is necessary before they are willing to advise people on any new rights they may have under the domestic violence provisions of this bill.

As to the major deficiency in the bill, relating to security of tenure, I highlight to the House and to the people in my electorate that only Labor has a clear policy in this regard. A Labor government will outlaw no-grounds eviction. Those opposite have shown that they are in thrall to property interests. Given the length of time it has taken to review the Act and the huge number of community groups that have advocated for improvement to security of tenure for those who rent accommodation in this State, the flimsy document before us shows that those opposite will never be able to provide the security for people in this State to properly exercise their rights as tenants.

All the benefits afforded by this bill and the amendments to the Act fall away without security of tenure. Time and again staff in my office and my colleagues have heard from tenants who feel powerless to act on poor accommodation and urgent repairs because of a lack of security of tenure. Staff in my own office have had these problems. I received an email the other morning from Oliver Scott, a social welfare professional in my area, that provided details about a number of clients he sees on the Central Coast who feel they have no ability to exercise any rights as tenants because of the fundamental fear, problem and inequality arising because the landlord has more power due to the residential tenancy laws in this State.

The market has failed comprehensively to provide affordable accommodation to our citizens. The withdrawal of the State from the direct provision of housing has further reduced the availability of affordable and secure accommodation. The amendments in this bill will provide little comfort to the one-third and growing number of people who rent their home. More than 18,000 householders in my electorate rent their accommodation. We require a comprehensive housing policy that recognises the failures of the market and that the State has a central role to play in ensuring all citizens have access to secure, affordable and decent housing. This bill is a small improvement, but it leaves us a very long way from ensuring that secure and affordable housing is within reach for all citizens. It is time to make renting fair in this State, and this bill does not achieve that.

Mr ALEX GREENWICH (Sydney) (17:46): More than 60 per cent of households in my electorate rent their accommodation, which is about 20 per cent more than a decade ago. More people are renting and for longer, coinciding with a massive escalation in property prices. For many, renting is the only affordable option, but its affordability is declining with rents now so high that only 1 per cent of Sydney rental homes are within the means of the lowest income households. More than one-quarter of renting householders in my electorate are in housing stress; that is, they are paying more than 30 per cent of their income on rent. Other renters may choose to rent for the flexibility it affords. Regardless, all renters should be treated with dignity and have strong protections.

I support the Residential Tenancies Amendment (Review) Bill, which largely introduces important new protections for people who are renting. However, there are some missed opportunities to involve some much needed reform and a few concerning changes. While many reforms represent great wins for tenants, the bill's failure to exclude no-grounds evictions undermines much of the progress. No matter how much tenants'

rights are expanded, they can still be evicted for pursuing these rights under a system that permits eviction for no reason. There is always a reason a landlord wants to evict a tenant, such as to sell the property, a breach of agreement, failure to pay rent, or landlord hardship. Providing for no-grounds evictions gives landlords an option to evict someone on what would otherwise be unlawful grounds, including as retribution for seeking maintenance and repairs to make a home fit for habitation. Landlords will always have unchecked power over tenants if they can evict for no reason. It would be fairer to ban no-grounds evictions and to provide a comprehensive list of potential grounds for eviction, while also giving the tribunal power to approve other reasons.

It is disappointing that residents in share houses who have not signed a written lease will continue to be excluded from the protections of the Act. Share housing makes up around 13 per cent of dwellings in my electorate. It is an important housing option because it enables people to share costs and to live in areas or homes they could not afford on their own. It can be the only option for tenants who have no rental history. However, the Act provides no protection for people in share houses who are not covered by a lease and who do not have a written agreement with a lessee. They are not covered by the Boarding Houses Act either, which applies to properties with beds for five or more residents. They have no access to the NSW Civil and Administrative Tribunal to resolve disputes and are vulnerable to eviction, loss of bond and belongings, and unfair rent situations. There is no oversight and disputes must be heard in the local courts where the cost, time and need for representation are a disincentive for getting bond and belongings back. The system is unfair and it benefits only unscrupulous head tenants. The bill should have extended tenancy protections to share houses.

Keeping a pet remains a challenge for renters despite high pet ownership in Australia and the vital role pets play in their owners' health and welfare. Blanket bans remain the norm and many tenants have to give up their pet when they rent a new home. The bill could have introduced incentives for landlords offering pet-friendly homes, such as a pet bond like that in Western Australia, as recommended by the Companion Animals Taskforce. I will support amendments to make rental homes more pet friendly that will be moved by The Greens.

The most important reforms in the bill are new protections to help victims of domestic violence to get out of a tenancy and to leave their perpetrator. Victims will be able to terminate their tenancy immediately. Landlords and real estate agents will be prohibited from blacklisting them as a result. For this to work, we will need new enforcement of agent registers, as I understand there is little oversight of these internal lists. The requirement to get written evidence from a general practitioner to prove experience of domestic violence if there are no orders, convictions or injunctions is unnecessarily restrictive. I agree with community concerns that social and welfare officers helping women to flee domestic violence are well placed and sometimes more appropriate to take on this role.

While rents have been increasing, this has not corresponded with better quality homes. Indeed, tenants continue to report substandard living conditions as the only option they can afford. I congratulate the Government on trying to raise the standard of homes for rent by requiring them to be "fit for habitation" with basic standards such as ventilation, light, power outlets, plumbing, drainage, hot and cold water and private bathroom facilities, and to be structurally sound. There are some omissions from the list provided in the bill, including cooking and laundry facilities, being free of infestation and, most importantly, being safe. However, the list is a good start and it provides tenants with options to get their homes improved through Fair Trading investigations and rectification orders. Fair Trading will need additional resources to conduct investigations so that they can be done quickly and thoroughly and without charge to tenants. The next tenancy review will need to look at any correlation between rectification orders and no-grounds evictions.

I share community concern that the bill extends provisions with regard to a tenant being evicted for owing money to their landlord even when they have repaid their debt or entered into a payment plan. Currently, a termination can be made when a tenant pays or attempts to pay their debt only for repeated non-payment of rent, but the bill will add repeated non-payment of other utilities, including water and electricity, making termination more likely. I understand the difficulties for landlords when a tenant is frequently in arrears, but the people most likely to be subject to such terminations are the most vulnerable renters, including social housing tenants. The tenants who will typically fall behind in their rent or utility payments from time to time are those on low wages, including pensions, or who experience an event like an illness that causes them to get behind. Such tenants will be at serious risk of homelessness if they are evicted.

Tenants will not be able to access early assistance to prevent homelessness, such as brokerage, because they will have already been evicted. This whole process benefits no-one. A landlord will lose rent and pay fees to readvertise a property if the tenant is evicted. Most debts will be small and manageable under a payment plan. The best outcome for the landlord is to get reimbursed for money owed, and the best outcome for the tenant is not to lose their tenancy. It would be better for everyone to let a tenant remain in their home if they repay or work to repay their debt. I do not support provisions that allow landlords and agents to access a property without a tenant's consent to take photos and recordings for sale or lease advertisements. Protections to stop tenants' belongings

being published may not be enough, including for domestic violence victims, and time will tell if they will need to go to the tribunal to prevent publication.

I welcome the fairer and more transparent process for charging tenants for breaking their lease. However, simpler transition arrangements are needed so that all leases are covered by the new provisions. Excluding existing leases will create a complex tiered system with different leases subject to different break fees. This is unnecessary and all leases should move to the new system. I strongly welcome new requirements to provide tenants with a copy of by-laws before a lease is signed. It is essential that tenants see the by-laws they agree to obey in their lease before they sign it. The new situation will benefit tenants, landlords and owners corporations. Declining rental affordability is a serious problem and I welcome changes that will limit rent increases to one per year per tenancy. While this is an improvement, large increases each year are still possible and I have heard from tenants whose rents have nearly doubled in the space of one or two years.

I am concerned that the bill will allow the secretary to make a grant or loan from the Rental Bond Interest Account for any consumer protection purpose. Funding to tenants' advice services has not increased in real terms in years, while the number of tenants and the proportion of renters has grown. Tenants are often unaware of their rights or the options available to exercise them, while the great majority of landlords have access to real estate agent expertise. Taking action in the tribunal often requires advice from someone who knows the law, and I often refer constituents to tenants' advice services when their cases are complex.

The Act can only properly function if those it covers know how to exercise their rights, and this requires a strong tenancy advocacy sector. The rental bond interest account should be used solely for the purpose of tenant protection. Funding to tenants' advice services including the Tenants' Union of NSW and the Inner Sydney Tenants' Advice and Advocacy Service should be increased. While my contribution has largely focused on limitations in the bill, I believe that it is generally a good bill. If we can remove no-grounds evictions, cover share houses, let tenants paying their debts stay in their homes, and do more for pet ownership in rentals, we will have strong tenancy protections in New South Wales.

Ms JO HAYLEN (Summer Hill) (17:55): I speak to the Residential Tenancies Amendment (Review) Bill 2018. The bill seeks to redress deficiencies in current legislation pertaining to residential tenancies in New South Wales. It allows victims of domestic violence to immediately leave a rental tenancy without penalty, and limits rent increases for periodic leases to once every 12 months. The bill codifies break fees when a lease is prematurely terminated by the tenant and sets basic minimum standards to ensure a property is safe, secure and habitable. It allows tenants and landlords to request Fair Trading investigate claims around repairs and maintenance. The bill requires landlords to install and maintain smoke alarms and allows for renters to make some minor alterations to their residential properties. It updates the Act to ensure tenants are separately metered for utility usages and updates arrangements for access by the landlord in the instance of a property being sold.

This is a long list of measures, and I note that many of these have been broadly welcomed by the stakeholder and tenancy groups, but the fact remains that the measure of this bill is not what it does but what it fails to do. The single most effective thing that we can do to give renters a fair go is to end no-grounds eviction, but after two long years of consultation the Government is failing to take this critical step, and that is not good enough. The goal of any reform to the Residential Tenancies Act should be about balancing the needs of renters and landlords.

A third of all people in New South Wales rent their homes. As housing prices continue to soar, people will rent for longer. In my inner west electorate of Summer Hill, 40 per cent of residents rent their homes. The Tenants' Union of NSW, which has been advocating for renters for over 40 years, argues that the key objectives for renters are sustainability, liveability and affordability. Just as we need to strike a balance between the various stakeholders in this space, it is critical that we balance these three objectives to ensure renters are given a fair go.

Most of the reforms proposed in this bill work to strengthen the liveability of rental properties. Establishing minimum standards for rental properties is a welcome move. Every renter should have the right to have a home that is safe and secure, and be assured of basic standards that do not jeopardise their health. I note that the bill establishes seven criteria necessary for a rental property to be deemed as fit for habitation. Properties must have adequate ventilation and natural or artificial light. They must have a supply of electricity or natural gas and have adequate electrical outlets as well as plumbing and drainage. Properties must be connected to water and contain a bathroom, including a toilet, and properties must be structurally sound.

Now, these are good reforms, and I am sure there are many in the community who would be aghast at the fact that these basic standards are not already mandated. The decision to allow renters to seek rectification orders from Fair Trading in relation to repairs will hopefully reduce pressures on the tribunal and act as a further incentive to landlords to make necessary repairs as quickly as possible. The ability for renters to make minor amendments to the property is also a welcome and necessary change. Renters are living in their homes for longer

and each renter should have every right to make their house a home. Allowing tenants to hang mirrors or artworks is more common sense.

New South Wales Labor supports these measures because we on this side want to ensure that rental properties are as liveable as possible. What the bill ignores, though, is that for many renters, liveability also means being able to provide their family pet with a loving and secure home. Pets are part of the Australian family. The evidence around the benefits of pet ownership is clear, especially for vulnerable members of our communities including seniors, kids and those with mental health challenges. For some renters, pets are more than furry friends—they are lifelines. For many vulnerable people, companion animals provide therapeutic assistance and assist with any number of conditions including autism, epilepsy, narcolepsy, arthritis and more.

Moving to a new rental home should not come at the cost of losing a beloved family member, and finding a new home should not be made close to impossible for those who own a cat or dog. Over the years, when I was a mayor, and now that I am a member of Parliament, many inner west families have spoken to me at the weekend markets or the dog park about the difficulties of being a renter with a pet. It does not make sense to me that we have not fixed this problem. So, like all animal lovers out there, I will continue to argue that renters should be able to own a pet as a default. But it must be said that any reform designed to improve the liveability of rental properties—including the ability to have a pet—is toothless without changes to no-grounds eviction. While no-ground evictions remain the law of the land, renters will continue to be turfed out for no reason at all.

Labor supports provisions that enable victims of domestic violence to break a residential lease without penalty. The Government has announced this a number of times over the past two years and it is good to finally see some action to make real the promises. The current legislation allows for a victim of domestic violence to break a lease with 14 days notice upon the receipt of a final apprehended violence order. This is clearly inappropriate and insufficient. As the Minister noted in his second reading speech, many victims of domestic violence will never obtain a final apprehended violence order. It is a process that takes time and energy, both of which would be better spent healing and making arrangements to protect the victims and their families. The bill removes the 14-day notification period, meaning victims can leave a property, effective immediately, and broadens the list of documentation that a victim of domestic violence can use as proof of their experience. I wholeheartedly support this measure, because when a woman is experiencing the crisis of domestic violence we should remove the legal and administrative barriers to living a life free of violence.

I would like to address the bill's reforms to break fees and rent increases, both of which are aimed at improving affordability in the rental market. The move to provide some certainty around break fees is a reform that is long overdue. Advocates like the Tenants' Union of NSW have long argued that the current regime for break fees is overly punitive and exorbitant. If a tenant breaks a lease early, they can be liable for anywhere between four and six weeks rent, and the calculation of the break fee is complicated and lacks transparency. The bill introduces a mandatory schedule of break fees, calculated on a sliding scale linked to the length of time remaining in the fixed term of the lease. The bill reduces the liability on renters to between one and four weeks, which more accurately reflects the ability of landlords to replace tenants in a soaring rental market.

The bill also limits rent increases in periodic leases to once every 12 months. Currently, there is no limit to the number of times a landlord can increase a tenant's rent in a periodic lease, so long as they give the correct notice. There is also no regulation around the size of an increase. If a renter believes their increase is unfair, they are encouraged to negotiate with their landlord, which is fine except for the fact that their landlord can evict them at any time under a no-grounds clause. Renters can also apply for an excessive rent order, which is an arduous and time-consuming process.

Also, there is no certainty that their case will be decided in their favour, and even if it is—you guessed it—they can still be issued with a no-grounds eviction. So while this affordability measure is well intended, without a no-grounds eviction clause it will fail to effectively protect many renters. The Minister has been reported as saying that his bill reflects "commonsense changes", but nothing is more commonsense than ending no-grounds eviction. According to Dr Chris Martin, a research fellow at the University of New South Wales City Futures Research Centre, out of all the things that can be done for renters, no-grounds eviction is "the single biggest reform of most benefit to tenants". Dr Martin also stated:

> [No-grounds evictions] undermine all the other legislated rights that tenants have because it's in the back of people's minds whenever they think about asking for repairs to be done or question whether a rent increase is fair.

No matter what additional rights are offered to tenants, the fact is tenants will be restricted from exercising those rights with the fear of a no-grounds eviction hanging over their head. The glaring omission of no-grounds eviction in this bill is the measure of the bill, and it is a measure of the Minister for Innovation and Better Regulation too. Minister Kean, faced with the opportunity of making a once-in-a-lifetime reform that would directly benefit one-third of the people in this State, has squibbed it. Under the current legislation, a landlord can evict a tenant

without cause with 30 days notice at the end of a fixed term agreement and with 90 days notice in a periodic lease. [*Extension of time*]

It is a clause that leaves renters vulnerable to retaliatory evictions for such heinous crimes as asking for basic repairs or for daring to challenge unreasonable rent increases. A snapshot report on the experiences of renters released last year by CHOICE, Shelter and the National Association of Tenant Organisations revealed that close to 10 per cent of renters have experienced a no-grounds eviction. The report also revealed that 11 per cent of renters who asked for repairs were likely given a rent hike and that 10 per cent reported landlords or agents became angry at the request. I note that the Tenants' Union is currently undertaking a new survey of renters' experiences and preliminary results show that from a pool of over 500 respondents a whopping 38 per cent have experienced a no-grounds eviction and 72 per cent report holding back on exercising a right because they feared the landlord would end their tenancy. Julia Murray from the Inner West Tenants' Advice and Advocacy Service said she receives calls complaining about retaliatory evictions almost daily. She said:

> Unfair evictions happen every day and they affect a wide cross-section of our community, including students, seniors, share-houses and families with young kids. In each instance, you have a person who has put down roots in a community and is then forced to uproot themselves and move on. It can be particularly hard for vulnerable people and for families who struggle enough as it is to find childcare or manage school enrolments. Given how tight the enrolment catchments are for inner west schools, unfair evictions can separate siblings at school and impact families for years.

Julia estimates that the majority of tenants assisted by Marrickville Legal Centre either face an unfair eviction under no-grounds provisions or have to consider the risk that they will be given a no-grounds eviction when asserting their rights. The Government will claim that there are current laws to protect tenants from retaliatory evictions. However, Julia notes that these are rarely used because they are difficult to enforce. She said:

> At the end of the day, it is extremely difficult to prove that an eviction is retaliatory; especially when we give landlords a green light to legally evict tenants without cause. That leaves renters on shaky grounds and renters know it. They will choose to keep quiet about maintenance or unfair rent increases if it means not rocking the boat and being forced to find a new place in a very expensive and competitive rental market.

That is the reality that renters face in my electorate and more broadly across Sydney. I want to share the story of one renter in my electorate. Marrickville Legal Centre assisted Carol, a single mum with two children at high school living in the inner west. Carol called her local community legal centre because she had a serious mould issue in her property that was not being addressed by the landlord. The legal centre advised Carol that she had a right to have repairs carried out but it also had to tell her that she may get a no-grounds eviction notice from her landlord.

Carol works casually and one of her children was about to undertake the higher school certificate. Having to move would have disrupted her child's study and affected Carol's employment, if she could not find a home nearby. Although Carol could have challenged a notice on the grounds that it was retaliatory, the centre could not assure her that such a challenge would be successful and that she would not have to move out. Faced with the prospect of being forced to move and what that would mean for her family, Carol did not raise the repair issue with the landlord and continued to live in a mouldy house.

This is a familiar story for countless inner west residents and for residents across our State. On 21 May this year, the *Sydney Morning Herald* reported on postgraduate student Hanna Torsh, who was served a no-grounds eviction after complaining about a faulty stove. In October 2017 the *Sydney Morning Herald* again reported on the issue, describing how a single mum of two was forced to move from her Zetland apartment after being served a no-grounds eviction. If the Minister is committed to delivering commonsense reforms about renting, he should work with Labor and accept Labor's amendments today. No-grounds evictions fundamentally disadvantage renters, and he knows it, because in October last year he said:

> No-grounds evictions, retaliatory evictions, all these things are currently undermining renters' rights in NSW.

If the Minister knows he is undermining the rights of renters then he should have the courage to do something about it. While I support the many aspects of this bill which work towards delivering liveability and the few measures that improve affordability, I am disappointed that the key element about delivering security of tenure is not within the bill. The one-third of the people in this State who rent their homes deserve the security of knowing they cannot be turfed out at any time for no reason at all.

Mr TIM CRAKANTHORP (Newcastle) (18:10): Today I contribute to the debate on the Residential Tenancies Amendment (Review) Bill 2018 on behalf of the people of Newcastle. I support some parts of the bill, as does my colleague the member for Summer Hill. However, as she and many of my colleagues have indicated, it is missing that major tenet, and that is the no-grounds eviction. In Newcastle a whopping 39.3 per cent of people rent. That is nearly 40 per cent. It is way above the level of renters in Sydney and way above the State average. This is a huge issue for the people of Newcastle.

One in three people in New South Wales live in rented properties and in Sydney it is 34 per cent of people. This proportion is growing and includes a much broader range of socio-economic backgrounds. In 2017 Labor introduced some great reforms to the Residential Tenancies Act. The first was to remove no-grounds evictions, the second was to restrict rent increases to once every 12 months and the third was to encourage 12-month tenancies as the standard term and explore the availability of longer term tenancies. The Government would do well to take Labor's policies on board. It has taken on some of them, but it certainly needs to take on more.

Ending no-grounds evictions is the cornerstone of a fair, balanced, stable rental market underpinned by mutual rights and obligations—not just one way. Presently a landlord can evict a tenant without giving any reason whatsoever. This has been used as a trump card by unscrupulous landlords to kick out tenants who request basic repairs. Under Labor's plan, a landlord will need to provide a reason to terminate a tenancy—shock-horror—and both tenants and landlords will still be able to go to the civil administration tribunal to argue their case. The next Labor Government will work with industry stakeholders to come up with a set of reasonable grounds for eviction, which will include the tenant being in breach of the tenancy agreement, the need for the landlord or family members to move into the premises, significant renovations, or the landlord selling the property.

Tasmania and the Australian Capital Territory have a clear set of grounds for termination and the Andrews Government in Victoria has announced its intention to end unfair evictions. So what is wrong with New South Wales? Why can we not do this as well? Labor would also develop templates for tenancies of five years. Renting can be a long-term choice for many in the community. Many landlords will seek a longer term and a more secure tenant. We would work with stakeholders to develop templates that would accommodate tenancies for five years.

Long-term tenancies provide for greater responsibilities for the tenants to undertake minor repairs and accommodating other decisions such as hanging artwork. The Victorian Government is also working on long-term rental templates. The third thing we would do is take 12-month tenancies as a minimum default and limit rent reviews to once per year. Currently, we commonly have six-month leases and we are advocating for 12-month leases, with leases of fewer than 12 months being available through mutual agreement of the parties.

We on this side are proposing a few great policies, and it is good to see that the Government is inching very slowly towards Labor's more equitable policies that are grounded in social justice. Ending no-grounds eviction is the cornerstone of our policies to give tenants greater security and stability in the rental market, and therefore we will be moving amendments to end no-grounds eviction. We believe that it is essential that a property owner or agent give a reason for terminating a tenancy. We are also looking at issues around pet ownership, rent pegging, boarding houses and share house arrangements.

Some of my colleagues have touched on these issues, and I note that boarding houses have been an issue in the Newcastle area in the last few weeks. I believe we need to address tenancies in boarding houses. Labor would look at further reforms to residential tenancy legislation once in government and, of course, would consult widely. A lot of stakeholders are disappointed that the Government has not removed the no-grounds eviction provisions. The stakeholders include church groups, tenancy advocates, community legal centres, social housing groups and academics. It is clear that the removal of no-grounds eviction provisions is a vital step. The Government can tinker with this legislation as much as it wants and make changes, but unless this vital point is addressed, changes do not mean a great deal.

In summary, I support the Government inching very slowly towards a more equitable outcome for residential tenants. However, the Government really needs to end no-fault evictions. If the Premier, Gladys Berejiklian, and the Minister for Better Regulation, Matt Kean, really want to stand up for renters, they need to protect renters from unfair no-fault evictions. While unfair no-fault evictions continue to be part of the State's tenancy laws, people will be scared to complain about even the most minor issues or make requests for repairs, such as the minor issue of fixing a leaking tap, let alone a serious problem like mould. No-fault evictions are a massive disincentive and, as the representative of the people of Newcastle in this place, I put forward my position. I hope that the Government is open to addressing this issue and will make the appropriate changes by wholeheartedly supporting Labor's amendments.

Mr JAMIE PARKER (Balmain) (18:16): I address the Residential Tenancies Amendment (Review) Bill 2018 and I take this opportunity to support the comments made by The Greens spokesperson on this matter, the member for Newtown, Jenny Leong. I also acknowledge the important steps forward that this bill contains; however, so much more must be done to protect tenants. Today I attended a function attended by a remarkable group of people working in renters' rights and tenancies. This coalition of groups includes church groups, community organisations, community legal centres and Domestic Violence NSW. The groups have come together to say that we need to change the way in which tenants are treated in this State and we need to change the way in which we understand housing in this State.

As the member for Balmain, one of the issues I have observed during the 20-odd years that I have been a local councillor—can members believe it has been 20 years?—and now a member of the State Parliament is a dramatic increase in rental prices and how that is affecting our communities. It is changing the types of communities that we have in this State. I believe that at the heart of our communities should be a safety net, the right to housing. We have observed attacks on the social housing sector—I bring up this issue although I know this bill concerns residential tenancies—and in my mind there has been an appalling lack of support for, investment in and expansion of social housing in New South Wales. We must all recognise that we must do much more to support social housing. Australia is one of the wealthiest countries on the planet and New South Wales is one of the wealthiest States. We need to recognise that housing should be a right for everyone, and everyone in a country as wealthy as ours deserves to live in safe and appropriate accommodation. We need to take forward very proactively the issue of social housing.

There is also the issue of affordable housing, which the Government is starting to address when it comes to inclusionary zoning, value capture and making sure that affordable housing targets are included in new developments, especially developments on government land. The current miserable targets were introduced by the Greater Sydney Commission, many of them in my electorate as part of the Parramatta Road Urban Transformation Program, but these targets are totally inadequate. Instead, property developers and property owners are reaping huge windfall profits from this development, while people on lower incomes and even key workers are being squeezed out. The key workers include nurses, police, firefighters and so on, who cannot afford to live in much of the electorate of Balmain.

I am very proud that the electorate of Balmain has a big social housing community, particularly in Glebe along with significant properties in Balmain and Annandale. I am fighting to protect those properties to make sure that they are not sold off by the Government and that their maintenance is improved. We must respect social and affordable housing tenants. Another big issue is ending homelessness. I am proud to have Common Ground in my electorate, in Camperdown. Common Ground has a groundbreaking approach to putting housing first. Common Ground believes that housing is critical. All the social services we provide are valuable, but without a home and with social housing availability not being maintained, it is difficult for people to move out of homelessness.

As the member for Newtown identified, The Greens have a 10-point plan. We acknowledge that four of those points have been taken on board in the legislation before us today, but there are still six to go. We will continue to push for those six points to be addressed. I acknowledge that there has been improvement in flexibility around four areas, in particular in the case of tenants experiencing domestic and family violence. This legislation gives tenants subject to domestic or family violence the ability to terminate leases without penalties, based on evidence from medical practitioners. I welcome this improvement and I acknowledge the role of Better Regulation, with some staff present here in the gallery, in helping to drive forward this improvement.

The minimum standards for rental properties are also welcome. Regulating safety and liveability standards, accessibility and efficiency measures is welcome, but we believe there are some omissions. We will be moving amendments to reflect those omissions, and we will request that the House support our amendments. Limiting rent increases to once a year is a good start—of course, we are concerned about there being no limit on the amount rents can be increased by each year. Our view is that housing should not be an investment decision. We support the abolition of negative gearing on investment properties going forward. We believe that homes should be for people to live in, not speculative investment opportunities. Housing is too important for that, and we believe that limiting rental increases to once per year is a good step forward. Of course, we will introduce measures to further strengthen those provisions. Allowing tenants to make minor modifications is basically straightforward common sense.

I will not go through the amendments that will be moved by the member for Newtown, but I will finish by looking at our 10-point plan. Previous contributors to this debate have spoken about ending unfair no-grounds evictions. It would not be particularly groundbreaking to ensure that we specify and limit the grounds for eviction. Even if this State were to introduce no-grounds evictions, this step would be very modest compared to what is happening in other countries. But on balance The Greens believe it is reasonable to make sure that a property owner or an agent must give a specific reason for terminating a tenancy. The affected person will be uprooted, will need to take the kids out of school, which means buying a new school uniform, and will need to pay for the cost of moving et cetera, and therefore we believe there should be reasonable grounds for terminating a tenancy.

We also believe that there should be some limit on annual rent increases and regulations about the scale of rent increases. We think the family and domestic violence changes are positive. We also think there needs to be increased transparency in terms of maintenance and maintenance reports to address serious health and safety concerns faced by many people renting housing. I am sure every member has heard from people in their electorates about landlords not making sure that properties are adequately maintained. As I mentioned, we believe standards

should be introduced through regulated safety, accessibility and efficiency measures. We also believe there is opportunity to increase efficiency in buildings, in particular when it comes to issues like insulation.

In my electorate the no-pets clause is a significant issue. A lot of people love their pets as much as they love their children. We want to make sure that tenants are not automatically prohibited from renting some properties. In the template for model leases, there is usually a clause saying, "No pets allowed." We want to make sure there is more flexibility for pet owners, although we recognise that in the end it is up to the property owner or agent to decide who rents a property. We want to make sure that automatic no-pets clauses are not present. We also think that there is an opportunity to improve the management of tenants' bonds and interest moneys.

There should be an increase in the oversight of landlords making claims on bonds and more support for tenants to transfer bonds between properties. Interest made on bonds should benefit the tenant, potentially through direct reimbursements or through some funds being used for tenant advice, advocacy services and affordable housing measures. It is sensible to use that money—which is, after all, the tenants' money—for a more productive and effective purpose. The final issue I address is the issue concerning share houses and boarding houses. Boarding houses are important. In the electorate of Balmain—which includes Leichhardt, Lilyfield, Annandale, Glebe, Camperdown, Forest Lodge, Ultimo and the Balmain peninsula—we have seen the destruction of boarding house accommodation. The Government has been woefully inadequate over many years in defending those properties. There have been some amendments and changes, but they have been inadequate to protect boarding house tenants.

With social housing under such pressure, boarding houses are an important form of lower—by no means cheap—cost rent. It is important that we improve protections for people living in share houses to ensure that they have legally enforceable protections and rights. In my electorate there are a lot more people living in share houses. In the City of Sydney—part of which falls within my electorate—we are seeing big issues with overcrowding. In order to afford a house, people have to have someone in the lounge, someone in the sunroom, two people to every bedroom and divided rooms. That is untenable in a country as prosperous and wealthy as ours. I conclude by thanking the Minister for the progress he has made, the staff in the Minister's office and the Department staff, who I am sure have worked assiduously on this.

Most importantly, I thank the people in the sector who have worked so hard to speak up on behalf of vulnerable people in the community. The vast majority of landlords are fine proprietors of their properties, but sadly we do need to protect tenants from the rogue landlords we hear so much about. It is important that we acknowledge that most people who rent out their homes to others are doing the right thing most of the time. We need to ensure that those people—who have nothing to fear from these proposals—are supported and enabled to continue to rent their homes to people in the community. We know from experience that the current regulatory regime is just not enough. We need to strengthen and improve it. On that basis, The Greens are supporting elements of the bill and will seek to amend it.

Ms JENNY AITCHISON (Maitland) (18:26): I speak to the Residential Tenancies Amendment (Review) Bill 2018. As the shadow Minister for the Prevention of Domestic Violence and Sexual Assault and the acting shadow Minister for Women, I note that the length of time this bill has taken to be introduced to the House, given that one of its primary purposes is to protect those trying to escape domestic violence—particularly women—is shameful. More than 800 days have passed since the then Minister for Innovation and Better Regulation announced the proposed changes to the new residential tenancy laws to protect victims of domestic violence. The more than two years, two months and three weeks that have passed are yet another example of the tardiness of those opposite when it comes to prioritising domestic violence victims and survivors and of the Government's failure to prioritise women.

In a 5 July 2016 media release that announced the proposed changes to the residential tenancy laws the Minister for the Prevention of Domestic Violence and Sexual Assault said, "NSW is again leading the way in domestic violence policy by ensuring there is flexibility in residential tenancy laws so that victims can swiftly leave their violent partners." I challenge the Minister to explain how leadership could mean taking more than half of a four-year term in Parliament to bring this bill before the House. Where was the Government showing leadership? Furthermore, will the Minister explain to the thousands upon thousands of children, women and men whose lives have been tainted by domestic violence why there has not been swift action by this Government to allow them to leave their violent partners and to have a safe home?

This Government is all talk and no action. It is focused on the wrong priorities. It should not have taken two years to have brought these changes into effect. The Government has not listened to those who speak on behalf of domestic violence victims and survivors. Organisations such as the Women's Legal Service NSW and Domestic Violence NSW [DVNSW] have been advocating for more than a year for statutory declarations from a relevant professional with experience to be allowed by the Government. The bill as proposed does make a small start, allowing a competent person—defined to mean a "medical practitioner" by the Health Practitioner

Regulation National Law—to declare a person a victim of domestic violence. But it falls short of what the Women's Legal Service and DVNSW have been calling for.

As Domestic Violence NSW Chief Executive Officer Moo Baulch has pointed out, survivors from at-risk communities may prefer to seek support from people they trust in local domestic violence services, community-based organisations or homelessness services, or from community access workers or disability advocates, rather than from a medical practitioner. The Women's Legal Service NSW also points out that research by the Bureau of Crime Statistics and Research and a separate report from the Government's own Women NSW found that just under half of domestic violence victims report the violence to police and many do not tell even their doctors as a way of ensuring that it is not noted on their medical record, which could potentially put them at risk.

An issue that I have previously raised in this place is that, when I was working in the Department of Immigration and Multicultural Affairs and Indigenous Affairs—as it was known then, before we had border protection—there were domestic violence provisions around the ability for victims and survivors of domestic violence to apply for spouse visas. When it is confined it makes it very hard for people who have limited English and a limited ability to interact with people in authority to get the help they need. A fear of further violence and embarrassment, as well as shame, is one of the key reasons that domestic violence is not reported to police, doctors and medical staff. It may also be because the form of violence that is being perpetrated against these victims and survivors is not medical; it may be a financial form of abuse or an emotional form of abuse or it may not have yet escalated to a physical form of abuse that they might report to their doctors. Expanding the evidence that victims of domestic violence can rely on to end their tenancy immediately without penalty must be a priority of the Government. I am disappointed that it has not been given greater consideration in this bill.

The need to act immediately when domestic violence happens cannot be overstated or downplayed, as a number of examples from women living in the electorate of Maitland illustrate. Anne—not her real name—had moved four times in six months to keep safe and finally gained a successful tenancy. Her ex-partner broke in through the back door and kept her hostage in the property for four days. On top of the psychological injuries she sustained, the perpetrator broke her teeth. Sadly, their four-year-old daughter was also there and witnessed the incident. Anne did not want to go back to the property because of the trauma she had experienced there—fairly understandable, I would say. Her child was removed by Family and Community Services child protection. She was still responsible for the property and needed to keep paying rent, even though she did not want to stay there and did not have her child with her. She continued to pay rent until the lease was up so she did not get a bad rental history. Her child has finally been restored to her care and she has been relocated again. A Staying Home Leaving Violence referral has been made, along with safety upgrades. It should not have come to that.

In another case, Yvonne—again, not her real name—had moved into a new property, but her ex-partner and domestic violence perpetrator found her and forced her to watch him try to hang himself in her lounge room. Her child was removed by Family and Community Services based on reportedly unsubstantiated reports about her. Despite the unsuccessful hanging attempt, the ladder and the rope were left in the property. Understandably, Yvonne cannot return to the trauma. However, she is still responsible for the tenancy. The process to get her legal advocacy advice has now commenced. In both of these cases the women's Centrelink payments were decreased because they no longer had their children in their care—more and more structural barriers against women experiencing domestic violence. This bill does not help enough.

In a third case, Melinda and her partner were joint tenants and he was bailed back to their property. Melinda's child had to be removed due to his domestic violence history, and Melinda had to stay in a car because she could not get temporary accommodation due to her income being too high and there being no vacancies in the refuge. Melinda is still paying rent at the property so she does not get a bad rental history. She cannot afford to pay for temporary accommodation in addition to the rent she already has to pay. She is in the process of receiving support from the Hunter Tenants' Advice and Advocacy Service to get her off the lease. She is currently staying in the refuge as there are no other options available to her.

These are some examples of what is happening in the lives of those affected by domestic violence right now. If the Government had got its act together two years ago, these women would not have been left in these situations. These women rely on rental accommodation to provide sanctuary for themselves and their children. My plea to this Government is for it to have a thorough think through the bill and the needs of those affected by domestic violence. The risk of losing safety and security at home is very real for survivors of domestic violence, family violence and sexual assault. Women already have too many barriers to leaving homes where they have experienced domestic and family violence. Having to pay more money, double rent, is a very real barrier. As parliamentarians, we should be making it as easy as possible for those women—those victims and survivors—to leave.

In the context of domestic violence [DV], I will refer to landlords. I know when this legislation was first mooted there was a deal of discussion about its impact on landlords. I say to all landlords who perhaps are in a situation in which one of their tenants is experiencing domestic violence that everyone in society has a responsibility to stop domestic violence wherever it happens. Whenever we have power to stop a perpetrator having power over a victim or survivor of DV, we all need to stand up. It is the right thing to do. But beyond that it is also important for people to recognise that if we actually address the issues of domestic violence early, we can move the women to safety.

The very small minority of landlords who would be harping about the damage to their property may find that incidence of property damage is reduced by giving those women an out instead of leaving them caged in homes that they can no longer afford. When we do not stop violence in the home early enough, we know that it escalates to very real risk of extreme violence and even death. I also wish to discuss the whole issue of maintenance and the leverage exercised by landlords, which previous speakers in the debate have referred to. The situation to which I refer is where landlords have leverage over their tenants. [*Extension of time*]

In my electorate of Maitland we have a social housing crisis with mould and termites everywhere. I was very surprised at how many people responded to the message I put on Facebook, which was intended to encourage people to report problems of a lack of maintenance. I also was surprised by the number of people who came forward with issues about private rentals. I urge everyone who is in private rentals or social housing where maintenance is not ongoing to go to their member of Parliament if they are not getting any satisfaction by alternative means. This should be a call to action for those who own houses. In the past few months I have walked into houses that made me ashamed to be a member of Parliament who let that happen. It is a disgrace. In some places, the mould has been present since the beginning of my term as a member of this House. That has happened because the Government has done nothing about the super storms and their impact on premises, and it is now causing a huge increase in termites in my electorate.

I am sure there are many people in the private rental market who are experiencing the same things. What cannot be ignored in this debate is the absolute humility of the people who live in those houses and who have tried to persuade their landlords—government or private landlord—to do the right thing. I have walked into houses that were an absolute disgrace because of a lack of maintenance. The tenants merely want the most extreme aspects of maintenance to be fixed. With housing, the most fundamental and human need is to have a safe, clean and warm shelter, yet we have people who are living in anything but that. They have become so oppressed by the system that has failed them that they accept it. As a society we should be completely ashamed about that.

Safe and secure housing is central to everyone's safety and wellbeing. The call to stop the no-grounds evictions is part of that. While we have no-grounds evictions, we are leaving tenants of public or private housing in a space where they have no power in the relationship between themselves and the landlord. They will just accept anything to continue to live in a place where they have a roof over their heads for them and their children. Everyone's safety and wellbeing is important. I fully support the comments made by the shadow Minister and member for Swansea on the need to stop no-grounds evictions. The Opposition spokesperson was very articulate on that subject, so I will not continue with that aspect of the debate, except to say that tenuous tenure is a downward spiral to homelessness and poverty. It is a complete and abject failure of this Government that there is nothing in this bill to address that.

Ms JODIE HARRISON (Charlestown) (18:44): I join in the debate on the Residential Tenancies Amendment (Review) Bill 2018 because everybody deserves affordable, safe, and secure housing. According to the 2016 census, a quarter of the people living in the Charlestown electorate are renters. That number is undoubtedly higher today, and it will continue to grow. Working and middle-class families increasingly are being priced out of the housing market in Charlestown. More of my constituents are renting and they are renting for longer periods of time, so we need to make sure they are protected. Home ownership rates for young people aged 25 to 34 have plummeted from 60 per cent to 48 per cent. Young people are deterred from leaving the rental market because the alternatives force them to take on high levels of debt.

My concern is not only for the young people in my electorate but also for the ageing population. Between 2011 and 2016 in New South Wales we witnessed a 48 per cent increase in women over 65 years of age experiencing homelessness. Women more than 65 years old have a lower income at their age due to earning a lower wage earlier during their working life. Consequently, they are more likely to be victims of domestic violence, which leaves them in precarious living situations. Recently I gave notice of a motion in this House to address the issue of female homelessness in Charlestown. This is a problem that needs to be addressed as a matter of urgency. I believe that reforming tenancy laws is one step on a long road to addressing homelessness in my electorate.

Under current New South Wales residential tenancy laws, tenants have significant legal insecurity. This housing insecurity exacerbates difficulties being experienced by people who are doing it tough financially, such

as students, young parents and senior women. The bill before the House is a step in the right direction towards correcting the imbalance between landlord and tenant. It goes some way towards improving the lot of tenants in New South Wales. I will deal with the positive aspects of the bill shortly, but I have to say that this bill is also aperfect example of a government playing catch-up with New South Wales Labor policy.

I turn now to the sections of the bill that I endorse. The introduction of minimum standards to ensure access to basic necessities, such as gas, electricity, lighting and ventilation, is a necessary step forward. Tenants also should have the right to live in residences that provide fundamental necessities. It concerns me that properties currently can be rented out where utilities are not provided or do not work. Tenants are not squatters. They pay rent and have the right to be provided with utilities and facilities that would be expected to be part of any home.

This bill also facilitates flexibility for tenants in cases of domestic and family violence, allowing the termination of leases without penalties for people who are subject to domestic violence. This is a welcome step forward. As legislators, we have a role to ensure that all victims of domestic violence are supported in every way possible. I will always support legislation that allows that to happen for my constituents. Furthermore, I am pleased that this bill will ensure that no penalties will be imposed on domestic violence victims who break a lease. On the subject of breaking a lease, I note that the bill introduces set fees for breaking a fixed-term lease, which is also welcome. But I sound a note of caution: There is a way to go before we can rest assured that sufficient support has been provided for victims of domestic violence who rent their homes. That has been drawn to our attention by the member for Maitland and the shadow Minister for the prevention of domestic violence.

Another key part of this bill is that it addresses the need to restrict rent increases to once every 12 months. As matters currently stand, there are no limits to how often landlords can increase rent, and it is too difficult for tenants to challenge excessive rent increases. I know that under New South Wales law, if a person is outside the fixed term of their tenancy, their landlord can give notice of rent being increased by any amount they want. The only limit is the power of the tribunal to order that the rent increase is excessive, but it is up to the tenant to apply and to prove that with evidence about market conditions and other factors. That is quite an arduous process.

This bill will permit tenants to make minor changes to properties, which is a good thing—and I emphasise "minor changes to properties". What may well be an investment property to a landlord is a home to a tenant. Permitting tenants to make minor changes to properties will allow them to feel at home in their own home. Provisions in the bill will allow a tenant to easily make minor alterations for security reasons and easily install picture hooks and curtains for privacy so that the tenant can enjoy their family. However, if tenants do not have security of tenure, I believe allowing them to decorate their homes is immaterial.

I reiterate that these apparent "sweeping reforms" before the House are an improvement, but only a step in the right direction. Where the bill falls down is that it does not address no-grounds evictions. No-grounds evictions occur when a landlord uses their power to terminate a tenancy without any reason at all. The shadow Minister has spoken about this extensively tonight. The fact that a no-grounds termination notice may be given is a dark cloud that hangs over tenants, often discouraging them from raising concerns with their agent or landlord, and undermining the legal rights otherwise provided for by their leases and the legislation.

Over the last few days, more than 750 emails have been sent to Parliament of New South Wales cross benchers to ask them to support the amendments to include the removal of no grounds evictions. I have been informed that the greatest number of emails per electorate were from Charlestown. This highlights that, although Charlestown may have a lower than average number of tenants, no-grounds evictions is a pressing issue for my constituents. It is my position and that of NSW Labor that a valid reason must be provided for a tenant to be evicted. I support Labor's amendments which require a landlord to provide a reason for terminating a tenancy. As the member for Swansea and shadow Minister has outlined, such grounds should be provided for by regulation.

I ask the Minister to respond to this question in his reply: What is the point in having minimum standards for rental properties if tenants can simply be evicted, without grounds, if they ask for these necessary upgrades? Renters know that a request for repairs equates to a risk of eviction in a market with increasingly limited affordable options. Labor has consulted far and wide in regard to increasing the rights of tenants. We know that a wide range of groups including but not limited to academics, church groups and tenancy advocates will be dissatisfied that the Government has not included the elimination of no-grounds evictions in this legislation.

I recognise the immense amount of work that has been done by the Make Renting Fair and Everybody's Home campaigns to raise awareness of the precarious nature of housing for tenants. I take the opportunity to thank the organisers of those campaigns for the Fair for Everybody event, which was held in Parliament House today. The research, case studies and real stories of tenants and landlords which were exposed by the campaigns have been invaluable on this issue. Removing no-grounds evictions is the single most important tenancy law reform, and it is possible for this place to do this tonight if those opposite support Labor's amendments, as I do. Should those opposite not support the amendments, it will be up to the next NSW Labor Government to finally modernise

rental rules and provide certainty, balance and fairness to renters. Those opposite will argue that increasing the rights of tenants will put landlords at a disadvantage, but that is simply not true. No-grounds evictions do not have any onerous implications for landlords who do the right thing. I believe this to be a big piece of the puzzle in providing housing solutions for my constituents.

Tenants need security of tenure. I echo the sentiments of the member for Swansea in saying that the Government has again completely missed the boat by not including the introduction of minimum 12-month tenancies that can stretch up to five years in the bill. NSW Labor has a strong position in our policy that this should be the case. I have heard many stories from my constituents who are renters who have had to move repeatedly due to no-grounds evictions. Minimum 12-month to five-year tenancies creates stability, which is particularly important for renting families, and the Government should endorse this policy, as Labor has.

In closing, there is far more to be done across a range of policy areas to improve the functioning of all aspects of housing in New South Wales. The proposed changes to tenancy laws before the House have been long awaited, but they are a far cry from the strong protections recently implemented by the Victorian Labor Government, which will effectively put a stop to no-grounds evictions and take a step towards ending the treatment of tenants as second-class citizens. My constituency is increasingly opting out of the once great Australian dream of owning a quarter-acre block. What we aspire to now is changing, and we need to provide a mechanism for change. The bill as it stands does not provide that. I believe the Liberal-Nationals Government has missed the opportunity to provide real change for the State's ever-growing number of tenants. Ending no-grounds evictions could provide the cornerstone of any renter's life. I ask members of this House tonight to support Labor's amendments to the bill so that we can truly ensure a fair go for renters.

Ms JULIA FINN (Granville) (18:49): The Residential Tenancies Amendment (Review) Bill 2018 makes some important changes but does not go far enough—it does not rule out no-grounds evictions. This is an important bill for the 2.1 million tenants in New South Wales but also for the more than 700,000 landlords in the State. In the Granville electorate alone there are more than 37,000 tenants and 10,000 landlords. Many of those tenants face additional insecurity about their homes, being recent arrivals to Australia, and many are on low incomes, renting the cheapest home they can afford. Changes introduced by the bill include limiting rent increases to once a year, setting fees for breaking a fixed-term lease and ensuring no penalties for domestic violence victims who break a lease. Tenants will also be able to make minor changes to properties. Minimum standards have been introduced to ensure access to basic necessities such as electricity, gas, lighting and ventilation.

But the bill still leaves open the possibility of no-fault evictions, which across New South Wales repeatedly allow landlords to evict tenants who complain about the condition of their properties and who expect repairs to be done, appliances to work and to be notified in advance of a landlord's visit. With no fault given, it is not explicit that renters are being evicted as retaliation, but the reason is obvious. In January 2016 the Tenants' Union of NSW found that about 90 per cent of residential property investment is in established dwellings, not new construction. This means homes are being transferred from the owner-occupier market, where first home owner activity is in decline.

At the other end of the income spectrum, renters are becoming less likely to secure a tenancy with a social housing landlord. Tightening of eligibility and rationing of stock means many low-income households who might be seen as candidates for social housing are being redirected to the private rental market. In announcing a new social housing strategy on 24 January 2016—less than a week before the scheduled close of NSW Fair Trading's discussion paper—the NSW Government made it clear that it intends to place even greater reliance on the private rental market to house low-income households.

Every week I meet with people on the Department of Housing's long waiting list, which is around 10 years for almost every housing type in my area. Time and again low-income families, often with very complex longstanding problems, are forced into renting low-quality homes where things do not work and repairs are needed. They feel that they cannot complain as they will be evicted and they cannot afford something better anyway. Time and again they are presented with a rental increase they cannot afford, which is well above inflation and just unfair and unreasonable. But with vacancy rates for Sydney hovering at around 1.6 per cent, there is no shortage of households taking up residence in the private rental market. The proportion of tenants in New South Wales is growing faster than the general population. People are spending longer in the rental market, and families with children have become the predominant renter household. Our renting laws should promote stability, liveability and affordability for anyone making a rented house their home. Recently the Tenants' Union of NSW has said:

> We have to get the fundamentals right and we haven't. Take minimum standards, renters will now be entitled to adequate ventilation, but not all will ask when the risk is still open for a landlord to evict them for it.

Despite the claims of Minister for Innovation and Better Regulation Matt Kean that this bill represents "sweeping reforms", many say that the bill is little more than a step in the right direction. Associate Professor Wendy Stone from the Centre for Urban Transitions at Swinburne University has described the bill thus:

> The NSW reforms take a good step ... but really fall down around no-grounds evictions. It really doesn't provide a mechanism for change.

The Residential Tenancies Amendment (Review) Bill 2018 does not do what it should. It should end no-fault evictions—that is, that landlords are allowed to evict tenants without giving a reason. This is a vital plank in Labor's policy on making housing affordable and fair, and yet has been ignored by the Government. We will tackle this major failing with amendments to demand that a landlord provide a reason for terminating a tenancy.

I recognise my colleague the member for Swansea for her hard work in highlighting the need to end no-fault evictions. Achieving balance between the rights and obligations of landlords and tenants is critical. One-third of all people in New South Wales rent—and 40 per cent of people in Granville—and evidence shows they will live in their homes for longer and are more often than not likely to rent for the duration of their lives. The most important reform a government can make to balance our rental housing market is to replace no-grounds eviction with a fair and balanced list of grounds for which a tenant can be evicted before the end of their lease. This will provide certainty to both the tenant and landlord.

There can be no doubt that private landlords play a critical role in delivering affordable, safe and secure housing in our community, and I recognise that a great many have made personal and financial sacrifices. Labor's policy gets the balance right, giving greater security to tenants while retaining for landlords the flexibility to manage their property. As Labor has long said, landlords should not kick tenants out for no reason. The Government's bill supports Labor's commitment to restrict rent increases to every 12 months. But that is not enough if landlords can still evict tenants for no reason.

Forty-five housing researchers from a range of disciplines signed an open letter noting, "In tenancy law, the single most important reform is ending 'no grounds' termination by landlords." In particular, the provision for landlords to give termination notices, with no grounds, at the end of a fixed-term tenancy or during a continuing tenancy is contrary to genuine security. No-grounds termination notices give cover for bad reasons for seeking termination, such as retaliation and discrimination. The prospect that a no-grounds termination notice may be given hangs over all tenancies, discouraging tenants from raising concerns with agents and landlords and undermining the legal rights otherwise provided for by their leases and the legislation.

The researchers also note that our deficient current laws are increasingly out of step with tenancy laws in comparable jurisdictions. Many European countries, where lifelong renting is the norm, as well as most of the Canadian provinces and the largest United States cities, do not provide for no-grounds terminations by landlords. The researchers called on the New South Wales Government "to improve security for renters, by legislating to end 'no-grounds' termination by landlords and providing instead for a prescribed set of reasonable grounds for terminations." The signatories come from a range of universities and a breadth of experience, and I thoroughly endorse their comments.

Another area where these reforms are deficient is the issue of pets. Other jurisdictions are far more flexible about pets in their residential tenancy laws and New South Wales should address this. It should not be assumed that pets are not allowed unless consent is explicitly given. The assumption should be that pets are allowed unless specifically prohibited, and that has not been addressed by the bill. Pets are family, and too often in New South Wales tenants are forced to move by their landlords and cannot find another home where they can keep their pets, and are forced to surrender their pets to a shelter or to put them down. That is heartbreaking, especially for children.

Landlords have protections against damage from tenants, so I believe they should not be able to deny tenants having pets. My husband and I rented a house briefly last year while undertaking renovations and were really lucky to find a home where we could take our dog. But it also gave us a taste of how ridiculously expensive rents are in my area—$570 a week for a small three-bedroom fibro house with no off-street parking, no built-in wardrobes, and no heating or air conditioning. We were lucky to find a rental property that allowed us to have our dog with us, but too many families are not so lucky.

One area where the bill is making important reforms is around domestic violence. The bill provides that a domestic violence termination notice may be given to the landlord in circumstances of domestic violence. The bill further provides that if a domestic violence termination notice is given by a co-tenant, the co-tenant ceases to be a tenant under the agreement and is not liable to pay compensation for the early termination of a fixed agreement. Women's Legal Service NSW has said:

> We welcome the government's introduction of a Bill to amend NSW tenancy laws to ensure women and children experiencing violence can leave immediately without penalty. Under the current tenancy laws in NSW women escaping violence need a final

> apprehended violence order (AVO) with an exclusion order to leave without penalty. Additionally, even then they have to provide 14 days notice. Women and children experiencing domestic violence often need to flee their home quickly in order to remain safe. In our experience, it can take up to 12 months to finalise an AVO, especially where there are criminal charges.
>
> If women just abandon their rental property, they can incur significant debts and be black listed, which can make it very difficult for them to rent again.

This reform is crucial for the ongoing safety of women and children. Statistically, in this country every week at least one woman is murdered by an intimate partner. In many different aspects of our laws we need to make it easier for women to leave a violent relationship. It is important for women, who are often facing difficult financial circumstances after leaving a violent relationship, to be able to leave their rental property without penalty. Most importantly, ending no-grounds eviction is not covered by the bill, but it would make a big difference and is the cornerstone of greater security and stability into the rental market. I call on the Minister to seriously consider Labor's amendments so that this failing in the bill can be corrected.

Ms TAMARA SMITH (Ballina) (18:59): I join my Greens colleague in contributing to debate on the Residential Tenancies Amendment (Review) Bill 2018. I note the incredible work my colleague the member for Newtown, The Greens housing spokesperson, has done. The Greens' 10-point plan for renters' rights is extremely comprehensive. More than 8,000 households are renting in my electorate. In Byron Bay, 36 per cent of households are renting—more than the number of families with a mortgage. In Lismore, 34 per cent of households are renting, and again there are more renters than any other type of tenure. To say there is housing stress in Byron Bay and Byron shire would be an incredible understatement. In my electorate we face a housing crisis due to the Government's other policies of not allowing council to regulate holiday letting. Without long-term secure rentals we are in real trouble. We hear stories of women and families living in cars and people going through incredible stress because they have nowhere to live, nowhere they cannot afford to live or they cannot find places to live, let alone if they have pets.

This bill makes significant improvements to four of the 10 areas of our campaign and we welcome those. First, the bill will improve flexibility for tenants in cases of domestic and family violence, which is a necessary provision. Secondly, the bill will establish minimum standards for rental properties through regulated safety, livability standards, accessibility and efficiency measures. While also very welcome, these minimum standards have some glaring omissions, such as no requirement for a kitchen or food preparation area, no need for access to a laundry and no requirement that a property must be free from mould and vermin. We will seek to amend the bill to add those requirements to the basic minimum standards.

Thirdly, the bill will limit rent increases to once per year. At present there are no restrictions on how often rent can be increased, provided requisite notice is given. While this is a start, there is still no limit on how much the rent can be increased by each year. There is also a concern that landlords may move to preferring six-month leases as this would allow them to evict the tenant and increase the rent every six months. In Byron shire, it is common for landlords to evict people just before the Christmas season because they can make about three times the rent in that period. Similarly, we welcome the festivals, but the impact on the community when people are turfed out of their rental properties is real. We will seek to move amendments to limit rent increases to the consumer price index—it is not perfect but it is a start—and to link an annual rent increase to the property rather than the tenancy, to remove the incentive to evict tenants and raise the rents. I believe that is a brilliant proposal.

Fourthly, the bill will allow tenants to more easily make minor modifications to a property, such as installing picture hooks, blinds or reasonable security measures. These changes are welcome; however, we will seek to amend the bill to specifically note that minor alterations to improve accessibility should be explicitly allowed. With the rollout of the National Disability Insurance Scheme a huge backlog of modifications are required to be done for people who are living with a disability, so that issue is extremely important. However, the bill does not address the key problem that causes insecurity for renters, and herein lies the rub—the no-grounds eviction. As many of my colleagues have said today, people can still be evicted for no reason.

Whilst four of the 10 areas of our campaign are represented by this bill, there are six that are not, and that would be the most fundamental area. Being given an eviction notice of just 90 days for no reason is something I have experienced. It was purely because the landlord wanted to get top dollar for the Christmas season. It was horrendous and it happened at an incredibly stressful time. As a single parent I rented for many years and I know what it is like to live in my area as a renter. To be turfed out just before Christmas is horrendous, and those who have a dog or a cat are in real trouble.

The Greens 10-point plan will end unfair no-grounds evictions by specifying and limiting grounds for eviction and stopping people from being kicked out of their home for no reason. We want to cap rents by limiting rent increases to once per year. We want to regulate to prevent rent increases beyond the consumer price index. We want to improve flexibility for tenants in cases of domestic and family violence to be given the ability to

terminate leases without penalty for those who are subject to domestic violence based on evidence from a specified list of professionals. We go further. We want to increase transparency through the creation of publicly available maintenance logs and maintenance reports. We want to establish rental housing standards that include sustainability, safety, accessibility and efficiency.

We want tenants to be able to more easily make modifications. We want to remove "no pets" clauses from rental agreements. Having pets is both a personal choice and a personal responsibility. Wherever possible people living in rental accommodation should have the same rights as people who have a mortgage or who own their own homes. Another welcome thing is the solar garden movement, which is great because it addresses renters. We want to improve the management of tenants' bonds and interest, increase oversight of landlords making claims on bonds and support tenants in transferring bonds between properties. Finally, we want to improve protections for people living in share houses by ensuring that they have access to legally enforceable protections and rights.

The Greens will be moving 20 amendments to this bill to encompass our 10-point plan. The biggest problem or the fundamental issue is that landlords can still unfairly evict tenants for no reason. We know that landlords misuse the provision all the time and evict tenants in retaliation for requesting repairs or simply to increase the rent. Those who have spoken to the community stakeholders and advocates who are working in this area would know about the renters' horror stories. No-one should be kicked out of a house without a valid reason, but under our current laws no reason needs to be given. I have seen so many models around the world—families who live in the United States, Europe and Asia—where they have rent control and long leases.

We have to get with the program. Secure long-term rental is a basic right. These basic habitat standards should also include insulation, thermal efficiency and mould removal—some of the most common complaints made by tenants living in shoddy rental houses. Everyone wants to make their house a home. Unfortunately most people who rent are banned from having a pet. Our furry friends are a key part of so many families but they will remained banned for one-third of households. For families who have to move house this can be heart-rending as they are forced to give up their pets because they cannot find a new rental home that will allow their dog or cat to move with them. Tragically this is a key reason that many pets end up in animal shelters.

We recognise the positive changes in the bill, which is heading in the right direction. We hope that the Government will support The Greens amendments. There is so much more to be done to guarantee that secure and long-term renting is a viable option. We know that not everyone will be able to buy a home. Our children and their children may not be able to buy a home. That is simply the way we are heading. The more we can do as legislators to support long-term secure rentals and long leases, the better the options will be for all citizens in this State.

Ms TRISH DOYLE (Blue Mountains) (19:08): Tonight I speak in debate on the Residential Tenancies Amendment (Review) Bill 2018 to address the failure of leadership that this bill represents. Yet again the Berejiklian Government is offering the community some inadequate or undesirable reform and expecting a pat on the back and a polite thank you from the Opposition for its troubles. While one in three citizens in New South Wales are tenants, I believe that most Government members have long owned their own homes and are landlords in their own right. It should come as no surprise that the bill they offer to the Parliament entrenches the power imbalance between landlords and tenants.

Until very recently I was a lifelong renter. I grew up in department housing. Due to circumstances in my adult life I entered the private rental market, first as a student in a share household and then because of difficulties in my family life. In recent times I had very bad landlords and I had a series of difficult disputes with them that highlight the problems that Labor identified in this bill. Some years ago, after making three requests to have basic maintenance work carried out on the plumbing of my house in Lawson, which I was renting as the casually employed single mother of two young children, I finally arranged for emergency sewer repairs to be carried out by a local plumber.

When I sent the bill to the landlord for reimbursement I received a rental increase as a retaliation for having dared to insist on basic and essential repairs. I objected to this in writing and was then issued with an eviction notice. I took time off work and fought back against this at the NSW Civil and Administrative Tribunal [NCAT]. I fought against being treated as a second-class citizen because that is how I was made to feel. I was fortunate that the tribunal found in my favour and described the landlord's conduct as unjust and indefensible. Soon after I was served with another eviction notice which said that the landlord planned to sell the house just before Christmas.

I was fortunate as I had saved enough money over a decade for a small deposit on a House, and I could only just sustain the modest mortgage repayments with my single income as a casual teacher. I made an offer on the house I had been renting for almost 10 years and I was finally able to take control of my home as an

owner-occupier. This course of action is not available to everybody and certainly not everybody is equipped to navigate NCAT on their own. Moreover, not everybody is fortunate to be able to set aside some money each fortnight to pull together a small deposit. We did live frugally.

Since this occurred real estate prices in my suburb have more than doubled. I would not be able to repeat the feat of buying my own home from the landlord today if I was still a casual teacher. These are the realities for working-class people throughout New South Wales. In my electorate office my staff spend a great deal of time assisting me and following up on housing matters and tenancy issues faced by Blue Mountains residents on a daily basis. This is not surprising. We have an affordable housing deficit and demand outstrips supply.

It is a housing crisis. Over the past five years rents in Springwood have risen by almost 22 per cent while wages growth over the same period has been capped at 17 per cent. This pattern repeats itself throughout the State. Rents go up, wages growth does not keep up and tenants face ever-mounting cost pressures just to stay in their own homes. Labor is listening to renters. We not only have an ambitious social housing policy that will mandate 25 per cent affordable housing on government-owned land and 15 per cent affordable housing on privately owned development land; we are also looking at ways to make renting fairer.

Last year Labor made a series of commitments to make renting fairer for tenants. We put forward a policy to move towards minimum 12-month terms for all tenancies and explore longer term tenancies as they exist overseas, to restrict rent increases to once every 12 months and to remove no-grounds evictions and ensure any landlord who evicts a tenant from his or her home has a reasonable basis and justification for doing so. The Government's bill makes a number of changes to the Residential Tenancies Act but none will make a significant improvement to the security of housing or ending no grounds evictions.

Ending no grounds evictions is the cornerstone of establishing security and stability in the rental market. Other jurisdictions, in particular Victoria, have been engaging with this issue and significant reform has been achieved. The Daniel Andrews Government introduced some 130 changes, for example, to residential tenancy laws in that State and most crucial among them was the abolition of no-grounds evictions. The reforms were met with opposition from real estate agents, generally, and some landlords. That is understandable. Rarely is change welcomed by those who benefit from the status quo.

However, the sky did not fall in on the Melbourne rental market when the changes were announced 12 months ago. The median rent on a three-bedroom home in Clayton, 20 kilometres south-east of the Melbourne central business district, still grew from $370 in 2014, when the Andrews Government came to office, to $430 per week today. The failure of the rental market to collapse was not for a lack of trying by the Real Estate Institute of Victoria. As one would expect, it predicted doom and gloom for investors along with constricted supply by landlords who, the institute was convinced, would rather turn away many tens of thousands of dollars in income each year than lose their power to evict a tenant for no good reason. Of course, that is just the political posturing of an industry group that seeks to protect its established business model. We understand that landlord groups here in New South Wales are already complaining that the Liberals' legislation goes too far.

The Government's bill will make a number of small reforms that Labor supports. Namely, the bill compels landlords to prepare and provide proper condition reports, clarifies conditions that render a property unfit for habitation, creates new protections for people living in houses with loose-fill asbestos and establishes certain minor alterations that would be deemed reasonable for tenants to make within their rented homes. I also note that the Government has adopted Labor's policy of restricting rent increases to once every 12 months and that it also establishes rights for victims of domestic violence to end a tenancy agreement early to escape a violent and dangerous household.

I often wondered as a child what it might have been like for us to remain safely in our home instead of having to live in our car from time to time. This change around domestic violence can be credited to those who work in community legal centres and domestic violence services that have been agitating for many years to see this crucial protection for women escaping violence in their homes. To that end, I acknowledge the work of Jo Hibbert at the Elizabeth Evatt Community Legal Centre, who deals with these sad cases day in and day out. I also acknowledge my constituent Francesca who recently articulated her experiences as a tenant. I thank her with the dignity that she deserves.

These are important reforms that Labor supports, so it will vote for this bill. However, the Opposition will move amendments in the Legislative Assembly and the other place to fix the most glaring omission in the Government's bill. Protection for tenants against vexatious evictions is the key reform around which every other tenancy problem hinges. Long-term secure housing in decent, safe houses is paramount. So long as tenants fear being evicted for making a reasonable request for repairs, protections that mandate repairs will be meaningless. So long as tenants fear being evicted for querying a rent increase, protections that limit price gouging by landlords will be meaningless. I note the policy scorecard published by the Tenants Union' of NSW, which assesses each of

the substantive changes put forward by the bill. Of the 28 changes in this bill identified by the Tenants' Union, six are marked as an outright fail and question marks hover over a further four changes. [*Extension of time*]

The Government clearly has a lot of work to do with stakeholder engagement to improve its legislative agenda when 35 per cent of the provisions in a raft of rental reforms are met with disapproval from the biggest and most important community representative body. It is important that all members here have listened to the community and that we are taking this step. It is also worth noting that the Government has failed good landlords in the State. Labor has been pushing to establish longer term tenancies that will promote long-term, cooperative and positive relationships between good tenants and good landlords or real estate agents.

The Government should have taken this on board and included it within its reforms. It would move Australia closer to the European model of long-term renters being protected and encouraged to make their rental accommodation a home for themselves and their families. Finally, I thank the Minister and I also note the fantastic work by Labor's shadow Minister for Innovation and Better Regulation, my colleague the member from Swansea, Yasmin Catley, who has been pushing for a more progressive set of policies that will make renting in New South Wales fairer.

Mr RON HOENIG (Heffron) (19:19): I make a contribution to the Residential Tenancies Amendment (Review) Bill 2018. The member for Swansea has put before the House the Opposition's position, which I am bound to support and endorse. Nothing I say should be seen to be directly or indirectly inconsistent with the views she expressed, whatever they might have been. The issue I address relates to what is commonly referred to as no-grounds eviction, which has excited the Opposition for good reason. A leasehold, whether it be residential or any other type, is a real property title. There is freehold or fee simple, as it is called: There is strata title, now under the Strata Titles Act, which is effectively a freehold title, and a leasehold.

The concept of a leasehold title goes back to 1066 to William the Conqueror when the Normans imposed their feudal law system upon the Saxons. Medieval feudal law permitted tenants to live and work on land. The work would generally involve farming or craft. The produce was sold or given to the landowner to pay rent. That concept of leasing was established to allow the serfs to work on a plot of land for a fixed period on the basis that they would pay in kind by the provision of food or services to those further up the social order. Under the reign of King John in the thirteenth century, the monarchy took control of land and imposed tax on landowners, which began the Battle of Runnymede and involved the signing of the Magna Carta in 1215 to impose the creation of estates. Arising from the Magna Carta, a tenant could live and work on their estate. In those days the tenant could pass that on to their heirs. Those estates were then life estates and on their passing, that leasehold title would revert to the landowners.

Since the Magna Carta, English law, which also includes our law, has recognised leasehold as a title to property for a given period. In fact, the Conveyancing Act provided—I do not know if it still does; I assume it still does—that, if there is a lease of more than three years, it is required to be registered on the title of the property. The view that has been taken with leaseholds to give permanency for periods of time is a fundamental law that has existed for 952 years. Bearing in mind that this is a statutory review of the Residential Tenancies Act 2010, I tried to find out what the mode of reasoning was for the imposition of a provision like that. I read the second reading speech by the Hon. Virginia Judge, who was the Minister who introduced that bill, which is now an Act. The reason I went to it was that, during a division, I spoke to the Minister about it and he pointed out that that the principle of no-grounds evictions came from the former Government in 2010.

I went through the second reading speech to see if there was a mode of reasoning exposed by the then Minister as to why a provision would be implemented that so offends against principle. I could not find any explanation for it in the second reading speech. I found justification for the 90-day notices after the termination of the lease. It may well be that the Minister made no provision in relation to that section or the section as contained in the 2010 Act. I say again: My view is that providing a reason to terminate a lease with no grounds for a fixed period of time, which is supposed to confer a title—a leasehold is a title on the property, and the document is a contract between the landlord and the tenant—offends against a principle that has been in existence since 1066.

One would not allow the termination of a commercial lease without grounds prior to that lease expiring and would not do that because no doubt the business could not survive unless it had security. One would not enter into a contract for the lease of the poles and wires in New South Wales that allowed the New South Wales Government to terminate the 99-year lease without grounds, nor the lease of the ports for 99 years without grounds. The reality of the situation is that the concept that the Labor Party is railing against and is opposed to is justified on the basis of principle. One can debate whether it is capable of implementation after the termination of the lease, or after the expiration of the lease where there is a continuing period—whether or not Labor's policy is reasonable or not—and fall on either side of the argument.

However, during the currency of a lease there must be security of tenure for a tenant. That is the whole premise of leasehold. If security of tenure during the period of the lease is not given, it is not a leasehold. I am inviting the House, and I am inviting the Minister—because he is probably locked in now—between when this bill goes from here to the other place to give consideration to that fundamental matter of principle. Just as this Minister said to this House that it is a matter of striking a balance, in 2010 Virginia Judge used the same expression. I know that it took three or four years to get to the 2010 Act, and in terms of the five-year review it has taken a couple of years for the bill to reach this House after consultation. What happens when governments consult in respect of a variety of matters when they are dealing with stakeholders is that they can lose sight of the fundamental principle.

Why is no-grounds eviction permitted under the Residential Tenancy Act but it is not going to apply to commercial or industrial leases? The same principle must apply: If it is a lease, it is a lease; if it constitutes a temporary title to property, it constitutes a temporary title to property. I ask the Government to think about what the whole purpose of leasehold is before the bill goes to the other place. I ask that this Government—which, just as the former Government did in 2010, forgot the reasons that there is supposed to be a leasehold principle that goes back 952 years—review what possible circumstances could exist that would enable the termination of a lease for no grounds during the currency of a lease.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (19:29): In reply: As members have heard, the purpose of the Residential Tenancies Amendment (Review) Bill 2018 is to provide a framework regarding the rights and obligations of landlords and tenants, rents and rental bonds and other matters relating to residential tenancy agreements. This bill will implement a comprehensive package of reforms to ensure that tenants can make a house their home and will increase protections for the most vulnerable tenants. The bill provides greater protections for victims of domestic violence and improves the ability of tenants to make a rented property into a home by introducing minimum standards for properties and making it easier for tenants to obtain repairs. It gives security to tenants by restricting rent increases for periodic leases to once every 12 months, includes set fees for breaking a fixed term lease and introduces easier and more robust dispute resolution processes. These are commonsense reforms that strike a balance between the interests of tenants and the interests of landlords.

I will address some of the issues raised during the second reading debate, particularly on no-grounds evictions, pets and other concerns directly in consideration of the amendments during consideration in detail. There are some issues I will address now. Achieving an appropriate balance between the rights and interests of tenants and landlords is a complex process. It has not been easy to get to this point and, given the wide range of recommended reforms, the diverse stakeholders and the high level of interest, the Government has taken the time needed to engage in detail on the potential reforms. This engagement has included round tables and many direct meetings with stakeholders on possible reform options and seeking feedback on draft legislation. The time taken is essential to ensure that the right balance has been struck between the interests of landlords and tenants and that legislation is workable and operates as intended.

I note that the statutory review of this Act started in 2015 and, while three years have passed since then, it is disingenuous for the Opposition to say this is too long. After all, the former Minister, and member for Strathfield, when introducing the bill in 2010 said that Labor's review started in 2005 with an options paper, public consultation on a report in 2007 and further consultation on a draft bill in 2009. It is pure politics being played by the Opposition, which is unfair and hypocritical. Those opposite know that good legislation takes time. The Government appreciates the challenges tenants face in securing affordable housing. Balanced regulation of the residential tenancy market ensures that the interests of landlords and tenants are taken into account, that tenants are protected from excessive rent increases and that the need for affordable and liveable housing for tenants is balanced against the need to contain costs for landlords.

Rental affordability is also affected by housing affordability through the costs incurred by landlords and the number of households who are renting because they cannot afford to buy. The New South Wales Government's measures to support first home buyers through stamp duty exemptions, boosting housing supply and delivering infrastructure to support growing communities, are all helping to keep the costs of housing down. Measures to improve the regulation of real estate professionals, strata schemes and the home building and construction sector are also contributing to housing supply by boosting consumer confidence and ensuring quality building outcomes.

The member for Swansea asked: Why does the bill allow the secretary to use interest that accrues on tenants' bond money for other consumer protection purposes? The rental bond interest account is highly valuable and an important source of funding for tenancy-related services and functions in New South Wales. The proposed reform in the bill builds on this and seeks to ensure that the New South Wales Government can continue to put consumers first and support an even wider range of consumer protection programs. Today's bill seeks to ensure

that these funds can also be used to allow a further important use by broadening section 186 (3) to allow the secretary to make a grant or loan for "other consumer protection purposes".

Such a reform will provide greater flexibility, is consistent with the Government's overarching consumer protection objectives and will provide greater scope to fund valuable consumer protection programs that may otherwise miss out on government support. As with any other use of the account, there are appropriate safeguards, with any funding for this purpose needing to be recommended by the Rental Bond Board and approved by the Minister. I will address a number of other issues when we deal with amendments, particularly around no-grounds terminations, pets and some other issues that have been raised in the debate.

I thank the member for Swansea. I know that she is genuine in her care for this important legislation and I thank her for the constructive way she has engaged not only with me but also with the stakeholders. I put on the record her sincerity in her positions. I also thank the member for Newtown for the way she has engaged in this debate. She has been outstanding and constructive throughout this process. She is absolutely committed to getting the best deal for tenants and I put on the record her advocacy in this debate. I thank her for the work she does for her constituency and for tenants throughout New South Wales.

I thank the members for North Shore, The Entrance, Sydney, Summer Hill, Newcastle, Balmain, Maitland, Charlestown, Granville, Ballina, Blue Mountains and Heffron for their contributions to this debate. I also thank members of the team in the department who work so hard behind the scenes to get legislation before the House. They do not often get a lot of recognition and they certainly do not get a lot of notoriety, but their efforts are appreciated by not only everyone in the Government and Opposition but also the broader community. I acknowledge Diana Holy, who is here in the public gallery, Alanna Linn, Julie Wright, Anna Wad, Lachlan Malloch, Leona Fernandez, Steph Matti, Rene Bransby and Susan Kim for their outstanding work in getting us to where we are today. I commend the bill to the House.

TEMPORARY SPEAKER (Ms Sonia Hornery): The question is that this bill be now read a second time.

Motion agreed to.

Consideration in detail requested by Ms Yasmin Catley and Ms Jenny Leong.

Consideration in Detail

TEMPORARY SPEAKER (Ms Sonia Hornery): By leave: I shall propose the bill in groups of clauses and schedules. The question is that clauses 1 and 2 be agreed to.

Clauses 1 and 2 agreed to.

TEMPORARY SPEAKER (Ms Sonia Hornery): The question is that schedule 1 be agreed to.

Ms YASMIN CATLEY (Swansea) (19:38): By leave: I move Opposition amendments Nos 1 to 4 in globo on sheet C2018-109D:

No. 1 **Termination on reasonable grounds**

Page 10, Schedule 1. Insert after line 31:

[21] Section 82 Termination notices

Omit "84, 85" from section 82 (1) (c).

No. 2 **Termination on reasonable grounds**

Page 10, Schedule 1. Insert before line 32:

[21] Section 84 Termination at end of fixed term tenancy

Insert after section 84 (1):

(1A) A termination notice may only be given under this section on a reasonable ground prescribed by the regulations for the purposes of this section.

[22] Section 84 (3)

Omit section 84 (3) and (4). Insert instead:

(3) The Tribunal may, on application by a landlord, make a termination order if it is satisfied that:

(a) the ground specified in the notice is a reasonable ground prescribed under subsection (1A) and has been established, and

(b) the termination notice was given in accordance with this section and the tenant has not vacated the premises as required by the notice.

[23] Section 85 Termination of periodic agreement

Insert after section 85 (1):

(1A) A termination notice may only be given under this section on a reasonable ground prescribed by the regulations for the purposes of this section.

No. 3 **Termination on reasonable grounds**

Page 10, Schedule 1 [21], line 32. Omit "-no grounds required to be given".

No. 4 **Termination on reasonable grounds**

Page 10, Schedule 1. Insert after line 41:

[22] Section 85 (3)

Omit section 85 (3) and (4). Insert instead:

(3) The Tribunal may, on application by a landlord, make a termination order if it is satisfied that:

(a) the ground specified in the notice is a reasonable ground prescribed under subsection (1A) and has been established, and

(b) the termination notice was given in accordance with this section and the tenant has not vacated the premises as required by the notice.

These amendments go to the heart of the current uneven playing field in rental laws in New South Wales. The Premier will stand up for the member for Castle Hill, who was about to be evicted for no reasonable grounds, but she will not do this for the millions of people living in rented homes.

Mr Matt Kean: You tried that already today.

Ms YASMIN CATLEY: I have announced this a couple of times in the House today. The Minister should have been here. The Government has had four years to get this right; yet here we are today, trying to fix the critical element of ensuring safe, secure and stable rental rules in New South Wales. This is good in a number of ways: It is good for a stable and productive economy, and it is also about a fair go. These amendments will set in place a set of clear reasonable grounds on which tenancy can be terminated. That will create a level playing field where everyone knows the rules and, if they breach the rules, action can be taken.

Right now the landlord has the trump card in their hand to evict a tenant without giving a reason. The tribunal is powerless to consider any factor behind the termination. While a large majority of landlords does the right thing and want long-term, stable tenants, there are a few who abuse these powers and use no-grounds evictions in a retaliatory fashion to kick out tenants who may simply be standing up for their rights to a safe and secure home, or even when they think the market has shifted and they can kick out the current tenant.

Almost one in three people in New South Wales live in rented accommodation and, as we all know in this place, that number is growing. Yet this Government is happy to leave in place rules that are straight out of a Dickens novel. Where changes to them have been introduced, the world has not fallen in, and what we find instead is fair, reasonable rules that benefit society as a whole. The Government is prejudiced against the plight of tenants and has failed to reflect that, increasingly, renters are average families and individuals—being a tenant is not just a transitory stage, as for university students. We owe it to those people to establish rules that promote stability, security and a sense of fair go.

Labor's amendments remove no-grounds eviction and commit to creating in the regulations a set of agreed commonsense reasons for which a tenancy may be terminated—such as breaking the tenancy contract, selling a home, renovating a property or family reasons requiring the tenant to vacate. A Labor Government will sort this issue out and get everyone around the table to work on those reasonable grounds: tenants, academics, community legal centres, landlords and the broader property sector. Parliament should champion these amendments. Unfortunately, I suspect the Government will not back them. It is out of touch. It will be left to a Foley Labor Government to put an end to unfair evictions, and every renter in New South Wales knows it.

I urge the Minister to go back to his party room and encourage members to support this amendment. At the end of the day, they are going to betray you. They are going to forget you. Are you going to let them take you over that way in this great southern land? This great southern land? You walk alone like a primitive man. You walk alone with the ghost of time. Might I remind the Minister that Icehouse is in the House tonight: I admire them and I know they support a fair go for renters. I commend the amendments to the House.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (19:42): I am disappointed that the member for Swansea did not burst into song there. We were all waiting for it. I remind the House that this is a Labor amendment amending a Labor law. It was Labor that amended the residential tenancy laws in 2010 to prevent tenants appealing to the tribunal to review no grounds evictions. This shows once again that people cannot trust Labor: It says one thing in Opposition and then it does an entirely different thing in Government. People cannot trust Labor when it comes to residential tenancies.

On this side of the House, we will stand by our principles and I will talk about two of those principles. The first is our respect for property rights. We respect the sacrifices that many mum and dad investors have made to buy an investment property as their nest egg for their future. We respect their property rights and so do the Australian people. The Australian people expect that, if they own a property, they own property. They do not have some sort of quasi-ownership imposed on them by the Government, which is what Labor proposes here.

That brings me to the second principle. The Government believes in economic freedom, it believes in freedom for the people of New South Wales and it trusts the people of New South Wales. It does not believe that government knows best. This proposal depends on the idea that government can foresee every legitimate reason a landlord may have to terminate a tenancy and on tribunal members showing the wisdom of Solomon. That is unrealistic. The reality is that it is difficult for investors to get good tenants, and the mum and dad investors can lose significant rental income by having a property left vacant for even a few weeks. Accordingly, both tenants and landlords have an incentive to make a tenancy work, and the Government trusts them to do that.

The Labor Party thinks we can regulate our way to happiness. The Government believes in giving the people of New South Wales the freedom that they need to find practical solutions that resolve the problems they face. The reforms in these amendments will cause a bonanza for lawyers. For every new line of regulation we put in place we will soon have 10 different legal opinions about what it means. I do not want to see landlords or tenants wasting their time and money debating legal technicalities. That said, the Government recognises that a balance needs to be struck. Tenants need to be able to ensure they have the time required to find accommodation, and landlords should be held to the agreements they enter into.

Let us look at the facts, not at Labor's scare campaigns. Under the law as it is today, a landlord cannot terminate a tenancy without grounds during the course of a fixed-term agreement. That is being changed. A landlord must also give a tenant 90 days notice—that is, about three months—to terminate a periodic lease compared to the 21 days notice that tenants are required to give in return. That is not being changed. The law gets the balance right, and that is what the statutory review found. Tenants also still have the option to negotiate a new fixed-term agreement once their original lease ends. That provides further security and another period during which a landlord cannot terminate a tenancy.

I have seen media reports arguing that no-grounds terminations prevent tenants from making complaints. While that argument may make sense in theory, after considering the evidence the Government has formed the view that it is not substantiated. A recent study conducted by CHOICE found that the risk of no-grounds termination did not prevent more than 95 per cent of tenants from raising a concern or requesting a repair. However, nearly twice as many tenants cite the fear of a rent increase as the reason for not complaining to their landlord as those who cite fear of eviction. Retaliatory rent increases are by far the biggest concern. That is why the Government is limiting rent increases to once every 12 months. That will limit the ability of landlords to raise rent in response to requests for repairs. For those reasons, the Government does not support the Opposition's amendments.

Ms JENNY LEONG (Newtown) (19:47): I speak on behalf The Greens in support of Labor's amendments to end no-grounds evictions. It was with much joy that many of us who had been campaigning for a long time heard that the Labor Opposition intended to amend the legislation to remove the no-grounds evictions provision introduced by a Labor government. I am concerned that members of the Opposition want to defer the discussion about those grounds and have them included in the regulations. I take the member for Swansea's point that she wants to be able to consult further. However, she cannot say on the one hand that consultation has gone on too long and on the other that she wants to consult further.

The Greens have heard from the Tenants' Union of NSW and those involved in the Make Renting Fair campaign about what the fair grounds are for landlords to evict tenants. We support these amendments because they improve the legislation. As I foreshadowed in my contribution to the second reading debate, The Greens will be moving an amendment to include those grounds in this legislation. The Minister said that rental maintenance issues were not one of the main reasons for not complaining, and in doing so quoted a *Choice* study. That is ironic given that *Choice* is one of the key supporters of the Make Renting Fair campaign. The core aim of the campaign is to end no-grounds evictions.

We can take statistics and quote them in certain ways to assist our argument, but that does not help the thousands of people who are not making genuine complaints about the safety, security and maintenance of their properties for fear of being kicked out. It is very disappointing that the Minister will not support this amendment. I appreciate his comment in reply that making good laws takes time. Obviously I am not critical of the fact that it can take a long time to make amendments. It usually takes a long time to make changes and consult widely because significant changes or reforms are then made. However, in this case we have had a long consultation process, which has engaged stakeholders and brought everyone on board with the idea that we should be limiting the grounds on which people can be unfairly evicted, but the change has not been included in the bill.

It is fine to take a long time to consult. However, people have been consulted, they have provided advice, everyone is on board and they want to see an end to no-grounds evictions, but that change has not been included in this legislation. It appears that everyone has been consulted and we all agree that this is the right way to go, except members of the Cabinet. They seem less excited about this idea. If members stick around for a while, they might hear some of the reasons the Cabinet is less keen to reform renters' rights. Perhaps it is because they are not renters but landlords as defined under the Act. The Greens support the amendments.

TEMPORARY SPEAKER (Ms Sonia Hornery): The member for Swansea has moved Opposition amendments Nos 1 to 4 on sheet C2018-109D. The question is that the amendments be agreed to.

The House divided.

Ayes 34
Noes 44
Majority.....10

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
Doyle, Ms T	Finn, Ms J	Greenwich, Mr A
Harris, Mr D	Harrison, Ms J	Haylen, Ms J
Hoenig, Mr R	Kamper, Mr S	Lalich, Mr N
Leong, Ms J	Lynch, Mr P	McDermott, Dr H
McGirr, Dr J	Mehan, Mr D (teller)	Minns, Mr C
Park, Mr R	Parker, Mr J	Piper, Mr G
Scully, Mr P	Smith, Ms T.F.	Tesch, Ms L
Warren, Mr G	Washington, Ms K	Watson, Ms A (teller)
Zangari, Mr G		

NOES

Anderson, Mr K	Aplin, Mr G	Berejiklian, Ms G
Bromhead, Mr S (teller)	Conolly, Mr K	Constance, Mr A
Cooke, Ms S	Coure, Mr M	Crouch, Mr A
Davies, Mrs T	Dominello, Mr V	Donato, Mr P
Elliott, Mr D	Evans, Mr A.W.	Evans, Mr L.J.
Fraser, Mr A	George, Mr T	Gibbons, Ms M
Goward, Ms P	Griffin, Mr J	Gulaptis, Mr C
Henskens, Mr A	Johnsen, Mr M	Kean, Mr M
Lee, Dr G	Marshall, Mr A	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	Stokes, Mr R
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	Barilaro, Mr J
Dib, Mr J	Hazzard, Mr B

PAIRS

Foley, Mr L Notley-Smith, Mr B

Amendments negatived.

Ms JENNY LEONG (Newtown) (19:57): I move The Greens amendment No. 1 on sheet C2018-110D:

No. 1 Occupants in shared households

Page 3, Schedule 1. Insert after line 24:

[2] Section 10 Application of Act to occupants in shared households

Omit the section.

The Greens amendment No. 1 to the Residential Tenancies Amendment (Review) Bill seeks to rectify an oversight that is not addressed anywhere in the bill—that is, to provide protection for people living in share houses. Minister Dominello will recall that when he was the Minister for Innovation and Better Regulation the issue of share houses and the protection of people living in share houses was one of the key concerns raised by many stakeholders. At that time it was one of the areas identified, along with other key points, to be further consulted on. During that time, there was a change of Minister and people were further consulted. But now in this bill there is no mention of share houses, nor is there any change to protect people in share houses.

TEMPORARY SPEAKER (Ms Sonia Hornery): Order! Members wishing to have conversations will do so outside the Chamber. The member will be heard in silence.

Ms JENNY LEONG: This amendment removes section 10 of the Act, which requires people living in share houses to have a written tenancy agreement in order to be protected by the Act. Anyone who has lived in a share house knows that it is very unlikely that a person living in such a place would be provided with a written agreement recognising that person as a member of the share house. This amendment says that people living in share houses should be provided with protections under the Residential Tenancies Act even if they do not have a written agreement. I urge crossbench members, Labor members and anyone on the Government benches who is listening to support this Greens amendment to make sure that those people living in share houses are provided with some protection by this Act.

Ms YASMIN CATLEY (Swansea) (20:00): I have already quoted from a song today—

Mr Matt Kean: Sing it!

Ms YASMIN CATLEY: —in this "Great Southern Land". Perhaps the member for Tamworth can join me. He would be very disappointed if he made that decision. The Opposition certainly appreciates the intention of the member for Newtown. I know that she is incredibly passionate about this issue, and rightly so. I thank her for moving this amendment but, as the alternative government, the Opposition needs to ensure that there are no unintended consequences. If elected, the Labor Foley Government will remove unfair evictions as a matter of priority. The Opposition knows that its members need to consult stakeholders on these matters to ensure that we get an outcome that is fair and balanced. If we do not, there may well be negative impacts on those we are trying to help. We are not happy to take the Government's word for it in terms of the consultation that has taken place and we will re-examine many of these issues in Government. At this stage we cannot support this amendment.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (20:02): The Government does not support this amendment. The Government has consulted on this issue and the opinions were divided. However, it is clear that many residents of share households choose this form of residency because they want informal and flexible arrangements without the rights, obligations and mandatory notice periods that would apply under the Residential Tenancies Act. The Act currently provides a clear means for those who wish to be subject to the Act to ensure that they are covered by entering into a written tenancy agreement. Those who do not wish to be covered do not need to have a written agreement. The Government considers that, given the range of views and aspirations of share house residents, the current provisions provide an appropriate level of choice.

TEMPORARY SPEAKER (Ms Sonia Hornery): The member for Newtown has moved The Greens amendment No. 1 on sheet C2018-110D. The question is that the amendment be agreed to. A division has been called for. There being five or fewer members for the question, the question is resolved in the negative.

Ayes, 5

Mr A. Greenwich
Ms J. Leong

Mr J. Parker
Mr G. Piper
Ms T.F. Smith

Amendment negatived.

Ms JENNY LEONG (Newtown) (20:04): By leave: I move The Greens amendments Nos 2 and 16 on sheet C2018-110D in globo:

No. 2 Termination of residential tenancy agreements

Page 3, Schedule 1. Insert after line 24:

[2] Section 14 Landlord's obligation to ensure written residential tenancy agreement

Omit section 14 (3). Insert instead:

(3) If a landlord fails to comply with this section, the rent under the residential tenancy agreement must not be increased during the first 6 months of the tenancy.

No. 16 Termination of residential tenancy agreements

Page 10, Schedule 1. Insert after line 31:

[21] Section 82 Termination notices

Omit "84, 85," from section 82 (1) (c).

[22] Sections 84–85A

Omit the sections. Insert instead:

84 End of residential tenancy at end of fixed term tenancy

(1) A landlord may, at any time before the end of the fixed term of a fixed term agreement, give a termination notice for the agreement that is to take effect on or after the end of the fixed term on one of the following grounds:

(a) the landlord requires the residential premises for the landlord's own use, or the use of a member of the landlord's family, for a period of not less than 12 months,

(b) the landlord wishes to carry out renovations or repairs to the residential premises that will render the premises uninhabitable for a period of not less than 4 weeks,

(c) the residential premises are to be used in a way, or subject to circumstances, that will render the premises not able to be used as a residence for a period of not less than 6 months.

(2) The termination notice must specify a termination date that is on or after the end of the fixed term and not earlier than 90 days after the day on which the notice is given.

The Greens amendments Nos 2 and 16 will include in the Act the circumstances under which it would be reasonable for tenants to be given notice to vacate a property—for them to be evicted. Currently in the Act there is a provision that was introduced by the former Labor Government to allow for no-grounds evictions in New South Wales. That provision is still in place under the current Liberal-Nationals Government's leadership in New South Wales. Why is this amendment important and essential? Because we know that no-grounds evictions are used to retaliate against people when they ask for maintenance requests. I move these amendments in this Chamber because it is crucial to recognise that, while the members opposite may have no interest in listening to the problems and issues of the two million people in New South Wales who rent, including people in regional parts of the State and families—more families than ever in New South Wales—there are people who are concerned about these issues.

These amendments will include in the Act the grounds under which a termination notice for an agreement can take effect. That includes that the landlord requires the residential premises for the landlord's own use or the use of a member of the landlord's family for a period of not less than 12 months, that the landlord wishes to carry out renovations or repairs to the residential premises that will render the premises uninhabitable for a period of not less than four weeks, or that the residential premises are to be used in a way or subject to circumstances that will render the premises not able to be used as a residence for a period of not less than six months.

Members may be interested to know that the 90 coalition group members of the Make Renting Fair campaign support an end to no-grounds evictions. This includes a range of organisations as broad as the Redfern Legal Centre, the Newtown Neighbourhood Centre, the Uniting Church in Australia and the Combined Pensioners and Superannuants Association. I urge members, including Opposition members who are nodding their heads,

to consider supporting these amendments. Given that the Leader of the Opposition as well as the member for Swansea were at a forum today organised by Make Renting Fair and Everybody's Home committing to an end to no-grounds evictions, I find it concerning that—now that everybody who attended the event has left the Parliament and is at home with their families—the Opposition members would not support these amendments to end no-grounds evictions in New South Wales. I urge members to consider the ramifications of not supporting these amendments.

Ms YASMIN CATLEY (Swansea) (20:08): I thank the member for Newtown for moving these amendments. I was at that event today; in fact, I was a host of the event today and I felt privileged to be amongst those great community workers. They were overwhelmed by Labor's proposal to end no-grounds evictions. In relation to The Greens' amendments and the statements of the member for Newtown, I say that Labor will create in the regulations a set of agreed, commonsense reasons for which a tenancy may be terminated. We want to make sure that we do not have unintended consequences. In our view, The Greens amendments are too limiting. At this stage, we will not support the amendments.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (20:09): In relation to amendment No 2, section 14 (3) of the Act currently provides a number of protections in a situation where a landlord has failed to ensure that a written residential tenancy agreement is provided at the start of a tenancy. These protections are that the rent must not be increased during the first six months of the tenancy and, if the residential tenancy agreement is a periodic agreement, then the landlord cannot terminate the agreement under section 85 during the first six months. The proposed amendment would, if accepted, replicate the first of these provisions but at the same time it would remove the second important protection that prevents landlords from being able to terminate a periodic lease within six months if no written lease has been provided. It is considered important and appropriate that both protections are maintained.

With regard to amendment No 16, we on this side of the House will stand by our principles. One of those principles is the respect for individual property rights. We respect the sacrifices that many mum and dad investors have made to buy an investment property as a nest egg for their future. We respect their property rights. So do the Australian people. The Australian people expect that if you own a property, you own that property and do not have some form of quasi-ownership imposed by government. That is what The Greens are proposing right here and now. That brings me to the second principle. We believe in economic freedom for the people of New South Wales because we trust the people of New South Wales. We do not believe that the Government knows best. This proposal depends on the idea that Government can foresee every legitimate reason a landlord may have to terminate a tenancy and on the tribunal members showing the wisdom of Solomon. That is unrealistic.

TEMPORARY SPEAKER (Ms Sonia Hornery): The member for Newtown has moved The Greens amendments Nos 2 and 16 on sheet C2018-110D. The question is that the amendments be agreed to. A division has been called for. There being five or fewer members for the question, the question is resolved in the negative.

Ayes, 4

Mr A. Greenwich
Ms J. Leong
Mr J. Parker
Ms T.F. Smith

Amendments negatived.

Ms JENNY LEONG (Newtown) (20:12): I move The Greens amendment No 3 on sheet C2018-110D:

No. 3 Terms prohibiting pets

Page 3, Schedule 1. Insert before line 25:

[2] Section 19 Prohibited terms

Insert after section 19 (2) (e):

(f) that the tenant is not entitled to keep a pet on the residential premises, **except as set out in regulations**.

The Greens amendment No 3 looks to the idea of allowing people who rent, including families and older people living by themselves, to be able to have a pet. People who own their own property can have a pet but it is often a challenge for many who are renting because it is an exclusion included by default in residential tenancy agreements. That should not be so. The Greens amendment states "that the tenant is not entitled to keep a pet on the residential premises, except as set out in regulations". Some people may think the wording is not appropriate, but the flagship change introduced by this Government to the Residential Tenancies Act—and the Government

says it wants to do more—has been to provide protection for victims of domestic violence and for them to be able to flee their situation.

The idea that we would put in place laws that have the consequence that the family dog or cat may not be able to join those victims is hugely problematic. The Greens recognise that landlords should have the ability to make a case that it is inappropriate for a pet to be on premises in certain circumstances. That is why this amendment states "except as set out in regulations". This recognises that in certain circumstances it may be inappropriate in certain types of dwellings to have a domestic animal or companion animal. However, in most circumstances it should be allowed.

I would like to put on the record that it seems that there is a theme to this legislation. I note that key people who have been campaigning for renters' rights and members of Make Renting Fair and Everybody's Home are watching this debate on a live feed. They are keen to see this amendment passed by this House. The Tenants' Union of NSW, the peak body standing up for renters' rights in New South Wales, supports this change. I note that the Combined Pensioners and Superannuants Association also supports this amendment and a number of other organisations recognise the importance of people being allowed to have companion animals.

It is worth noting that currently the Minister and the shadow Minister are sitting together to vote against this amendment. That demonstrates very clearly how members will vote on this amendment. A Labor government introduced the unfair no-grounds evictions into law when in power and the Liberal-Nationals Government refuses to make this change now, although the people working every day with tenants and who see the issues that arise for tenants advised us to move this amendment. The question has to be asked: Why are members of the Labor Party, the Liberal Party and The Nationals opposing The Greens and the Independents when it comes to standing up for renters? I have been truly disappointed in the past about such things.

I would have hoped that the member for Summer Hill and the member for Granville, who in their contributions to the second reading debate explicitly talked about the importance of renters being allowed to have pets, would join with The Greens and the Independents in supporting this amendment. It is not okay for members to say that they support something but to not be in the Chamber when it is put to a vote. Our job is to vote and to represent our communities. We know that the community wants people who rent to be allowed to have pets. It is very important that that is the case, and I urge members of this place who have claimed to be standing up with renters and tenants to step up and recognise that pets are part of people's families. About two million people rent properties in New South Wales, and they should be allowed to have pets.

Ms YASMIN CATLEY (Swansea) (20:17): I do not want to disappoint the member for Newtown, but Labor has consulted with the stakeholders and every one of them has said that the big game for residential tenancy legislation is ending no-fault evictions. This is the one reform that every stakeholder has agreed is the most critical reform for renters. I appreciate the intent of the member for Newtown in moving The Greens amendment No. 3 and I think her arguments are clear, because we have all met many tenants who would like to have pets. But Labor does not believe that pet ownership is the game changer when it comes to rental reform. The game changer for rental reform is to end unfair evictions, and that is what a Labor government will do. However, I know that when Labor is in government, we will have to come back to this legislation to make that change. At that point, we will consult more broadly on other issues that affect renters. At this stage, Labor cannot support this amendment.

Mr ALEX GREENWICH (Sydney) (20:18): The Greens amendment No. 3 is not a controversial amendment. It simply brings the Residential Tenancies Act in line with default by-laws for strata buildings that are to be companion animal friendly. There are provisions in place should someone not wish to have companion animals in their dwelling. This amendment goes to the importance of companion animal ownership for people's health and wellbeing. I support this amendment.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (20:19): The Residential Tenancies Act leaves the issue of whether a tenant can keep a pet, but not an assistance animal, to be negotiated between a landlord and a tenant. The Government considers that this is appropriate. Properties vary greatly, and there are different types of pets that may not be suitable for some properties. The landlord and tenant are best placed to negotiate on whether a particular pet would be appropriate for a property.

The DEPUTY SPEAKER: The question is that The Greens amendment No. 3 on sheet C2018-110D be agreed to.

The House divided.

Ayes 6
Noes 45
Majority.....39

AYES

Greenwich, Mr A (teller)	Leong, Ms J	McGirr, Dr J
Parker, Mr J (teller)	Piper, Mr G	Smith, Ms T.F.

NOES

Anderson, Mr K	Aplin, Mr G	Bromhead, Mr S (teller)
Catley, Ms Y	Chanthivong, Mr A	Conolly, Mr K
Constance, Mr A	Cooke, Ms S	Coure, Mr M
Crouch, Mr A	Davies, Mrs T	Donato, Mr P
Elliott, Mr D	Evans, Mr A.W.	Evans, Mr L.J.
Gibbons, Ms M	Goward, Ms P	Griffin, Mr J
Gulaptis, Mr C	Harris, Mr D	Henskens, Mr A
Johnsen, Mr M	Kamper, Mr S	Kean, Mr M
Lee, Dr G	Marshall, Mr A	O'Dea, Mr J
Patterson, Mr C (teller)	Pavey, Mrs M	Perrottet, Mr D
Petinos, Ms E	Provest, Mr G	Roberts, Mr A
Rowell, Mr J	Scully, Mr P	Sidoti, Mr J
Speakman, Mr M	Stokes, Mr R	Taylor, Mr M
Toole, Mr P	Tudehope, Mr D	Ward, Mr G
Williams, Mr R	Wilson, Ms F	Zangari, Mr G

Amendment negatived.

Ms JENNY LEONG (Newtown) (20:26): I move The Greens amendment No. 4 on sheet C2018-110D:

No. 4 Rent increases

Page 4, Schedule 1 [9], lines 34 and 35. Omit all words on those lines. Insert instead:

(1B) The rent payable by a tenant for residential premises may not be increased more than once in a period of 12 months.

On the surface, it may look like this amendment is already included in the bill. We certainly commend the Government on the fact that there is 12-month cap on rent increases in the bill. It is impressive to see that. I never would have thought that we would see the Liberal-Nationals Government support rent increase caps in New South Wales, but it is good. However, there is a risk in the way it has been done because it links the rent increases to the tenancy, as opposed to the premises. The Minister has sought to provide ways and mechanisms that ensure that we do not see a situation where shorter leases are offered. We do not want a situation where landlords are encouraged to offer six-month leases or eight-month leases as opposed to the usual 12-month leases to try to get around this provision.

We are concerned that the provision is drafted in a way that links the cap to the tenancy and not to the premises. There is a real risk that there will be more landlords offering six-month, eight-month or 10-month leases in order to get around this and have a loophole that allows them to increase rents more than once every 12 months. There is a very simple fix to this, and that is to link the 12-month rent increase cap to the premises rather than to the tenancy. In his reply to the debate on the bill the Minister referred to CHOICE and the fact that CHOICE and many other organisations have identified the fact that retaliatory rent increases are a significant concern. As the Minister himself has identified, retaliation through rent increases is a key way that landlords get back at tenants to raise issues around maintenance.

We are concerned that in attempting to fix this issue the Minister is creating another unintended consequence. What we are going to see in the market now is six-month, eight-month and 10-month leases so that landlords can put up the rent multiple times in a year. I am sure that is not what the Minister intends. The intention, when a 12-month limit on rent increases is introduced, is for rents to be increased only every 12 months. What we will see here is that landlords will offer six-month, eight-month or 10-month leases to be able to increase rents more than once in a 12-month period. That is not something that we want to see. That is not something that is intended by this change. I urge the Minister to have a look at the amendment. Tenants NSW said:

> Rent increases in periodic agreements will only be able to increased once every 12 months. This is a good step on its own terms as it provides much certainty about when increases will come. However, there are two issues. First, it does not address the information asymmetry. Secondly, it does not apply to fix-term agreements. A landlord wanting to use a rolling six-month agreement will be able to increase the rent every six months. Indeed, the second change makes this issue even worse. In some contracts, landlords

> and agents will write a future rent increase into a fixed-term contract of less than two years so long as the date and amount of the increase is included.
>
> …
>
> A landlord who wants to avoid the 12-month restriction on rent increases in periodic leases will now be incentivised to move on to rolling, short-term, fixed-term leases, which allow more frequent rent increases.

It appears that what seemed to be one of the positive changes coming out of these amendments will actually undermine the concerns. Tenants NSW urged Parliament to address the issue. The Greens amendment seeks to address this concern by linking the rent increases to the premises. I hold hope that at the crossbench briefing some of the crossbenchers did seem genuinely concerned about this loophole. I indicate that The Greens intend to move this amendment in the other place with the hope that, if we do not see support for the amendment in this Chamber tonight, we may see that in the other place this sensible amendment, which seeks to fix a loophole in the Government's changes around the 12-month increases, is agreed to. I urge the Government, the Opposition and members on the crossbench to support the amendment.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (20:31): I thank the member for Newtown. I appreciate where she is coming from on this issue. The prohibition on increasing the rent in a periodic tenancy more than once in a 12-month period is linked to the tenancy agreement rather than to the property. This is because it is designed to provide certainty for the parties on a specific agreement and inhibit retaliatory rent increases that may occur under a specific tenancy agreement. Linking the restriction on rent increases to the property is not considered appropriate as it would unduly limit flexibility and the ability of a landlord to increase rent if they undertake improvements to the property, something that often happens between tenancies.

Those speaking in favour of the amendment argue that if the rent increase prohibition is not linked to the property landlords will evict tenants in order to increase the rent for the next tenant. This ignores the fact that the cost of advertising a property and finding a new tenant is in itself quite costly. Landlords will not evict a good tenant in order to go through the costly process of finding a new, untested tenant who may not be as reliable or as trustworthy as the one they are losing. We have done extensive consultation to get us to this point. The issue that the member for Newtown raises is not one that has come up through that consultation process. The reforms seek to address the issues that we have identified. I am willing to consider evidence in the future if this is an issue and is leading to a new type of rental arrangement or tenancy agreement. But right now there is no evidence to suggest that this is needed at this time. We will continue to engage with the member on this issue.

The DEPUTY SPEAKER: The question is that The Greens amendment No. 4 on sheet C2018-110D be agreed to. A division has been called for. There being five or fewer members for the question, the question is resolved in the negative.

Ayes, 4

Mr A. Greenwich
Ms J. Leong
Mr J. Parker
Ms T.F. Smith

Amendment negatived.

Ms JENNY LEONG (Newtown) (20:35): I move The Greens amendment No. 5 on sheet C2018-110D:

No. 5 Rent increases

Page 4, Schedule 1 [9]. Insert before line 36:

(1C) The rent payable by a tenant for residential premises may not be increased so that it is more than the indexed rent in a period of 12 months.

(1D) The indexed rent is to be calculated in accordance with the following formula:

$$A = \frac{R \times B}{C}$$

where:

A is the indexed rent.

R is the amount of the current rent.

B is the Sydney CPI number for March in the current financial year.

C is the Sydney CPI number for March in the financial year during which the rent was last increased.

(1E) In this section:

> ***Sydney CPI*** number means the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.

The Greens amendment No. 5 seeks to put a cap on rent increases that would be available to people in line with the consumer price index [CPI] rather than what it is at the moment, which will allow landlords to increase rents and impose excessive and exorbitant rent increases in a manner that does not require the landlord to provide any proof of the reasonableness of the increase. Instead the legislation puts the burden on the tenant to take up the issue. A tenant may not find themselves in a position to be able to challenge an excessive rent increase. Consequently the tenant may have to move for a whole range of reasons.

I appreciate that the CPI is not the most ideal of measures that could be used to calculate a rent increase but, given the excessive rents that are paid in New South Wales, I believe we should consider a model that would enable rents to be capped. Because of the scenario that exists in New South Wales, The Greens believe that capping of rents is urgent and overdue. The Greens believe that the current system of relying solely on market forces to determine reasonable rent increases is unfair and inequitable. Instead The Greens believe that this legislation should be amended to create an alternative benchmark based on the cost of living rather than what the market will bear. What the market will bear and what the market decides are not what the people of New South Wales can afford to pay.

This Parliament must recognise that the norm of being able to apply rental caps is a practice followed by global cities as a way of addressing the reality. I appreciate there may be a situation in which the CPI is one way to do that, but it is not the ideal way. Another method of ensuring that rents are fair could be to adopt a model that is used by some European countries, whereby tripartite negotiations between government, tenant groups and landlord groups decide on a percentage of rent increase on an annual or other basis. There could be a body like the one that exists in Sweden, for example, that regulates rents by the tenancy bargaining Act and operationally by the rent tribunal. Rent increases are related to average rents for similar properties in the same area. A tenant has a right to refuse a rental increase and, if they do so, the onus is on the landlord to apply for the rent increase at the tribunal.

In short, The Greens believe that some of the relief for tenants in New South Wales is necessary. Putting a cap on rents is the start of providing relief. Between now and March 2019 I hope we can have a conversation about addressing the massive rental stress that so many people in New South Wales are facing. One only has to see the Anglicare rentals snapshot report and the massive public housing waiting lists to realise how dire the situation is and how many people in the State literally cannot afford to live in private rentals. We have only to hear the stories of pensioners and older women throughout the State who are forgoing basic food and essential items because their rent is too damn high. I inform this Parliament that The Greens are committed to introducing rent caps.

We want to see an end to the idea of excessive rents and the market determining what rents can be paid for people's homes. Instead The Greens want a situation in which first and foremost there is a genuine realisation that the rented property in which a person lives is their home. They should be able to live in that home with rent that is affordable. The easiest change that we as legislators can make and that does not put additional pressure on the Government, the public purse or the taxpayer is to put a cap on rents. That will immediately relieve housing stress for the approximately two million people in New South Wales who currently live in rental properties. By doing that, we are providing relief that can come right now by virtue of this amendment. Rent relief could be introduced now.

This amendment is a type of measure that is applied in different places. I conclude my remarks by quoting a contribution from the Combined Pensioners and Superannuants Association, which supports an amendment to cap rents and to allow rental increases only in accordance with movements in the CPI. It states, "This is an important thing to be able to do, to ensure that people who are living in rental properties are not faced with undue rent stress." I urge the Government, the Opposition and the crossbench to support this amendment and stand with the millions of people in New South Wales who currently face the risk of exorbitant rent increases because currently there are no caps on the excesses of landlords who want to put more profit into their bank accounts while those who are living in rental properties suffer.

Ms YASMIN CATLEY (Swansea) (20:40): Labor is concerned about rent caps and how they could have a perverse outcome that is not favourable to renters or the private rental market. There is a substantial body of literature that points to an array of unintended consequences regarding rent controls. The Labor Opposition does not support this amendment.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (20:40): The Government does not support the linking of rent increases to CPI, which is in effect the introduction of rent control. The Government considers the rents are appropriately determined by market conditions and the cost to

the landlord. Costs for landlords are not necessarily linked to CPI and must be able to be recouped. Furthermore, when a landlord makes improvements to a property it is reasonable to recoup the costs of those improvements through increased rent.

The DEPUTY SPEAKER: The question is that The Greens amendment No. 5 on sheet C2018-110D be agreed to. A division has been called for. There being five or fewer members for the question, the question is resolved in the negative.

Ayes, 4

Mr A. Greenwich
Ms J. Leong
Mr J. Parker
Ms T.F. Smith

Amendment negatived.

Ms JENNY LEONG (Newtown) (20:42): I move The Greens amendment No. 6 on sheet C2018-110D:

No. 6 Habitable premises

Page 4, Schedule 1 [10]. Insert after line 40:

(a) are safe and secure, and

A number of amendments have been made to the Act and a number of amendments in the bill propose to address the issue of the habitability of premises. One aspect of that is ensuring there are some details provided as to the habitability of rental properties. An element of the definition of "a habitable residence" that is missing is the stipulation of a residence being safe and secure. It seems to be a genuine oversight. However, it has been raised by the Tenants' Union in its blog: The bill does not mention anything to do with "safe". I believe it is crucial for this amending bill to provide for residences to be safe and secure. It is important for me to make the point that I have countless detailed submissions in my folder from key stakeholder groups across New South Wales that support all the amendments I have moved. I appreciate that some members may wish to be elsewhere, but the reality is that we are the 93 people who are elected to make the laws in this Legislative Assembly.

I would have liked to be home with my daughter, but I am not. I am here because hundreds, thousands and millions of people are suffering as a result of these laws that will be changed today. Their lives will be made better or worse as a result of the laws that we are passing. I believe it is completely reasonable to expect that, in a piece of legislation that sets out what habitable promises are and the minimum conditions on a rental property, those rental properties are safe and secure. That seems a genuinely reasonable amendment. I urge the Government and the Opposition to support the insertion of "safe and secure" into this bill to recognise that renters deserve that right. I tell the Government and the Opposition that I will move a number of individual amendments addressing the minimum conditions that renters should face. If they want to speak to me about those that they will support so that I can move them in globo, I would be happy to have that conversation.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (20:45): I address The Greens amendments Nos 6 to 11, moved by the member for Newtown, which all relate to the state of a residential premises and the requirements. Under section 52 (1) of the Act, landlords are required to provide the residential premises in a reasonable state of cleanliness and make sure that it is fit for habitation by the tenant. The bill that I have introduced introduces minimum standards that further clarify the meaning of "fit for habitation" and set clearer expectations for both landlords and tenants. They have been carefully chosen to ensure that all rental properties are safe, secure and do not endanger people's health.

These standards are not an exhaustive list of what it means to be fit for habitation, and the bill recognises that. There may be other significant problems that may mean that a specific property is considered unfit for habitation. Specifically, the Government does not support The Greens amendment No. 6. The Residential Tenancies Act already requires a landlord to provide and maintain locks and other security devices necessary to ensure that the premises are reasonably secure. In relation to safety, the requirement that the premises be fit for habitation already encompasses that the premises do not pose a risk to health and safety.

The DEPUTY SPEAKER: The question is that The Greens amendment No. 6 on sheet C2018-110D be agreed to. A division has been called for. There being fewer than five members for the question, the question is resolved in the negative.

Ayes, 4

Mr A. Greenwich
Ms J. Leong

Mr J. Parker
Ms T.F. Smith

Amendment negatived.

Ms JENNY LEONG (Newtown) (20:47): I move The Greens amendment No. 7 on sheet C2018-110D:

No. 7 Habitable premises

Page 5, Schedule 1 [10], line 1. Insert "and are free from mould, vermin infestation and biotoxins" after "ventilation".

The amendment seeks to say that "fit for habitation" should include in these provisions the fact that residential premises should be free from mould, vermin infestation or biotoxins. There has been a Federal parliamentary inquiry into the impacts of mould and biotoxins on people's health. We all know that cockroaches, bedbugs and other vermin have significant impacts on people who rent. I urge the Government and the Opposition to support this amendment if they believe that renters should be able to live free from mould, vermin, infestation and biotoxins. Again, I believe this is a reasonable amendment and I question why anyone would oppose the idea and suggest that renters should be subject to living in those conditions.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (20:48): In relation to biotoxins, the requirement that the premises be fit for habitation already encompasses that the premises do not pose a risk to health and safety. In relation to mould and vermin, while the bill lists certain standards as being included in the "fit for habitation" requirement, these are certainly not exhaustive. Premises that are severely affected by mould or an infestation by vermin can still be considered to be unfit for habitation and will likely be a question of degree.

The DEPUTY SPEAKER: The question is that The Greens amendment No. 7 on sheet C2018-110D be agreed to. A division has been called for. There being fewer than five members for the question, the question is resolved in the negative.

Ayes, 4

Mr A. Greenwich
Ms J. Leong
Mr J. Parker
Ms T.F. Smith

Amendment negatived.

Ms JENNY LEONG (Newtown) (20:50): I move The Greens amendment No. 8 on sheet C2018-110D:

No. 8 Habitable premises

Page 5, Schedule 1 [10]. Insert after line 1:

(d) have adequate insulation, and

This amendment seeks to add adequate ventilation to the minimum standards that renters in New South Wales should expect to be able to live in. We believe that, if we are looking at having adequate ventilation, having adequate insulation is also a key factor. It assists with the costs of living, such as heating, cooling and energy efficiency, and also provides a significant level of protection to people in basic energy efficiency. Many people living in rental properties are not able to make the energy efficiency savings that they would like to make because they are not able to make those changes. Inserting "adequate insulation" into the definition of "fit for habitation" in the Act seems a reasonable amendment. For those players watching at home, I note that it appears that The Greens amendments, which are quite reasonable, are being consistently voted down by the Liberals and the Nationals, joined by the so-called Labor Opposition.

After eight or so divisions, the Labor Party has voted against each of The Greens amendments, along with the Liberal-Nationals Government. It has voted against amendments that sought to end no-grounds evictions in New South Wales, to allow renters to have pets in New South Wales and that renters should be able to live in safe and secure residential premises. I ask who in this House is making decisions for the rights of renters. Perhaps those who are opposing all of The Greens amendments are interested in siding with the landlords, property owners and the big end of town—those who may make their money out of the poor people living under rental stress. It is completely reasonable to move an amendment that says that renters should have adequate insulation in their property.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (20:52): The Greens have conspiracy theories as to why we are opposing these amendments. They are wrong. The Government believes that this amendment introduces a high standard that the majority of properties may not meet. This is impractical

and would impose massive costs on landlords and, hence, massive costs on renters. The Government does not support this amendment.

Mr ALEX GREENWICH (Sydney) (20:53): I support the amendments. I also acknowledge in the public gallery City of Sydney councillors Jess Miller and Jess Scully, two strong supporters of renters' rights.

The DEPUTY SPEAKER: The question is that The Greens amendment No. 8 on sheet C2018-110D be agreed to. A division has been called for. There being fewer than five members for the question, the question is resolved in the negative.

Ayes, 4

Mr A. Greenwich
Ms J. Leong
Mr J. Parker
Ms T.F. Smith

Amendment negatived.

Ms JENNY LEONG (Newtown) (20:54): I move The Greens amendment No. 9 on sheet C2018-110D:

No. 9 Habitable premises

Page 5, Schedule 1 [10], line 5. Insert, "waterproofing" after "plumbing".

This amendment seeks to insert the word "waterproofing" to recognise there is a need to provide waterproofing, as well as plumbing and other basic functions, to define what are "fit for habitation" premises. These are simple amendments and I inform both the Government and the Labor Opposition, which are opposing this amendment, that these amendments are supported by the Tenants' Union, which recognises that these are key features that need to be included in this bill.

I appreciate that on a number of occasions the Minister and the shadow Minister have suggested that there needs to be further consultation, or that these issues were not raised in the consultation period, but waterproofing and other matters were raised in the consultation period by the Tenants' Union, which represented the interests of tenants. While we may be in the minority in supporting these amendments, we are not the minority in the community because people believe that renters should be able to have accommodation with basic features, such as waterproofing, in addition to the other minimum standards and conditions provided for in this Act.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (20:55): I too acknowledge the councillors in the gallery, in particular Jess Scully, and I note the outstanding work she does in supporting the Government's innovation agenda and the City of Sydney Council's innovation agenda. In response to The Greens amendment No. 9, the bill already requires that floors, ceilings, walls and supporting structures are not subject to significant dampness and that the roof, ceilings and windows do not allow water penetration. Therefore, the Government does not support this amendment.

The DEPUTY SPEAKER: The question is that The Greens amendment No. 9 on sheet C2018-110D be agreed to. A division has been called for. There being five or fewer than five members for the question, the question is resolved in the negative.

Ayes, 4

Mr A. Greenwich
Ms J. Leong
Mr J. Parker
Ms T.F. Smith

Amendment negatived.

Ms JENNY LEONG (Newtown) (20:57): I move The Greens amendment No. 10 on sheet C2018-110D:

No. 10 Habitable premises

Page 5, Schedule 1 [10]. Insert after line 9:

(g) contain a kitchen or food preparation area, and

I acknowledge that the Government has included the minimum conditions and habitable standards in the bill before the House. Being able to use the bathroom in residential premises is reasonable for renters to expect. One can expect under the New South Wales Liberal-Nationals that, if you are a renter, it is okay: You can have a bathroom. However, you cannot have a kitchen or any food preparation facilities—apparently, that is not part of the minimum conditions or standards for residential premises in New South Wales. I appreciate that Menulog,

Foodora and other food delivery services have grown and that people are ordering in and getting takeaway more than ever before, but I think it is probably taking it a bit far not to define access to a kitchen or food preparation area as a minimum condition in residential premises.

That is unreasonable, and I think it is an oversight by the Government that it has not been included. It is essential that people living in residential premises as renters should have access to a kitchen or food preparation area as a minimum condition. I would be very surprised, but it appears that the theme of the night will see the Labor Opposition join with the Liberal-Nationals to oppose what are basic and reasonable conditions for people renting in New South Wales. It is crucial that we remember that renters have rights and that people should have access to kitchen and food preparation areas. As everybody else has acknowledged them, I also acknowledge the two councillors from Sydney City Council, Jess Miller and Jess Scully. While we might be in the minority standing up for renters' rights, I know that they know what it is like to create liveable cities, and part of that is ensuring we introduce rights for renters.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (20:59): The Government does not support The Greens amendment No. 10. In some small studios there is an acceptance that kitchen facilities are not included. In large properties the absence of any food preparation area may already be grounds to argue that the property is not fit for habitation. The Government does not support this amendment.

The DEPUTY SPEAKER: The question is that The Greens amendment No. 10 on sheet C2018-110D be agreed to. A division has been called for. There being five or fewer than five members for the question, the question is resolved in the negative.

Ayes, 4

Mr A. Greenwich
Ms J. Leong
Mr J. Parker
Ms T.F. Smith

Amendment negatived.

Ms JENNY LEONG (Newtown) (21:01): I move The Greens amendment No. 11 on sheet C2018-110D:

No. 11 Habitable premises

Page 5, Schedule 1 [10], line 11. Omit "user.". Insert instead:

user, and

(i) provide for access to adequate laundry facilities.

This is the last amendment relating to the habitability of rental premises and seeks to address the list of minimum conditions and other requirements to make the definition under the Act of a property fit for habitation. There needs to be access to adequate laundry facilities. Obviously, not all accommodation in New South Wales will have room for a walk-in laundry, but having access to adequate laundry facilities is a means of reducing costs and limits on people who are renting.

I acknowledge that the Minister is responding to and engaging with the amendments I have moved, although the Minister may not agree with all the things that The Greens would like to see in the bill and may not deliver them. I note that he is responding to the amendments, and I appreciate his time considering them. It shows that he recognises that it is important to respond to these concerns. I believe that access to adequate laundry facilities was an oversight and should have been included in the bill. I urge the Government, the Opposition and those sitting on the crossbenches to consider supporting this amendment, which would see habitable premises include access to adequate laundry facilities.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (21:02): This was not an oversight by the Government. As the member for Newtown knows, I was a renter until recently. This is an issue that I care deeply about and I want to see a great outcome. That is why we are trying to strike the right balance between the rights of tenants and the needs of landlords. The Government does not support The Greens amendment No. 11 because, as the member for Newtown knows, the bill lists certain standards as being included in the "fit for habitation" requirement and these are not exhaustive. Whether lack of laundry facilities makes a specific property unfit for habitation will certainly depend on the circumstances.

The member for Newtown knows that there are plenty of properties that do not have laundry facilities on the property, such as unit blocks around the City of Sydney, and that is something that the tenant will consider when determining whether or not to move into premises. Again, the Government does not support this amendment,

which would be a one-size-fits-all approach. There are already certain standards being included in the "fit for habitation" requirement and these are not exhaustive.

TEMPORARY SPEAKER (Mr Geoff Provest): The question is that The Greens amendment No. 11 on sheet C2018-110D be agreed to. A division has been called for. There being five or fewer than five members for the question, the question is resolved in the negative.

Ayes, 4

Mr A. Greenwich
Ms J. Leong
Mr J. Parker
Ms T.F. Smith

Amendment negatived.

Ms JENNY LEONG (Newtown) (21:04): I move The Greens amendment No. 12 on sheet C2018-110D:

No. 12 Access to premises by landlord

Page 5, Schedule 1 [12], lines 36–46. Omit all words on those lines.

This amendment relates to the landlord being able to access someone's home that happens to be a rental property to take photos of that property and that person's home without their consent. It is true that the bill before the House provides protection for and introduces the ability of a landlord to enter a rented home with no consent provided by the tenant to take photos of the home. To me, that sounds a little bit creepy and like something that should not be allowed. We are not saying that landlords should not be able to enter a property and take photos with the consent of the tenant—absolutely that should be the case.

I do not know about anyone else, but I would feel a bit spooked if someone had the power to enter my home and take photos of it without my consent. That would freak me out a little bit, and it would particularly concern me if I found myself in a situation where I was already worried about my safety or security. A lot of the changes proposed by this bill are designed to protect women and families escaping domestic violence. I recognise that the Government has attempted to provide protection by saying that after the fact—after the photos have been taken—then tenants can give their consent or not as to whether the photos are used. But it is unacceptable to say that a landlord can go into a property and take photos of someone's home without their consent. This amendment seeks to remove that provision.

We think it is reasonable that before taking a photo a landlord should have to ask the person whose home it is if they can go in there and take a photo. It is fine to talk about "the landlord" but unless the landlord coincidentally is a photographer and has one of those massive bird's-eye lens cameras on hand to take those photos that show houses looking heaps bigger than they are, then actually it is not just the landlord gaining access; it is also the photographer or the real estate agent or maybe a house stylist. Who knows who else is coming in without the tenant's consent to be able to take those photos? To enable a landlord to enter a property and take photos without the consent of the person living there is stepping over the privacy and rights of tenants.

This is a useful time to turn to the Cabinet members who made the decision about the bill we are considering today. The 15 Liberal members of Parliament on this list in front of me, who are part of the Cabinet that made the decision that allegedly is protecting the rights of renters in New South Wales, own 38 properties. Some Ministers own up to seven or eight properties each. These are the people making decisions about the rights of renters in New South Wales. It is important to put that on the record. I urge people to look at those disclosures; they can see them in more detail. I hope that we can at least pass this amendment to stop landlords from being able to access properties without consent.

Ms YASMIN CATLEY (Swansea) (21:08): The Opposition appreciates the intent here. I understand the concerns that the member for Newtown has raised. When I asked, the Government said that notice has to be given to the tenant so the landlord does not just waltz in without giving the tenant any notice. That is what they are given. It is something that we, too, will have a watching brief on. I think that is important. I say again that a Foley Labor Government will remove unfair evictions as a matter of priority. At this stage, the Opposition cannot support this amendment.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (21:09): I thank the member for Newtown for this amendment. I understand her concerns and they are absolutely legitimate. The Government did canvass the issues that she raised during the consultation process. I make it very clear that the Act currently ensures that, for a number of specific and limited circumstances, landlords are able to access their property without the consent of the tenant, provided that the required notice has been given. The proposed

amendment to section 55 of the Act ensures that a landlord is also allowed to enter a property to take photos or a visual recording of the property for the purposes of advertising the premises for sale or lease.

This access is considered appropriate, given that it is essential a landlord can take photos of their property for advertising purposes if they need to relet or sell their property. The bill requires that such access is only able to occur if the tenant has been given reasonable notice and a reasonable opportunity to move any possessions that can reasonably be moved out of the frame of the photograph or scope of the recording. The bill also introduces further important protections that limit what photos or visual recordings can be published. These protections include requiring the written consent of tenants for publication and clarifying that withholding consent due to circumstances of domestic violence would be reasonable.

TEMPORARY SPEAKER (Mr Geoff Provest): The question is that The Greens amendment No. 12 on sheet C2018-110D be agreed to. A division has been called for. There being five or fewer members for the question, the question is resolved in the negative.

Ayes, 5

Mr A. Greenwich
Ms J. Leong
Mr J. Parker
Mr G. Piper
Ms T.F. Smith

Amendment negatived.

Ms JENNY LEONG (Newtown) (21:11): I move The Greens amendment No. 13 on sheet C2018-110D:

No. 13 Maintenance records

Page 6, Schedule 1. Insert after line 28:

[14] Section 63 Landlord's general obligation

Insert after section 66 (3):

(3A) The landlord must keep, and retain for a period of not less than 3 years, a record of maintenance requests made by a tenant and of maintenance carried out by or on behalf of the landlord on the residential premises.

Before speaking to this amendment, I give a special shout-out to Tom, Amelia, Sophie and Matt, who I understand are suffering as a result of us standing up for renters' rights, because the member for Camden is assisting us with the business of the House and is not where he would like to be.

Mr Chris Patterson: Not suffering; just missing their father.

Ms JENNY LEONG: I am sure they are. I acknowledged that I, for one, missed kissing my daughter goodnight, so I should acknowledge that many of us here are doing that. But it is crucial that we make this worth it. Why not make it worthwhile by supporting this amendment by consensus? It relates to maintenance logs. Time and again we have heard that maintenance is a key concern of people living in rental properties. We believe that there is a lack of transparency around how maintenance requests are made and how they are logged. There is constant blame-shifting between the real estate agent and the landlord regarding who is responsible and how that works. Quite often maintenance requests are made, but it is unclear whether any action has been taken in relation to them. What this amendment seeks to do—it is section 63—is enter into the landlord's general obligation an amendment that inserts after section 66 (3) a part (3A):

> The landlord must keep, and retain for a period of not less than 3 years, a record of maintenance requests made by a tenant and of maintenance carried out by or on behalf of the landlord on the residential premises.

This transparency log would allow people to know what maintenance requests had been made on their property and whether they had been acted on. This is a crucial element, and I urge the Government and the Opposition to consider supporting the idea of a very simple log. It could be done in a similar way to a rent record. It is not a huge additional burden; one would have to assume that most people keep logs of these things for other purposes anyway. With digital communications, keeping a log of maintenance requests sent via email or text message is not a difficult thing to do.

There would be more transparency and accountability as to who is to blame or who has failed to act on maintenance requests. There is a lack of data in this area when it comes to knowing whether there are retaliatory evictions or other issues in relation to renters' rights in New South Wales. Requiring landlords to keep a basic maintenance log seems reasonable, and most are already doing that, given digital and other means of recording

the money spent on a property and the maintenance requests made. I urge the Minister and the Opposition to support the amendment.

Ms YASMIN CATLEY (Swansea) (21:14): The member for Newtown makes some very good points. The Opposition will keep a watching brief on this issue, but it will not support the amendment at this stage. I reiterate the point I have made continually this evening—that is, that a new Labor Government will remove unfair eviction as a matter of priority and it will look at other matters.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (21:15): The Government does not support the amendment. Requiring landlords to keep and to maintain a record of all maintenance requests and maintenance carried out would introduce unnecessary and burdensome regulation. Landlords are already obliged under the Act to provide and to maintain residential premises in a reasonable state of repair, and there are remedies for tenants if they fail to do so. Real estate agents, who often act as the landlord's representative, are also already obliged under the Property, Stock and Business Agents Act 2002 to keep records relating to their functions as an agent, which would in many instances include the management of repairs.

TEMPORARY SPEAKER (Mr Geoff Provest): Ms Jenny Leong has moved The Greens amendment No. 13 on sheet C2018-110D. The question is that the amendment be agreed to. A division has been called for. There being five or fewer than five members for the question, the question is resolved in the negative.

Ayes, 4

Mr A. Greenwich
Ms J. Leong
Mr J. Parker
Ms T.F. Smith

Amendment negatived.

Ms JENNY LEONG (Newtown) (21:17): I move The Greens No. 14 on sheet C2018-110D:

No. 14 Minor alterations to residential tenancy agreements

Page 10, Schedule 1. Insert after line 19:

[19] Section 66 Tenant must not make alterations to premises without consent

Insert ", including minor alterations to improve accessibility such as handrails in bathrooms" after "nature" in section 66 (2).

People with disabilities and a number of organisations that support them have raised the serious barriers they face when engaging with the private rental market. This amendment seeks to provide that a tenant must not make alterations to premises without consent but that minor alterations, such as installing handrails in bathrooms, can be made to improve accessibility. If this amendment is agreed to, basic accessibility measures will be considered minor alterations. There is a real risk that people with disabilities are discriminated against because others do not believe installing handrails and similar aids constitutes making minor alterations, despite the fact that they can provide significant protection. More older people are now living in rental accommodation in New South Wales. The idea that someone would have to move into an aged care facility because they cannot undertake minor alterations to their rental property is unacceptable.

I urge the Government and the Opposition to support the amendment to allow for this change, recognising that more older people and people with disabilities are entering the rental market and that we must protect them. While I appreciate and have spoken in support of the Leader of the Opposition's committing to ending no-grounds evictions, we must know that a future Labor Government will do more than commit to the top-line campaign slogan. We can make all of these amendments tonight and still campaign hard for an end to no-grounds evictions. Every amendment that The Greens have moved tonight strengthens the protection of renters in New South Wales. I urge the Opposition to support this amendment, which would increase accessibility for people with disabilities by allowing them to make minor alterations to their rental property, such as installing handrails in bathrooms.

Ms YASMIN CATLEY (Swansea) (21:19): The Opposition again appreciates the member for Newtown's intent in moving this amendment. However, it believes that an array of minor improvements should be considered, and that is best done in the regulations. The Government will examine that in the making of the accompanying regulations. The Opposition does not support the amendment.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (21:19): The Government does not support the amendment. Clause 66 (2A) will allow the regulations to prescribe minor alterations for which it would be unreasonable for the landlord or their be agent to refuse consent. This reform is being introduced to give residents the opportunity to make reasonable minor alterations to their rental premises to make it feel more like a home. To balance the interests of tenants and landlords, the clause also allows the

regulations to specify certain alterations where the landlord's consent can be conditional on the alteration being carried out only by a qualified person. Further consultation will be undertaken to develop the list of prescribed minor alterations. It is appropriate that the possible inclusion of minor alterations to improve accessibility be considered at that time.

TEMPORARY SPEAKER (Mr Geoff Provest): Ms Jenny Leong has moved The Greens amendment No. 14 on sheet C2018-110D. The question is that the amendment be agreed to. A division has been called for. There being five or fewer than five members for the question, the question is resolved in the negative.

Ayes, 5

Mr A. Greenwich
Ms J. Leong
Mr J. Parker
Mr G. Piper
Ms T.F. Smith

Amendment negatived.

Ms JENNY LEONG (Newtown) (21:21): By leave: I move The Greens amendments Nos 15 and 17 on sheet C2018-110D in globo:

No. 15 Employer or caretaker residential tenancy agreements

Page 10, Schedule 1 [20], lines 28–31. Omit all words on those lines.

No. 17 Employer or caretaker residential tenancy agreements

Page 10, Schedule 1 [21], lines 33–41. Omit all words on those lines.

These amendments relate to the shortening of the notice period to be given to someone whose employment is terminated and their accommodation is related to that employment. The idea that someone who has lost their job and their accommodation would need less notice to vacate seems ridiculous. We should offer the same level of compassion to them that is offered to others. I understand that the employers—the bosses—wanted this change made and did not want to provide extra protection to workers. They wanted to be able to move them out of accommodation more quickly than would be reasonable. It is important to recognise that this provision is the result of a specific request from rural communities in respect of caretakers and farmworkers.

Many people in different occupations have their accommodation linked to their employment and the conditions attached to that accommodation are not clear. They may be working in aged care facilities where they provide service and support, or they may live in a pub where they work. Those people should not be afforded less protection from landlords kicking them out. Having the Opposition join with the Liberals and The Nationals to support the property owners and bosses, and not the workers in protecting their rights, is questionable. I hope the Opposition will support these amendments, which seek to provide protection for people who lose their job and, as a consequence, their accommodation.

Ms YASMIN CATLEY (Swansea) (21:23): The Opposition again appreciates the intent of these amendments. It raised this issue and as a result consulted broadly. I wanted to ensure that no workers were adversely affected. I spoke to itinerant workers and they assured me they were comfortable with this provision, particularly those in rural and regional areas with whom my partner has very close contact. I felt, after those conversations that that was something that they, too, were pushing, and felt comfortable with this provision. But I agree with the member for Newtown that we need to keep an eye on this issue and make sure that people are not being evicted unnecessarily in such a short space of time. As other tenants are afforded 90 days, a Labor Government will pursue this matter, along with unfair evictions, as a matter of priority. At this stage the Opposition cannot support these amendments.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (21:24): Where an employer provides residential accommodation to an employee or caretaker as part of the employee or caretaker's contract of employment that arrangement is taken to be a residential tenancy agreement. This type of tenancy occurs when, for example, an agricultural employer provides a cottage for a farmhand to live in while they work on a property as part of the contract of employment. An employee's potential entitlement of up to 90 days notice to vacate often exceeds the employment termination notice period. This can delay or frustrate the employment of new workers because they cannot live on the property or commence work until the previous employee has vacated.

The Government wants to stand up for the farmers. This bill puts forward an amendment that, if residential accommodation is provided as part of a contract of employment, the date of termination of the tenancy must be no earlier than 28 days after the employment termination notice. This amendment balances meeting the needs of an employer-landlord with ensuring that the rights of tenants who have a caretaker or employee rental

agreement continue to be protected. It also does not prevent longer notice periods being agreed between employees and employers. This amendment is required to ensure that when an employment contract ends the employer who provides accommodation is able to ensure the same accommodation can be made available to a new employee within a reasonable time frame.

TEMPORARY SPEAKER (Mr Geoff Provest): The member for Newtown has moved The Greens amendments Nos 15 and 17 on sheet C2018-110D in globo. The question is that the amendments be agreed to. A division has been called for. There being five or fewer members on one side, the question is resolved in the negative.

Ayes, 5

Mr A. Greenwich
Ms J. Leong
Mr J. Parker
Mr G. Piper
Ms T.F Smith

Amendments negatived.

Ms JENNY LEONG (Newtown) (21:26): I move The Greens amendment No. 18 on sheet C2018-110D:

No. 18 Retaliatory evictions

Page 16, Schedule 1. Insert after line 47:

[35] **Section** 115 Retaliatory evictions

Omit "may" from section 115 (1) and (2) wherever occurring. Insert instead "must".

[35] **Section 115 (2)**

Insert ", or any other reason the Tribunal considers relevant" after "following reasons".

[36] **Section 115 (2A)**

Insert after section 115 (2):

(2A) Despite making a finding under subsection (2), the Tribunal is not required to make an order under subsection (1) if the landlord establishes to the satisfaction of the Tribunal that the termination notice was not given in retaliation.

[37] **Section 115A**

Insert after section 115:

115A Limitation on no grounds termination

(1) A landlord must not give a termination notice to a tenant under section 85 within 12 months after the Tribunal has made an order under section 115 in relation to a termination notice given by the landlord to the tenant.

Maximum penalty: 20 penalty units.

(2) A termination notice that contravenes this section has no effect.

Before I speak to this amendment I flag amendment No. 20, which requires a review of the Act within a certain period. While I am not particularly optimistic that the Minister and the Labor Opposition will support amendment No. 18, the amendment about retaliatory evictions, the Opposition may find it possible to support an additional review of the Act.

Opposition members have said that they appreciate the sentiment behind the amendments that I am putting forward and that they believe there are things that need to be watched more closely, so I ask them to support an amendment that would commit to a review of the Act. Opposition speakers have said that they genuinely want to look at these things. If Opposition members recognise that their members may be responsible for different portfolios in the future, and if they realise that the situation may change over the next five years, they may wish to support The Greens amendment No. 20 because it will require a review of the Act.

Amendment No. 18 is about retaliatory evictions. The Greens have been informed by the Tenants' Union of NSW that there are a number of significant concerns about how the current process works in relation to the powers of the tribunal when it comes to supporting tenants in the area of retaliatory evictions. Given that this Act does not address the issue of no-grounds evictions, it is even more crucial that we strengthen this aspect. This amendment will change the word "may" to "must" in a number of circumstances to require the tribunal to

respond to landlords who retaliate against tenants who make requests for maintenance or other matters by evicting them.

We heard earlier from the member for the Blue Mountains, who apparently knows all too well the realities of retaliatory evictions by landlords. I hope that she will join The Greens in supporting this amendment, given she knows so well the impact that retaliatory evictions can have. I urge members to look at the clause about retaliatory evictions and consider whether it is acceptable to allow landlords to retaliate against tenants who exercise their rights under this Act by kicking them out. I urge members to support the amendment, which has been supported by so many in the sector who say we need to strengthen this part of the Act to provide better protections to the millions of people in New South Wales who rent.

Ms YASMIN CATLEY (Swansea) (21:29): The Opposition is concerned that there may be changing circumstances in the landlord-tenant relationship after the tribunal has made an order. Therefore the Opposition cannot support this amendment.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (21:30): The Government does not support this amendment. The amendment removes the tribunal's discretion to determine whether to declare that a termination notice has no effect or refuse to make a termination order if it is satisfied that the landlord's termination notice or application is retaliatory. The Government considers that it is appropriate for the tribunal to retain a discretion about whether to prevent a landlord terminating in these circumstances. The tribunal is able to take into account all the circumstances of the case and, in other provisions of the Act relating to terminations, the tribunal retains a discretion on the final order made. The Government also does not support a blanket prohibition on a termination within 12 months after an attempted retaliatory eviction. Such a blanket prohibition does not take into account all the circumstances that may make the landlord's termination reasonable. If a tenant considers the termination to be retaliatory then they can apply to the tribunal for an order to prevent it taking place.

TEMPORARY SPEAKER (Mr Geoff Provest): The question is that The Greens amendment No. 18 on sheet C2018-110D be agreed to. A division has been called for. There being five or fewer members on one side, the question is resolved in the negative.

Ayes, 5

Mr A. Greenwich
Ms J. Leong
Mr J. Parker
Mr G. Piper
Ms T.F. Smith

Amendment negatived.

Ms JENNY LEONG (Newtown) (21:31): I move The Greens amendment No. 19 on sheet C2018-110D:

No. 19 Rental Bond Interest Account

Page 17, Schedule 1 [35], line 3. Insert "related to rents and tenancy matters" after "other consumer protection purposes".

This amendment relates to the use of the Rental Bond Interest Account. As members may know, there are a number of specifications in the Act as to how the money in the Rental Bond Interest Account can be used and under what circumstances. Let us be clear about what the Rental Bond Interest Account is: It is the money of the people who are renting places in New South Wales. It is people's money, which has been put into an account and held there. The bill before us seeks to broaden those provisions to enable the money in that account to be used for other consumer protection purposes.

The Greens believe that it is important to restrict the use of that money—money that belongs to the renters of New South Wales—to rental and tenancy-related matters. This amendment would require that the money is used for other consumer protection purposes related to rent and tenancy matters. The bonds of renters in New South Wales—their money—are held in a protected account. At least it could be used to advance their interests and to assist them. I urge the Government, the Opposition and the crossbench to support this sensible amendment. While I am on my feet, before we get to the final amendment, I acknowledge that there are a lot of people working behind the scenes. They are working late as a result of The Greens moving these amendments.

I feel slightly awkward because I knew from the start that I did not have the numbers in this Chamber, but after 3½ years of working so closely with tenants' advocates, people who rent in this State and the millions of people who suffer as a result of our failures to provide protections for renters I felt that it was crucial to move all of these amendments, take the time to speak to each of them and put on the record the views of the people who

care about this issue and the people who are impacted by this law. In relation to the Rental Bond Interest Account I urge the Government and the Opposition to recognise that it is reasonable and fair to expect the money from bonds paid by people who are renting properties in New South Wales to be used for other consumer protection purposes related to rents and tenancy matters.

Ms YASMIN CATLEY (Swansea) (21:34): The intentions raised by the member for Newtown are worthy, but I am unclear as to whether there may be other consumer protection initiatives that may benefit renters yet may not technically be related to rents and tenancy matters. It is important that we get that clear. An elected Labor Government would look into this matter further, but the Labor Party will not support this amendment at this stage.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (21:34): The Rental Bond Interest Account is highly valuable and an important source of funding for tenancy-related services and functions in New South Wales. The proposed reform in the bill builds on this and seeks to ensure that the New South Wales Government can continue to put consumers first and support an even wider range of consumer protection programs. Under the present Act, the account can be used to make a grant or a loan for the following purposes: First, establishing and administering tenancy advisory services; secondly, schemes for the provision of residential accommodation; thirdly, education about tenancy laws and the rights and obligations of landlords and tenants; fourthly, research into matters relevant to the relationship of landlord and tenant; and, fifthly, other activities for the benefit of landlords and tenants.

The bill seeks to ensure that these funds can also be used to allow for a further important use by broadening section 186 (3) to also allow the secretary to make a grant or loan for other consumer protection purposes. Such a reform will provide greater flexibility, is consistent with the Government's overarching consumer protection objectives and will provide greater scope to fund valuable consumer protection programs that may otherwise miss out on Government support.

The DEPUTY SPEAKER: The member for Newtown has moved The Greens amendment No. 19 on sheet C2018-110D. The question is that the amendment be agreed to. A division has been called for. There being fewer than five members for the question, the question is resolved in the negative.

Ayes, 4

Mr A. Greenwich
Ms J. Leong
Mr J Parker
Ms T.F. Smith

Amendment negatived.

Ms JENNY LEONG (Newtown) (21:36): I move The Greens amendment No. 20 on sheet C2018-110D:

No. 20 Review of Act

Page 17, Schedule 1. Insert after line 27:

[40] Section 227 Review of Act

Omit "from the date of assent to this Act" from section 227 (2):

Insert instead "from the date of assent to the *Residential Tenancies Amendment (Review) Act 2018*".

This is the final amendment moved by The Greens tonight on the Residential Tenancies Amendment (Review) Bill 2018. The reason for the request in this amendment is to have another statutory review put into the Act, as we know the number of renters in New South Wales will continue to grow. We are seeing an increased number of people renting.

A number of changes are being made to this legislation now, and we also have heard that there are a number of other changes that people wanted made that were not made. It is important to make a commitment and see this House commit to the idea of reviewing this Act again in the future. I might have been the lone voice speaking to the amendments tonight, but I would like to acknowledge that these amendments have been brought on behalf of The Greens, because The Greens have a commitment to a 10-point plan to improve renters' rights in New South Wales. We were the ones before the 2015 election taking a plan for renters' rights to the election and putting renters' rights on the agenda at a time when nobody else was speaking about renters' rights.

I acknowledge my Greens colleagues the member for Ballina and the member for Balmain, who have been here throughout this debate and also made earlier contributions to the debate. I acknowledge the support of

the member for Sydney and the support on some of the amendments from the member for Lake Macquarie and the member for Wagga Wagga. It is good to see the support of Independents for renters in New South Wales. It is crucial that we recognise that, while we may be the minority in this place, we are certainly not the minority in the community. When we look at the list of organisations involved in the Everybody's Home campaign and the Make Renting Fair campaign, it is absolutely overwhelmingly in support of the need for safe, secure, affordable and habitable housing in New South Wales.

If we look at the list of academics and housing researchers who wrote in support of the Make Renting Fair campaign and the list of the more than 90 organisations that are a part of the Make Renting Fair campaign, we see that this is a broad campaign and a movement that will continue to grow. We may not have achieved a win on some of these amendments tonight, but we certainly will continue to campaign because we know that there is no other option. We know that the renters who live in this State, the people who rent their homes, have the right to be protected under the laws of this State.

I give our commitment that The Greens, and I as The Greens housing spokesperson, will continue to stand up for their rights. Even if it is difficult in this place to get any support for amendments, that does not mean we will sit silently or comply with what is supposed to be the normal order—where a member just sits quietly and, if they do not have the numbers, they do not raise their voice. The people of the electorate of Newtown elected me to this place on the promise and commitment that I would stand up for renters' rights. I believe it is crucial that I do that.

The DEPUTY SPEAKER: Order! I remind the member for Newtown that she has only five minutes to complete her contribution on the amendments, not 15 minutes as was shown on the clock.

Ms JENNY LEONG: I urge that we include in this Act a review of the Act that would allow us to assess the merits of not only the changes that have been made but also the additional amendments that have not been supported by The Greens, to give space to look into this review in the future and have a statutory review. I urge the Government and the Opposition to support the idea of the review. I recognise that, while we might not agree on all of it, we do agree this is a complex area of law and something that we must be able to do to protect renters in New South Wales.

Ms YASMIN CATLEY (Swansea) (21:40): I am loving the number 20. The member for Newtown is absolutely right. The Make Renting Fair campaign has been an extraordinary campaign. It has not stopped. It will continue, as it should continue. Even though there are these minor amendments that the Government has brought to the table, and they are a good start—any amendments are always a good start—there will always be further amendments to be made. It is the Labor Party's intention to look into those when we are in government. We will be reviewing it all right, in March next year.

Mr MATT KEAN (Hornsby—Minister for Innovation and Better Regulation) (21:41): I thank the member for Newtown for her hard work in moving all these amendments. While I do not support the amendments that have been moved, including this one, I can say how much I appreciate what the member for Newtown has done in being an advocate for her constituents here on these issues. The bill already includes a provision to review the most significant amendments proposed—the domestic violence reforms. The bill requires that the domestic violence related provisions be reviewed within three years of commencement and that a report be made publicly available no later than four years after commencement. This will allow the Government to evaluate the provisions and consider any additional reforms that are required to assist victims of domestic violence under the Act. More broadly, the Government will continue to monitor the effectiveness of residential tenancy legislation and engage closely with stakeholders to make sure that there are tenancy laws in New South Wales that deliver the best possible outcomes for both tenants and landlords.

The DEPUTY SPEAKER: The member for Newtown has moved The Greens amendment No. 20 on sheet C2018-110D. The question is that the amendment be agreed to. A division has been called for. There being fewer than five members for the question, the question is resolved in the negative.

Ayes, 5

Mr A. Greenwich
Ms J. Leong
Mr J. Parker
Mr G. Piper
Ms T.F. Smith

Amendment negatived.

The DEPUTY SPEAKER: The question is that schedule 1 be agreed to.

Schedule 1 agreed to.

The DEPUTY SPEAKER: That concludes consideration in detail on this bill. I appreciate that the proceedings have been much longer than usual and I commend the House for the amicable and cooperative fashion in which proceedings have been conducted.

Third Reading

Mr MATT KEAN: I move:

That this bill be now read a third time.

Motion agreed to.

WESTERN CITY AND AEROTROPOLIS AUTHORITY BILL 2018

Returned

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

Matter of Public Importance

NATIONAL POLICE REMEMBRANCE DAY

Mr MARK TAYLOR (Seven Hills) (21:44): It is with pleasure that I bring forward this matter of public importance to recognise National Police Remembrance Day on 29 September 2018. This is a very important matter for members of this House and for our communities. I encourage members of the community to pause and reflect on the sacrifice of the many New South Wales police officers who have fallen in the line of duty. Every year we gather to remember the men and women who have dedicated their lives to the protection and safety of others. As the Minister for Police said, our police officers go about their daily work not knowing whether they will return safely at the end of their shifts after confronting incidents in the line of duty. The Minister said that on 29 September it is important that we as a community acknowledge the officers who have lost their lives as a result of their policing career.

I take this opportunity to pay respect to the local men and women in blue who work tirelessly to keep us safe from harm every single day. The men and women in blue put their lives on the line day in, day out, attending to violent incidents and calls for assistance. They never know what to expect when they arrive at an incident, but that is part of their job of protecting our community. The Minister said that if we see an officer out on the beat over the next few days, given that National Police Remembrance Day is later this month, it is a good opportunity to thank them for the good work that they do. On National Police Remembrance Day I ask that every member of this House take the opportunity to stand with the entire police family and honour those who have made the ultimate sacrifice in the name of community safety and to recognise those who do so on a daily basis.

National Police Remembrance Day holds special significance for police throughout Australia as well as in New Zealand, Papua New Guinea, Samoa and the Solomon Islands as it is on this day that we pause to honour those police officers whose lives have been cut short whilst performing their duties. It is an important day on which to remember not only the police officers who have lost their lives whilst on duty but also the police officers who have contracted illness or developed disease during their day-to-day occupations. A number of organisations assist our police, and I acknowledge those good organisations—namely, NSW Police Legacy and the Police Association of New South Wales. Those organisations do good work.

A number of police have fallen in the line of duty. I recognise one of the first recorded incidents, which occurred on 26 August 1803 when Constable Joseph Luker was assaulted and stabbed by offenders in Sydney Town. Constable Luker was attached to the Sydney Foot Police, and we can only imagine the difficult and lonely job he faced in the middle of the night. I was a serving police officer for 25 years, and during that period a number of officers unfortunately fell in the line of duty. I will not focus on any particular officer, but I have occasion to remember that in July 1995 there was an incident involving Peter John Addison and Robert Spears. These officers were on night shift at Kempsey Police Station and they were called to a complaint at the township of Crescent Head. In my contribution I do not have time to go into the detail of how they lost their lives, but on the face of it the incident they were called to appeared to be a simple matter that was reported to the police. Those officers attended the call-out, they did not know what they were facing, and unfortunately they made the ultimate sacrifice. I commend National Police Remembrance Day 2018 to the House.

Mr GREG WARREN (Campbelltown) (21:50): On behalf of the New South Wales Labor Opposition I contribute to the debate on the matter of public importance raised by the member for Seven Hills. National Police Remembrance Day will take place this Friday, with commemoration services to be held throughout our nation. On Friday, a special memorial service will be held in the Domain to honour the New South Wales police officers

who have paid the ultimate sacrifice in service to our communities. The Domain is home to the Wall of Remembrance, which was officially unveiled in 1991 by the then Premier of New South Wales and my good friend, the Hon. Bob Carr. The Wall of Remembrance contains the names of all the New South Wales police officers who lost their lives while performing their police duties.

Victoria established a Police Memorial in 2002 in the Kings Domain Gardens. This memorial stands as a constant reminder to the community of the service of the men and women who served and were killed in the line of duty protecting our communities. The National Police Memorial was subsequently built in 2006 in Canberra. This memorial contains the names of all Australian police officers who have been killed in duty or have died as a result of their duties since the advent of policing in Australia.

National Police Remembrance Day is rightly observed on the feast day for Saint Michael the Archangel, patron saint of police. This day also serves as a time to remember police officers who have lost their lives through illness or other circumstances as an outcome of their service to our community. National Police Remembrance Day stands as a firm reminder to the community of the importance of our police force and the dangers that the hardworking and dedicated police officers confront on a regular basis. Our frontline police officers are the barrier that stands between danger and our community; they put their own lives on the line each and every day to ensure our communities are safe. Their actions and sacrifices shall not be overlooked, nor will they go unappreciated by the Labor Opposition.

Being a police officer is not just a job. The unwavering commitment and personal sacrifices made by each and every police officer deserves to be acknowledged, commended and ultimately appreciated. Together, as a community, we must understand and acknowledge the reality of the sacrifices police officers must make in the line of duty. There is no guarantee when they leave home for work that they will make it home to their friends and family. Each and every day when a police officer puts on their uniform and heads to work, they are putting their own lives on the line to protect our communities.

Sadly, sometimes the ultimate sacrifice is paid by our men and women in blue. National Police Remembrance Day, which we honour, reminds us of this. It provides the community and the members of this House an opportunity to join together with the friends and families of fallen officers to share in their loss of a loved one and appreciate with pride what they stood for. We are given the opportunity to reflect upon their sacrifice and express our gratitude for their service. On behalf of the members of the Legislative Assembly, I extend my heartfelt condolences to the friends and families of fallen police officers. I thank those police officers for the sacrifice they have made and for their unwavering commitment to the people of New South Wales, their communities and their families. Without a doubt, our communities would be far less safe without them. I commend them and I thank them.

Mr STEPHEN BROMHEAD (Myall Lakes) (21:55): On 29 September 2018 we remember the men and women of the police force who have made the ultimate sacrifice. We remember not only the men and women who have made that sacrifice but also their comrades and families. When a police officer goes to work he could be called to the most mundane, insignificant, trivial event in the world and it turns into a far different situation. There have been so many times when police have attended such an incident and lives have been lost. As we run away from danger, police walk into it. As a community, we thank them.

Only a few short years ago, a police officer serving in the electorate of Myall Lakes made the ultimate sacrifice. I remember Paul William Morris. On Tuesday 31 July 2007, whilst off duty with his partner, who was also an off-duty police officer, Paul went to cross the road. As he did, a car, for unknown reasons, swerved and went onto the medium strip. Constable Morris saw the car coming, knocked his partner out of the way—putting himself in direct danger—and received the full impact of the vehicle. He died as a result of his injuries.

He received the Police Valour Award posthumously. He had previously received a Region Certificate of Appreciation and a State Emergency Service Medal. A witness said he pushed his partner out of the way as the car came across the road. His partner, who was also injured, said he died while pushing her from the path of an out-of-control car. She described how the hero officer's actions saved her life. That is typical of police officers. I mention Paul's parents, Bill and Marie Morris, who live in Taree. They attend the police remembrance ceremony every year and light a candle for their son. I stand with the whole community and all members of Parliament in remembering the police officers who have given their lives to protect us all.

Mr PHILIP DONATO (Orange) (21:58): By leave: I stand on the eve of National Police Remembrance Day to honour the men and women of the police force, not only in New South Wales but across Australia and the world, who have paid the ultimate sacrifice in the service of their communities. As a former member of the NSW Police Force, I stand proud to speak on this matter of public importance. I thank the member for Seven Hills, a former colleague of mine, for bringing this matter to the attention of the House. Brave men and women go to work every day and put on their uniforms not knowing if they will come home to their families at

the end of their shifts. Police officers put their lives on the line every day, fighting crime and dealing with those in the community that others would prefer not to deal with. They do it to protect all of us and make our communities safer, better places to live.

I encourage all members of this place to attend services in their electorates this Friday. I will be attending a service in Orange to pay my respects to and honour the men and women who served and are no longer with us. They paid the ultimate sacrifice while serving us, protecting us and making our community much safer. During my career of more than two decades in the NSW Police Force, I worked with a few police officers who were killed in the execution of duty. One of the people I make special mention of is Mr James Affleck, who was killed in the execution of duty on 14 January 2001 on the Hume Highway at Campbelltown. I worked with James at Macquarie Fields. He was a consummate professional. He always had his boots spit polished, his car assiduously cleaned and his uniform finely pressed. He was a terrific gentleman and a real professional.

James was killed when he was deploying some road spikes to stop a stolen vehicle that was being pursued by police. The stolen vehicle rammed him and killed him instantly. It was a very sad loss for not only police in the Campbelltown area but the whole of New South Wales. At every remembrance day ceremony I attend—and I will be there again on Wednesday—I think about James and all the other police officers I worked with who are on the honour rolls and have paid the ultimate sacrifice. I thank them for their service to our community. My condolences go to their families. I thank the member for Seven Hills for bringing this matter of public importance to the attention of the House.

Mr MARK TAYLOR (Seven Hills) (22:01): In reply: I am grateful for the opportunity to reply to the contributions made on this matter of public importance. I thank the member for Campbelltown, who made an outstanding contribution to this matter of public importance. I thank the member for Myall Lakes, who told the House about an incident that occurred in his local area. What is pertinent about that is how the effects of that still resonate every day through his community, including the parents of the gentleman who every year attend the remembrance service. I thank also the member for Orange. He has had similar personal experiences to mine. He identified a police officer who was renowned for being an outstanding police officer and outstanding gentleman who paid the ultimate sacrifice.

In closing, I plead with all members of the House to take the opportunity on 29 September or the days leading up to it to attend one of the commemoration services that are taking place across the State. Services are being held across the State, from Clarence to the Hunter to Manning to the South Coast to western New South Wales and right across the metropolitan area, and events are taking place at the main police memorial. In the days to come there will be a commemoration service at the National Police Memorial in Canberra.

I make particular mention of the families—the mothers and fathers and aunties and uncles—friends and, in particular, children who have been left behind after their mother or father paid the ultimate sacrifice in their line of duty to protect our society. I wish NSW Police Legacy the best of efforts in assisting those children. I send a message to the family and friends of all fallen officers that they will not be forgotten; they will always be remembered by members of this House. It is important for the families to know that the great sacrifice their loved ones paid will never be forgotten by the community, who will always stand by their police officers. I commend the matter of public important to the House.

Private Members' Statements

LOCAL GOVERNMENT UNLAWFUL CONDUCT

Mr RON HOENIG (Heffron) (22:04): I draw to the attention of the House issues relating to several councils in my electorate following my raising the same issue on 23 May this year. The issue involves Independent Hearing and Assessment Panels and councils holding meetings with council officers behind closed doors. Earlier this year I told the House that that was unlawful. Lest there be any doubt that Independent Hearing and Assessment Panels meeting with council officers privately before convening publicly in the presence of the public is not unlawful, I draw the attention of the House to section 25 of schedule 2 to the Environmental Planning and Assessment Act, which states:

> (2) A planning body (other than the Independent Planning Commission) is required to conduct its meetings in public.
>
> (3) A planning body is required to record meetings conducted in public (whether an audio/video record, an audio record or a transcription record). The record is required to be made publicly available on the website of or used by the planning body.

The purpose of the meeting being public and the purpose of that provision is to ensure complete transparency. Lest it be thought that the Government ignored what I said on 23 May 2018, the Government, through the planning Minister, appointed Mr Kaldas to, in effect, review the probity of dealing with development applications. Recently I met with him. Those matters already have been transmitted to the Minister for Planning, who proposes to quite

properly address it. The planning panels sit in the place of councillors and they cannot operate privately. It is not fair to the public who are impacted, nor even to the applicant. As far as councils are concerned, they indicated that councils can continue to have private briefing sessions behind closed doors. In fact, one of the councils in my electorate continues to have committee meetings behind closed doors. I invite the attention of the House to section 10 of the Local Government Act, which states:

> (1) Except as provided by this Part:
>
> (a) everyone is entitled to attend the meeting the council and those of its committees of which all the members are councillors, and
>
> (b) a council must ensure that all meetings of the Council and of such committees are open to the public.

As a result of my raising this matter, at least one of the councils in my electorate, the Bayside Council, has been written to by the Office of Local Government and has been told that its committees, which are meeting behind closed doors, are unlawful. Interestingly enough, the correspondence from the Office of Local Government was discussed with councillors behind closed doors at a briefing session. Advice was provided to councillors behind closed doors regarding a way in which to avoid public scrutiny of its decisions. The issue is really one of unlawfulness and transparency.

It is unlawful for councillors to meet privately with council officers because decisions of councils, whether they are via its committees or councillors or a council meeting, must be transparent—not just the decision-making process but the deliberations also. Last Sunday I was speaking to a journalist of a local newspaper who complained he has no idea what is going on at Bayside Council because there is no discussion at council meetings. There are very lengthy discussions with councillors behind closed doors—councillors who are, in effect, caucused by council staff. For example, the budgetary process is agreed to behind closed doors and a $200 million budget is voted through in about three minutes.

The Minister for Local Government seems to have acted in relation to the Bayside Council promptly regarding the unlawfulness of the council's conduct, although one Independent councillor from the Bexley area thought I did not know what I was talking about until she was told by the Office of Local Government that her conduct was unlawful. The Minister must intervene and stop those private briefing sessions being conducted behind closed doors because the reality of the situation is that all members of the public are entitled to know what the deliberations are of our democratically elected councillors and what the nature of the advice is to councils before they make their decision. It is called "transparency" and an age-old word "democracy".

NORTH SHORE ENVIRONMENTAL PROTECTION

Ms FELICITY WILSON (North Shore) (22:09): Many times in this House I have spoken on the protection of our environment and local character. It is something that the local community of North Shore values greatly. When I contact residents and ask for their views, protecting our local character and our local environment is one of the top priorities of my constituents. I have had more than 800 local people raise this issue with me. They have asked me to ensure that we as a government, and I as a local member, protect what makes my local community so vibrant and great— our public open space, parks and gardens and our clean and beautiful waterways. I will discuss a couple of different areas in which the Government and I are ensuring protection of the North Shore environment and local character.

One of the first initiatives I raised when I became a candidate for the North Shore electorate was ensuring that the future of the Lavender Bay High Line would be preserved and that there would never be a risk of it being developed and turned into any type of commercial or residential property. Last year the Premier committed to not doing so, that this Government would never hand over land to developers. In working on that commitment with the proposal from the Sydney Harbour High Line Association, I formed a committee that has been a meeting over the past 12 months to discuss options and feasibility for turning the Lavender Bay High Line proposal into a reality. I thank my constituents who have been working with me on this idea. We have made proposals to Sydney Trains and met with the Minister for Transport and Infrastructure, the Hon. Andrew Constance, to discuss it. I am hopeful that we will soon see a great outcome for our community.

I acknowledge particularly Joan Street, Ian Mutton, David Bowman, the Mayor of North Sydney Jilly Gibson, Iain Bartholomew, and Ian Grey for their work on this initiative. In relation to the area around Luna Park, we are progressing with the Government's plan on delivering and transforming the clifftop site above Luna Park into a waterfront public park. The work is well underway. The New South Wales Government made a commitment to return this clifftop land to the public. Following community and stakeholder consultation, we are now delivering a unique harbour-side public park for residents and visitors to enjoy. The site previously had been earmarked for commercial development until this Government reacquired the land from Luna Park Sydney, investing $3.2 million in the acquisition.

The park design features a series of terraced lawns and planted areas with paved footpaths, low retaining walls, stairs and a boardwalk. It will complement the existing Harry's Park, which was named after Harry Seidler and delivered with the assistance of his daughter, Penny Seidler, and will also ensure that significant trees along the clifftop are protected. As shown by my work on the Clifftop Park—I thank the Minister for Innovation and Better Regulation, Mr Matt Kean, for his work on that too—and Lavender Bay High Line project, I am always looking and advocating for ways to open up new spaces in the North Shore. Just weeks ago I was thrilled to announce that Berrys Bay is back in our hands and will be returned to the community following its use in association with the Western Harbour Tunnel and Beaches Link project.

The existing lease has been terminated, ending the threat of overdevelopment in Berrys Bay, which has been frequently raised with me by local residents. Locals often raise with me the issue of the need for more community and open space, and I am pleased to be working with the Minister for Roads, Maritime and Freight, the Hon. Melinda Pavey, to be delivering for them. I acknowledge some of the residents and constituents who worked with me and worked well before my time in advocating for this outcome: Kevin and Patsy Alker, Mary and Greg Blainey, Geoff Hogbin, Lisette Walsh, David Brady, Iain Bartholomew and Ian Grey.

The Western Harbour Tunnel and Beaches Link project will use the site during construction, and upon its completion this site will be returned to the community. I am opening my doors to consult with locals on what they would like to see on that site. Previous suggestions made to me include a small marina, open parks, sporting facilities and boat moorings. I am so pleased that not only will the Western Harbour Tunnel and Beaches Link project give our local roads back to local people and make such a difference to our commutes and our local roads but also will ensure that the sites used in construction are returned to the community in a better condition than they are in today. Anyone who has visited Berrys Bay knows that it needs some investment.

I thank the community for their ongoing advocacy against the previous leaseholder's attempts to overdevelop this site. I am confident that we can create a wonderful space for the community on this land. The Berejiklian Government is building a stronger and better future for New South Wales, one that creates opportunities for all and puts our people at the centre of everything it does. It is not just about spreadsheets and balance books; it is about using the resources at hand to build a State that improves our lives. That has been the hallmark of our Government, as are the environmental, green and open space initiatives that make the natural environment we reside in an even greater place to live.

HASTINGS VALLEY INFRASTRUCTURE

Mrs MELINDA PAVEY (Oxley—Minister for Roads, Maritime and Freight) (22:14): This has been a massive week for the Hastings Valley. My electorate has four great valleys and the Hastings Valley is the most southern of them. Two hundred years ago this week the Hastings Valley was first sighted by John Oxley, who stood at what we now call Mount Seaview. From his inland exploration that took him to the Pilliga and the Liverpool Plains, he came across to the top of the Great Dividing Range and saw the ocean from Mount Seaview. It is fitting that our Government is able to support this magnificent community. I visited Wauchope Public School, where the first sod was turned—the Premier mentioned it in Parliament today—to mark the start of works for a major upgrade to the school. The new and improved facilities will include 13 new classrooms and a covered multi-use outdoor area, which will allow the school to cater for 750 students in this fast-growing district.

The Hastings Valley is a great success story, with lots of families and people moving to Port Macquarie and Wauchope to be part of the incredible lifestyle that this district can provide. I am delighted that this project has reached this important milestone. It will ensure that students and families have the very best when it comes to school facilities under the exceptional leadership and stewardship of principal Cameron Osborne. The project is being funded under the New South Wales Government's record $6 billion school building program, which will deliver more than 170 new and upgraded schools throughout New South Wales—the largest investment into public school infrastructure by any State government in Australian history.

We also announced that work was finally getting underway at Wauchope central business district led by Roads and Maritime Services in consultation with the Port Macquarie-Hastings Council. It has been a long process and I thank the community for its patience. The $2.686 million upgrade is being jointly funded by our Government and Port Macquarie-Hastings Council and is expected to be completed in the second half of 2019, weather permitting. It is a challenging area. It is a wonderful and wide main street, reminiscent of the fact that it was a timber town and bullock teams used to go down that main street. It is a delightfully wide street but also an important one in terms of freight. The Oxley Highway is an important connection to Tamworth and Walcha. We need to have that freight movement, the local movement and the magnificent shopping experience that Wauchope provides. The funding that we are providing will improve that connectivity, safety and the outlook in this collaboration. It will also provide wider footpaths. It was wonderful to be there with the Mayor of Port Macquarie-Hastings Council, the very dynamic and exciting Peta Pinson, another great female leader of the mid North Coast. This is a great project to get underway.

I am also delighted that Wauchope is making great progress on Stronger Country Communities Fund projects. Two major projects have been awarded funding under this program on behalf of the Hastings community, with applications submitted by Port Macquarie-Hastings Council where mayor Peta Pinson is in charge. These projects include the Andrews Park lighting upgrade—at a cost of $200,000—to deliver four new poles, quality lights and power supply upgrades to achieve field lighting. The Wauchope rugby association is very excited. I thank the leadership and the workers involved with the rugby union club. They are great individuals and great community members who have secured that funding. It is a high-profile sporting space and will used in an exciting way in the future.

The other project, which coincides beautifully with the fact that it was 200 years today since explorer John Oxley was able to see the ocean from Mount Seaview, was the work around the Wauchope Bicentenary Riverside Sculptural Trail. We are supporting the project with the amount of $196,140. It is also supported by Gary Rainbow from the Wauchope Chamber of Commerce. His mother, Jeannette, is a very important figure in the Wauchope community in supporting and treasuring our history. On Friday night I was delighted to be with them at the Mount Seaview Resort, where we celebrated that history with the launch of a wonderful book by local author Robert Tickle, which talks about that moment when John Oxley saw that landing. It is also important to remember that those explorers did not respect some of the work that had already been done by the local Biripi people in finding better and more accommodating tracks. But we learn from our history and we work together, and the riverside track will be an important part of the future to commemorate the history of Wauchope and the Hastings Valley.

POPULATION GROWTH

Mr STEPHEN BALI (Blacktown) (22:19): It is timely that this House discusses the impact of population growth and whether this State Government is actually delivering for the west, as it purports to do. As many know, I am a proud resident of Blacktown City. I am extremely honoured to have the opportunity to represent my electorate of Blacktown in this House and to be the Mayor of Blacktown City. The media and this Government often overlook the real population growth that is happening in Western Sydney, but the Australian Bureau of Statistics [ABS] data clearly shows the growth across the local council areas—for example, from 2011 to 2016 Blacktown City's population grew by 35,863, bringing the total population in 2016 to 336,962. This growth in one local government area is staggering. Indeed, the increase of 35,863 in Blacktown's population growth numbers over the past five years are larger than the existing population of 73 councils in New South Wales. That means only 55 councils in New South Wales have a greater population than the five-year growth numbers of Blacktown City.

Western Sydney is booming in population but let us look at the popularly mentioned councils. Penrith City grew over five years by 17,599, which is less than half of Blacktown City's growth. Liverpool City grew by 24,183, which is approximately two-thirds of Blacktown City's growth. Camden, often referred to as the fastest growing area, grew by 21,498, which is only 60 per cent of the growth of Blacktown City, which is set to continue to grow at a rate of in excess of 8,000 people per year—easily one of the fastest growing councils in Australia. One could easily combine any two councils in the Western Sydney City Deal to match Blacktown.

The anticipated population of Blacktown City by 2036 is 522,000. That means more people will be living in the City of Blacktown than are living in the State of Tasmania today, and Tasmania has 12 senators. Can someone from the Government explain to me the logic of excluding Blacktown City from the Western Sydney City Deal? Maybe Blacktown City is a region on its own. Blacktown City is the equivalent of 35 per cent of the population, the gross regional product or the development applications when compared to the eight councils in the Western Sydney City Deal. Excluding Blacktown City actually weakens the city deal which is highlighted by the fact the rail line proposed from Badgerys Creek to St Marys fails to connect to Sydney Business Park at Marsden Park and on to Tallawong.

The largest and fastest growing industrial park in the Sydney area is at Marsden Park and it is not linked to any rail line. Approximately 30,000 jobs are in the making in this precinct and the Government will not build the rail. Blacktown City has seven State members associated within the council boundary. Unfortunately, three Liberal members of Parliament, including a Minister, seem to be praising the virtues of the Government but they fail to deliver for the fastest growing region in New South Wales. The new release areas have drainage, sewerage and water issues. The main arterial roads under State jurisdiction such as Richmond Road, Blacktown Road, Prospect Highway and Duke Street overpass, just to name a few, fail to be adequately funded by the State Government.

Schools in the Riverstone electorate are failing to cope with the number of children enrolling, thus creating a need for demountable buildings in schools that were built only four years ago. After four years Rouse Hill hospital still does not have a secured site. Emergency waiting times at Blacktown Hospital are amongst the

State's highest. The health Minister boasted in Parliament that he was there on Monday with the member for Riverstone, yet he failed to contact the member for Blacktown.

I have respect for the Minister for Health, but his failure to notify me indicates that he is playing politics with the health of our community. The cornerstone infrastructure project advocated for by the member for Riverstone is the Garfield Road overpass at Riverstone, which will cost billions. His own Government members and bureaucracy tell him he is dreaming. This Government simply does not get Western Sydney. No amount of headlines or platitude statements by the Government will help our region in the long term.

MEN'S SHED WEEK

Ms STEPH COOKE (Cootamundra) (22:24): Across the Cootamundra electorate, Men's Sheds are a staple of our towns and villages, with 13 dotted from Grenfell to Gunman. This week is Men's Shed Week—a week to say thank you for the work these groups do. Founded in 1987, the Grenfell Men's Shed was the first rural shed in Australia. Men's sheds have championed open discussions about mental health and connectedness. The concept of the Grenfell Men's Shed has enabled men from many social and ethnic backgrounds to mix and learn. It is a place for men of all ages to get together, share fellowship and discover the satisfaction of creation through the hands and, in turn, change the perception of the mind.

Yesterday, the club's dedicated president, Geoff Earl, was pictured in the *Grenfell Record* donating $500 to the local Lions Need For Feed drought relief fund as their first step in helping the community to cope with the worsening conditions. Collaboration and generosity are not exceptional for our men's sheds volunteers—they are part of their everyday work. Late last year, volunteers from the Grenfell Men's Shed teamed up with Arts OutWest and local NSW Health counsellors to create an art project about mental health. Club treasurer Phil Diprose and volunteers worked with 10 young men from the Henry Lawson High School, their music teacher John Willems, Grenfell Music Club songwriter Abby Smith and music engineer Kris Schubert, and Weddin shire councillors Carly Brown and Jan Parlett, to produce a song that reflected their community, as well as exploring the varied landscape of mental health. I encourage everyone in this Chamber to listen to *Sunshine on the Peaks* and try not to shed a tear. That beautiful ballad, inspired by the still and looming Weddin Mountains, traverses emotions that are sometimes light and sometimes shadows in the gullies. It is a stunning example of what our Men's Sheds accomplish in our towns.

With this invaluable contribution in mind, it is always a joy to be able to give back. On 12 September in Young I was honoured to host the Minister responsible for volunteering, Ray Williams, who drove all the way from Bathurst and back in a day. The Minister and I visited the team at the Men's Shed in Young, announcing a $1,000 grant for them to upgrade much-needed equipment. It was a privilege to meet the volunteers, led by president Don Smyth. I know the funds will be used to support these guys to continue the amazing work they do for our local community. I again thank Minister Williams for his kind contribution.

As members well know, these sheds often start as little more than that—a rusty, corrugated iron shed filled with tools, sawdust and laughter—but they grow. In Junee, a town famous for its generosity and volunteer spirit, the Men's Shed opened in 2012. On 25 May Junee Shire Council held a summit celebrating its volunteers. In the lead-up, John McLaren and his Men's Shed volunteers joined forces with OzHarvest, driven by another of Junee's exception volunteers, John Ford. The project was to collect non-perishable food items to donate to the underprivileged and homeless. They built collection trolleys on old bed casters and finished with four wheels from a tricycle and an old pram from the tip.

Companionship and community draw many older members to our men's sheds, and while it is their smiling faces that are most familiar at our local fairs and fates, age is no barrier to participation in these wonderful institutions. For the past eight years or so, the Cootamundra Men's Shed has looked after young people from the town's juvenile justice system and Corrective Services. They take them in on a structured program, teach them some new skills and provide a meaningful connection to community. One young man is currently participating in the program. Under the leadership of John Ashcroft, the guys are also working with primary school students in Cootamundra. They visit twice a week and are helping to build eight billy carts out of recycled materials.

School-based programs are a staple of many of these clubs and a credit to those who run them. I am very proud to note that this amazing work has been well supported by the New South Wales Government. In August I was thrilled to announce $100,000 for the Cootamundra Men's Shed to relocate to Hovel Street. I cannot wait to experience the journey of this inspirational group and see what the next chapter delivers. I thank all our volunteers from Young, Junee, Cootamundra, Grenfell, West Wyalong, Narrandera, Coolamon, Ganmain, Gundagai, Temora, Ardlethan, Harden Murrumburrah and Cowra.

SYDNEY METRO NORTHWEST

Mr DAMIEN TUDEHOPE (Epping) (22:29): We are reaching the final stages of the delivery of the Sydney Metro Northwest, the project which those opposite wanted to deliver eight times but were never able to decide how to do it. This Government decided we would complete it and we are now delivering it. However, we are reaching a crucial stage in its delivery: the closing of the rail line between Epping and Chatswood. Tonight I will talk about the Station Link program, which will be in place commencing this Sunday, 30 September. From 30 September Macquarie University, Macquarie Park and North Ryde train stations will close for approximately seven months for these upgrades to be completed. In the meantime Station Link, a new high frequency bus service, will temporarily replace train services and operate on seven different routes.

This closure is necessary for the completion of the Sydney Metro rail line to install safety screens and upgrade the power along the line. I emphasise that. There is no replacement of track, which is often a common misconception about what is occurring during the shutdown. Residents may have noticed that recently I have been at local train stations handing out Station Link information to help them prepare for this change in travel conditions. I will not pretend that this process will not be a challenge. Whenever someone's journey to work is disrupted, it will inevitably be a cause of frustration. Thankfully, I have every confidence that Marg Prendergast and her Station Link team are well prepared for this challenge. In circumstances where the team has been presented a very difficult task, they have taken every measure possible to minimise disruptions and move the thousands of commuters that travel the Epping to Chatswood line as smoothly as possible.

Train services that previously ran between Hornsby and the city via Macquarie Park and the North Shore Line, stopping at all stations, will be replaced by limited stops services towards the city via Strathfield on the T1 Northern Line, in addition to the Station Link replacement buses. Passengers catching trains from Beecroft, Cheltenham or Pennant Hills to the city, formerly would travel via the Epping to Chatswood line. Those trains will now return to travel via Strathfield. There is no need for those passengers to get off the train. Tonight, my message to passengers is to stay on the train if you are travelling to the central business district [CBD]. This change is necessitated by capacity issues at Wynyard and Town Hall stations during peak hour, which is precisely why the Sydney Metro is so vital. When stage two is delivered under the harbour, we will be able to free up spaces at these stations.

Key features of Station Link include high frequency, turn-up-and-go services to stations between Epping and Chatswood at least every six minutes during the peak; more than 110 services per hour in the busiest parts of the day; direct peak services to and from St Leonards, Beecroft and Eastwood; a dedicated high frequency service to Macquarie University campus from Epping station during university semesters; and a loop service running at least every 10 minutes, seven days a week to all stations between Epping and Chatswood. Station Link bus services are available on Trip Planner. I urge people to plan their trips using that app. There are also other real-time apps.

The Government is also trialling on-demand services in the area, which will help commuters during this difficult period. Keoride is a shuttle bus service, which is designed to get people to and from their work place in Macquarie Park. OurBus is an on-demand service in the Epping-North Rocks-Carlingford area. People can book an OurBus service to pick them up from a convenient location near their home. Both services are welcome initiatives by the Government. Of course, despite all the hard work being done it will be a challenging seven months. The good news is that there is light at the end of the tunnel—literally. Once open in 2019 the first stage of the Sydney Metro will deliver a train every four minutes in the peak—just turn up and go. This is a world-class driverless rapid transport service, which will allow commuters to get on and off the train much quicker. This will be of particular benefit to those who are mobility-impaired where there is a gap between the train and the platform. I welcome the delivery of the train and I ask people to be patient during the shutdown.

TEMPORARY SPEAKER (Mr Adam Crouch): I remind members that under Standing Order 52, members will be heard in silence during private members' statements. If they are not, I will have no hesitation in removing from the Chamber members who are interjecting, and they will miss out on making their private member's statement. I make it clear to the members for Port Stephens and Maitland that this is my first and final warning.

CESSNOCK CORRECTIONAL CENTRE

Mr CLAYTON BARR (Cessnock) (22:35): Tonight I speak about the expansion of Cessnock jail. Previously it had an 800-prisoner capacity; as of next year, it will be 1,800. It will be the largest single prison in Australia, and possibly the Southern Hemisphere. It is part of the Government's $3.4 billion expansion of prison facilities across New South Wales. For the past 40 years the jail, with its 800 inmates, has been able to utilise local government and ratepayer roads to access the entry and exit of the prison. When the size of the prison is more than doubled, the amount of traffic going in and out will also double. That includes transport, deliveries, visitors, prisoner transport and general stores and supplies.

What is most concerning is that, when visitors approach the prison on those local community residential roads, once they enter the prison grounds they are liable to be searched—both person and vehicle. This means that just outside of the gates, activity that is not necessarily within the laws of our State sometimes occurs. That is concerning for people who live just outside of the gates because they sometimes see, are exposed to or are victims of crimes by people either on their way in to visit or on their way out after a visit. Those crimes involve drugs and stolen vehicles et cetera.

The prison is located approximately 300 metres as the crow flies from a State road. What is between the prison and that State road? It is actually NSW Health land. The facility used to be called the Allandale Aged Care Hospital facility. Part of that land is now the Calvary private aged care facility but three-quarters of the land is essentially abandoned. The most direct route between the State road and the State prison facility is through the abandoned land of the old Allandale hospital site. There is an opportunity to build a direct gun-barrel road, which could be fenced on both sides, directly in and out of the prison facility. That would mean that the residents of Cessnock would no longer be exposed to the entry and exit of any vehicles or the conduct or behaviour of any people entering and exiting.

Without being too critical, sometimes when staff are running a bit late for their shifts, they sometimes drive a little over 50 kilometres per hour through some of those backstreets on their way in, or in their urgency to get home. It is not just about the criminal activity that happens outside the gates. We can build a better outcome. We can get a better result here in amongst the $3.4 billion being spent. That is what the community of Cessnock essentially wants. While the people of Cessnock did not necessarily want the jail's expansion, to his credit the Minister has been open to the conversation about entry and exit. The Commissioner of Corrective Services NSW has been open and active in the conversation about entry to and exit from the prison facility.

The Director of Custodial Corrections North, Mr Glen Scholes, has been open to the conversation about entry to and exit from the prison. But, somehow, we have ended up with a situation where a plan is being put in place without any community consultation at all. That has been the most unfortunate thing. What has come to light as council and the local State member and the community have started talking to each other, as well as a community consultation committee that meets at the jail with prison staff and a delegation from Justice Infrastructure, is that we might all have been told slightly different things.

As recently as last week, I had the opportunity in this Chamber to have a brief conversation with the Minister about the fact that we need to get things back on track. I also had the opportunity to talk to Mr Scholes about getting things back on track. There can be a fantastic outcome here. We can get a better outcome for everyone, including security, visibility and monitoring people entering and exiting the prison. I hope that we can work towards that end because the community, the prison officers and the people who visit those in jail deserve that better outcome. I look forward to that conversation.

MERRIWA SPRINGTIME SHOW

Mr MICHAEL JOHNSEN (Upper Hunter) (22:40): Recently in the Upper Hunter community a well-known country show took place: the annual Merriwa Springtime Show. Established in 1908, the Merriwa Springtime Show is proud of its agricultural history and Merriwa is honoured to host the only show in the Upper Hunter shire. This popular show was proudly organised by the Merriwa Pastoral, Agricultural, Horticultural and Industrial Association. This year the show attracted many locals and visitors from surrounding districts. The show was opened by a former landowner and resident of Merriwa, Tim Henderson. What makes this year's show more special than those of other years is that instead of cancelling the show due to drought conditions—as sadly has happened to other community shows—the committee forged ahead to hold a very successful and impressive show. In its 110-year history the Merriwa Springtime Show has only missed one show and that was during the war.

This year the standard of entries was of a high quality across the board in the pavilion, stud cattle, sheep, poultry and horse events. The Merriwa Springtime Show has something for everyone: ring events plus numerous sideshows, wandering street entertainers, competitions, food stalls, nightly entertainment and fine displays and exhibits spread around the picturesque Merriwa showground. In the Fairfax Pavilion, run by the Ladies Auxiliary, they were delighted with the quality and number of displays, especially in the floral section. The pavilion overflowed with colourful exhibits and cake decoration, courtesy of the Merriwa Country Women's Association. Needlework, quilting and knitting also featured in the pavilion, along with school and farm displays that were put together by local students. Out in the ring there were horse events, beef stud cattle judging, merino and prime sheep judging—just to name a few—showcasing excellent animal husbandry skills in the district.

This year the show had some innovative attractions. The agricultural technology program was very popular, showcasing the latest on-farm technology for our farmers. A drought support hub was set up, featuring a Department of Primary Industries district agronomist, a local rural financial counsellor, a Buy a Bale local

counsellor and Local Land Services, offering information and advice supporting our local farmers in these trying times of drought. Also featured for the first time was the Wideland Challenge, proudly sponsored by the Wideland Group. Teams of three competed in a variety of challenges against the clock and each other. I am told this event was very well supported and popular, as cash prizes were up for grabs. A total of 31 sponsors supported the annual Merriwa Springtime Show. I say a big thank you to the business houses within the Upper Hunter electorate that supported the show.

The very successful Singleton Show was held last weekend. Taylor Giggins, who is 19 years old, won the showgirl competition. Taylor was school captain at Singleton High School last year and she is now doing a double degree in sports management and sport and sport exercise science at the University of Canberra. She is a very impressive young lady and a well-deserved winner. I thank the president of the Singleton Show Society, David Williams, who always does a great job, along with his committee. Rebecca Emerton and Abbie Samuels were also showgirls, but unfortunately they did not win. Nevertheless, they are wonderful ambassadors for the Singleton district. I congratulate them all on the wonderful work they do.

VAUCLUSE ELECTORATE WOMEN IN SPORT

Ms GABRIELLE UPTON (Vaucluse—Minister for the Environment, Minister for Local Government, and Minister for Heritage) (22:45): On Sunday 9 September 2018, I had the great pleasure of officiating at the Double Bay Sailing Club Women's Laser Regatta. The official opening was on a beautiful sunny Sunday morning on Sydney Harbour. This State-first sporting event is exclusively for women of all ages and skills coached by women and organised by women. Double Bay Sailing Club is a strong and active sporting organisation in my local community, and one I am always happy to support. I provided support in the form of a New South Wales Community Partnership Building Grant to host this event. The club was formed in 1958 and since then it has been open to everyone who wants to sail, young and old, novice and pros. It has an infectious fellowship that makes my visits such fun.

Club secretary Clare Alexandra and club members Christine Patton and Christine Linhart are to be commended for organising the Women's Laser Regatta. There were also five distinguished women who were on-water coaches throughout the weekend: Krystal Weir, former Laser World Champion; Ashley Stoddart, Rio 2016 Laser Champion; Jaime Ryan, 2016 470 Class Olympian; Karyn Gojnich, three times sailing Olympian; Marlena Berzins, two times Australian National Youth Laser Champion; and principal race officer, Robyn Tames, who is a champion sailor and National Race Officer with Yachting Australia. We had a distinguished group of women helping on the day.

I also thank the office bearers of Double Bay Sailing Club for working to bring this inaugural event to reality: Commodore Andrew Cox, Vice Commodore Michael Osborne, Rear Commodore Geoff Kirk, Treasurer Mark Crowhurst and, as I mentioned previously, Secretary Clare Alexander. I also acknowledge Mark Bethwaite, AM, who is a past commodore of the club. He is a world-renowned sailor and masters champion who has won several world championships and represented Australia at two Olympic Games. He is a phenomenal person. He was not at the regatta because he was competing in a masters event in Europe. He is an Australian sporting figure, and I am proud that he is a member of my community.

I extend my thanks also to Luke Parker, the immediate past commodore of the club, who has been very generous in inviting me to the club. His love for the sport and the club is always evident. I ran into Shirley Roach at the regatta. Shirley is the wife of the late club patron Don Roach, who served as president of Double Bay Sailing Club for many years. He was a great sailor who energised the club with his great leadership. Although he passed away in 2011, his energy and motivational approach linger as a strong legacy.

Women's full participation in sport is important and, as a former New South Wales Minister for Sport, I will do anything I can to actively encourage it. My North Bondi Surf Life Saving Club is another example of how great leadership can mean strong and enduring participation and achievement by women. The club has two female vice captains in Eloise Starr and Pippa Batchelor. I attended the club's presentation night in June, at which 12 Australian champions from the club received blazers for the titles they took out in each of their heats, with girls and women taking almost half of those awards. The club did well at this year's Australian Youth Surf Life Saving Championships in Western Australia. The club won awards in four categories: the female Cameron relay; female board rescue; female surf race; and female board relay. What a great job done by all those young women. The wonderful Lizzie Welborn has proudly represented Australia and women in surf sport in the under-19 ironwoman competition and under-19 board races.

Women have been very involved in local community sport in my electorate. I presented first-grade jerseys to the women's team of the Eastern Suburbs Rugby Club earlier this year. What an amazing bunch of women, including five who are former students of Ascham School. These women all do a fantastic job in achieving on the field and also breaking down perceptions and making women's participation in rugby much more accessible

and more than a dream, regardless of their age. The Sydney Roosters women's team has been launched and it will play against the Brisbane Broncos women's team this weekend at the NRL Grand Final at ANZ Stadium. I wish the women the best of luck. Of course, the Roosters will make us proud and will win the grand final on Sunday evening. Go the Roosters! These are some of the local milestones for women's participation in sport in my electorate. I commend my private member's statement to the House.

REGIONAL HEALTH SERVICES

Ms JENNY AITCHISON (Maitland) (22:50): Earlier this month I posted a copy of a card that was sent to me by the Premier and my response. Shortly after I returned to work I visited a single mother of three who has termites in her kitchen and who has had no power for ages. She has also just been diagnosed with cancer of the cervix. She cannot wait to get into the public system for treatment, so she must pay for it. Another single mother with stage four breast cancer was upset because she did not know the magnetic resonance imaging used to find the extent of the cancer would cost her $500, the unspoken comment being that she would not have spent that much on herself. There was also the woman from the University of Wollongong who had to return to work four days after her second mastectomy because she had no access to sick leave entitlements. Earlier diagnoses as a result of better screening does not help because increasing casualisation means women cannot take time off work. Of course, there was silence—crickets—from the Government during Women's Health Week a couple of weeks ago.

At the Country Labor Conference the Leader of the Opposition advised that no more mastectomies can be done at Manning Base Hospital and that women will have to go to Newcastle for treatment. During my own illness, I watched the amazing health workers who nursed and cared for me. Every one of them was working hard, doing their best in a broken system which has not been funded properly by this Government and which has also suffered Federal Government cuts. That was the gift of my experiences: finding out what it was like as an ordinary patient in this system. One Minister asked me, "Didn't you tell them who you were?" Entitled? Not much. I will not be lectured on graciousness and politeness by members opposite. I thanked the Premier for the note. I told her what happened to me, and I asked her to prioritise regional health. It was a simple message. Gracious? How gracious is it when Libdependent councillors say in council meetings, "Let's just see if the member sees out her term." I am not dead; I am not dying. In fact, I am stronger than ever.

I am essentially a private person. I did not wish to put myself at the front of this battle for better regional health services. I fought for 10 years doing everything I could to stop myself getting cancer, and I fought off the privatisation of our new hospital solely to ensure that all people in my community had proper access to good quality public health care. Unfortunately, I won only one of those fights. My surgeon called to tell me I had cancer on the day we found out that the former member for Gosford, Kathy Smith, had died. I made my contribution on her condolence motion in August last year when I was struggling to find a treatment that would keep me cancer free. There were days when I struggled to walk into this Chamber or to do my parliamentary or electorate duties. But I kept going.

I put on about 12 kilograms because of the pain I was experiencing, and had to endure the taunts of members opposite, particularly the member for Baulkham Hills, who called me the "member for Weightland". I do not care because I have no regard for his opinion. However, I look at the example he sets every day and his nastiness and I wonder who else in this Chamber is suffering from some unknown issue and how his and others' bullying behaviour would be adding to someone's pain and suffering. We are politicians but we should also act as humans. I drew attention to my experiences to shine a light on this Government's wrong priorities when it comes to health care for people living in regional New South Wales. I urge everyone to read my Facebook post and the comments of people from across the State, some from their own electorates.

I pay tribute to Kathy Smith, the former member for Gosford, who was a fierce advocate for cancer services for her community, which is essentially how she found her way into this place. She made a difference, and she has inspired me every single day in my own journey. She was always gracious but she had some fire, too. I have to admit she probably had those things in better balance than I have. We all have a unique opportunity in this place to act for ordinary people who are facing the biggest crises of their lives. It is incumbent upon us to do something about it. I will not apologise for using my own experiences to stimulate a community debate about these issues. The Government has chosen to repeatedly attack me on my statement over the last few days, which is just more evidence that it is still not listening to our community. Essentially, this shows what we all know— that the Government simply does not care about the health of people in our regional communities.

POLICE RESOURCES

Mr CHRISTOPHER GULAPTIS (Clarence) (22:44): The most fundamental responsibility of any government is to ensure the safety of its citizens, and that is why I pledge my support for more police throughout New South Wales. I am thrilled that the Premier and the police Minister have instructed Police Commissioner

Mick Fuller to give the Government a report of the additional police resources needed to safeguard our community going forward. The New South Wales Liberal-Nationals Government has a great track record on delivering for the people of New South Wales. When we say we will deliver, we deliver. In 2011 we promised 24/7 policing for Casino in my electorate of Clarence, and we delivered. Casino now has a 24/7 police station thanks to the Liberals and The Nationals. In the last term of this Government, an additional 90 police were allocated to the Northern Region to boost understaffed stations and to protect our communities.

Police have a tough job protecting the community and this boost to our region was a win for our local police and the community—in fact, the New South Wales Liberal-Nationals Government has delivered consecutive record budgets for the police and has added more than 1,000 officers to the NSW Police Force since 2011. There are more than 16,800 police positions in New South Wales, and we have exceeded our target of increasing the strength of the NSW Police Force to a record 16,795. In the 2018-19 budget the New South Wales Government delivered a record $3.9 billion budget for the NSW Police Force. We are proud to make this record investment in our men and women in blue, but our work does not stop there. I pledge to continue to support our police with the funding and tools they need so that they can keep our communities safe. As I said earlier, this should be the number one priority of any government, and it is certainly my priority.

The Government has been able to commit to this record investment in our police resources because of the Government's strong economic management. The Government's strong economic position will ensure Police Commissioner Fuller has the flexibility to determine the number of officers that New South Wales needs, the duty types required, where they should be based and how they should be resourced. The commissioner's proposal will enable the Government to make an informed decision on the police numbers required to meet future challenges and community needs.

The number of police officers at police area commands and police districts is subject to fluctuations across the State for various reasons, including sick leave, annual leave, maternity leave and officers exiting the NSW Police Force due to retirement. New South Wales police regularly review resourcing and allocation of police officers according to operational needs, and the New South Wales Government will continue to ensure communities are served and supported by their local officers. It is important to note that local resources are supplemented by specialist police, such as highway patrols, major crime squads, region enforcement squads and domestic violence high-risk offender teams. These specialist police are managed centrally but are deployed across local boundaries to meet changing community needs, and respond to changing crime patterns.

The New South Wales Government has taken a tough stance on crime and, together with the support for our police, the Government has ensured that New South Wales crime rates have continued to fall or remain stable. Our criminals are being locked up. Australia's largest jail is currently being constructed in the Clarence Valley. It will hold 1,700 inmates. That is 1,700 fewer criminals lurking around our neighbourhoods. The latest NSW Bureau of Crime Statistics and Research report showed that 16 of the 17 major crime categories fell or remained stable in the 24 months to June 2018.

Whilst there have been spikes in some crime types in some locations, the overall crime rates in New South Wales are extremely positive and show that the current approach to policing under the Liberal-Nationals Government is working. Thanks to re-engineering, there are more police who have been moved from behind the desk to patrolling the streets so that the community feels safe and secure. The people of New South Wales can have confidence that, with the new elite squads targeting mid-level drug and gun crimes and high-risk domestic violence offenders, the New South Wales Government will maintain its tough stance on crime. Police put their lives on the line to protect our communities and I pledge my support to our men and women in the NSW Police Force.

NURSE-TO-PATIENT RATIOS

Mr PHILIP DONATO (Orange) (23:00): I wish to draw attention to our nurses and the ongoing struggles they experience in order to deliver the highest level of health care possible. In my electorate of Orange I have met with many nurses who have concerns with the current staffing model—known as the "nursing hours per patient day model". Under the current staffing model, nurses are finding it increasingly difficult to administer their time evenly, or maintain the high standard of care required.

The New South Wales Nurses and Midwives Association has data that confirms that the model is flawed, yet it is this model that a majority of our hospitals still operate under. The nursing hours per patient day is not working. Patient care and welfare needs to be a top priority. A minimum of one nurse to four patients is what our health care professionals require, with a higher ratio in acute wards. Higher ratios save lives—it is simple. Many nurses I speak to in my electorate of Orange are burning out because they cannot afford to take breaks and are working extraordinary hours to keep up with the demands of their workplace and to cover shifts. Because of staff

shortages these nurses are often unable to take annual leave when they wish to. Many who work excessive hours are fatigued and are fearful of making mistakes.

The current system needs to be reformed. Ratios were introduced in Victoria under the Safe Patient Care (Nurse to Patient and Midwife to Patient Ratios) Act. This will see 600 additional nurses and midwives employed in public hospitals in Victoria. There have been a number of improvements to ratios in Queensland and, according to the Queensland Nurses and Midwives Union, "Hospitals with higher numbers of nursing hours per patient have lower prevalence of nursing care left undone."

Nurses are crucial to successful outcomes in our hospitals—it is as simple as that. It should not take a strike of our nurses like the strike that occurred in 2011 to get the Government to listen and make important changes that improve working conditions for our healthcare professionals. Nurses are one of the few healthcare professionals who provide crucial care around the clock. They are most likely to be there when a patient's health begins to deteriorate and the most likely to initiate interventions to minimise any adverse consequences. We need to ensure they have the legislative framework and support of the Government so that they can continue to perform their jobs.

By increasing the number of nurses under the ratio model, hospitals can deliver a higher level of care to patients. Hospitals are extremely busy and stressful environments, and this model has been shown to work in Queensland and Victoria. It is one thing to invest in more health care facilities, but when we do not have sufficient staff to maximise their use it makes it extremely difficult for the existing staff to perform their jobs to the level that the community expects and the level that they would like to provide.

The implementation of ratios has proven positive outcomes in intensive care, reducing the lengths of stay in hospital, reducing emergency department waiting times, reducing the incidence of falls in hospital and reducing the numbers of adverse drug events and readmissions. These are just a few of the positive outcomes that a simple, commonsense reform would produce. I urge the Government to consider implementing it.

Bobs Farm Public School

Ms KATE WASHINGTON (Port Stephens) (23:03): On Friday afternoon, I walked through the school gates of a beautiful small school in my electorate for a special celebration: Bobs Farm Public School's centenary celebration. This small school has been providing high-quality public education to children in the Bobs Farm area for 100 years—since 1918. It is a special place. Whenever I visit the school, I can feel it buzzing with energy and creativity, founded on a deep connection to the environment and its Aboriginal heritage.

The school has an incredible history, stretching through times of war, the Great Depression, the technological revolution and huge social transformations. It has seen 27 Premiers and 24 Prime Ministers, though I have not worked out how many Ministers of Education it has seen. The physical history of the school is just as remarkable. The original building was erected only after being dismantled from its first location at Cabbage Tree Road. It was then rafted by parents down Tilligerry Creek, hauled by bullocks and reassembled at the current site in Bobs Farm. That is what I call an active Parents and Citizens Association [P&C].

The original building was replaced in 1928 to combat white ants, and the current building has stood ever since. The 100-year celebration was an opportunity to reflect on the significant impact the school and its teachers, principals, students and parents have made to Port Stephens and the lifelong impact the strong local school community has had on children and families for the past century. With just 36 students this year, the small school has always served its families and its community in a relaxed and lively way. To many people, it is so much more than a school; it is a family. For some, the deep connection with the school run across multiple generations. As I walked amongst the guests on the night, I could see many of the same names repeated on the name tags—names like Maslen, Holliday, Cromarty and Diemar. Such is the impact of these families in Port Stephens that these names are often seen on road signs around the area. These families have contributed so much to our community and those that have been taught and supported by Bobs Farm Public School.

The centenary celebrations brought generations of these families and others together to reminisce and reflect on their time at the school. Someone who deserves special mention for being there on the night is 98-year-old Ida Collard, OAM, who was one of the first students at the school. It was wonderful to see her at the celebration, sharing her school stories. I pay tribute to the late Eric Holliday, OAM, who was also one of the first students to attend Bobs Farm Public School. He was a life member of the P&C and he never missed a presentation night for 90 years. I know our community has a great deal of respect for Eric Holliday and that he is sorely missed.

I recognise and thank principal Megan Elliott for her 17 years of energetic, caring and continuing stewardship of the school. Megan's early teaching career took her all over the State, so our community has been lucky to have her leadership for so long. I thank Megan, her teachers and staff, including Megan's husband, Barry, who cares for the grounds of the school, together with the hardworking P&C, led by Callum Mercer. This

combined effort ensures the school continues to deliver high-quality public education in a quality learning environment for the children of Bobs Farm. I also acknowledge and thank Caroline Moore, the school's administrative manager, for the tireless work she does behind the scenes.

The centenary celebration was at least three years in the making, but worth every moment. It offered families and friends an opportunity to reconnect, share stories and demonstrate the love and respect our community has for this beautiful school. Worimi elder Uncle Ridgeway welcomed us to country and sang us his special song. Justin Ridgeway warded off evil spirits with a smoking ceremony. There was fascinating memorabilia on display, showcasing the rich history of the school and its community. We heard from former principal Brian Spurway, visiting author Yvette Poshoglian and local director of education leadership Dana Fuller, who was obviously immensely proud of this impressive small school.

Notably, Megan Elliott, with the support of the community, has collated an incredible book celebrating 100 years of public education at Bobs Farm Public School. The book has fascinating profiles of past students and teachers and a history of the local community and its achievements. I thank Megan Elliott for her commitment to recording the school's history with the assistance of Shea Brunt, Susan Sams and Christine Gregory. The book contains a wealth of local knowledge and history and is well worth a read. On the night of the centenary celebrations I was delighted to present a commemorative certificate as well as an Illawarra flame tree, which I hope will in many years' time reflect the warmth and passion of this brilliant school community. One thing was clear from the night's festivities: For a small school, Bobs Farm Public School has a very big heart. May it continue to beat for another century.

SEVEN HILLS ELECTORATE DISABILITY SERVICES

Mr MARK TAYLOR (Seven Hills) (23:09): It is a pleasure to make this statement before the House and those people watching on the webcast, who I notice have increased in number. I acknowledge the disability services of the electorate of Seven Hills and the incredibly important role that those services, organisations and schools play in helping the local disability community to achieve its aspirations. In particular, I acknowledge The Hills School, Endeavour Foundation, Ability Options and our dedicated local volunteers and carers.

I have mentioned The Hills School many times in this House because of the great work it does with many children in north-western Sydney. The Hills School caters to students with moderate to severe challenges, including physical disabilities, autism spectrum disorder and sensory impairments. The Hills School is well equipped to look after the students with modern, specialised technologies and state-of-the-art facilities. It includes a heated pool and many inclusive, engaging areas and playgrounds around the school. Recently, as part of the New South Wales Government's Community Building Partnership grants, I assisted in the building and delivery of an inclusive playground with swings, slides and a water feature for the pupils to enjoy. It is an outstanding facility because it is based in a council park which backs onto the school. Not only do the local schoolchildren come and use the playground in the afternoon but the children from The Hills School also go down there, usually with their parents.

Seeing their interaction with the community is outstanding. I have received excellent feedback from The Hills School parents about the initiative that established that playground. The Hills School fosters a creative and hands-on learning environment which widely benefits the overall schooling experience for children with special needs in the local area. This is reinforced by brilliant teachers that stamp a positive impact on the children's lives, as well as by the support of the Parents and Citizens Association [P&C], which does an outstanding job in assisting with education and advocates on the school's behalf for all students from kindergarten to year 6.

One community organisation of volunteers that comes to mind in its support for The Hills School is the Lions Club of Winston Hills. The Winston Hills Lions club has helped facilitate and educate pupils in the school's vegetable and herb garden. The club recently wrote to me asking whether I could help secure funds for new equipment to ensure the longevity of the school's beloved produce garden. The fresh produce tended by students and volunteers helps in providing vegetables to local charity, Food on the Table. I assure the members of the Winston Hills Lions Club and the P&C of The Hills School that I will do my utmost to assist them in seeking a grant from the Premier of New South Wales to ensure the continuation of their good work. They are seeking a watering system for their garden and I will certainly pursue that for them.

I should also mention the Endeavour Foundation, a national organisation that supports those with a disability who are seeking employment in my area and surrounding areas. I am fortunate to have one of its facilities in Seven Hills. Over the years, it has been my pleasure to help out this fantastic organisation with grants, whether it is through Community Building Partnership grants or grants from the Minister for Disability Services. I have been to the facility a number of times. It is always great to see the dedication of the employees and the enthusiasm with which they do their jobs. I thank Minister for Disability Services Ray Williams for visiting the

facility with me on a number of occasions. The staff at the Endeavour Foundation take immense pride in the work that they do, such as packaging and processing medical supplies to pharmacies and throughout the community.

I thank all of the fantastic volunteers in the Seven Hills electorate and the carers, parents and community volunteers who support the various disability services in my local community and in the Western Sydney region. Whether they are at Tallowood in The Hills, Northcott at Parramatta or at one of the great organisations I have mentioned in my own electorate of Seven Hills, without those volunteers and without those carers, disability services would not be as good as they are in our great community. I acknowledge all those people. Their work will never be forgotten because they are the ones who truly hold the community together and make a great life for those people who are challenged by disability.

Bills

IMPOUNDING AMENDMENT (SHARED BICYCLES AND OTHER DEVICES) BILL 2018

Returned

TEMPORARY SPEAKER (Mr Adam Crouch): I report receipt of a message from the Legislative Council returning the abovementioned bill without amendment.

The House adjourned, pursuant to standing and sessional orders, at 23:14 until Thursday 28 September 2018 at 10:00.