



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Seventh Parliament  
First Session**

**Wednesday, 13 November 2019**

Authorised by the Parliament of New South Wales



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# LEGISLATIVE ASSEMBLY

**Wednesday, 13 November 2019**

**The Speaker (The Hon. Jonathan Richard O'Dea)** took the chair at 09:30.

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

## *Bills*

### **RIGHT TO FARM BILL 2019**

#### **Returned**

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

## *Announcements*

### **SURF LIFE SAVING NSW**

**The SPEAKER:** Surf Life Saving NSW is hosting a Beach Barbecue in the Speaker's Garden from 12 o'clock to 2 o'clock today. Members are invited to attend. There will be photo opportunities with volunteers and equipment.

### **NSW OMBUDSMAN**

**The SPEAKER:** Members and staff are reminded of the briefing by the NSW Ombudsman, Michael Barnes, to be held at 1.30 p.m. in the Jubilee Room today. Light refreshments will be served.

*[Notices of motions given.]*

## *Bills*

### **RIGHT TO FARM BILL 2019**

#### **Consideration in Detail**

#### **Consideration of the Legislative Council's amendments.**

##### *Schedule of amendments referred to in message of 12 November 2019*

No. 1 **SFF No. 1 [c2019-201H]**

Page 2, proposed section 3(1), line 11. Omit "an agricultural activity". Insert instead "an activity".

No. 2 **SFF No. 2 [c2019-201H]**

Page 2, proposed section 4, lines 17–28. Omit all words on those lines. Insert instead—

#### **4 Commercial agricultural activities do not constitute nuisance**

No action lies in respect of nuisance by reason only of the carrying out of any of the following activities if the activity is carried out lawfully and not negligently and that type of activity has been carried out on the land for at least 12 months—

- (a) a commercial agricultural activity,
- (b) an activity carried out for the purposes of any of the following—
  - (i) any business or undertaking in which cattle, poultry, pigs, goats, horses, sheep or other livestock are kept or bred for commercial purposes (for example, a dairy, saleyard or feedlot),
  - (ii) a business or undertaking for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals, including abattoirs, knackereries, tanneries, woolscourers and rendering plants,
  - (iii) a business or undertaking for forestry (including timber mills) or aquaculture,
  - (iv) a show or competition involving livestock (including a rodeo).

No. 3 **SFF No. 3 [c2019-201H]**

Page 5, Schedule 2[4], line 38. Omit "**or induce**". Insert instead ", **commission or induce**".

No. 4 **SFF No. 4 [c2019-201H]**

Page 5, Schedule 2[4], line 39. Omit "or induce". Insert instead ", commission or induce".

No. 5 **SFF No. 5 [c2019-201H]**

Page 6, Schedule 2. Insert after line 15—

**[6] Section 7A**

Insert after section 7—

**7A Act does not prevent permitted union activities or industrial action**

- (1) Nothing in this Act makes it an offence for a person (including a representative of an industrial organisation) to enter or remain on inclosed land for the purposes of activities permitted under the *Industrial Relations Act 1996* or the *Fair Work Act 2009* of the Commonwealth.
- (2) In this section—
 

*industrial organisation* means—

  - (a) an industrial organisation of employees, or the State peak council for employees, within the meaning of the *Industrial Relations Act 1996*, or
  - (b) an employee organisation, or a peak council of employee organisations, within the meaning of the *Fair Work Act 2009* of the Commonwealth.

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Agriculture and Western New South Wales) (09:48:26):** I move:

That the Legislative Council amendments be agreed to.

This is an historic day for farmers right across New South Wales. The passage of the Right to Farm Bill 2019 through the Parliament clearly expresses that farmers in this State have a right to farm. If they own private property on which they are conducting lawful agricultural activity, they have a right to conduct that activity without the fear of people invading their property, whatever the motive, in order to interfere with their farming operations or to attempt to shut down legitimate agricultural activity in this State. The bill introduces aggravating offences into the Inclosed Lands Protection Act 1901 and also introduces the toughest penalties in Australia for this type of disgraceful behaviour where people—whether they are animal liberationists, vegan vigilantes or illegal hunters—seek to illegally invade farms, disrupt businesses, intimidate farmers and farming families and attempt to break their spirit, destroy agricultural operations or, indeed, threaten the biosecurity of operations in the agricultural sector in this State.

These farmers work so hard and do backbreaking work. By the sweat of their own brow they grow the food and fibre that is critical not only for our State's economy and its ongoing prosperity but also, increasingly, to feed and clothe the rest of Australia and the rest of the world. I acknowledge NSW Farmers Association CEO Pete Arkle and Kathy Rankin, who are in the gallery today. I acknowledge the association for its very strong support for the bill and its very strong advocacy to governments of all persuasions over many years to see legislation like this come into the House in order to give our farmers the protection they need and deserve and to let them know that the legislators of this State have their back.

I will speak briefly to the amendments that were accepted by the Government in the Legislative Council last night. The Government accepted a minor amendment to the definition of activities caught by the Right to Farm Bill nuisance shield component. The amendment does not change the meaning or the substance of the bill but aids in its clarification and reinforces that the bill is designed to protect a wide range of agricultural businesses. The scope of the nuisance shield was adjusted to capture more primary and associated production. The effect of the amendment is to adopt a similar definition of agricultural land in both the nuisance shield and the Inclosed Lands Protection Act 1901 with some small differences. Basing the nuisance shield definition of commercial agricultural activity on the proposed definition of agricultural land in the Inclosed Lands Protection Act will capture secondary primary production activities. Secondary primary production activities such as those at abattoirs and saleyards play a crucial role in the production supply chain in this State. These are important businesses for agriculture more broadly and may also be vulnerable to nuisance litigation.

The Government is of the view that the function of the nuisance shield will not change with this amendment and will still achieve the objectives of the bill to provide primary production-related activities with a defence against nuisance claims. The proposed definition retains definitions regarding the need for primary production-related activities to be commercial in nature such that hobby farms continue to remain outside the

scope of the nuisance shield. Secondary and other primary industry-related activities should be able to avail themselves of the shield. Hence the Government has accepted this amendment. The definition in the nuisance shield will also include competitions involving stock animals, like rodeos and agricultural shows. These activities are an extension of primary production activities involving stock animals and it is acceptable to offer them the same level of protection under the nuisance shield.

I will now turn to the amendments to schedule 2 to the bill, which deal with the amendments to the Inclosed Lands Protection Act 1901. A further amendment to expand the scope of the incitement offence will include the additional action of the commission of an aggravated offence. The Government is of the view that this captures an additional behaviour that is within the scope of the proposed offence and will contribute to the objectives of the bill, which is to protect from and deter illegal trespassers on agricultural land regardless of motive. The final amendment that was accepted clarifies that actions by representatives of industrial organisations within the authority of the Industrial Relations Act 1996 or the Commonwealth's Fair Work Act 2009 are exempt from the penalties in this bill. The Government emphasises, as I did in my second reading speech, that these activities are already exempt from the Inclosed Lands Protection Act. The amendment does not penalise people who have permission to be on the land or who have a lawful excuse or reason to be there. The amendment clarifies that the ability to lawfully protest will not be impacted with the passage of the bill.

In conclusion, I thank the members of the Legislative Council, particularly the members of the crossbench, who took a very practical and commonsense approach to the bill. It was a good process in dealing with those members. I thank the countless farmers in our State who are dealing with crippling drought at the moment. Again I thank the NSW Farmers Association for its very strong support. As I said at the outset, this is a historic day for agriculture in this State. The Government hopes that this legislation is the first of many more to come. I commend the Legislative Council's amendments to the House.

**Ms JENNY AITCHISON (Maitland) (09:55:30):** I speak for the Opposition on the upper House amendments to the Right to Farm Bill 2019, which were canvassed last night and spoke to the need for better drafting and consideration of the bill in the first instance. The fact that so many amendments were moved by the Government and by members of the crossbench in the other place with support from the Government speaks to the lack of clarity in the Government's speeches, rhetoric and hubris about what it wanted to achieve with this bill. Although the Opposition agrees that these amendments make the bill slightly better, overall it is still a very difficult bill for the Opposition to support.

For example, in relation to the definition of "commercial agricultural activities", the Opposition previously talked about the failure of the Government to make those amendments. The Opposition does support that there is some definition around those activities but we note that Crown lands will still be picked up by this legislation. As the Hon. Mick Veitch clearly stated in the other place, there will be some Crown lands impacted by this bill that should have been carved out. When we have a Deputy Premier who is threatening to de-gazette National Parks, a Treasurer who has admitted that he is scoping out the privatisation of State forests and a Government that is intent on privatisation at all costs, I foresee that farmers who are protecting those Crown land sites will be caught up in the bill as it now stands. I foresee a very poor situation.

That is why the Labor Opposition has said from the start that if the Government intended to amend the definition of "commercial agricultural activities"—which it has done in the upper House on the constitution of nuisance—it should ensure that it took out activities where farmers are not living on a property. That is completely outside the remit of what Government members spoke about and what the Government planned to do. I will also speak about the issue of union activities and industrial action. I understand the Shooters, Fishers and Farmers Party and the Government negotiated an amendment in relation to permitted union activities. The amendment came to the upper House last night and was the second amendment to that part of the proposed amendments. The problem is that it does not necessarily remove all union industrial action. The Opposition made this very clear to the Government. The Industrial Relations Act 1906 is easy to get your head around but the Fair Work Act 2009 is very complicated and a lot of regulations sit under it. There could be a situation where someone is technically in breach of the Fair Work Act but at the time they undertook an industrial action they did not believe they were in breach.

They might act in good faith with regard to their industrial aims but later down the track Fair Work may find that they have breached it technically. It might be just that they did not get their papers to the right place at the right time but they would then have to come back to this bill. Labor is concerned about that. The issue goes to the broader concern that if the Government wanted to deal with Labor it would have spoken to us and taken our advice on board. A number of industrial organisers who have had this experience have confirmed our views. They have lived experience. Government people are saying, "I don't have industrial law experience but I am a lawyer," but that is not enough to satisfy us. They are the two biggest issues the Opposition has dealt with through amendments at the moment. Overall, amendments can make this bill better, but they cannot make it right.

We moved the amendments to schedule 2 because there is a broad consensus across much of Parliament—unfortunately not the right amount—that schedule 2 to the bill is not clear enough. I encourage members to read the *Hansard* of the upper House. While I spoke in this place about how the reproductive clinics safe access zones could be a kind of vehicle that could be used, the Hon. Mark Latham spoke in the other place about the Levy case in Victoria and exclusion zones against duck hunters. Again, that was tested and found to be reasonable. We 100 per cent support the right of farmers to live on their land free from intimidation, harassment and bullying by activists. I wanted very much to support this bill, but the Government did not wait for the agricultural commissioner—who we still have not seen anywhere on the horizon—who was supposed to be implementing this legislation. This was a stunt. The Government was trying to beat another party—the Shooters, Fishers and Farmers Party—to introduce legislation. We have ended up with a very poor, shoddy bill that has created division.

We all know that the drought is biting for our farmers. Communities in our rural, regional and remote areas are fighting very intense fires at the moment. This is the time to bring communities together, not to lob out bills that make those divisions even greater. If the Government wanted to work in good faith it would not have voted against a review of the legislation, which was another aspect of it. If the Government is so sure that this shoddily crafted and now amended patchwork of ideas that it is calling a bill is going to work it would have allowed for a review. That is what good governments do. They look for unintended consequences throughout the process of getting legislation through and they ensure they then have the capacity, intention and commitment to undertake a review. That did not happen in this case. I thank members of NSW Farmers for their assistance in working through this bill. I thank the Minister's office staff for the briefings they gave me and I thank my crossbench colleagues in both Houses, who have tried to make this bill better. I am very sad that it is not the bill it should have been.

**Mr JAMIE PARKER (Balmain) (10:03:23):** On behalf of The Greens I address the amendments to the Right to Farm Bill 2019. I will not go through all of the discussion that has already taken place, but I will highlight a few brief points. First—as everyone has said—no-one wants anyone to be intimidated, bullied or treated in a way that we would not like to be treated. Some of the amendments, particularly those around union activities, have improved the bill. The House should support those amendments. But the excessive penalties introduced by the bill do not get the balance right. They are obviously excessive. As I said during earlier debate, diminishing the rights of some property owners and elevating the rights of others is not the way to go. It sets a bad precedent for how we should be dealing with these matters. I deal with a lot of these things. An example is when a resident moves into an area with pubs and clubs and then complains about the pub next door.

We should not diminish the rights of those property owners but—as the member for Ballina and I outlined in our second reading debate contributions—steps can be taken to help to protect legitimate, approved and legal activities that will not lead to the diminution of other people's property rights. Some positive changes have come out of these amendments, but we are still unable to support the bill. The farming community should be emphasising transparency, not locking doors. There is a fantastic opportunity for the agricultural industry not only to follow consumers who are demanding more sustainable practices and improved animal welfare but also to lead the way. Part of the problem with bills such as this is that they create an atmosphere of people thinking that they need to protect themselves from outsiders. The truth is that we would like to work with the farming community to encourage them to be more transparent, open and accountable to demonstrate to people that the treatment of animals and the systems of agricultural production are sustainable and ethical. We should be emphasising that and it is something The Greens will continue to press.

We want to continue to work collaboratively with industry and the farming community to make that happen. In closing, our hearts and thoughts are with all people suffering as a result of the fires and the drought. We look forward to continuing to proactively engage with the agricultural community. The Greens do not believe this bill is the way forward or that it will resolve the issues at the heart of the concerns around agricultural production. We look forward to continuing to encourage more openness and transparency in the sector. Unfortunately, The Greens are unable to support this bill.

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Agriculture and Western New South Wales) (10:06:41):** I thank the shadow Minister, and member for Maitland, and the member for Balmain. I have a few points to make in reply. First, I once again emphasise that no individual or group will trigger any provision contained in the bill unless they commit an offence that has existed under the Inclosed Lands Protection Act 1901. None of the aggravated offences, new provisions or tougher penalties that are introduced by this bill will affect anyone who is conducting lawful activity. Those provisions are only triggered if someone is already committing an act of trespass on inclosed lands and is already committing an offence. The bill is not suddenly criminalising an activity that has been completely lawful. To the contrary, the bill acknowledges the fact that trespass on inclosed lands occurs and that when it occurs on agricultural land or land where agricultural activity

is being undertaken the perpetrators can trigger some of the aggravating offences that are clearly defined within the bill. I do not know how much more simply I can explain those provisions to the House.

Secondly, with all due respect, the Opposition did not seek to amend schedule 2 to the bill. Instead it sought to remove schedule 2 from the bill and gut all the amendments to the Inclosed Lands Protection Act. It is the amendment that is moved when you want to can the whole bill. It is an absolute furphy to try to gut the whole bill and then say you are improving the bill. In fact, the Opposition was trying to gut and remove the bill. But I am very pleased with the amendments passed in the Legislative Council. In closing, I thank the wonderful team from the Department of Primary Industries, who are in the public gallery, for their stellar work and effort on this bill and for the many nights they stayed late while it was being debated. I thank Alex Hall and the rest of the team from my office, who did a tremendous job to get the bill to this point. I commend the Legislative Council amendments to the House. Let us get on with the job of backing our farmers.

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

**Motion agreed to.**

## **DESIGN AND BUILDING PRACTITIONERS BILL 2019**

### **Second Reading Debate**

**Debate resumed from 12 November 2019.**

**Ms YASMIN CATLEY (Swansea) (10:10:40):** The Government claims that this bill is a "game changer" but it is anything but. Until we see the detail of this bill, until we know it will cover all classes of building, until we know a registration scheme will be in place for all professionals and until we have that all-important chain of responsibility in the sector, absolutely nothing will change and consumer confidence will remain at rock bottom. That is without even reflecting on those who already find themselves swamped by problems in their buildings, who will find no comfort and no relief, financial or otherwise, from this bill. I turn again to the words of Michael Lambert—that esteemed expert. He told the inquiry that he had been involved in this for more than five years and was feeling increasingly frustrated with the lack of progress. The core problem is that there is very poor regulation that is inadequate for the situation. Mr Lambert said:

New South Wales is, in my view and I am reported as saying this, has the poorest regulatory system of the major States. I have surveyed them all. It is the poorest because it has the most fragmented, poorly constructed building regulation structure and in my opinion, it is located totally inappropriately in Fair Trading, that has the philosophy of low, minimalist regulation, reactive in approach and has not got the professional skills.

He went on to say:

... New South Wales has done very little at all in the way of meaningful reform. It has made a few minor gestures, but the two core areas they were going to address in the first year was the practice guide for certifier to hold them accountable and to the issue of fire protection safety. It failed in both approaches and did not do anything much else as well. The current proposals before us in the discussion paper, Building Stronger Foundations, are totally inadequate and are quite clearly written by someone who does not know building regulation. In my view there is a fundamental pre-condition for progressing reform in New South Wales. Establish not just a building commissioner but a building commission, a building agency directly accountable to the Minister, fully resourced, as is Queensland, as is Victoria, with the powers and necessary skills involved, supported by a building regulatory advisory committee drawn from industry and the community, which occurs in every other State but New South Wales. Failure to act in this area will lead to a continuing decline in confidence, continuing increase in insurance premiums and a collapse of building certification as certifiers reach the age of 50 and leave the industry and or will not have insurance going forward.

There have been 20 years of building defects in thousands of apartment buildings, with many more thousands of residents left to fend for themselves due to what has been described as the poorest regulation of any State in this country. There have been years of inadequate enforcement, with a department and office that have been ground so far into the ground by efficiency dividends that they are unable to properly inspect and enforce the building laws. Now is the time to fix this industry, not by a piecemeal approach as the Government has put before us today but by a complete overhaul of industry. That should include introducing a building commission to support the work of the commissioner, proper enforcement resourcing and cleaning up our patchwork legislative process by replacing disparate though interconnected Acts—scrapping the lot—with a new building Act. Again I refer to the words of Mr Lambert, who said:

I had wished the Government, in view of the seriousness of the situation, would have come up with a comprehensive reform proposal with a stepped range of initiatives that would be taken that are coordinated, which they commit to on a definite time frame and which address each of the key problems ... It seems to me that you need a vision of the way you are heading and there is no vision.

He further said:

If you had had that vision and a commitment to that, I would think it goes some way to giving assurance to the community that there was a commitment and a plan it was proceeding. Simply releasing bits of legislation that are quite technical and narrow in scope does not give anyone assurance.

That is a view held by many, not just by Mr Lambert. That was certainly the view expressed during the building inquiry conducted by the other place. Before I conclude I will thank the many stakeholders whose input, advice and time has been invaluable. They are Engineers Australia, Professionals Australia, Institute of Public Works Engineering Australasia, the Owners Corporation Network, Master Builders NSW, the Insurance Council of Australia, the Australian Institute of Architects, Michael Lambert, the Construction, Forestry, Mining and Energy Union, the Plumbers Union, the Electrical Trades Union, the Property Council and the Building Designers Association of Australia. They also include residents from Sydney's Opal Tower, residents from Mascot Towers and the many more who engaged with the recent Legislative Council building inquiry and took part in other relevant forums. I also thank those other people who spoke to me but wanted to remain unnamed—people who are living in defective buildings but are concerned about revealing their locations because they know that it may have an economic impact on their nest egg.

I make the observation that, whilst that is a long list of stakeholders, not one of them has come to me and said that they are overjoyed or even accepting of the bill we are debating today. Instead, they are underwhelmed but prepared to accept it because it is something rather than nothing. What is lacking is real leadership from those opposite. We have a Minister who is asleep at the wheel on building and cladding. He is making a few changes here and there instead of giving the sector the legislative and regulatory overhaul that is needed and that is being called for. As I have already stated, the Opposition will be supporting this bill, but only because something is better than nothing. The Opposition shares the feeling of disappointment of those many stakeholders. However, I do not want this Parliament to mistake our support for the bill as unilateral support for the Government's approach to this sector. Nothing could be further from the truth.

This is a Government that has dealt with the crisis woefully and continues to push a piecemeal approach that will do little to quell dwindling consumer confidence in the apartment market and general construction sector across the State. This is a Government that has all but ignored serious calls from stakeholders to radically overhaul the sector. Consumers want change. Industry wants change. The Opposition and crossbench want complete legislative and regulatory overhaul. When you have all these voices calling on you to make sensible changes to your legislation, the machinery of government and enforcement you have to sit up and think, "Maybe we are getting it wrong. Maybe we can do things a better way."

This Government should not continue to ignore the Lambert report. Beyond this legislation, the Liberal-Nationals Government needs to step up and get it right on building. It is too important. We have a Building Commissioner; now we need a properly resourced building commission to go with it. We need a standalone building Act and a Minister for building reform to accompany it. Such major changes will undoubtedly restore trust in the new apartment market. However, a word of caution to those opposite: It is not just our responsibility as policymakers to look ahead. We need to think about a fair and just policy approach for those in buildings with serious defects such as Mascot Towers and Opal Tower and in apartments in Zetland, Erskineville, Alexandria and many, many more places. It is our responsibility to fix those problems that were ultimately caused by a failure of this place to legislate and regulate effectively. Through no fault of their own, those owners have been robbed by a poor regulatory framework created in this place.

How can Government members sit here in good conscience and watch the residents of Mascot Towers being saddled with a 7.7 per cent variable interest loan in a climate of record low interest rates? This is a loan, by the way, that their solicitor advised them against. The private finance market is taking advantage of residents in a hopeless situation. The only people left worse off are everyday people—home owners with mortgages, families and regular jobs—and not the developers, not the builders and not the millionaires. It is absolutely disgusting. How this Government has left those residents out in the cold is cruel and it is heartless.

The Government needs a plan for owners in buildings with existing defects. The building and property industry is a key economic driver in our State. It is the critical component in delivering safe, quality homes for the people of New South Wales. We cannot afford to waver or delay any longer when it comes to underpinning confidence in an industry that contributes \$25 billion annually to the New South Wales economy. So while we agree that any step forward—or a shuffle, in this case—is a good thing, we do not think that this is the holistic approach that is needed to clean up the industry and restore consumer confidence. The Labor Opposition will be moving a series of amendments in the other place. I hope that the Government can see fit to agree to those amendments because they will improve the bill that we are debating today.

**Mr NATHANIEL SMITH (Wollondilly) (10:23:51):** I support the Design and Building Practitioners Bill 2019. I commend the Minister for Better Regulation and Innovation for bringing the bill to the House. It delivers on the commitment made by the Government in its response to the *Building Confidence* report authored by Professor Peter Shergold, AC, and Ms Bronwyn Weir. The bill is the first of its kind. It imposes new obligations and establishes a chain of responsibility for key people involved in the design and construction of certain classes of building. The bill will ensure that design and building practitioners will have to work cohesively together

throughout the life of a construction project to ensure that the design and build complies with the Building Code of Australia. This, of course, is the national mandatory compliance standard that buildings across Australia must meet.

The bill seeks to promote public confidence by requiring registered practitioners to perform specific functions. These functions will better clarify who is responsible for preparing designs and who is responsible for building in accordance with the designs. Recent building incidents have emphasised the devastating impacts that building defects have on residential owners and occupants. Responding to growing community concerns, the Government intends to focus initially on residential high-rise buildings, which is where there have been significant failures in building standards. Focusing on these class 2 buildings recognises that our Government is prioritising home owners, ensuring that the community can trust the quality of high-rise apartments which they buy and rent.

To further highlight its commitment to home owners, the Government will be moving amendments to the bill before the House. Further investigation and consultation with stakeholders has allowed the Government to identify certain aspects of the bill that could and should come into effect as soon as possible and that do not require regulations to be effective. The duty of care owed to home owners is an important aspect of the bill and one that the Government believes should already be in place now. By amending the bill, the Government can better protect home owners in New South Wales and immediately improve quality and accountability within the building and construction industry.

Acknowledging the realities of modern construction, the reforms are also proposed to apply to mixed-use buildings with a class 2 component, such as a shopping centre or office block that has residential apartments located above the block, so that every part of a class 2 building is appropriately regulated under the reforms. The obligations are likely to be extended to other types of buildings over time. The timing of which classes are included in the regulations will be determined by the Government, subject to further consultation with the industry and community. The classes of design that this declaration function will apply to will be set out in the regulations. It is envisaged that declarations will be required for architectural drawings and engineering plans, as well as designs currently required to accompany an application for a construction certificate or a complying development certificate under the New South Wales planning system.

It is important to clarify at this point that the Government's intention is for the bill to work alongside the planning system to reinforce and supplement its requirements. It is not intended to duplicate requirements or confuse users about existing requirements under the system. These reforms introduce obligations on the key practitioners who are involved throughout the construction of a building: design practitioners, building practitioners and a new category of principal design practitioners. I will speak to those obligations on the design side. The bill imposes a new obligation on any practitioner who prepares a design, including a plan or specification for building work, to lawfully declare that the design complies with the Building Code of Australia. This will include architects, engineers and others involved in the design process.

The bill makes it clear that a design practitioner must be registered to be able to perform the function of making a design compliance declaration. Failing to be registered is an offence that attracts a maximum penalty of \$55,000. Similarly, a design practitioner must not knowingly make a false or misleading design compliance declaration or they will be subject to an offence. The seriousness of this offence is reflected in the maximum penalties set out in the bill: a maximum penalty of \$220,000 or imprisonment for two years, or both. A registered design practitioner will be required to make and provide a design compliance declaration each time they provide a person with a prescribed design for a building. There is also scope for the regulations to specify other circumstances where the practitioner must provide the declaration.

Registered design practitioners will also additionally have to make and provide further declarations in relation to designs for a building element or a performance solution where these designs vary from any previously declared designs. A performance solution is one of two pathways of achieving compliance with the Building Code of Australia, and requires a detailed assessment against the code's performance requirements for the solution to be compliant. The concept of a "building element" is contained within the bill and includes the fire safety system of a building, waterproofing and an internal or external load-bearing component of a building that is essential to its stability and the building's enclosure. This is considered important as these designs are more likely to have a greater impact on the compliance and safety of a building if incorrectly prepared. This requirement will ensure that building work that varies from critical designs—so often the catalyst for building defects—will be picked up in the process. Registered design practitioners will be required to hold appropriate insurance to make a design compliance declaration or prepare a prescribed design as a safeguard for consumers.

I speak about the new role of principal design practitioner that the bill recognises. To be clear at the outset, this role is not a mandated role. There is no requirement for a person to be appointed to this role or for the functions of this practitioner to be performed for all building work under the bill. However, it is understood that

some practitioners in the construction industry are currently responsible for coordinating the work of designers, especially in relation to larger and more complex building work. The new role and its subsequent functions are designed to complement these current practices. Further, the role may also serve to create administrative efficiencies for building practitioners in relation to their new obligations under the bill, which I will discuss later.

A principal design practitioner, if appointed, will be responsible for ensuring that all design compliance declarations have been provided and prepared by design practitioners who are suitably registered and authorised to make them. The principal design practitioner will be obliged to make a declaration, known as the principal compliance declaration, that evidences this work. As with design practitioners, principal design practitioners who intend on issuing declarations will be required to be registered and hold appropriate insurance. In a New South Wales first, and to make it easier for practitioners to meet their obligations, the bill sets up heads of powers to be able to compel practitioners who make declarations to lodge them in a digital format, such as an online portal.

While the development of a digital portal will occur in the future, it is intended that such a portal could eventually hold an end-to-end digital record of who designed the building, the types of designs that were used, any changes to designs during construction and who was involved in developing the building. Before the portal goes live it is intended that the regulations will prescribe obligations on practitioners to retain records, including regulated designs and compliance declarations that may be called up and inspected by the regulator at any time.

I am confident that these reforms make much-needed changes to the way the construction industry operates and will provide significant benefits to consumers. The reforms will restore public trust and confidence in the design and construction of buildings and ensure that these buildings comply with the requirements of the Building Code of Australia. Importantly the bill provides greater transparency of the role and responsibilities of key players in the construction chain to reinforce their accountability for the benefit of the State's consumers. I commend the bill to the House.

**Ms JODIE HARRISON (Charlestown) (10:33:27):** I speak in debate on the Design and Building Practitioners Bill 2019. I echo the sentiments and statements made by the shadow Minister and member for Swansea who spoke previously on the bill. I take a local perspective on the bill. Development continues to boom in the City of Lake Macquarie in my electorate of Charlestown, despite a national downward trend, with a record \$1.24 billion worth of development approvals in the past financial year. In my electorate we are purposefully planning for the future. Lake Macquarie City Council—on which I was previously privileged to serve as mayor—has a bold plan for the future. Entitled "Imagine Lake Mac", the city's plan seeks to establish strategic priorities for growth and development, beginning now and working towards 2050 and beyond. We know that how we respond to challenges and opportunities now will sculpt our city affecting generations to come. So planning is important if we want to ensure the long-term prosperity, sustainability and wellbeing of our local communities.

The population in my electorate of Charlestown is growing and we expect it to continue to grow for the foreseeable future. New class 2 multipurpose and multi-unit buildings, such as the Alto Apartments on Charlestown Road and the Highpoint complex, also in Charlestown, are being developed to meet the needs of our growing population. If these class 2 developments were commencing the planning process now, they would be subject to the regulations provided in the bill before us today. The city council has identified three scenarios for the population growth in my electorate. The first scenario is that the city will continue to grow in much the same way that it has done in recent years. By 2050 this will have led to an increase in population of 45,000 new residents, bringing the population of Lake Macquarie to 250,000 people.

The second scenario recognises that the lower Hunter region is increasingly becoming a place of choice for people to live and work. Population growth in this scenario could increase to 355,000 residents by 2050—an increase of 120,000 new people. The third scenario explores the City of Lake Macquarie's relationship with our State capital. In this scenario the pull factors of living in my beautiful electorate and being able to work from home with high-speed digital infrastructure and improved travel connections, and the push factors of wanting to get out of Sydney, but remain close to it, combine to see the population in the City of Lake Macquarie growing to 388,000 people by 2050. We do not know how fast the city will grow, but what we do know is that growth will not happen by chance. The question that is in my mind as I reflect on the bill before us is will this legislation help or hinder the development that is going on in communities like mine.

Our ability to continue to protect the natural environment, which is so attractive to current and potential residents, our ability to provide jobs and transport links, and our ability to provide housing and infrastructure will all affect the rate of growth that we will experience. I am proud that my city is rising to the challenge and putting in place the plans to enable and facilitate this growth in the coming years. The Lake Macquarie area is a wonderful place to live and work. It is no accident that many thousands of people have chosen to spend their lives around our lake and close to our beautiful beaches, parks and bushland. We have a vast, natural environment that we need to protect. The challenge is that it is this natural environment that is most endangered by the growing number of people who are attracted to live in close proximity to it.

If we are to maintain and protect these spaces, one of the new realities for the people that I serve is that we will need to grow upwards. Examples of this are the class 2 developments of Shearwater at Warners Bay and The Foundry apartments at Adamstown. These are exciting times for the people of my electorate, but they come with significant challenges as well. There is the challenge of preserving our natural environment, as I have already noted; there is the challenge of sharing the benefits of the growth of the electorate with all those who call it their home, and not just a few; there is the challenge of keeping up with the infrastructure needs of a growing region; there is the challenge of ensuring that people are not left behind by the growth that is taking place around them; and there is the challenge of truly building for the future. It is this last challenge that has been uppermost in my mind as I have been reflecting on the bill that is before us today. How do we truly build for the future? Planning is important. Sustained growth does not happen by chance, but planning alone is not enough. Quality in delivery is vitally important too.

We know that quality of workmanship is intrinsically linked to quality of life. And the quality of the new developments—and I think particularly of the new high-rise developments that are planned for and that will be necessary in my electorate—will directly impact the longevity of our built environment and our waste footprint. If we build badly we are not building for the future, we are building simply for the present. If we build badly we are not building in a way that complements our natural environment, we are unwittingly building an increased waste footprint. In order to provide the confidence that will underpin sustained growth in areas such as the one that I represent, we need quality buildings that people can be pleased to call home and in which people can thrive. It is that kind of building for the future that we need in my electorate and across our State.

The bill that is before us today will go some way to regulate and ensure that quality. It is better than nothing, but it is not enough. Insofar as the bill that is before us introduces a new regulatory framework to hold design and building practitioners to account for their work, I welcome this legislation and I am pleased to support it. Insofar as the bill does not address other key issues of accountability in the building sector, I ask for more. The bill seeks to place the risk that is part of any new building venture in the hands of the design and building practitioners and not in the hands of the occupiers of new properties. I welcome this legal duty of care owed by building practitioners to often vulnerable new owners. But I question why the same duty of care is not required of developers within the bill. Surely this is an omission that needs to be corrected.

The bill seeks to insert much-needed regulation into class 2 buildings, that is to say, buildings that are multistorey and multi-unit. I welcome this. But I question why other building classifications are not also included and I wonder whether those builders who wish to evade regulation will simply focus on an unregulated classification of building from now on. It will be important for the fine print of the supporting regulations to be robust. It will be important for the Government to ensure that the Office of Fair Trading is resourced properly and appropriately to meet its new regulatory responsibilities. What is clear is that the provisions of this bill will only be as good as the enforcement that supports them. The regulations that are to follow and the resourcing regime that will be needed are critically important.

Whilst there has been significant media interest in the failings of new buildings in Sydney, growth areas outside of our State capital are not somehow immune to these failings as well. Last year in a private member's statement in this place I highlighted such failings in a multistorey commercial and residential apartment building in my electorate. The Landmark Building, which is close to my electorate office, was built at a cost of \$24 million. It received a New South Wales Builders Association Excellence in Construction Award. But the new occupiers of the building soon had to grapple with a nightmare of defects as serious as failing safety barriers on balconies, inadequate stormwater drainage, issues with waterproofing of roofs and external walls, structural resistance of materials used in the construction of the building, and inadequate provisions for fire safety and fire safety awareness. The price tag for engineers' reports and remedial work was estimated to be up to \$2 million.

I have met with some members of the strata executive who have these repairs under control and underway. But vulnerable home owners deserve better. We all deserve better. I recognise in this bill an important contribution to the regulatory framework of our building sector and important risk safeguards for those who are purchasing properties. I welcome how it will affect, for good, future developments within my electorate of Charlestown. It is better than nothing, although it is not enough. Nevertheless today I support this legislation and its contribution in helping us to build for the future.

**Ms FELICITY WILSON (North Shore) (10:43:39):** I speak in support of the Design and Building Practitioners Bill 2019. I start by commending the Minister for Better Regulation and Innovation for bringing forward these important reforms to increase transparency and accountability of practitioners in the construction sector and to protect consumers. I thank the Minister's department and his team. In acknowledging the reforms in the bill that seek to improve the quality of residential buildings, I address a key reform that will significantly improve the consumer's ability to seek redress for defective work. This reform is the establishment of a statutory

duty of care that will remove uncertainty that may currently exist about the application of the common law of negligence for defective building work.

Members may be aware that residential building owners have a number of existing protections against and legal remedies available for compensating loss arising from defects. Significantly, these include statutory warranties under the Home Building Act 1989, home building compensation cover for buildings up to three storeys, the Strata Scheme Building Defect Scheme, as well as civil actions through the legal system. The actions can arise under contract and through the common law tort of negligence for both personal injury and economic loss. However, a number of court decisions have raised doubts about the extent of the protections available for owners or subsequent purchasers in the context of negligence in respect of pure economic loss.

In responding to the *Building Confidence* report, the Government committed to delivering stronger protections for vulnerable or unsophisticated consumers and owners of property, and the reform in the bill does just that. In delivering on the Government's commitment, the statutory duty of care that is established in the bill expressly provides that people who carry out construction work owe a duty of care to certain categories of owner. These owners include individual titleholders and subsequent owners of a building, owners corporations and a community, precinct or neighbourhood association scheme. It is these categories of owner whose protections have been threatened and this bill seeks to restore those protections. The Government was clear in its response that it did not intend the duty to extend to owners who are developers or large commercial entities. The Government considers these entities are sufficiently sophisticated, and able to contractually and financially protect their commercial interests. Accordingly, the bill gives effect to this intent.

Any person who carries out construction work will, under the bill and for the first time, have a guaranteed duty to exercise reasonable care to avoid economic loss caused by defects in or related to a building for which the work is done and against defects arising from the construction work. The types of defects can be potentially wideranging and are not limited to major defects. This means that owners of property will be receiving protections that are owed to them against any kind of defect that arises from construction work and will be properly safeguarded under this law. The bill sets out that construction work means building work, the preparation of regulated designs and other designs for building work. The legislation also provides the ability to include or exclude certain types of construction work by regulation if determined appropriate.

At this stage it is the Government's intent that the duty of care initially will apply only to construction work in a building that is class 1, 2, 3 and 10 under the Building Code of Australia. Therefore, practitioners carrying out construction work on houses, multi-unit residential buildings and other buildings such as boarding houses, hostels, backpackers' accommodation, residential parts of hotels, motels or schools will owe the duty. This initial focus is to ensure that consumers are protected in all types of buildings where they live, or intend to live or reside. It is important to note that the duty of care is owed to each owner from time to time of the land on which the construction work is or was carried out. Therefore, the duty would be owed, for example, to the owners corporation of a strata scheme and its members, and to other owners who may not have been owners at the time the construction work was carried out.

A beneficiary of the duty will be entitled to seek damages for the breach of the duty as though the duty was established by the common law. This means that while a person can rely on the statute to establish that they were owed a duty of care by relevant practitioners, they will be required to meet the other tests for negligence established under the common law and the Civil Liability Act 2002. This includes determining that a breach of the duty occurred and establishing that damage was suffered by the owner as a result of that breach. It is considered appropriate to rely on the existing common law framework and its well-established body of principles to limit any unintended consequences and retain certainty about the operation of the duty. The Government is safeguarding the rights of owners to the duty by including provisions in the bill that prevent a practitioner from delegating or contracting out of their duty. This is important, as practitioners will need to accept individual and collective responsibility for their work. Similarly, the bill makes it clear that the duty of care is owed to another whether or not the construction work was carried out under a contractual or other arrangement that was entered into directly with the owner. This protection puts owners of property first. It recognises that latent defects are as much of a financial burden as those that appear immediately, and may affect owners for years to come.

This legislation takes an extra step and specifically provides protections for owners corporations and associations. The bill states that these owners are taken to suffer economic loss if they bear the cost of rectifying defects, including damage caused by these defects, that relate to the breach of the duty. The bill recognises that owners corporations and associations may not be in existence when the construction work is occurring and it puts beyond doubt that these owners are considered beneficiaries of the duty. Importantly, this provision does not operate to limit the economic loss or damages that other prescribed owners may claim.

It is also important to note that obligations imposed under the Home Building Act 1989 or the common law are not limited by the new duty provided by the bill. Consistent with the existing position under the common

law, the statutory duty of care will be subject to the limitation period that applies to negligence claims under the Limitation Act 1969. This means that there will be strict time limits to bring a professional negligence claim, which require court proceedings to be commenced within six years from the date on which the damage or loss accrues. The duty of care model provided for in the bill will also work alongside existing well-established principles under the common law and the Civil Liability Act 2002 and will not operate to extend any limitation periods under these or other current laws.

The Government supports the view that homeowners rightfully expect their building to be built in accordance with relevant laws and standards, and that building practitioners should design and build to standard and bear the risk if they fail to do so. Accordingly, the actions of the Government to establish a statutory duty of care in this bill, which addresses the injustice arising from recent court cases, are commendable. By guaranteeing that a duty is owed and that it is owed by all practitioners involved in design and construction work, the bill eliminates existing legal hurdles facing consumers. This reform, together with other existing statutory protections, will ensure that consumers have a breadth of legal avenues available to pursue those responsible for defective building work. We are sadly all too familiar with the significant financial and emotional toll that building defects have on consumers and this Government has said it has had enough. With this bill the Government is standing up for consumers and giving them the protections they deserve to seek justice. I am confident that this reform will go a long way to improving the lives of consumers. I commend the bill to the House.

**Mr MARK COURE (Oatley) (10:51:48):** I speak in support of the Design and Building Practitioners Bill 2019. I commend the Minister for Better Regulation and Innovation for bringing this bill to the House and delivering on the commitment made by the Government in its response to the *Building Confidence* report, authored by Professor Peter Shergold, AC, and Ms Bronwyn Weir. The bill introduces a new registration scheme and new obligations for registered practitioners involved in the design and construction of certain buildings to improve their quality. The bill requires that any regulated designs, including plans or specifications, are declared to be compliant with the Building Code of Australia before being relied on for building work.

The bill will impose obligations on practitioners such as engineers, architects and builders who will need to be registered with the secretary before being able to make a declaration certifying compliance under the law. To ensure that practitioners who are required to prepare compliance declarations under the bill do so with adequate skill and care, the bill provides the regulator, NSW Fair Trading, with broad powers to regulate their conduct and to impose disciplinary conduct where necessary. These powers are like those already in use by Fair Trading officers for other modern registration frameworks that they oversee. They particularly closely mirror those included in the Building and Development Certifiers Act 2018, which was recently supported in this place.

The provisions in the bill include comprehensive responsibilities placed on the Secretary of the Department of Customer Service to ensure the appropriate oversight and registration of practitioners. These powers are underpinned by the secretary's ability to take disciplinary action against any practitioner. Disciplinary action provides a relatively quick but fair and open process, allowing appropriate action to be taken if it is warranted. The bill sets out a broad range of grounds under which disciplinary action can be taken, such as where the practitioner has failed to comply with a statutory or other duty or a condition of registration, or has wilfully disregarded matters they should have regard to when preparing regulated designs or carrying out building work, or when providing a compliance declaration.

One particularly important ground for taking disciplinary action is if the practitioner has engaged in conduct relating to their responsibilities that has fallen short of the standard of competence, diligence and integrity that a member of the public is entitled to expect of a reasonably competent practitioner. This ground for action makes it clear that registered practitioners have a responsibility to perform work to a certain standard and that they will be disciplined for not doing so. In other words, it raises the bar. A show cause procedure will be used in the bill in relation to the disciplinary process. The secretary will be able to give a notice to a practitioner calling on them to show cause why disciplinary action should not be taken against them under the grounds for disciplinary action.

The bill ensures that the registered practitioner has the right to be heard to show cause why disciplinary action should not be taken, and the secretary must consider this information before making a decision. However, the bill provides that the secretary will be able to take immediate disciplinary action without taking any steps if the secretary is of the opinion that it is in the public interest to take that immediate action—for example, to ensure the safety of the public. This is a necessary provision.

**Mr Jamie Parker:** Hit them with a feather—Fair Trading.

**Mr MARK COURE:** You will have your turn in a moment. The bill provides that if the secretary is satisfied that one or more grounds for taking disciplinary action against a registered practitioner has been established, disciplinary action may be taken against that practitioner. Examples of such actions could include

cautioning or reprimanding the practitioner, or suspending or cancelling the registration of the registered practitioner. The secretary may also make a determination requiring the practitioner to pay an amount not exceeding \$220,000 for corporations, or \$110,000, within a specified time. While substantial, this penalty amount is considered to be proportionate to the level of harm that could be caused by a practitioner failing to comply with their important functions.

We are all too familiar with fly-by-night businesses in this sector. The bill makes it clear that the Government will not tolerate poor conduct of rogue operators. The bill imposes obligations on registered directors of a registered body corporate to report conduct that is grounds for taking disciplinary action. Registered directors will be required to report conduct relating to a body corporate, another registered director of the body corporate or a registered individual who prepares regulated designs, carries out building work or provides compliance declarations on behalf of the body corporate. Of course, the disciplinary procedure in the bill will be subject to important safeguards for practitioners. If a person is unhappy with the secretary's decision to take disciplinary action against them they may apply to the Civil and Administrative Tribunal for an administrative review.

I thank NSW Fair Trading. It is an experienced regulator and has significant expertise in the appropriate and fair use of the disciplinary procedures proposed in the bill. The agency has developed extensive guidelines and protocols in relation to investigating and conducting disciplinary action and is well placed to have due regard for the individual extenuating or aggravating circumstances of a matter.

The proposed procedure included in the bill reflects the seriousness of the Government's determination to ensure the success of these reforms. All members in this House would agree that effective regulation is critical to ensure that these reforms have the intended effect of promoting public confidence in design and construction. I will say it again. Effective regulation is critical to ensure that these reforms have the intended effect of promoting public confidence in design and construction. The disciplinary process included in the bill will provide a quick and fair means for the regulator to ensure that practitioners comply with the important obligations imposed on them under the bill. I commend the bill to the House.

**Mr JAMIE PARKER (Balmain) (11:00:13):** I speak on behalf of The Greens in the second reading debate on the Design and Building Practitioners Bill 2019. I am delighted that we are finally seeing some movement on this important issue, though it is not enough. I served the people of the Leichhardt municipality for 12 years as a councillor and then as the mayor before I was elected to this House. During my time on the council and after, the issue of certification, building standards and managing approvals was very troubling for many people in my community and for the council. It all started when Labor privatised the certification system, which opened the floodgates to every shonky certifier and his mate to approve buildings. It took until 2003 for any kind of board or body to be established to have any type of accountability over private certifiers.

**Mr Alister Henskens:** It was in 2013.

**Mr JAMIE PARKER:** The association started in 2003. It has been difficult for those of us who, with goodwill, have advocated for good processes and good quality buildings and to have requirements enforced. It speaks of the strength of the development industry and its laissez faire approach, which has infected government. That approach has led to a process of "she'll be right" self-regulation and self-management. In many instances that can be positive and can work but with the enormous profits that have been dangled in front of developers and their certification bodies we have seen inappropriate certifications and a range of problems. We have often seen that those who do not comply face a wet lettuce punishment, they are hit with a feather.

Members need only look at the inquiry into building regulation that has been undertaken by the other place to see how bad the system is. The system needs radical overhaul to protect what for most of us is the biggest investment of our lives: our home. Lives have been destroyed and torn apart because the Government and the former Government ignored the warning bells and alarms from local councils, practitioners and professional associations which said that the system was a joke and was being rorted. Today we have before us a half measure to deal with the issues. I will go through some of the issues.

One issue that is being addressed by the Professional Engineers Registration Bill 2019—can you believe it, in 2019, after all these years—is the fact that basically there has been no restriction on who can refer to themselves as an engineer or as a person who works in an engineering job. That is incredible. If I told people in the street that there was no requirement for a person to be certified as an engineer or that there were no restrictions applied to the position of engineer they would not believe it. That is how our system works. Basically anyone can hang out a shingle and say, "I am a certifier. I can do this and I can do that." There is no properly resourced, adequate system of regulation, certification or compliance around these roles. The fact that there is no restriction on whether people can refer to themselves as an engineer or as working in an engineering job raises obvious safety issues.

A registration scheme would mean that engineers would require the qualifications, experience and continued professional development that we expect from other professions such as doctors, electricians, nurses, architects or pharmacists. Queensland and Victoria now have engineering registration legislation. The Government has finally brought in a bill—which we are yet to debate—that will introduce engineering registration into New South Wales. It is incredible that it has taken so long. The Government is only now introducing this bill, yet people's lives have been destroyed and damaged as this issue has affected their financial investments, their homes and their investment properties. There are significant issues with the bill and The Greens believe that there should be more consultation. In fact, we should wait another week, another day when we will receive the results from the upper House inquiry into this matter.

It is The Greens view that we need a building commission, an independent statutory body led by a building commissioner. The commission must be provided with broad powers and sufficient resourcing and funding to oversee and regulate the building and construction industry in New South Wales. Fair Trading is an embarrassment when it comes to the quantum of fines that are imposed. Let us be clear, Fair Trading is a soft-touch department of government that does not aggressively pursue issues and that ebbs and flows on compliance and the imposition of penalties. We need a standalone body with a culture that will ensure the momentum that is required for an organisation to dig in and take on the building industry and ensure the industry is regulated appropriately.

The Greens believe that the time in which a claim can be made under statutory warranty for residents of buildings should be extended to 10 years for both major and minor defects. The Design and Building Practitioners Bill should be amended to address stakeholder concerns that were raised during the inquiry. In particular, all classes of building practitioners and types of buildings should be specified in the bill. I acknowledge the contribution of the member for Charlestown when she said that people who act unethically would move to different classes that were not prescribed in the bill. We need to ensure that not just class 2 and mixed-use developments are specified in the bill but also the whole gamut of types of buildings. As I have mentioned, we need to put in place a professional engineers registration scheme and establish a building commission. Further, stakeholders' concerns in relation to the duty of care provisions should be reviewed and changes made where possible and the duty of care provisions should commence at the date of assent of the Act. The Greens are cautious about retrospectivity but we think in this case the provisions should be retrospectively applied.

The Greens consider that there should be a review of the response to the Shergold Weir report because the response in the form of the bill does not fully implement the recommendations. People have been crying out for solutions to clamp down on the unethical and shonky behaviour we have seen in the building industry. I have spoken with constituents from my electorate—as have many members in their electorates—who live in large-scale, multi-unit developments in very dense communities, for example in Ultimo, who despair at the buck-passing and the legal complexity of the issues they suffer from as a result of a lack of effective regulation in New South Wales. The recommendations of the Shergold Weir report should be implemented and they should be time limited to three years.

Further, the New South Wales Government should revisit its response to the Lambert report and commit to implementing those recommendations that are not covered by the Shergold Weir report that are specific to the New South Wales building and construction industry. The New South Wales Government should consider the merits of reintroducing a clerk of works on projects of significant scale as part of its review into its response to the Lambert report. It is important that today we recognise the human and environmental cost. Our hopeless environmental performance regulations are an issue for another day. BASIX obviously needs to be radically overhauled. It is clear that there have been significant impacts on individuals' livelihoods, mental health, finances and on the reputation of the building and construction industry in New South Wales.

Many builders and those involved in the compliance sector act to the highest standards but there is a culture in much of the industry of finding loopholes and taking shortcuts. It happens in private certification all the time. A private certifier will issue an occupation certificate but when asked to show the certificate will say, "I am still waiting for this and I am still waiting for that." It is ridiculous. It is clear that regulation of the industry needs to change. This bill is a step forward. Members from all parties who have worked in local government know that the system is broken. They will say to me quietly, not in this House, "We do not think this legislation goes far enough but let's give the Government a chance and see if it works." The difficulty is that so much ground needs to be made up. We need a fully fledged building commission to ensure a direct and adequate impact on this sector. I recognise there are positive changes in the bill but the legislation needs significant reform to be effective.

**Ms TANIA MIHAILUK (Bankstown) (11:10:36):** I make a brief contribution to debate on the Design and Building Practitioners Bill 2019. I note from the outset that the Opposition will not oppose the bill. The bill aims to ensure compliance with the Building Code of Australia by regulating aspects of the design and construction of certain buildings. In 2005 the then Labor Government introduced the Building Professionals

Act 2005. The bill established the Building Professionals Board to provide accreditation to certifiers, regulate accredited certifiers and investigate and resolve complaints made against accredited certifiers.

In 2008 the Building Professionals Act was further amended and a number of reforms were introduced for the certification of developments which clarified the roles of councils and certifiers, strengthened councils' enforcement powers and strengthened the certification system. The 2008 amendments also provided further powers to the Building Professionals Board to impose greater sanctions against accredited certifiers or building professionals found guilty of unsatisfactory or professional misconduct and introduced accreditation of building professionals who were required to undertake certain design work under former part 4A of the Environmental Planning and Assessment Act.

In 2012, following the election of the Coalition Government in 2011, there was a very serious incident in the electorate of Bankstown when one young woman died and another occupant was seriously injured following a fire in a building in the Bankstown CBD. That tragic fire sent shockwaves across the entire industry. At that point further investigation was critical to ensure that the sector was properly reformed. Following that tragic fire, in 2015 Michael Lambert, a former Secretary of NSW Treasury, was commissioned to conduct a broad review into certification within the building industry. Only a small number of his recommendations surrounding the certification of fire safety systems in high-rise buildings were implemented. The remainder of the nearly 150 recommendations remain unaddressed to this day. In 2017, following the Grenfell Tower tragedy, the Building Ministers' Forum, which oversees policy and regulatory issues within the Australian building and construction industries, requested an assessment of the effectiveness of compliance enforcement systems in the building and construction industries in Australia. As a result, Shergold and Weir were commissioned to produce a specific report.

The bill before the House imposes requirements upon registered design practitioners and principal design practitioners to provide compliance declarations for regulated designs and imposes obligations upon registered building practitioners to obtain compliance declarations for regulated designs and to take all reasonable steps to provide compliance declarations for applicable building work. In addition, building practitioners will not be permitted to carry out construction work without first obtaining the required regulated design compliance declarations. Those requirements will equally apply to major variations to building designs and practitioners providing compliance declarations will be required to be registered under a scheme established by the bill that creates the offences of "providing declarations without being appropriately registered" and "making declarations that are false or misleading". Importantly, part 3 of the bill establishes that a person who carries out construction work has a duty of care to each landowner and creates a duty to avoid economic loss caused by building defects arising from construction work.

The bill provides new accountability measures for building practitioners involved in the design of certain buildings and intends to improve the quality of compliance design documentation within the Building Code of Australia and other relevant regulations. The obligations imposed by the bill will initially apply to class 2 buildings or buildings with a class 2 component. The bill allows for regulations to be made to widen the scope of the bill to include other buildings such as schools and hospitals. The Government has foreshadowed that regulations for additional classes of buildings and other matters will be put forward in 2020. The building industry is in dire need of reform. When I was the shadow Minister for Planning I witnessed firsthand the impacts of the inadequate regulation and lack of accountability within the building industry.

As members would recall, on Christmas Eve last year hundreds of residents were evacuated from the 34-storey Opal Tower building at Sydney Olympic Park after loud noises were heard and fractures appeared in the 392-unit tower. In June this year occupants of the 132-unit Mascot Towers were also evacuated after building defects became visible in the form of cracks. The then Leader of the Opposition and I attended the Opal Tower site on many occasions. We spoke to many of the residents, many of whom remained homeless for days after the incident. They were at a loss to understand precisely what had taken place. It took too long for the Government to get its act together and provide assistance. Finally we heard from the two Ministers responsible at the time. It was difficult to comprehend why better assistance was not provided. I appreciate that it was the holidays but it was a terrible situation, particularly given the number of people involved, the number of people who were homeless and how difficult it was to ascertain precisely what had happened.

Disturbingly, I recently read an article published in *The Daily Telegraph* on 7 November entitled "Right to know: Opal Tower owners denied access to development agreement" in which it was stated that to this day there are still people who are unable to access their units in the Opal Tower and are still struggling to obtain the details of the development agreement. It is clear that intervention and support is required for the owners of those units. I remind the House that the State Government itself was an owner of units in that building, although I am not sure if it still is. The New South Wales Government owned a considerable number of units in the Opal Tower as part of its housing agreements.

Today the Public Accounts Committee chair Mr David Shoebridge and former deputy chair and MLC the Hon. Robert Borsak will hold a press conference to hand down an interim report of the inquiry into the regulation of building standards, building quality and building disputes by government agencies in New South Wales. The committee commenced hearings in August. I believe the last hearing will be held on 11 December. The inquiry received 175 submissions. It is imperative that the Government consider the recommendations that will be handed down today. The Government ignored most of the Lambert recommendations and most of the Shergold recommendations. It has dragged its feet with respect to those reports.

A more up-to-date inquiry has been conducted by this Parliament and many submissions have been received from industry experts and stakeholders. Those people have provided their views on the very specific areas of design, quality and standards in the building sector. It is critical that the Government consider those recommendations prior to this bill being finalised in the upper House. I understand that a number of amendments will be moved that will improve the Design and Building Practitioners Bill. [*Extension of time*]

I want to highlight the importance of the inquiry that is currently underway because it is imperative that the Government and the Minister consider its recommendations. Prior to the last State election, the Opposition made it very clear that it would commit to the introduction of a chain of responsibility for everyone in the building process and to a prohibition on developers being able to choose their own certifier so as to eradicate potential conflicts of interest. That is very important. The Opposition outlined at the time and continues to outline its intention to introduce sweeping reforms to the building industry and to strengthening regulations. The Opposition supports improving consumer protections and raising professional standards based on the recommendations in the 2015 Lambert report into the building industry and the 2018 Shergold Weir *Building Confidence* report, which was submitted to the Government in February 2018. It is important to note that while this bill attempts to address some of the Lambert review's recommendations, it does not address other key Lambert review and Shergold Weir report recommendations.

A range of stakeholders—there were 80 submissions on the bill—raised concerns about the detail that was missing from the bill and the piecemeal nature of the bill. Some stakeholders said that the bill addresses only some problems in the sector and does not address existing apartments with defects. There is no plan to assist owners in defective buildings. The bill certainly does not assist residents of the Opal or Mascot towers. The Government has overlooked including another key component in the bill, that is, the responsibilities of developers. Seemingly the only key stakeholder in the building process that is not mentioned in this bill is the developer. Further, the bill covers only class 2 buildings in the regulations. It will not cover other types of buildings, including other commercial buildings. There are fears that shoddy workmanship will transfer across to different types of buildings.

The issue of enforcement has been raised. Concern has been expressed about the definition of "building elements" and that it may not cover all elements of a building. The duty of care appears to be inferior to a proper chain of responsibility, which, for close to a year, is what the Opposition has been calling for. Concern has been expressed that there will not be appropriate insurance products available in the market when the legislation is introduced. I share the concern of the member for Balmain about the need for a review of this bill. I hope that the Government commits to a review in 12 months or two years. Clearly amendments will need to be made to this legislation. I hope that the Government will look closely at the legislation. I, and other members of the House who take a keen interest in this area, will examine the interim report handed down by the upper House Public Accountability Committee inquiry.

**Mr ALEX GREENWICH (Sydney) (11:24:05):** Increasingly the Australian home is an apartment. Our growing population will require us to rely more on higher density living. The last census found that almost 20 per cent of New South Wales homes are apartments and this proportion continues to grow, with multi-unit dwellings making up more than half of new developments in Sydney. In my electorate apartments account for over 80 per cent of homes. Since I was elected, I have heard from constituents who are affected by significant defects. I have heard about homes that flood when it rains, homes without fire systems having been installed and homes with walls that are cracking.

The Opal and Mascot building exposés were not a surprise to me. The silver lining of these devastating cases is that defects are finally getting much-needed media attention and Government action. We do not know how many buildings have defects. Most go unreported because owners are concerned about the effect on the value of their investment and developers demand confidentiality agreements when matters are settled out of court. In 2012 the University of New South Wales City Futures Research Centre released one of the only studies into defects after surveying owners' corporations in buildings constructed since 2000. The results were alarming, with 72 per cent to 85 per cent reporting major defects.

We urgently need to fix this problem to prevent hardship and heartache for many people. We need laws that promote better quality buildings and that help people affected by defects get remedies without financial ruin.

This bill is a critically important step. The focus is to improve design and construction. I congratulate the Government on adopting some of the recommendations in the important 2018 *Building Confidence* report by Peter Shergold and Bronwyn Weir. I note that Bronwyn Weir has been in the gallery with the new New South Wales Building Commissioner.

The Design and Building Practitioners Bill 2019 will create a new process for the accreditation of certain building practitioners to ensure they are qualified to do the work. These practitioners will have new obligations to ensure they properly sign off on their work's compliance with the Building Code of Australia and they will be required to declare that a building was constructed to design and plan. The bill will introduce a statutory duty of care on contractors who undertake building work to take reasonable care to avoid defects, creating clear grounds for owners to sue for negligence. The regime represents a great leap forward in building quality assurance, as we know that defects can arise from cutting corners from initial designs and from noncompliant work and that owners can struggle to get needed documentation to investigate problems in their buildings.

I thank the Minister for the consultative approach he has taken with me and key stakeholders in relation to this bill. As a result, the bill will be further strengthened by providing greater certainty to the types of designs, building works and buildings to be captured by the new regime. I foreshadow that I will seek to have the bill considered in detail in order to move amendments to that effect. I understand the Government will also strengthen the application of the legislated statutory duty of care provisions, which is one of the strongest new consumer protections provided in the bill. It is my view that these improvements should extend the duty of care to manufacturers and suppliers of building products. Manufacturers and suppliers often provide instructions on the suitable use and installation of their products. If a builder uses a product in line with poor advice from a manufacturer or supplier it can result in a defect. We must improve the accountability of manufacturers and suppliers if we want to improve building quality. I ask the Minister to address this important matter in his reply.

While there are obligations on regulated design practitioners, a wide range of contractors and subcontractors will do designs and building works that are not regulated and therefore are excluded from the new scheme. These practitioners will not provide any declarations that would help owners identify what work they have done and whether they are responsible for a defect or owe a duty of care. Many defects arise from the construction process and there should be some new form of transparency to ensure contractors and subcontractors not covered by the scheme cannot fly under the radar. This would help encourage building culture improvements. In consultation with the Minister, I will propose an amendment to address this concern.

Currently the bill would allow a certifier to issue an occupation certificate even if all the required documentation has not been lodged. Although the builder is required to provide a compliance declaration before an occupation certificate is lodged, this does not stop the developer from making an application or the certifier approving that application without those necessary declarations. Again, this will be addressed by an amendment developed in consultation with the Minister. The transitional provisions will make the rights of owners and the obligations on design and building practitioners unclear in buildings that are in the process of being designed or constructed on the date that the provisions commence because each practitioner's obligations kick in depending on whether they sign a contract before or after proclamation. This means some practitioners will be covered and others will be excluded. I understand the Government has worked closely with key stakeholders to address this concern and will be proposing amendments to ensure that each building be either wholly captured or wholly excluded by the scheme. I especially commend the Government for agreeing to ensure that a statutory duty of care will apply to owners of apartments that have already been built.

I am disappointed that the bill does not include changes to ensure that all owners' corporations can access statutory warranties for their buildings. Statutory warranties are different to duty-of-care obligations and are often a better avenue for owners to get remedies for defects, as they do not require owners to prove negligence. However, there are a number of loopholes that case law has created that enable developers, builders and subcontractors to escape liability. The courts have ruled that lot owners and owners' corporations are not successors in title to a developer for statutory warranty purposes if the developer is not the landowner. Contracts are now drafted to exploit this situation. Indeed, this was done at Opal Tower, where the Sydney Olympic Park Authority engaged Ecove, which then engaged the builder and carried out the role of a developer, despite not being the landowner.

Another case found that the owners' corporation of a leasehold strata scheme was not the successor in title to the developer because it did not hold freehold title to the common property. That prevented it from suing the builder or developer or from being a beneficiary under an insurance policy under the Home Building Act 1989. Another case found that owners and future owners did not have the benefit of the subcontractors' statutory warranties. It is of great concern that contract arrangements can continue to be used by developers to avoid their liabilities for defects. It goes against the very purpose of the statutory warranty provisions. I thank the Minister for the time taken to discuss the concerns about statutory warranties. I will be proposing amendments in that space and I understand the Government will consider addressing those concerns separately in the future.

In the past two decades the rights of owners have been successively eroded in an attempt to fast-track development and keep apartment costs down. Statutory warranties have become harder to access and home building insurance has been removed for multistorey buildings. Even the defects bond was watered down to ensure that owners could never access it without having to go through a laborious and expensive process with lawyers and expert consultants. I am pleased that the Minister made it clear in his second reading speech that the bill reflects only a first step in reforms to overhaul the building sector.

More work is urgently needed. This includes increasing independent oversight of development to provide holistic oversight of variations which individually comply with codes and standards but, when combined, cause defects; preventing builders contracting out of proportionate liability; and stopping builders and developers escaping liability through two-dollar companies. I am particularly concerned about the backlog of people who are currently affected by defects to whom the bill will provide little relief. These people are on the verge of financial ruin as a result of defects they had no responsibility for causing and could not have foreseen. I acknowledge that the Minister has committed to developing a method to deal with existing buildings. [*Extension of time*]

The bill reflects important progress in addressing the significant challenges of restoring confidence in the building sector and protecting future consumers. To ensure the new regime works to its full extent, the Government will need to move quickly to provide for electronic lodgement of declarations. Currently, there is no mechanism for owners to access the declarations for their building required under the bill. These documents will be vital for owners to investigate any defects that arise and in pursuing their rights. Fair Trading NSW has already developed a portal for all new buildings subject to the building defects bond. This could be expanded to include documents required by the bill. It will be essential that any portal is accessible to all future owners of a building to which the documents relate. My proposed amendments, developed with the Minister, will improve consumer protections under the bill. I look forward to working with the Government and other members of the House in this process.

Before closing, I acknowledge the tremendous work of the Owners Corporation Network in getting to this outcome. The team continues to provide me with advice on improving protections for apartment owners and has been integral to improving the regime put forward in the bill. I also stress that it is critical that members pass this legislation through both Houses before we leave this year. I note that an upper House inquiry report has recommended not to proceed with the bill. I think that is especially dangerous. We do not want to go on recess, have another Opal Tower or Mascot Towers incident occur and know that we have held up legislation to provide important protections that do not currently exist. I commend the work of the Minister to get the bill right. I commend the bill to the House as an important step in moving the building sector forward.

**Mr TIM CRAKANTHORP (Newcastle) (11:35:07):** I speak in debate on the Design and Building Practitioners Bill 2019. We all know that owning your own home is billed as the great Aussie dream. But when it comes to real estate prices, it is definitely not as easy as it was. Imagine how it must feel to work hard, scrimp and save for your deposit, put it down on a brand-new apartment, have it signed, sealed and delivered and then find that the apartment is full of defects. Think water damage, cracks in ceilings, structural problems—they are not just little marks on the walls you can wipe away. They can be significant safety issues that put lives at risk. While the Opal and Mascot towers have generated the headlines, let us not pretend that they are isolated problems. Construction issues have also arisen in apartment blocks in the Hunter. I have received correspondence from my constituents. For example, Carol Eggleton, who owns an apartment in Newcastle, states:

There needs to be something done to help people who have already purchased and been caught up in the lack of or leniency of building codes and certification. Owners are left paying for mortgage along with legal fees and expert witnesses even though interim certificate of occupancies have been issued when they don't even match Aust Building Code. I can't believe that should even be possible. Defects estimated ... are in excess of \$10 million with no guarantee of getting them addressed or compensated.

...

I cannot see how government bodies can and could let certification slip this low. How can people afford to go on? There are loopholes that need addressing. These apartments are 18 months old and do not fall into new policy.

She also states:

I strongly believe that a court case is not the best place for defects to play out as smart solicitors and barristers interpret codes and it is not always what is correct or right that wins on the day.

...

What I find alarming is the number of complexes that have issues, not just one or two. The severity of defects that could have dire consequences that are overlooked. Owners should not have to fight to get these fixed. However it continues to happen until a major incident occurs and then there is an outcry—we should not have to get to that stage. You cannot bring someone back from the dead.

That is one of many issues and cases that have been brought to my attention. In other correspondence it is stated:

One should expect that once a Certificate of Occupancy has been issued all areas of construction have been completed, checked to ensure they meet the Aust Building Code—I do not believe this happens. Certifiers are signing off before complexes are completed and people are living in complexes with work going on around them ...

That simply is not good enough. It goes on:

Buildings are given a Certificate of Occupancy which triggers a settlement of contract without the buildings being actually finished or a Final Certificate of Occupancy being issued and no guarantee of a DA being finalised to what has been passed by council.

...

This then creates another issue that the Owners Corporation now owns the complex, not the developer, so that if the developer has not complied to DA and completed the complex as per the DA it is up to the Owners Corporation—i.e. all the unsuspecting owners who are committed to paying for their property via home loans for the next 30 years are also expected to comply to DA i.e. finish what the developer started, what the developer has charged the unsuspected owner for and what the developer has profited from.

In summary, according to that constituent a lot of issues need addressing, including making people responsible for what they start and what they have been paid to do. It should not come down to court cases. Another constituent, Mike West, who is head of the strata committee in his building, writes: The Strata committee is in a world of pain at the moment as a result of trying to get some justice and compensation from some of the builders and related parties responsible for significant defects prior to the lodgement of the Final Occupation Certificate ... Another quote reads:

In particular I would like to point out the outcome of the legal proceedings as it stands, together the attendant costs, will create further hardship for the owners of the apartments ... who, after all, were only seeking justice and funds to fix a building that now is in a poor state. As a result of the failure of these legal proceedings the owners are now asked to pay further costs of \$81,000 (having already paid \$287,000) to our legal counsel and expert witnesses for their appearances in court.

...

Most of the people in our building are under financial stress and as Treasurer I will now have to impose a substantial levy to fix the outside cladding of the building and other water ingress related issues that are the result of builders, contractors and building certifiers not doing their job properly in the past.

They are two constituents. There are more. It is very distressing for them. They are suffering enormous financial stress and it is simply not good enough. We will not oppose the legislation but there needs to be a lot more work done. It beggars belief that professional engineers are not registered in this State. It is a long-running sore that many engineers have approached me about. The Hunter organisation of engineers has raised it many times and Labor will be raising it in the upper House when the amendments are looked at.

This issue puts a huge emotional and financial stress on body corporates and all occupiers. There is difficulty in getting defects fixed. If a brand-new product is purchased it is expected that it will be in perfect functioning order; it is new. If it is not, it is repaired or replaced. It is simple really. It should be no different when it comes to buildings and construction. Brand-new apartments should be in perfect functioning order. If they are not, they need to be fixed—not at the cost of the owner or the strata, but at the cost of the person who made the mistake in the first place. It is simple, but it is something the Government seems to have a lot of trouble addressing.

**Ms LIESL TESCH (Gosford) (11:41:52):** The Design and Building Practitioners Bill 2019 is inadequate and piecemeal but at this point it is better than nothing. The Government is behind the eight ball in this space. The industry represents 9 per cent of gross domestic product in New South Wales and employs over 250,000 people. The Government's response to the *Building Confidence* report committed to critical reforms to improve the quality and quantity of plans prepared to be relied upon for building work. The bill delivers on that commitment by introducing a number of new requirements to ensure that key practitioners are held accountable for work across the planning, design and construction stages. The bill achieves this by introducing prescribed categories of regulated designs and a requirement for registered design practitioners who prepare the regulated designs to issue a compliance declaration stating compliance with the Building Code of Australia.

The bill makes it a requirement that major variations to designs must be declared as compliant before being provided to the builder and that registered building practitioners must obtain, rely upon and build in accordance with these declared designs and issue a compliance declaration stating that the final building, including any variation, complies with the Building Code of Australia. However, according to stakeholders across the community, the bill is far from satisfactory. There were over 80 submissions to the Government's draft exposure bill. As part of its building inquiry the Legislative Council Public Accountability Committee held a day of hearing specifically on the bill. It included stakeholders from engineering and architecture bodies; the Construction Forestry, Maritime, Mining and Energy Union; Fair Trading NSW; Mr Michael Lambert; and the Building Commissioner.

Stakeholders generally support the bill; however, there are a number of key concerns. The bill leaves a large amount of detail to the regulations. It is piecemeal and addresses only some problems in the sector. Many argue that there should be a standalone building Act. The bill does not address apartments with existing defects

and there is no plan to assist those owners currently in defective apartments. That is a diabolical outcome for the people living in the Opal Tower and Mascot Towers as well in other buildings that have existing defects. Seemingly, the only key stakeholder not mentioned in the bill is the developer; so the developers get off scot-free. The bill will only cover class 2 buildings in the regulations.

Class 2 buildings are high-rise apartments. The bill does not cover other types of buildings, including commercial buildings. There are fears that shoddy workmanship will transfer across to different building types. There are also enforcement concerns. Fair Trading NSW is not equipped to deal with and enforce these new laws. There are only a handful of inspectors on the ground, and they are already unable to cope with the number of new dwellings being built. The Building Commissioner's office has only four full-time staff. There is also a concern regarding the definition of building elements in that it may not cover all elements of a building. Again, the details have been left to the regulations.

The duty of care in the bill is inferior to a proper chain of responsibility. There are also concerns that there will not be appropriate insurance products available on the market when the legislation is enacted. The bill does nothing to address other broader concerns in the industry including flammable cladding, the lack of a building commission and the resourcing of Fair Trading. This is very important for the people of Gosford as the Government has not made it clear which buildings in our community and key buildings across New South Wales have flammable cladding. It still needs to address the existing defects and provide support for the people living in those buildings.

While this is a first step, the experts are saying that we need a holistic approach. Our building industry is in crisis. People living in apartments are scared and filled with uncertainty. The architects and engineers are unhappy but hopeful that the Government will amend the bill; it is still insufficient and should not be before the House. These building professionals are experts and should have their voices recognised in the bill. While the Opposition is not opposing the legislation, we say there is still a lot more work to do.

**Ms SOPHIE COTSIS (Canterbury) (11:47:01):** I acknowledge the Deputy Leader of the Opposition, Yasmin Catley, who is the shadow Minister with responsibility for the Design and Building Practitioners Bill 2019. She has done a very important job and raised many concerns not only in the Parliament but also in the public domain. The Deputy Leader has been advocating strongly for affected people in Mascot Towers and for other concerned citizens in the State. She has done a fine job. I also acknowledge my colleagues in the upper House who did a very good job in the inquiry. I acknowledge the unions, the businesses and the many experts, residents and groups that made submissions to the inquiry.

The building industry in New South Wales contributes \$25 billion to the State's economy. One in ten people are employed in the building industry in various forms. That is over 250,000 people. Research by Professor Bill Randolph, Dr Hazel Easthorpe, Martin Lousemore and Laura Crommelin has found that a worrying 85 per cent of high-rise buildings in New South Wales built since 2000 have some form of defect. An even more recent report by Deakin University from mid-2019 found that 97 per cent of apartment buildings in New South Wales had some form of structural defect. Over 400 buildings across this State are covered in the same deadly flammable cladding that fuelled the Grenfell Tower inferno in London in 2017. It was a very tragic situation.

This bill does not go far enough. The Government has plenty of opportunity to get this right and, as the shadow Minister has indicated, we will work with the Government. But we must get this right. Everybody, including the unions and experts, are saying, "Let's start again. The most important thing is to build good, safe buildings for people." The Government is setting targets in our communities—and I will talk about that more a little later—while at the same time putting up expectations without providing certainty.

It is important that the building industry and big companies that tender for contracts in particular have certainty because it is essential to them accessing capital and credit and engaging subcontractors and workers. Everybody needs that certainty. In 2011, when the Government first came to office, it introduced changes that weakened protections for people who bought new homes. Labor opposed those changes. It did support in principle changes to the Home Building Act in 2011 but moved amendments in the Legislative Council to protect homebuyers. The Government voted against those amendments. I led for the Opposition in the upper House at the time that the Government voted against them.

We now have a crisis in the residential construction sector because people who have bought into apartment buildings do not have the protection they should be entitled to enjoy. The Home Building Amendment Bill 2011 reduced the statutory warranty period for building works from seven years to six years for structural defects and two years for other defects. Labor moved an amendment in the Legislative Council to keep the warranty period at seven years. I remind members that the Opposition said at the time:

The bill reduces statutory warranty periods for those with home warranty insurance. It reduces the existing protections of seven years down to two years for non-structural defects and six years for structural defects. Whatever the reason the Government puts

forward for this change, there is no way it can be argued that this maintains the current level of consumer protection. To reduce the time frame on the consumer being able to collect on their warranty for up to five years on certain claims is not supported. While we all agree that burdensome regulation and red tape in the construction industry is inappropriate, improvements on this front should not come at the expense of consumers.

The Labor Party said that in debate on the Home Building Amendment Bill 2011. Now, in 2019, 400 buildings are in danger. People cannot move into those buildings and they are really struggling. The Government is increasing uncertainty for people who want to buy apartments and there is a downturn in the buying of properties. That is because the Government has not provided the certainty and structural and legislative frameworks that are vitally important. We should not legislate in a piecemeal fashion. We will be back here next year and the year after to correct the mistakes that have been made. The mistakes should be fixed now.

As the shadow Minister stated, this bill does not go far enough. The review led by former Secretary of Treasury Michael Lambert made 150 recommendations to the Government aimed at improving building regulation and certification reform. The Government has deferred 70 of the recommendations and there is no timetable for the implementation of the reform. A concerning aspect of the bill is that it would leave much of the work of reform to regulation making. That has been criticised by stakeholders such as Engineers Australia, which in a submission stated:

The bill leaves a lot of regulations and it is recommended that it be amended to provide much more detail. Doing so would provide clarity to industry and the public as to what the reforms encompass. The reforms are important, so it is best to make the laws with the full scrutiny of Parliament, as opposed to leaving much of the changes to be defined by regulation. An Act of Parliament is the ultimate documentation for the application of a law, though other mechanisms are available to provide greater clarity on, and proper accountability for, the Government's long-term intentions.

The Government should take those views into consideration. The Opposition does not oppose the bill but the Government should consider the matter in its entirety, not in a piecemeal fashion. It has the summer break to consider it. There is a downturn in people buying apartments, whether or not they are investors, and there is very low confidence in the market. I am concerned about that. We want to have certainty. We want to ensure that these buildings are built properly, with proper safety standards, and that they are regulated.

I will shortly put in a submission to Canterbury Bankstown's Connective City 2036. One of my primary concerns relates to the Government's forecasted population growth and new residential construction. The Government continues to impose strict population growth estimates and dwellings on our communities. Members for the electorates of Bankstown, Lakemba, Summer Hill and I continue to advocate strongly for more and better infrastructure and investment in our local communities. The Government has forced these strict numbers onto us without proper investment. I call on the Government to reconsider that. [*Time expired.*]

**Mr DAVID MEHAN (The Entrance) (11:57:16):** I make some brief comments on the Design and Building Practitioners Bill 2019 and in doing so note that public confidence in the building industry is at an all-time low. The building industry is an important part of our State economy. It should provide affordable homes for people to live in, suitable accommodation for businesses to conduct their activities and infrastructure for the State. Also, it should provide livelihoods for people who work in the industry. However, all we get from the promises of the free market that we have allowed to intrude more and more into the building industry in this State—and I appreciate both sides of this House have allowed that to occur—is unaffordable homes and increasingly poor quality building materials. Indeed, as all the examples in the news over the past couple of years have shown, we have very bad quality building work as well. So the free market, when applied to the building industry in this State, has been an absolute failure. Insofar as this bill is a small intrusion pushing back against the free market, it is a small step in its necessary re-regulation and I welcome it. However, it is a poor document.

The bill does not cover the whole building industry. In its drafting, the bill creates a whole bunch of new obligations, which are directed at those who work in the industry. As somebody who has worked in the building industry for many years, I look at the document and I notice that the bill puts a whole bunch of obligations on those of us who do the work in the industry, but not an ounce of obligation on those who have the power to drive the industry—the owners of capital, the owners of property and the property developers. There is no pushback on those groups, the groups who clearly have the ear of this Government. They are left out of any obligation to do the right thing by our society in this State. All the obligation is going to be thrown back onto the people who work in the industry. I do not believe that is the best way to proceed in determining how we best organise this important part of our economy for the welfare of the people of New South Wales.

I will not go into the detail. I believe what is needed is a single regulatory document that covers the whole building industry. It should be directed at securing outcomes for the welfare of the State and it should be directed at providing good-quality, affordable construction for people who want to obtain an affordable home in this State. It should provide for the livelihoods of those who work in the industry and it should secure this important part of our economy in a more thorough manner than is produced by this bill, which continues the process of having part

of the building sector regulated by this bill and another part of the building sector regulated by other regulation. The bill is a poor job of drafting.

I acknowledge the work of the shadow Minister in engaging with the bill, but I express my disappointment in the Minister. I do not think the Minister has the wit to understand the building industry. He has not listened to the practitioners or considered all the submissions they have made. This is not great legislation. We can do better in this State and we should do better in this State to create a building industry that serves the interests of all people in New South Wales, not just those who have the ear of the Government and who do not rate a mention in this document.

**Mr ALISTER HENSKENS (Ku-ring-gai) (12:02:42):** I speak in support of the Design and Building Practitioners Bill 2019. I am a little bit disappointed with some of the historical contributions of the Opposition in debate on this bill. We have heard many people complain about the deregulation of the industry that led to private certifiers, but not one member of the Labor Party or of The Greens has acknowledged that, in fact, it was the Carr Labor Government that introduced private certifiers in the construction industry in 1998. One could have been listening all morning to this debate and not heard one speaker from the Opposition acknowledge that fact. It is regrettable also that in 2002 the Carr Labor Government introduced the Civil Liability Act—again taking away the importance of responsibility for negligent acts of those who are involved in the design and construction of buildings and other components of the construction industry.

These are important contexts to take into account when considering the important work that this bill is now doing. I believe that, in retrospect, it was not appreciated how important some of the safeguards were that were provided by the certification processes that had been performed by local councils prior to 1998. This is a very comprehensive bill; it introduces some much-needed regulation and provides important consumer protection. If members have regard to the contribution of the member for The Entrance, which seemed to be straight out of the pages of *Das Kapital*, he seemed to be complaining that the bill made no allowance for landowners who engage building professionals to design and construct works upon their property. Of course it does not. The problems that have been experienced are problems with the design and construction of buildings; they are not the fault of the landowner, as the member for The Entrance seemed to suggest. The problems are the fault of the people who are engaged to perform the works.

I commend Minister Anderson for bringing forward this very detailed bill to the House because it sets up quite a good regulatory regime that will provide a necessary degree of quality assurance. That assurance is achieved by section 9 of the bill, which provides for the registration of design practitioners and sets out penalties for unregistered persons who perform those works; by section 12 and following, which provide for obligations upon the principal design practitioners; and by section 24, which provides a very important obligation that the Building Code of Australia must be complied with, not only in respect of the design but also in respect of the provision of as-built drawings to show that not only was the design in accordance with the Building Code of Australia but also the final works. Those are all incredibly necessary and important pieces of regulation that the Minister has brought before the House in this bill. He should be commended for that rather than having the constant tirade of barbs that seem to have been thrown across the Chamber by the Opposition. Too often the Liberal Party has to clean up some of the messes caused by a Labor Government when it was in office. I believe this bill is a good example of that.

Part 4 of the bill provides for the registration of practitioners and the mechanism for that to take place, and sets out various offences for contravention of the provisions. Part 5, importantly, provides some mechanisms for disciplinary action against practitioners who do not comply with their obligations. Part 6 contains some very important investigative powers in order for the regulation under the bill to be properly implemented. Part 7 contains a number of enforcement provisions. It is a comprehensive piece of legislation, extending to over 43 pages, and it is very good legislation. The bill delivers on a number of key reforms committed to by the Government in response to the *Building Confidence* report authored by Professor Peter Shergold, AC, and Ms Bronwyn Weir.

The Government has made significant progress in implementing the specific recommendations of the Shergold Weir Report and has completed or is progressing 20 recommendations, with the remaining four recommendations under active consideration. Specifically, the Government has delivered a series of priority reforms to the building certification system, including improving the collection and publication of planning and building data through mandatory reporting requirements, a new digital app and rewriting existing certification legislation with the development of the Building and Development Certifiers Act 2018. These reforms align with the recommendations from the *Building Confidence* report as they relate to certifiers and aim to mitigate the issues raised by this and other reviews, including reducing conflicts of interest, improving transparency, targeting disciplinary conduct and enhancing supervisory powers.

The new Building and Development Certifiers Act delivers the Government's commitment to overhaul certifier regulation and implement wholesale changes, such as clarifying certifiers' roles and responsibilities, strengthening conflicts of interest requirements to ensure that certifiers act independently and in the public interest, and tightening probity requirements. Outside of this legislative work the New South Wales Government has been implementing its four-point plan to restore public confidence in multistorey residential buildings, which is incredibly important not only for the consumers who purchase properties, but also for the New South Wales economy as a whole. In addition, the Government has progressed reforms to the Environmental Planning and Assessment Regulation 2000 to develop and introduce a co-regulatory accreditation framework for competent fire safety practitioners into New South Wales legislation.

This framework seeks to improve the quality of checks throughout the design, approval, construction and maintenance phases of work, and establishes formal requirements for competent fire safety practitioners. The introduction of this reform aligns with a number of recommendations from the Shergold Weir Report, including those that relate to strengthening requirements for fire safety and performance solutions. The Government has also introduced a comprehensive building product safety scheme through the development of the Building Products (Safety) Act 2017 to provide the regulator with a suite of powers to investigate, ban and rectify the use of unsafe and nonconforming building products. Other recent reforms in the planning and approvals sector have been enacted already, including a rewrite of the Environmental Planning and Assessment Act 1979. The rewrite delivers an updated, more modern planning system that is simpler to navigate and is designed to ensure high-quality decision and planning outcomes for the people of New South Wales. This is a very important piece of legislation. I commend the bill to the House.

**Ms JULIA FINN (Granville) (12:12:46):** I make a contribution to the Design and Building Practitioners Bill 2019. The Opposition does not oppose the bill, which is a very important, long overdue reform. However, this piecemeal reform is inadequate in a number of respects. The Government has been in place for the past 8½ years and yet, according to the member for Ku-ring-gai, the problems in the building industry are actually the fault of the Labor Party. The Government has presided over the biggest construction boom in the State's history for apartment buildings and yet we are only dealing with these problems after crises in the construction industry, events such as cracks at Opal Tower and Mascot Towers, or the cladding crisis where, after hundreds and hundreds of buildings across the State have been identified as having flammable cladding, the Government will not actually say which buildings they are.

The bill before us makes some very important reforms and provides a lot of clarity where there is none at the moment around the roles and limitations of private certifiers and various other practitioners, including the limitations to their responsibilities and where the onus of responsibility lies for the work that they do. The key practitioners will be accountable for the work they do across planning, design and construction. There will be a requirement for registered design practitioners who prepare regulated designs to issue a compliance declaration stating that it complies with the Building Code of Australia. The bill also enshrines a duty of care in construction work for certain categories of owner, which is incredibly important. This also provides new obligations for design practitioners, principal design practitioners and building practitioners.

Unfortunately, this limits the obligations to multistorey and multi-unit residential buildings—not to all new construction, even though all construction may be problematic. The problems we have seen have been in multi-unit residential buildings, but that does not mean this is the only place where there may be problematic designs. Another potentially major flaw is that we will rely on a whole lot of supporting regulations, which are yet to be developed, to fully implement the intent of the bill. We do not know at this stage if this will be comprehensive enough because we cannot see the regulations and we do not know what will be in them. There is another area that I think is a missed opportunity. We are looking at improving the independence of private certifiers, but there is a whole range of other things that needs to be addressed.

One particularly that we have seen highlighted throughout this whole period—not just with poor construction of buildings, but poor safety on construction sites—is that there is a lack of independence for safety inspectors. They are also engaged by the developer and they have the same problems with independence as private certifiers. They feel an obligation to sign off on things so as not to prejudice their future employment. In the case of safety inspectors we have seen huge failings and deaths on construction sites in the past year. While we may look at that in the near future, this needs the same approach, particularly in the construction industry, as we are looking at for other areas of building professionals, which could have been covered by the bill and should be provided the same level of independence.

Another issue that has been missed with the bill is the problems faced by purchasers. The problems addressed by the bill are not the only ones that create lack of confidence in the new apartment market. We have seen a recovery in property prices in the past few months for long-established buildings, but not for new apartments. The cracking and the problems associated with flammable cladding have made people incredibly wary

about buying new apartments. Another thing that has made people very wary is the variations that occur to apartments that are sold off the plan. It will be near impossible to sell things off the plan until that is fully addressed. People want to know that what they have bought and paid for is what they will move into. In my own electorate there are a lot of families who have bought apartments off the plan that back onto the western railway line at Wentworthville.

People were sold units with double glazing, but none of them had double glazing and the effect is that owners constantly hear the noise from the trains. They cannot open their doors or windows because of this noise. In fact, they have all had to put in heavy curtains to mitigate the noise, but the noise remains all day, and on and off throughout the night. These are the sorts of problems that people have faced. We have also seen that unit sizes have been shrinking. A little bit has been done to improve this, but not a lot. Until that is addressed there will be issues around construction funding, because selling off the plan is often a way to finance projects. This will not fully restore faith in the apartment market in Sydney, which is huge, or in the construction industry, which is our largest employer.

It is really important that we get this right and do not take just the first step, pat ourselves on the back and wander off. Submissions identified a whole range of other shortcomings in the bill. As I mentioned, the bill leaves a lot of the detail to the regulations. It is a piecemeal bill. It does not address existing defects and at the moment there is no plan to assist the owners in defective apartments. Developers are not specifically referred to or held accountable in the bill, which covers only class 2 buildings: high-rise apartments. There is a concern that that will move the poor workmanship into other sectors of the construction industry. Fair Trading is not equipped to enforce the new laws. There is only a handful of inspectors and they are already unable to cope. The Office of the Building Commissioner has only four full-time employees. It should be engaging a lot more staff. There is also concern that the bill's definition of "building elements" may not cover all elements of a building.

The duty of care referred to is important, but it does not entirely encompass the full chain of responsibility that is clearly lacking at the moment. One of the ways that is represented is when a private certifier—even one who is trying to do their job properly—submits documents to assert the quality of a building, they have to rely on the professional integrity of the people who submitted the engineering and various other certificates. It does not provide that at every step in the construction process. There are also concerns about insurance and that appropriate products are not available on the market at the moment. As many submissions stated, the bill does not address a whole lot of broader concerns in the construction industry.

The bill is only one step. The list of concerns includes flammable cladding, the lack of resources for the Building Commissioner and the lack of resources for Fair Trading. Importantly, the bill needs to address the registration of professional engineers. There is a huge problem in New South Wales because pretty much anyone can register themselves as an engineer. Private certifiers then have to take registered engineers on their word—even though they might know nothing at all about engineering—about the construction quality of a building. If we do not address all these important steps throughout the supply chain we will not address the problem fully. The bill is a good start, but a lot more needs to be addressed and a lot more needs to be done. The content of the regulations is very important. We look forward to considering them when they are produced.

**Debate adjourned.**

## **ELECTORAL FUNDING AMENDMENT (LOCAL GOVERNMENT EXPENDITURE CAPS) BILL 2019**

### **Second Reading Speech**

**Mrs SHELLEY HANCOCK (South Coast—Minister for Local Government) (12:23:16):** I move:

That this bill be now read a second time.

The Government is committed to ensuring that the electoral funding scheme in New South Wales is fair and transparent. It has made significant reforms to the State's electoral laws in recent years. New South Wales already has the toughest political donations laws in Australia. The Government now seeks to make further reforms to expenditure caps in local government elections. Candidates in local government elections can be expected to incur expenditure to run an election campaign. The Electoral Funding Amendment (Local Government Expenditure Caps) Bill 2019 amends the Electoral Funding Act 2018 to amend the current expenditure caps for participants in local government elections. The bill implements reforms recommended by the Parliament's cross-party Joint Standing Committee on Electoral Matters from the fifty-sixth Parliament. I commend the work of the parliamentary committee and its members, and look forward to continuing to work with all our parliamentary committees to generate quality outcomes for our local councils.

The bill will help to create a fairer system for candidates in local government elections. The introduction of caps on expenditure for local government election campaigns by the Electoral Funding Act 2018 sought to

establish an even playing field for participants in a particular local government election in a way that is relatively simple and easy to understand. During the parliamentary debate on the Electoral Funding Bill 2018 questions were raised about whether the caps should further distinguish between local government areas and wards with different population sizes. The populations of different local government areas and wards vary significantly. The Government was receptive to these concerns and in August 2018 the Premier made a referral to the Joint Standing Committee on Electoral Matters. The committee was asked to inquire into and report on the impact of the current expenditure caps for local government areas and wards with different populations.

In October 2018 the committee reported on its inquiry and made nine recommendations to substantially amend the current regime. The Government accepts the committee's recommendations, which are implemented by the bill. The bill before the House today benefits from the input of many stakeholders, including councils, industry bodies and the NSW Electoral Commission. I thank them for their contributions, which have been crucial in the development of these reforms. I particularly note the efforts of Local Government NSW, which raised this matter with me when I was first appointed Minister for Local Government. This bill delivers on one of Local Government NSW's 12 advocacy priority areas, creating fairness in council elections well before the 2020 local government elections, in line with the committee's recommendations. Since I have been Minister I have worked with Local Government NSW to deliver on these priorities areas and we continue to make progress.

Just recently I joined with the Premier, Deputy Premier and President of Local Government NSW Councillor Linda Scott to sign an inter-governmental agreement between the New South Wales Government and the sector—delivering on yet another of Local Government NSW's priorities. I particularly thank Chief Executive Officer Tara McCarthy and Director of Advocacy Kylie Yates—who I note will soon depart the organisation—for working so collaboratively with my office and for their continued efforts on behalf of the sector. I also note the member for Sydney's interest in this matter and thank him for his time with me, along with the Lord Mayor of the City of Sydney, to discuss the Government's response. In addition to written public submissions, the parliamentary committee also held a public hearing as part of its inquiry. The parliamentary committee's inquiry provides a strong evidentiary basis for the reforms it recommended, which are implemented in the bill.

I turn now to the key provisions of the bill, starting with the caps for candidates and groups. Currently, the Electoral Funding Act 2018 provides a two-tiered regime of caps for candidates and groups depending on whether there were 200,000 or less enrolled electors at the previous general election for the local government area or ward or more than 200,000 enrolled electors at the previous general election for the local government area or ward. The main concern raised during the parliamentary committee's inquiry was that the current scheme fails to adequately distinguish between local government areas or wards of different population sizes, and results in large differences in the amount per elector that may be spent for different areas.

The committee ultimately recommended replacing the current two-tiered regime with eight different bands to address the concerns raised. The committee recommended eight different caps ranging from \$6,000 to \$72,000 for a candidate or group of candidates depending on the number of enrolled electors for the local government area or ward concerned. The bill implements this recommendation. The changes are intended to reduce the variation in amounts a candidate is allowed to spend on a per capita basis as between local government areas of different populations. Generally, the proposed caps for candidates and groups in the bill are higher than the current caps for local government areas with higher populations. During consultation a stakeholder raised concerns regarding wards within a single local government area falling within different caps as they have slightly different populations. To ensure parity within a local government area, the bill provides that candidates or groups of candidates in all wards within a single local government area will have the expenditure cap that applies to candidates or groups in the ward with the highest number of enrolled electors in that local government area.

I turn now to provisions regarding a party's cap. The Electoral Funding Act 2018 currently sets slightly higher caps for independent candidates and groups compared to those for endorsed candidates and groups. As recommended by the committee, the bill provides that the revised caps apply equally to candidates or groups of candidates whether they are endorsed by a party or not. The committee also recommended that when a party incurs expenditure for the purpose of an election in a particular local government area or ward, that expenditure should be apportioned to any candidates endorsed by that party in that area. The bill implements this recommendation. The bill amends the current caps for parties by providing that for a local government election, the party's cap for electoral expenditure for a candidate or group endorsed by the party in that election is the amount of the applicable cap for the candidate or group.

The bill also provides that parties' expenditure for the purpose of an election in a local government area or ward is required to be aggregated with any expenditure of any endorsed groups or candidates in that area. This means that parties are not permitted to spend additional amounts on top of the amounts able to be spent by endorsed groups or candidates of the party. Specifically, the bill provides that electoral expenditure incurred by a party for a candidate or group that does not exceed the party's cap is to be treated as expenditure that exceeds the cap if that

expenditure and the expenditure that is incurred by the candidate or group exceed the applicable cap specified for the party. Similarly, the bill provides that expenditure incurred by a candidate or a group that does not exceed their applicable cap is to be treated as expenditure that exceeds the cap if that expenditure and expenditure for the candidate or group by a party that endorsed the candidate or group exceed the applicable cap specified for the candidate or group. These reforms are fundamental to creating an even playing field for candidates regardless of whether they are independent or endorsed by a party.

I turn now to provisions regarding a cap for a directly elected mayoral candidate. Currently there are different expenditure caps for directly elected mayoral candidates depending on whether or not they are in a group and if they are in a group the group also has different caps depending on whether or not it is independent or endorsed by a party. For a general election the expenditure cap for a mayoral candidate is higher than for other candidates. During the parliamentary committee's inquiry some stakeholders expressed concerns that these caps may be too high and may encourage candidates to run for mayor disingenuously just to access the higher caps. As such, the committee recommended changing the caps applicable to directly elected mayoral candidates and proposed the same cap for an individual mayoral candidate and a group that contains a mayoral candidate.

To implement the committee's recommendation, the bill provides that for a local government election the cap for a mayoral candidate or a group that includes a candidate for mayor in an undivided local government area is 125 per cent of the cap that applies to a candidate for councillor of the local government area. Where the local government area is divided into wards, the cap for a mayoral candidate or a group that includes a candidate for mayor is 100 per cent of the applicable cap for a candidate for councillor in a ward of the local government area plus 25 per cent of the cap that applies to a candidate for councillor in each of the other wards of the local government area. The committee's recommendation aims to allow some additional expenditure for mayoral candidates, however not so much that it would give candidates an incentive to run for mayor disingenuously.

I turn now to the cap for third party campaigners. Third party campaigners are organisations or individuals who are not contesting an election but are financing campaigns on specific issues to influence policy and election outcomes. Currently the cap for third party campaigners in local government elections is \$2,500 multiplied by the number of local government areas for which the third party campaigner incurs electoral expenditure. The cap is also subject to an additional cap within the overall cap in relation to individual local government areas or wards of \$2,500.

In its report the committee acknowledged stakeholders' concerns that the current cap may not adequately allow for the type of campaigning done by third party campaigners. It considered the cap to be unreasonably low, particularly in larger areas. As recommended by the committee, the bill replaces the current caps for third party campaigners and provides that for a local government election the cap for a third party campaigner is one-third of the cap for a candidate for councillor for the local government area or ward election concerned. Generally the proposed caps are higher than the current regime.

I turn now to provisions about informing candidates of their caps. To ensure compliance with the proposed caps, candidates need accurate information about the number of enrolled electors in their electorate to determine the expenditure cap applicable to them. As recommended by the committee, the bill provides that the NSW Electoral Commission provide candidates with the number of enrolled electors for the relevant local government area or ward and the cap that will apply to them and publish on its website the number of enrolled electors for the relevant local government area or ward and the applicable caps that apply to the local government area or ward. The bill also provides that the NSW Electoral Commission is to determine the number of enrolled electors for a local government area or ward for an election for the purposes of calculating the applicable expenditure caps.

The committee also recommended that for general elections the number of enrolled electors on which to calculate the caps be the number of enrolled electors in a ward or undivided local government area as at 12 months prior to the election. Currently the applicable caps are based on the number of enrolled electors at the previous general election. The committee considered the 12-month point before an election to be appropriate to allow for population changes to be taken into account while also giving the NSW Electoral Commission adequate time to inform candidates and perform its functions. The bill implements this recommendation as it relates to ordinary local government elections held every four years.

The committee did not consider the time at which the number of enrolled electors should be calculated for by-elections. The NSW Electoral Commission has indicated, however, that it would be very difficult to base calculations on population figures from 12 months prior to by-elections as by-elections can arise at any time. Similarly it would also be very difficult to base calculations on population figures from 12 months prior to certain general elections that can arise at any time, such as after the council for an area has been dismissed or declared to be non-functioning. In that regard, it is proposed to continue to use population figures from the last general election

for by-elections and general elections other than the ordinary election held every four years. The bill provides for this measure.

I turn now to provisions regarding non-residential voters. Non-resident owners of rateable land and occupiers and rate-paying lessees are eligible to vote in local government elections. Unlike residential voters, however, voting is not compulsory for non-residential voters, except in the City of Sydney. Currently non-resident voters are included in the number of enrolled electors upon which the expenditure caps are calculated. During the committee's inquiry the NSW Electoral Commission observed that other than the City of Sydney the number of non-residential electors for the rest of the local government areas was miniscule—only 0.014 per cent of the total votes at the 2017 elections. As recommended by the committee, the bill includes only non-residential voters when calculating the number of electors in a ward or local government area where voting by non-residential voters is mandatory.

Finally I turn to provisions regarding the 2020 local government elections. The Government is introducing the bill now so that the proposed changes to expenditure caps can be in place for the 2020 local government ordinary elections. The bill contains transitional provisions to deal with the determination of the number of enrolled electors in local government areas and wards for the purpose of calculating the caps for the 2020 local government elections. In particular, the bill provides that the Electoral Commissioner is to determine the number of enrolled electors for local government areas and wards for these elections as soon as is reasonably practicable after 31 January 2020.

As the Minister for Local Government, I strongly believe reforms undertaken within the sector must be accompanied by strong consultation and subsequent support of councils and stakeholders. When considering the parliamentary committee's recommendations I sought the feedback from various stakeholders, councils and councillors, including Local Government NSW and the NSW Electoral Commissioner. I commend the Special Minister of State for undertaking additional and extended consultation with the sector as well as with the Opposition and crossbench parties.

I note the new shadow Special Minister of State received a briefing from the Special Minister of State and I trust he will welcome these reforms in a bipartisan way—which is the approach I have taken since my appointment as Minister. I also note and thank The Greens, particularly Mr David Shoebridge, for their strong interest in local government and thank them for their support of local government and this bill. Mr David Shoebridge was right when he described these amendments as being "fit for purpose". The bill implements reforms that have been recommended by the Joint Standing Committee on Electoral Matters. The changes will further the regime's objects of fairness and transparency in local government elections. I commend the bill to the House.

**Mr GREG WARREN (Campbelltown) (12:35:52):** I am delighted to speak today in my capacity as the shadow Minister for Local Government and to lead in the lower House on behalf of my colleague and shadow Special Minister of State the Hon. Walt Secord, following his fine contribution in the other place. As stated by the Hon. Walt Secord, the Opposition will vote for the Electoral Funding Amendment (Local Government Expenditure Caps) Bill 2019. However, I would like to make some observations. It is fitting that the Opposition supports this bill—and does not oppose it—as it is designed to improve integrity in local government. It is equally fitting for the Government to support the Labor Opposition's position to prohibit developers serving in the Cabinet. I urge the Minister and those opposite to consider that as a further step of integrity.

The object of the bill is to amend the Electoral Funding Act 2018 to make further provisions regarding the caps of electoral expenditure during local election campaigns. The bill has been prepared in response to a report entitled *Inquiry into the Impact of Expenditure Caps for Local Government Campaigns*, prepared by the Joint Standing Committee on Electoral Matters and dated October 2018. Caps on expenditure for local government elections were introduced for the first time by the Electoral Funding Act 2018. In the lead-up to the debate on the issue, questions were raised about whether caps should further distinguish between local government areas and wards of different sizes. I acknowledge the comments by the shadow Special Minister of State as well as the Special Minister of State, the Hon. Don Harwin, in his second reading speech on 16 October when he said that the Government was receptive to these concerns. Consequently the Premier made a referral to the Joint Standing Committee on Electoral Matters in October 2018 to address the matter.

I acknowledge the Minister for Local Government, the Hon. Shelley Hancock, who continues to clean up her predecessor's and Government's mess in relation to local government. Twelve months ago this matter came to this House and this bill is a concession that the Government got it wrong. It is another indication of failure. I acknowledge the Minister for Local Government and her pursuit to clean up the many messes of the past. I join the shadow Special Minister of State in thanking members of the Joint Standing Committee on Electoral Matters for providing these amendments earlier this year. Local Government NSW [LGNSW] included as one of its core priorities fixing local government electoral expenditure laws. I take this opportunity to acknowledge all stakeholders, including but not limited to Councillor Linda Scott, President of LGNSW, and the United Services

Union as well as everyone else involved in contributing to this determination that has led to this bill coming before the House.

Labor supports the changes to create eight separate tiers. In doing so, the amendments take steps to address this inequity, creating funding caps more closely aligned to the amount of enrolled electors in a local government area or ward. I also note that the amendment proposes to remove the differential between candidates who are endorsed by political parties and candidates who are not. Instead the tiers will apply equally to all candidates, removing the slightly higher expenditure caps available to candidates who are not endorsed by a party. Most party candidates give up time at work and at home with their families to campaign for a cause that they are passionate about, which is their local community and their local council. Importantly, these steps will ensure there is a clear framework to provide integrity in local government. Integrity, trust and faith in the democratic political process in this State and, indeed, our nation is vital and give our communities confidence. I believe that the bill is a step in that direction.

I note the change to reflect the committee's recommendations on directly elected mayoral candidates. The recommendation is to give mayoral candidates 125 per cent of the funding available to a candidate for councillor within the same local government area or a candidate for councillor within a certain ward, depending on whether the local government has multiple wards. As was noted by the Minister, the aim is to ensure that candidates do not make disingenuous attempts to run for a mayoral position to take advantage of the higher spending cap of 125 per cent. As for requirements relating to third parties, such as unions, property councils or employer groups, they will be restricted to spending one-third of the total cap in that respective ward. To make it clear, the Opposition does support the bill, although we acknowledge that only 12 months ago we were here debating the same issue. However, it is appropriate to move forward and therefore we support the bill.

The amendments in the bill provide for the implementation of the committee's recommendations on providing expenditure caps for an individual candidate or a group of candidates in a local government election as follows: \$6,000 where the number of enrolled electors for the local government area or ward is smaller than 5,001; \$10,000 where the number of enrolled electors for the local government area or ward is larger than 5,000 and smaller than 10,001; \$18,000 where the number of enrolled electors for the local government area or ward is larger than 10,000 and smaller than 20,001; \$25,000 where the number of enrolled electors for the local government area or ward is larger than 20,000 and smaller than 30,001; \$36,000 where the number of enrolled electors for the local government area or ward is larger than 30,000 and smaller than 50,001; \$46,000 where the number of enrolled electors for the local government area or ward is larger than 50,000 and smaller than 75,001; \$63,500 where the number of enrolled electors for the local government area or ward is larger than 75,000 and smaller than 125,001; and, finally, \$72,000 where the number of enrolled electors for the local government area or ward is larger than 125,000. I note those specific figures because it is important that they are before the House and put on the public record.

Whilst talking about expenditure, it would be remiss of me not to acknowledge the serious issues regarding the cost of elections and the imposition that is being put onto local councils in our community. Some councils have seen the cost of their elections at least double. It is a significant increase and another financial burden on all 127 councils around the State. Central Darling will not be having an election. The people of Central Darling will not be able to vote, as the Government-appointed administrator will be continuing for up to 10 years. It would also be remiss of me not to acknowledge the cost shifting that continues to take place in local councils and the financial adversity it is causing for communities. Further, it is important to acknowledge the emergency service levy. We do have some 12 months' reprieve, with the Government bending to public pressure in coughing up \$13 million. The Opposition is not opposing the bill. It is a welcome reform to ensure integrity for local councils and, most importantly, for local communities. However, as we move forward we must not lose sight that there are many issues that continue to confront local councils. I commend the bill to the House.

**Debate interrupted.**

#### *Committees*

### **LEGISLATION REVIEW COMMITTEE**

#### **Reports**

**TEMPORARY SPEAKER (Ms Sonia Horner):** The question is that the House take note of the report.

**Ms FELICITY WILSON (North Shore) (12:45:25):** As Chair: I address the House concerning the Legislation Review Committee's *Legislation Review Digest No. 8/57* for this Parliament which was tabled on 12 November. In the eighth digest the committee examined 12 bills that were introduced in the last sitting week and also examined five regulations. I draw the Parliament's attention to some of the issues raised. The Design and

Building Practitioners Bill 2019 introduces new obligations on design and building practitioners, with the aim of ensuring that each stage of the building and construction process in New South Wales is well documented and complies with the National Construction Code. The new obligations are backed by offence provisions for noncompliance. The bill will allow a number of significant details to be dealt with in the regulations.

For example, clause 4 will allow the regulations to prescribe the classes or types of buildings to which the new scheme would apply. Further, clause 25 will provide a broad regulation-making power to prohibit the issue of certain certificates, such as complying development certificates, unless compliance declarations have first been provided to the issuer of the certificate. The committee acknowledged that such an approach would provide flexibility and allow swifter implementation of the necessary arrangements to support a complex and comprehensive new scheme. However, the committee prefers such significant details, key definitions and offence provisions to be included in primary legislation in order to foster an appropriate level of parliamentary oversight. In the circumstances, the committee referred this issue to Parliament for consideration.

Another bill considered by the committee was the Justice Legislation Amendment Bill (No 2) 2019, which amends various Acts, including the Housing Act 2001 which governs public housing. The bill will expand the exceptions to the general prohibition against disclosing information in connection with the administration of the Act so that disclosure could be made "for the purposes of law enforcement". The committee noted the potentially wide scope of disclosing information for the purposes of law enforcement and that this could impact on the right to privacy. While the committee acknowledged the benefits to the community of solving crimes and finding missing persons, the committee referred the additional exception to Parliament to consider whether it is too vague and wide in scope.

I now turn to a private member's bill, the Child Protection (Nicole's Law) Bill 2019. This bill relates to persons who are "registrable" under the Child Protection (Offenders Registration) Act 2000 because they have committed sexual or other serious offences against children. The bill would require the NSW Police Commissioner to publish the name of a registrable person and any name by which they were previously known, their date of birth and physical description, a most recent photograph and the suburb and postcode of their residential address. The commissioner would also be required to publish the actual address of offenders who have been convicted of murdering a child or committing certain sexual offences against a child. The committee acknowledged the child protection objectives of the bill but noted the risk of double punishment of offenders who have served their sentence and may be subjected to a level of vigilante activity. The committee also noted that the bill would impact on the privacy rights of affected offenders. In the circumstances, the committee referred the matter to Parliament for consideration.

Lastly I turn to one of the regulations examined by the committee. The Gaming Machines Regulation 2019 remakes, with minor changes, the Gaming Machines Regulation 2010. Clause 137 of the Regulation allows the delegation of administrative powers to an ill-defined class of persons, with no requirements as to their qualifications, attributes or level of seniority. The scope of functions that may be delegated is also broad. Where functions are delegated, the committee prefers the legislation to set out the specific functions being delegated and clear criteria regarding the class of persons to whom they may be delegated. This is particularly the case where, as here, the functions may affect individual rights. In the circumstances the committee referred the matter to Parliament for further consideration. That concludes my remarks on the eighth digest of the Parliament. I encourage everyone to read the full digest, which is available on the committee's website. I thank the committee secretariat and my fellow committee members and commend the digest to the House.

**Mr DAVID MEHAN (The Entrance) (12:49:47):** I comment on the *Legislation Review Digest No. 8/57* dated 12 November. It is a bulky document. The committee considered 12 bills and five regulations. We commented on all but two of the bills and all of the regulations. I remind the House that the committee scrutinises all regulations while they are subject to disallowance by resolution of either or both Houses. I encourage members to at least have a quick look at the regulations that have been scrutinised in this digest. As usual, the digest provides a useful summary of bills and in this case regulations as well. Some of the regulations covered this week will be of interest to all members. They include the Film and Television Industry Regulation 2019, the Gaming Machines Regulation 2019, the Greyhound Racing Regulation 2019, the Parramatta Park Trust Regulation 2019 and the National Parks and Wildlife Regulation 2019. I encourage members to look at the digest in relation to the National Parks and Wildlife Regulation 2019, which has been completely rewritten. The digest states:

2. The regulation makes provision for or with respect to the following—
  - (a) the regulation of the use of national parks and other areas
  - (b) the preservation of public health in Kosciuszko National Park
  - (c) the enforcement of obligations of the Snowy Hydro Company

- (d) the management of Aboriginal land, objects and places and exemptions for Aboriginal people from prohibitions under the *National Parks and Wildlife Act 1974*,
- (e) advisory committees constituted under the Act
- (f) trustees of state conservation areas and regional parks
- (g) other matters of a minor, consequential or ancillary nature

The regulation is summarised very well in the digest. Given that national parks often are located close by or within our electorates, I encourage members to at least have a look at the summary in the digest and consider perusing the full regulation thereafter. I thank the committee secretariat for the support they provide the Legislation Review Committee. I thank my fellow committee members and commend the digest to the House.

**Report noted.**

**PUBLIC ACCOUNTS COMMITTEE (PAC)**

**Reports**

**TEMPORARY SPEAKER (Ms Sonia Horner):** The question is that the House take note of the report.

**Debate on *Report on the Parliamentary Budget Office 2019 Post-election Report* called on and postponed.**

**TEMPORARY SPEAKER (Ms Sonia Horner):** I will now leave the chair. The House will resume at 2.15 p.m.

*Visitors*

**VISITORS**

**The SPEAKER:** I extend a very warm welcome to Shan Washington, the mother of Minister Bronnie Taylor, MLC. Joining her is Coleen Stevens, the Minister's aunt. They are guests of the Deputy Premier, and Minister for Regional New South Wales, Industry and Trade, and member for Monaro, as well as guests of the Minister for Mental Health, Regional Youth and Women in the other place. I welcome also year 9 and 10 students from Our Lady of Mercy Catholic College, Burreaneer, and their teacher Kerrie Ramsay, guests of the Attorney General, and Minister for the Prevention of Domestic Violence, and member for Cronulla, and guests of the Assistant Speaker, and member for Oatley.

I welcome George Shales, President of Surf Life Saving NSW, and Steven Pearce, its CEO. I note that Surf Life Saving NSW is located in Belrose in my electorate, which is wonderful. I also note that they put on a great barbecue event today at lunchtime in the Speaker's Garden. They are here today as guests of the Minister for Police and Emergency Services, and member for Baulkham Hills. I acknowledge Julieanne and Bob Campbell, and Sylvia Marshall, guests of the Minister for Local Government, and member for South Coast. I acknowledge too Wayne Bedgood, Mayor of Upper Hunter Shire Council, and General Manager Mr Steve McDonald, guests of the member for Upper Hunter. I acknowledge the team from the Central Coast Tenants' Advice and Advocacy Service, guests of the Deputy Opposition Whip, and member for The Entrance. Finally, I acknowledge visitors from Asian Women at Work, guests of the member for Canterbury.

*Question Time*

**BUSHFIRES AND NATIONAL PARKS AND WILDLIFE SERVICE**

**Ms JODI McKAY (Strathfield) (14:20:12):** My question is directed to the Minister for Energy and Environment. Yesterday the Deputy Premier blamed the Minister's National Parks and Wildlife Service rangers for contributing to the bushfires by not conducting enough hazard reduction burning. Does the Minister agree with him?

**Mr MATT KEAN (Hornsby—Minister for Energy and Environment) (14:20:39):** I thank the Leader of the Opposition for her question. I start by putting on the public record my appreciation of the outstanding work being done by the brave men and women who are putting themselves in harm's way across our community at this very difficult time. I state also that today is not the day for political pointscore. There will be plenty of time for a review after the danger has passed. There is plenty of time for a debate to be had about what we can do better and if improvements can in fact be made. Certainly in the National Parks and Wildlife Service we will look to improve our performance and follow up on any recommendations that come from a full review. Where we can do things better, we will.

Members know the incredible danger that people on the front line put themselves in when protecting our community. I acknowledge the over 400 staff from the National Parks and Wildlife Service who are on the front line at the moment, fighting fires, defending the community and defending people. They are not just fighting fires that have started in parks; they are helping to protect the community. They are outstanding brave men and women doing an incredible job. As I said, it is disappointing to think that anyone would use these bushfires to push a political agenda. We are in a very serious situation in this State and we have all our firefighters out there on the front line risking their lives. I want to get some facts on the record. Since 2011 we have increased the number of firefighters in the National Parks and Wildlife Service from 1,050 to 1,226. That is an increase of 176 firefighters.

**Ms Jodi McKay:** Point of order: My point of order is under Standing Order 129. The question related very specifically to comments by the Deputy Premier and whether the Minister agrees with him in regard to National Parks and Wildlife Service rangers contributing to the bushfires.

**The SPEAKER:** The Minister has addressed that issue and is continuing to be relevant to the question.

**Mr MATT KEAN:** I just want to get some facts on the record, which is what I am trying to do. The reality is that the National Parks and Wildlife Service last year, in the last fire season, did hazard reduction burns on 137,000 hectares of national parks across New South Wales. That exceeds the State's rolling average that it targets of 135,000 hectares. I will also say that the National Parks and Wildlife Service has contributed over 75 per cent of all hazard reduction burns across New South Wales. That is more than every other single government agency combined, so the service is doing an incredible job. They are doing their bit. I note again that there are 400 National Parks and Wildlife Service staff out on the front line today defending property, defending people and working as part of a concerted effort to keep our communities safe.

I also want to get on the record that this Government has provided the resources for the National Parks and Wildlife Service to help fight these fires. The service has five aircraft and 355 firefighting vehicles. We have committed \$125.9 million over four years to upgrade the fire trail network in New South Wales to make it easier for our firefighters to access the areas they need to in order to ensure that we do hazard reduction and can fight these fires where necessary. As I said, last year we back-burnt 137,000 hectares of national park.

**Ms Jodi McKay:** Point of order: My point of order relates to Standing Order 129. The question was whether the Minister agrees with the Deputy Premier. It is a simple yes or no. Does the Minister agree with the Deputy Premier?

**The SPEAKER:** The Minister is being relevant to the question. The Minister will continue.

**Mr MATT KEAN:** What I agree with is the incredible work being done by the National Parks and Wildlife Service to ensure that our community is safe at this time and to ensure that we protect not only our environment but also people and property. We have got 400 firefighters on the front line at the moment. Rather than politicising this we should be doing everything we can to focus on keeping people safe at this difficult time. The danger has not yet passed. It is inappropriate for us to be playing politics at this time. What is appropriate is that we all focus our energy on ensuring that people and property are safe.

## BUSHFIRES

**Mr GURMESH SINGH (Coffs Harbour) (14:25:43):** My question is addressed to the Premier. Will the Premier update the House on the devastating fires affecting communities across New South Wales?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:25:52):** I thank the member for Coffs Harbour for his question because I know to what extent he and his community were anxious yesterday and still remain anxious. We are relieved that there was no loss of life, although there has been property damage across the mid North Coast. I acknowledge his electorate and the electorate of many other members where fires are still burning today. Yesterday New South Wales redefined what we mean by teamwork. We had the Rural Fire Service, Fire and Rescue NSW, the State Emergency Service, ambulance, police, paramedics, the National Parks and Wildlife Service and Forestry Corporation—a whole host of State government agencies—all working together to ensure that the catastrophic conditions did not result in the loss of human life.

Unfortunately, as we know, there was extensive loss of property. We estimate that since the beginning of the fires a few days ago in excess of 300 properties may have been damaged or lost. We will not know for sure until the fires are out and we can go in and investigate. Yesterday was not only about the leadership and the emergency services personnel. I congratulate and thank the community for stepping up and heeding the warnings and for downloading the app. Hundreds of thousands of people downloaded the app for the first time to make sure that at least their homes and those of their neighbours were secure. It was a strong team effort. We are not out of the woods—there are still about 70 fires burning in New South Wales, with at least 34 uncontained at this stage. We have 15 at watch and act level but fortunately we do not have any at an emergency level.

Members may recall that yesterday in question time, as the hour progressed, a number of fires escalated to an emergency level. I cannot thank enough the volunteers and the community for all working together to mitigate what could have been, under catastrophic weather conditions, a catastrophic loss of life. We avoided that yesterday because of good preparation, good planning and good resourcing, and people working together and listening to the warnings. But, as I said, we are not out of the woods.

Having received another briefing this morning, we are concerned about weather conditions over the weekend, although they will not get to the catastrophic levels that we witnessed yesterday. I acknowledge the 1,500 firefighters and the other 1,500 that were ready to be deployed—3,000 in total—who were active yesterday across the State. Today we have 800 firefighters still fighting the fires, as well as in excess of 330 trucks and 86 aircraft. As members will recall, even in parts of Greater Sydney, which experienced breakouts of fire, the air tankers and the aircraft were able to reduce the risk in high-population areas. That is what happens when you have good planning and good resourcing. Some people are calling it luck; I call it good preparation, good resourcing, strong leadership and, yesterday, strong teamwork when the community also stood up, took responsibility and listened to and respected the messages they were receiving.

I again express that our thoughts and continued prayers remain with many communities across the mid North Coast where so many of these fires are still burning and so much property is still at risk. I also commend all of our social services—all the Family and Community Services workers, the chaplains, the mental health support workers and the people providing emergency accommodation. Currently we have 21 evacuation centres across the State. Over the weekend there were around a dozen evacuation centres; it went down to nine and we are now back up to having 21 to cater for all those people who have literally nowhere to go because roads are blocked, people cannot access their properties and some of them still do not know the status of their own home. It is important at this time to remember all those people who are still feeling the trauma of living through that experience.

I commend again the leadership in our State emergency services and stress again that our Government has been working for many years to ensure that we are prepared and well resourced. Also, I am proud to say, the RFS received record funding in its recurrent budget of in excess of half a billion dollars—an increase of \$62 million from the previous year—and also a number of one-off capital expenditure items including brand-new headquarters; the new large air tanker *Marie Bashir*, which has already been very active; and additional aircraft at its disposal. Fire and Rescue also received a \$22 million boost from last year. The State Emergency Service received a \$7 million boost from last year. The Office of Emergency Management received a \$4 million boost from last year and we have increased the number of frontline volunteers and workers in emergency services as well. [*Extension of time*]

I am pleased to update the House—we do not think of this when fires are not raging—in relation to the coordinated efforts of all of our agencies. Under the leadership of the RFS, the National Parks and Wildlife Service and other agencies have been involved in massive hazard reduction measures. It is interesting to note that in 2010-11 there were 117,000 hectares that had hazard reduction, but in 2012-13 that increased by nearly 250 per cent to 281,000 hectares. In addition to hazard reduction, I stress that the Government is also ensuring that when we have the tragedy of bushfires we care about the wildlife and the destruction of the natural environment. In the last week alone we have allocated an additional \$1.4 million to support wildlife affected by these fires.

We are a government that believes not only in good preparation and good planning but also today we are deeply grateful for having the largest voluntary workforce to fight fires—an example to the world. I am so proud of every single one of those volunteers who have saved life and property; we cannot thank them enough, and this encourages us, as a government, to further support them. We thank all the other agencies who did what they had to do yesterday. There was no ego; it was all about supporting our communities and supporting our loved ones. As Premier, that is something I am incredibly proud of.

#### **BUSHFIRES AND NATIONAL PARKS AND WILDLIFE SERVICE**

**Mr CLAYTON BARR (Cessnock) (14:33:01):** My question is directed to the Deputy Premier. Yesterday the Deputy Premier and agriculture Minister blamed the National Parks and Wildlife Service for failing to conduct sufficient hazard reduction burns. Does the Deputy Premier stand by his comments in light of Minister Kean's answer?

**Mr JOHN BARILARO (Monaro—Minister for Regional New South Wales, Industry and Trade, and Deputy Premier) (14:33:30):** What a silly question really.

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

**Mr JOHN BARILARO:** Listening to the response of the Minister for Energy and Environment, I think that it was strong and it answered the question. It was a response that clearly showed that he understands his portfolio and it was a response that upset those opposite. The truth of the matter is we still live with Bob Carr's legacy: lock up the forest and let it burn. That is Bob Carr's legacy for this State. This is the truth. Members opposite know that under their watch hazard reduction in national parks was at its lowest level in a decade. Since we came to government, hazard reduction has increased 250 per cent. Is it enough? I say it is not enough because members opposite want to make this an ideological issue.

The First Peoples, the Indigenous people of this land, used to burn this country to protect its wildlife and its people, but over the decades and centuries we have decided that we know better. The CSIRO is looking at new technologies but it understands the traditional methods, which is something we should absolutely embrace going forward. We all know that the fuel on the forest floor contributes to the severity of a fire and to the ability for a forest to come back to its natural beauty. This is because of the fuel load and we all know that. We saw it in 2001 in Kosciuszko and we saw it in 2003 during the Canberra fires, but many take an ideological position and choose the option of locking up the national parks and doing nothing more.

Hazard reduction is important and I make no apology today for my comments. The real truth is that members opposite are not interested in questions about hazard reduction, they are here today to push the campaign of the Public Service Association [PSA], which went out and fibbed about the reduction of staff and rangers to deal with fires in national parks. That is what it did. Today members opposite have turned this around to be about how they care about national parks and hazard reduction, but they are actually here fighting for what they always fight for: their union mates. I make no apology that we have to assess the amount of burning that happens in our parks and forests to ensure that we protect them for the future and to ensure that we protect community and life. These are the lessons that we learn from every disaster, be it floods, droughts or fires. There are always lessons to be learned and we will continue to learn them. I reiterate my comments that we need more fuel load burning in national parks and forests so we can protect assets—

**Ms Kate Washington:** Maybe you need to resource it properly.

**Mr JOHN BARILARO:** Here we go. There is the fib. There is the PSA comment. Here it comes. The shop steward is coming through.

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

**Mr JOHN BARILARO:** There is the PSA comment. At the end of the day I make no apology. I will hold everyone to account because it is our communities. Members opposite sit here but it is our communities that are under threat and under attack. We have to learn from this fire. I will not be lectured by members opposite.

#### **DROUGHT ASSISTANCE**

**Mr DUGALD SAUNDERS (Dubbo) (14:37:54):** I address my question to the Deputy Premier, and Minister for Regional New South Wales, Industry and Trade. Will the Deputy Premier please update the House on the Government's drought support so far?

**Mr JOHN BARILARO (Monaro—Minister for Regional New South Wales, Industry and Trade, and Deputy Premier) (14:38:08):** At last a good question today. It is from the member for Dubbo, who fights so hard for a region that is really feeling the pinch of the drought, the Central West. It is doing it tough with a lack of rainfall and, of course, the impact that has beyond the farm gate. We know that our communities are doing it tough not just with the fires but also with the drought, which is something we have debated in this House for a long time. I acknowledge Shan Washington, the Hon. Bronnie Taylor's mum, in the gallery. She was not here earlier when the Speaker acknowledged her and Coleen Stevens, so I thought I would welcome them now.

As of 1 November 99.4 per cent of the State is in drought and 33 per cent of it is experiencing severe drought. The Government is very proud of its \$1.8 billion package to support communities and farmers dealing with the drought. We have seen significant support through a number of initiatives. There is nearly \$450 million through the Farm Innovation Fund to support farmers with on-farm infrastructure to deal with this drought and, most importantly, to deal with future droughts. There is nearly \$100 million worth of transport subsidies to help farmers move fodder, water and stock, as well as \$19 million to help transport donated fodder to farmers. There is another \$100 million in initiatives for new bores, new water storages, water infrastructure maintenance, emergency water infrastructure and water carting.

A further \$263 million has been spent on community support measures including rural mental health programs, preschools, vehicle registration waivers, Local Land Services rate waivers and, of course, road repairs. These are some of the areas we have focused on to support our farmers on the land. We know the drought is beyond the farm gate and in this year's budget we announced \$170 million to ensure that we continue to stimulate

those communities so that small businesses, subbies and tradies continue to see jobs created and continue to see jobs remain. I am proud to say that \$48 million of the \$170 million Drought Stimulus Package has gone out the door to support those projects that are so important to communities and businesses.

On top of that, \$988 million will go to 175 water projects across the State as part of our Safe and Secure Water Program to ensure that we support regional communities—and especially local government—to build water infrastructure to protect them. The drought has dragged on so long that water has now become the number one critical issue for us in regional and rural New South Wales. We can do with the support that we have already received from metropolitan areas. It was great to see people reaching into their pockets, donating to a range of different charities and supporting our farmers in regional communities during this drought. This is something that should be commended and again it shows the generosity of Australians.

I am incredibly proud of the Buy Regional campaign through which we are encouraging people to try to buy their Christmas presents in rural and regional New South Wales rather than here in Sydney. I would love people to visit, stay at a local hotel, eat at a local cafe and go to a local shop to buy their presents. Of course, when you buy your Christmas feasts make sure your produce comes from regional and rural New South Wales. That is the best way we can support those businesses and our communities in the regions. Over the past two weeks we have already had 140,000 page views on the Buy Regional campaign website, which is significant, with an average time run of about four minutes. That means people are really engaged and understand what they can do to support regional communities.

Some 174 regional businesses are already registered on the website so that people can get in touch and buy their Christmas gifts. It is already making a real difference. Jodi Dolbel runs Enchanted on Conadilly in Gunnedah, selling furniture, fashion, giftware and homewares. She is getting orders from customers who do not rely on income from drought-ravaged areas—and those customers have a bit of extra money to spend, as we know. Jodi reports that her online sales have now more than doubled and she says it is the best thing the Government can do for regional businesses.

We are not asking for a handout. All we are asking is for people to look to regional New South Wales to purchase their Christmas gifts. Jodi has been calling her customers to thank them for their support and to encourage return business. It is important that we do not just buy once and forget about our regional communities. This drought will continue beyond Christmas, but the Buy Regional campaign will mean the difference between a business in regional and rural New South Wales surviving or not. [*Extension of time*]

This is an important issue. One of the things we know we have in regional and rural New South Wales is diversity. Small businesses are the engine room for our regions. We rarely have the big end of town or big corporates in our communities; we have small businesses. The mums and dads show courage, they mortgage their homes and risk everything to be part of the small business sector. It is important to support those small businesses today because once you lose a small business in regional or rural New South Wales it is difficult to get it back. Those jobs and those businesses are important. Those businesses sponsor local footy teams, sports clubs and service clubs. They are part of our community—they are the coaches, they are part of the service clubs and they are the people that make our communities great.

That is why I encourage everyone to buy regional at Christmas. We have seen some great results over the past two weeks. I encourage every member to use their social media reach to let people in Sydney know that the greatest gift they can give to regional New South Wales this Christmas is to make sure they buy their gifts for their loved ones from a small business in a regional or rural area. Please come and visit us in regional and rural New South Wales.

### **BUSHFIRES AND HAZARD REDUCTION**

**Ms KATE WASHINGTON (Port Stephens) (14:44:30):** My question is directed to Minister for Energy and Environment. Does the Minister agree with the Deputy Premier, who said just now that his department has not done enough hazard reduction burning?

**Mr MATT KEAN (Hornsby—Minister for Energy and Environment) (14:44:48):** I thank the member for Port Stephens and shadow Minister for her question. We are still facing a very serious situation with these bushfires. We are not out of the woods yet. There are still men and women on the frontline, including National Parks and Wildlife Service staff who are risking their lives to keep the rest of us safe. Today is not the day to do post-mortems or look for learnings about what could be done better in the future. When that day comes the National Parks and Wildlife Service will be fully involved in the process. We will take any opportunity to find out what learnings we can take on board to do things better in the future.

But I want to place the facts on the record again. The reality is that in the past five years 85 per cent of all fires that started on parks have stayed on parks. That is a credit to the incredibly dedicated and hardworking

professionals in the National Parks and Wildlife Service, who put themselves in harm's way to protect not only our environment but also people and property. That is a great credit to the outstanding men and women of the National Parks and Wildlife Service. The reality is that we have a five-year rolling target for hazard reduction that says that over five years we should do hazard reduction burns on 135,000 hectares on average. Last year not only did we meet that target but also exceeded it. We burnt 137,000 hectares off national parks. That is what happens. I pay credit to the amazing men and women in the National Parks and Wildlife Service.

**Ms Jodi McKay:** Point of order: My point of order relates to Standing Order 129. The question was very specific. It is about the Deputy Premier saying that the Minister for Energy and Environment's department is not doing enough. Does the Minister agree that his department is not doing enough?

**Mr John Barilaro:** I said it's Bob Carr's legacy.

**Ms Jodi McKay:** No, you did not say that.

**The SPEAKER:** The Minister is being relevant and will continue.

**Mr MATT KEAN:** I am incredibly proud of the brave men and women in the National Parks and Wildlife Service who are out fighting fires that did not start on national parks and that are not currently burning on national parks. They are putting themselves in harm's way to protect people and property across this State. That is something we should all be very proud of. As I said earlier, if there are learnings from this bushfire that we and the National Parks and Wildlife Service need to take on board, I—as the Minister for Energy and Environment—will be the first one to stick up my hand to ask what we can do better in the future to protect not only our environment but also our communities. That is something I am very proud of.

But I am not going to allow the National Parks and Wildlife Service to be made a scapegoat in this bushfire season. I will not let that happen. We have to make sure that we take the politics out of it. There will be plenty of time to play politics and there will be plenty of time to look at what could be done better after the danger period has passed. We are not at that stage yet. Currently there are men and women on the frontline and there are families still living with the threat of bushfire on their doorstep. I am not here to play politics today. I am here to defend the outstanding work of the National Parks and Wildlife Service staff—the 400 men and women on the frontline at the moment who are defending properties, people and the environment. They do not do that only in bushfire season; they do it every day of the week.

Our national parks network is absolutely incredible. It is one of the things that makes this State so great. We are not only going to protect what we have but also expand what we have. That is good not only for the environment but also the community. People love our national parks. We need to ensure that we are providing not only great national parks but also a great visitor experience. That is why we are investing a lot of money. I will get some information on the table. As I said, in addition to having 1,226 firefighters on the frontline—which is up by 176 from when we came to government in 2011—we also have five aircrafts and 355 firefighting vehicles to help fight fires. The Government is committed to investing millions of dollars to upgrade our fire trails so we can do things better in the future, which is exactly what I intend to do.

**The SPEAKER:** I recognise the Lord Mayor of Newcastle, Councillor Nuatali Nelmes, who is in the public gallery as the guest of the member for Campbelltown. I call the member for Kiama to order for the first time.

## BUSHFIRES

**Ms MELANIE GIBBONS (Holsworthy) (14:50:28):** My question is addressed to the Minister for Police and Emergency Services. Will the Minister update the House on the fire situation across New South Wales?

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Police and Emergency Services) (14:50:57):** I thank the Parliamentary Secretary for Families, Disability and Emergency Services for her question and her support of our emergency services over the course of the past couple of days.

**The SPEAKER:** Order! This is a serious topic. Members will remain silent.

**Mr DAVID ELLIOTT:** It is both appropriate and ironic that the House acknowledges Steven Pearce, who is in the public gallery. In my mind nobody personifies the term "public servant" more than Steve. The irony is that he represents 75,000 volunteers as the Chief Executive Officer of Surf Life Saving New South Wales, and we also have 75,000 volunteer firefighters ready for deployment as we speak. As we talk about public service I also pay respect to the Premier. Over the past five days she has put this State first and foremost. I have had the privilege of serving under a number of leaders, including John Howard and Peter Cosgrove, and I do not think we could consider the Premier as any less than them.

**Mr Michael Daley:** That won't save you, boofhead.

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

**Mr Michael Daley:** Her badge is bigger than yours.

**Mr DAVID ELLIOTT:** I note the interjections from the member for Maroubra. He is back from his racist tirades. I am grateful for his contribution.

**The SPEAKER:** The joke has passed. This is a serious topic. Order! Members will listen to the Minister in silence.

**Mr DAVID ELLIOTT:** Catastrophic fire conditions continue. There have been catastrophic fire conditions across Sydney over the past 24 hours, which was, as the Premier said, unprecedented. But there are still a number of fires burning across the State. There are currently 71 fires burning, 16 of which are at the watch and act level. That brings a certain amount of obligation to both the community and the 800 firefighters on the ground. The Premier has already mentioned the use of aviation assets. They have been a godsend, with 86 of them on deployment. Unfortunately, people have asked if we were overprepared. I do not think you can ever be overprepared. Were we lucky? No, I do not think we were lucky. There are five families today mourning the loss of people who were killed in these fires. There are 267 families who have lost their homes. There are one million hectares that have been lost, and will require replenishment. At the moment there are an estimated 6,000 homes still within the at-risk fire ground areas.

I have been delighted that the Rural Fire Service [RFS], with its record budget—despite what people might read or hear—has embraced technology. Assets include not only the headquarters infrastructure, the aviation assets and the new vehicles that have been rolled out but also the technology. I was fascinated to hear that the Fires Near Me app that had been rolled out by the RFS has been viewed 4.1 million times since the commencement of this fire season. I am told that in the past couple of days it has been downloaded 376,000 times. I think it is incumbent on all members of Parliament to make sure that they have the Fires Near Me app available because their social media should be reflecting any risks in their electorates.

The key safety message today is to remind everybody that there is a total fire ban. It was fascinating to me to learn that yesterday four people were charged with breaching the total fire ban orders. Even more traumatic was the fact that a nine-year-old child was cautioned by the police because of the child's inability to do what, quite frankly, should have been the commonsense thing to do. Firefighters will continue to face a challenge. They will continue to monitor ember attacks. The RFS will ensure that all the technology at its disposal is used to reduce and mitigate any risk. I echo the comments of the Premier and the Deputy Premier, and pay tribute because we have seen nothing but sheer grit in the past 24 hours. [*Extension of time*]

We must ensure that we make available the safest possible opportunities to those who are at risk. In relation to recovery—which cannot commence too early—the Premier has already announced that Euan Ferguson has been appointed as the recovery coordinator. It is my view that we probably will need to appoint more recovery coordinators over the course of this season. Natural disaster declarations have been announced in 18 local government areas including the Blue Mountains, Lismore, Hawkesbury, Ku-ring-gai, Penrith, Sutherland, Singleton and Lake Macquarie. These communities will see additional measures made available to them, including grants for those who are running short, people with low incomes and primary producers who are suffering from drought as well as the additional concern of the fires.

The 21 evacuation centres that have been opened are being used at the moment. The Premier and the Prime Minister visited one during the course of the weekend. Those evacuation centres are located in Bellingen, Kempsey, Port Macquarie, Nambucca Heads, Coffs Harbour, Clarence Valley, Lismore, Glen Innes and the Hunter Valley. I pay tribute to the Salvation Army and the Red Cross for their work in raising those evacuation centres and providing extra facilities such as the chaplaincy service and accommodating liaison officers from Government departments to provide support. These fires will become better understood in the post-mortem examination and the Coroner's inquiries as is appropriate. I appeal to all members of this place to not use these fires for political purposes and to not spread misinformation, but to get behind our firefighters.

#### NATIONAL PARKS AND WILDLIFE SERVICE

**Ms KATE WASHINGTON (Port Stephens) (14:58:39):** My question is directed to the Premier. I refer to her interview on ABC radio this morning. Does she stand by her assertion that the number of National Parks and Wildlife Service park rangers has gone up since 2011?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:58:55):** I am more than happy to answer this question directly.

**Ms Yasmin Catley:** That will be a change.

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

**Ms GLADYS BEREJIKLIAN:** I am pleased to confirm that we have more National Parks and Wildlife Service [NPWS] staff today than we had in 2011.

**Ms Kate Washington:** Rangers.

**Ms GLADYS BEREJIKLIAN:** Hold on. We have more staff today than we did in 2011 and a far greater proportion are on the front line. We have more full-time field officers, which are frontline service roles, than in 2011. Since 2011 the New South Wales Government has increased the number of firefighters in the National Parks and Wildlife Service from 1,050 to 1,226.

**Ms Kate Washington:** Point of order: The question was whether or not there has been an increase in the number of park rangers. The member is talking about every other role—

**The SPEAKER:** The Premier is being relevant. She may continue.

**Ms GLADYS BEREJIKLIAN:** In relation to the issues raised by the member for Port Stephens, I am prepared to repeat them because the Government is incredibly proud of the resources that have been put into NPWS. I thank every person who works in that organisation. I have witnessed it firsthand. As I said yesterday, when you go into an emergency control centre throughout the regions you have the emergency services personnel working alongside the Bureau of Meteorology people the NPWS people, the Forestry Corporation people and the Department of Family and Community Services people. That integration is something that all of us should be proud of. I stress again, on the record—these are the facts—that we have more National Parks and Wildlife Service staff today, in total, than we did in 2011. Today we have more full-time field officers, which are frontline service roles, than in 2011. Since 2011 the New South Wales Government has increased—

**Ms Kate Washington:** Point of order—

**The SPEAKER:** If it is the same point of order I will not hear it because the Premier is being relevant.

**Ms Kate Washington:** It is Standing Order 129; the Premier is not answering the question.

**The SPEAKER:** The member for Port Stephens will resume her seat. The Premier will continue.

**Ms Kate Washington:** This morning she said there were more park rangers. Are there more park rangers in 2011?

**The SPEAKER:** I call the member for Port Stephens to order for the second time. Order! The Deputy Premier is not helping.

**Ms GLADYS BEREJIKLIAN:** Again, I stress that I am incredibly proud of the fact that since 2011 we have increased the number of firefighters—

**The SPEAKER:** Order! The Premier is answering the question—maybe not in the exact terms that the member wants. She is being highly relevant to the question. I ask that she be heard in silence.

**Ms GLADYS BEREJIKLIAN:** I stress again—this is a very important point, given what New South Wales is going through at the moment—that since it has come to government, the Coalition Government has increased the number of firefighters specifically within the National Parks and Wildlife Service from 1,050 to 1,226. In addition to those facts that I have put on the record, I also stress that not only does the National Parks and Wildlife Service have more resources and more frontline workers, but also that around 75 per cent to 80 per cent of all hazard reduction activities in New South Wales are undertaken by NPWS. Despite its managing only 9 per cent of the State's land area, the NPWS conducts around 75 per cent to 80 per cent of all hazard reduction.

**The SPEAKER:** Order!

**Ms GLADYS BEREJIKLIAN:** In large part this is guided by advice from the RFS. The RFS, the NPWS and other agencies work very closely. I am someone who always likes to deal in the facts. This is a good opportunity for me to thank all our NPWS workers for their coordinated role. As I said, there are more employed in front-line services, more employed as field officers, more employed in firefighting and more employed in protecting wildlife.

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

**Ms GLADYS BEREJIKLIAN:** That is why we have been able to be more prepared, because—

**The SPEAKER:** Silence!

**Ms GLADYS BEREJKLIAN:** That is part of the preparation that went into preventing what could have been a greater catastrophe yesterday, when every State Government agency had the resources, the front-line workers, but also the coordination—the ability to work with other agencies—to make sure we provide the best and safest outcome for our residents, our property and our environment.

#### NATURAL DISASTER ASSISTANCE

**Mr ALISTER HENSKENS (Ku-ring-gai) (15:04:11):** My question is addressed to the Treasurer. Will he update the House on the benefits of a strong budget position in being able to support the State during natural disasters?

**Mr DOMINIC PERROTTET (Epping—Treasurer) (15:04:26):** I thank the member for his question. I note that his electorate was affected by the fires yesterday and note the work that he has done in liaising with his local community during that time. I acknowledge all the communities around the State that have been affected by these fires, especially those who have lost loved ones and their homes. The Government and the Parliament stand with you at this time. I acknowledge the tireless work of the Premier and emergency services Minister in relation to those on the frontline who are putting their lives at risk to keep our communities safe.

I particularly acknowledge the leadership and the commitment of all levels of Government working together, from the Premier to the Deputy Premier to the emergency services Minister and all the agencies—whether it is Education, Health or Social Services—to the private sector, including the Insurance Council of Australia. Yesterday I sent to all offices some information in relation to any inquiries they get in respect of any potential claims that may be made. That information has been sent to all MPs and their offices. Everyone has been up to the task and worked tirelessly over this period to ensure any damage as a result of these fires has been minimised. We owe all those people a great debt for all their efforts.

As members on this side of the House often say: We do not run surpluses for the sake of it. We run surpluses so we can invest in things that matter. It means that in situations such as this when disaster strikes we have the capacity and the capability to respond. We have already seen this Government's commitment of \$1.8 billion for drought relief to ensure communities, particularly in regional New South Wales, have the support that they need. We now stand ready with further assistance for disaster relief payments for those affected by the bushfires, as well as help with rebuilding and recovery efforts. Strong budgets also mean we can invest record amounts to keep our communities safe.

In 2019-2020 our emergency services have been allocated \$1.7 billion to combat emergencies and disasters, an increase of close to 13 per cent. Overall the NSW RFS will be receiving a record \$541 million—that is capital and recurrent—in 2019-2020, an increase on funding announced in the 2018-2019 budget. Fire and Rescue NSW will also be receiving a record \$774.3 million expenses in the budget in 2019-2020 as well as an additional \$51.9 million for capital expenditure. In fact, in the last three budgets the New South Wales Government has made critical, large-scale and one-off investments in emergency services to prepare for moments exactly such as this.

As the Premier and emergency services Minister have pointed out, one of those investments was the new state-of-the-art control centre headquarters at Homebush. We opened that facility approximately 12 months ago with a total investment of more than \$20 million. We have already seen that investment pay dividends, with this facility being the nerve centre for coordinating all the operations over the past few weeks. The facility is fitted with state-of-the-art technology to support modern firefighting operations, including live fire information and intelligence, digital mapping and facilities for providing information, warnings and media broadcasting. It includes a State operations centre and a secondary operations centre as well, which support other agencies.

In addition we have also invested \$26 million into new large air tankers for the Rural Fire Service. In fact, this makes NSW RFS the first agency in the world with a permanent large air tanker [LAT], which will provide stronger bushfire protection all year round. The LAT has the capability to carry 15,000 litres of fire suppressant, deploy to anywhere in the State within an hour, and refill and go back again in under 10 minutes. Yesterday there were four LATs in the air, with our 737 *Marie Bashir* assisting at Richmond, Hunter and mid-north coast from bases at Richmond and Coffs Harbour.

On top of that, there have been several other key investments by this Government to ensure that our emergency services are well equipped into the future. The funding provided in the 2019-2020 budget will deliver 115 new and 82 second-hand and refurbished appliances, and 26 logistical and command vehicles to support the work of our volunteers across the State. In 2019-2020 NSW RFS has committed nearly \$20 million to construct and enhance brigade stations, fire control centres and other facilities across New South Wales. These funds support 124 projects and improve infrastructure available to our volunteers. Some \$5 million has also been invested to

upgrade information technology systems to better coordinate bushfire responses. Lastly, I put on the record the comments by the NSW RFS Commissioner this week, who stated:

We have got more money today than we have ever had before in the history of the organisation. We have got record funding in particular programs. We are the only jurisdiction in this country that's got a dedicated large air tanker with a budget impact of something like \$26 million to make that possible.

He was right with that. [*Extension of time*]

As the environment Minister and Premier have done today, I pay tribute to the National Parks staff members who are doing an incredible job—

**Opposition members:** What about the Deputy Premier?

**Mr DOMINIC PERROTTET:** And the Deputy Premier—protecting the community—

**Ms Jodi McKay:** I think he said they were a scapegoat.

**Mr DOMINIC PERROTTET:** This is not a joke. This is serious. They are on the frontline fighting these fires and putting themselves at personal risk. The National Parks and Wildlife Service has 1,655 full-time equivalent staff, an increase of 144 since 2017. Moreover, since 2011 the New South Wales Government has increased the number of firefighters in the National Parks and Wildlife Service from 1,050 to 1,226. Yesterday the National Parks and Wildlife Service had around 400 staff fighting fires. Many were fighting fires that were not in parks, but were actually out there protecting people and property. On behalf of the Government, I once again thank not just the government agencies, but all those on the frontline—volunteers and paid staff—who are out there keeping our community safe.

#### INDEPENDENT COMMISSION AGAINST CORRUPTION FUNDING

**Mr JAMIE PARKER (Balmain) (15:10:50):** My question is directed to the Premier. Given that last month the Chief Commissioner of the Independent Commission Against Corruption delivered a report to the Premier proposing an entirely new funding model for the ICAC, will she support the Chief Commissioner's urgent request to increase ICAC's funding and make it independent from executive government?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (15:11:20):** I thank the member for Balmain for his question. I note his continued interest in matters regarding integrity. I note that he spends much of his time in this place ensuring that all levels of government maintain full integrity and I appreciate that. I am pleased to reaffirm to the House that the Government is providing about \$104 million for ICAC over the next four years. We will always ensure that the ICAC and other integrity bodies are fully equipped to investigate, expose and of course also prevent corruption. Over many years our Government has always supported the ICAC when supplementary funding of its operations has been required. In fact, the base funding now is considerably more than what it was in 2011.

The Government, as an example, has provided the ICAC with additional funding of \$2½ million in this financial year and also an additional \$2.7 million on top of base funding last year to support its ongoing investigations. I confirm to the member that I have received the report by the Chief Commissioner. I also confirm to the member that a number of integrity bodies have raised issues regarding funding and financial management within those organisations. In response to those issues raised—not just by the ICAC but also other integrity bodies—the New South Wales Government recently wrote to the Auditor-General of New South Wales, Margaret Crawford, and asked her to review the funding of all the integrity bodies, including the ICAC, as an additional measure to ensure that the Government is not overlooking any important issues regarding funding, future funding and also the management of financial relations between those integrity bodies.

The Government and I personally have written back to the commissioner, having received his report, to state that I have forwarded that report to the Auditor-General so that she can consider it in her deliberations regarding these issues. It goes without saying that when any government refers issues to the Auditor-General it looks forward to her recommendations. It is an issue raised not just by the ICAC but also other integrity bodies. We want to make sure we are doing the right thing by those bodies and the right thing by the people of New South Wales in ensuring accountability, integrity and security of funding moving forward. At the end of the day, there is nothing more important than ensuring public confidence in the processes of government and the processes of our public service.

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

**Ms GLADYS BEREJIKLIAN:** For that reason the Government has taken the additional step of asking the Auditor-General for her advice, given the matters raised by many in this place.

## BUSHFIRES AND EMERGENCY SERVICES

**Mr MICHAEL JOHNSEN (Upper Hunter) (15:14:26):** My question is addressed to the Minister for Families, Communities and Disability Services. Will the Minister update the House on how the Department of Communities and Justice has worked closely with emergency service coordinators during the fires?

**Mr GARETH WARD (Kiama—Minister for Families, Communities and Disability Services) (15:14:55):** I thank the member for Upper Hunter for his question and acknowledge his support for emergency services. I am aware that there is a fire burning in the Wollemi National Park in his electorate right now and I know that he is a strong supporter of his emergency services. My thoughts and prayers are with those who have been adversely affected by the terrible fires currently burning throughout the State. In coming to question time today I was advised of a fire that was burning only a short distance from my home. Standing here right now, I am very pleased that that fire is under control. I am sure the member for South Coast will join with me in acknowledging the emergency services in the Shoalhaven in particular and thank them for their great work.

While the emergency response is still very much underway as fires continue to burn around the State, our focus is on supporting those affected. We know that many people have lost property and tragically there has been loss of life. Our thoughts are with the loved ones of the deceased. I am sure all members of the House join with me in sending those thoughts and prayers. The New South Wales Government through the Department of Communities and Justice, in partnership with volunteers from a range of non-government community partners, has been working literally around the clock to support people in evacuation centres. The evacuation centres are run in conjunction with other government departments, such as NSW Health, as well as community partners including the Red Cross, Anglicare, the Salvation Army and disaster recovery chaplains.

The current bushfire emergency has seen a total of 27 centres opened since 7 November, with approximately 5,000 people registering. Currently 21 centres are open in different parts of the State including in Taree, Old Bar, Kempsey, Nambucca Heads, Coffs Harbour, Woolgoolga, Grafton, Nimbin, Glen Innes, Singleton and Greta. Over 1,100 people have been evacuated and provided with accommodation. The Housing Contact Centre has made 80 or more room bookings a day since 8 November. I commend the volunteers and staff who are working tirelessly around the clock to support their own communities and many who have travelled across the State to assist. This support has been to provide reinforcements and much-needed rest for locals, who have now been responding to these fires for days and in some cases weeks and months.

This morning I spoke to Amanda Causley, the manager at the Grafton evacuation centre in the electorate of the member for Clarence. Amanda has been supported by volunteers and personnel from a range of agencies to provide support and assistance to those affected. Interestingly, when talking with her she told me that she was able to use her local knowledge. The showground and the pony club have been opened to ensure that animals of people who are on the land who were reticent about leaving their farms could go to the evacuation centre and receive support. That is a testament to the Family and Community Services staff on the ground, like Amanda, who are able to use their local knowledge and respond accordingly.

I have also spoken to Katarina Linda, the manager at the Port Macquarie evacuation centre in the electorate of Port Macquarie. She was passionate about the work of her staff and the collaboration that has occurred. She was extraordinary in her praise of the work of the Family and Community Services staff and their commitment to working together. Tracey Thomas is the manager at the Coffs Harbour evacuation centre. When I spoke to Tracey she informed me that she will be able to close the Coffs Harbour centre later today as the fires are under control in that area. Tracey said that these are the worst fires she has seen in her several years of experience in disaster relief.

The New South Wales Government will assist individuals who have been affected by fire in whatever way we can. The forms of assistance include emergency accommodation, food hampers and small cash payments. Members of the community who are unable to access an evacuation centre and are in need of support are encouraged to contact the Disaster Welfare Assistance line on 1800 018 444. Hundreds of Department of Communities and Justice staff and volunteers have been deployed in running evacuation centres 24 hours a day. Many of them are now very sleep deprived but are putting in an extraordinary effort.

Staff in my agency already have a tough job but I am proud of each one of them. Their ability to jump from being a child protection caseworker or housing client officer into a disaster welfare role is truly inspiring. I am sure all members of the House would join me in congratulating and thanking them for their extraordinary work. Their flexibility, resilience and care for their communities is not lost on any member of the House. I am sure all members will join me in congratulating members of the Family and Community Services agency for their work. Volunteers are truly the backbone of our community. Whether they volunteer for the NSW Rural Fire Service, the NSW State Emergency Service, St John Ambulance, the Red Cross, Anglicare, the Salvation Army or their local Meals on Wheels, their work is absolutely critical in times of natural disaster. [*Extension of time*]

This morning I spoke to Gemma Rygate from the Centre for Volunteering to relay the Government's support and appreciation for all volunteers involved in the response effort. The Premier and the Minister for Police and Emergency Services quite rightly have been very liberal with their praise and certainly effusive about the efforts that have been made. As the Minister responsible for volunteering, I am continually impressed by the work that each one of our volunteers does. We say thank you to the employers around the State who provide time off work to allow these incredible volunteers to do this work. Working in disasters is difficult and comes at the expense of being home with family and friends—many of whom are also affected by these bushfires. We thank our volunteers and we thank their families who support and enable them to help out their communities. On behalf of the Government and all members of the House I thank all staff and volunteers who continue to work tirelessly in responding to bushfires. Unfortunately it is not over yet but their determination, motivation and resilience is inspiring to all of us.

To the communities affected by these fires, rest assured that the Government and, I am sure, all members will continue to work with you to ensure you receive all of the help and support you require in the days, weeks and months ahead. I pay special tribute to all members who have been working in their communities. I have had the opportunity to speak with members from all sides of the House such as the members representing the electorates of Lismore, Ballina, Clarence and Port Macquarie. At times like this they put everything to one side to support their families and communities. Their hard work is noted and appreciated. Their dedication to their communities should be recognised but, most importantly, we recognise the efforts of our frontline staff and volunteers who have done a tremendous job. I am sure all members in the House are rightfully and incredibly proud of them.

#### *Documents*

### **INSPECTOR OF THE LAW ENFORCEMENT CONDUCT COMMISSION**

#### **Reports**

**The CLERK:** In accordance with section 49 (1), I announce receipt of the report by the Inspector of the Law Enforcement Conduct Commission entitled *Report under Section 49 (1) of the Surveillance Devices Act 2007 for the period ending 30 June 2019*, dated September 2019.

#### *Petitions*

### **PETITIONS RECEIVED**

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

#### **Parkes Hospital and Forbes District Hospital**

Petition requesting adequate medical obstetric, anaesthetic and emergency personnel be restored at Parkes and Forbes hospitals, received from **Mr Philip Donato**.

#### *Bills*

### **DESIGN AND BUILDING PRACTITIONERS BILL 2019**

#### **Second Reading Debate**

#### **Debate resumed from an earlier hour.**

**Mr KEVIN ANDERSON (Tamworth—Minister for Better Regulation and Innovation) (15:23:47):** In reply: I thank honourable members for their contributions to the debate on the Design and Building Practitioners Bill 2019. It is important to have a contest of ideas in this place, so I value the contributions from members who participated in the debate and offer my appreciation to them, namely, the members for the electorates of Wollondilly, Oatley, North Shore, Sydney, Ku-ring-gai, Balmain, Bankstown, Newcastle, Gosford, Canterbury, The Entrance, Granville, Charlestown and Swansea. I make special mention of the member for Sydney, who flagged with my office well in advance that he was intending to move amendments to the bill.

I understand that most of the amendments from the member for Sydney are in keeping with the intent of the bill. The amendments are important as they are brought forward on behalf of property owners. Equally as important, they are practical and achievable. The member took the time to engage with stakeholders and truly understood what was needed and what was possible. Because of his advocacy and his collaboration with my office, I am confident the member will have some good news for his constituents upon the passage of the bill.

I will briefly comment on some of the matters raised during the debate. Before I do, I express disappointment in the conduct of members in instances where they have been in contact with or have spoken about

public servants employed by the Department of Customer Service, who are working tirelessly to progress the Government's reform legislation and regulation in the building and construction industry. We owe them some respect. As members of Parliament we are usually here for what could be considered a short time. We are temporary custodians and guardians of the Parliament and of government. The staff within government agencies take all care to be impartial in order to effectively serve the government of the day. As politicians we understand and accept that we will sometimes publicly disagree with one another. The unfair and unwarranted treatment of employees within the Department of Customer Service is, was and will continue to be completely unacceptable.

I make mention also of the use of comments from stakeholders in this debate. My office has been very fortunate with the level of engagement it has received from stakeholders on the bill. It was not just from the design and construction side, it was from developers and representatives for property owners. As well as the extensive consultation undertaken in drafting this bill, my office has also worked very closely with a core group of stakeholders who came together to work collectively to ensure that this bill imposed the appropriate obligation on individuals, that it was workable and that it provided the appropriate penalties and safeguards for consumers.

I specifically make mention of the Association of Accredited Certifiers, the Association of Consulting Architects, the Australian Institute of Architects, Consult Australia, Engineers Australia, the Fire Protection Association of Australia, the Master Builders Association and the Owners Corporation Network. It has been suggested during the course of this debate that there is great unrest among stakeholders in relation to the bill and that they are unhappy with the Government's efforts. This is a gross misrepresentation of the views and testimony of those stakeholders. Even today my office has spoken with key stakeholders who are not just excited about the passage of this bill but insistent on its passage. This is a very complex industry and I acknowledge that stakeholders may share a view on certain elements within the bill. The Government made a commitment to stakeholders to keep our doors open to them. We have honoured that commitment and we will continue to honour that commitment.

With that said, following close consultation with stakeholders the Government has identified changes that could be made to the bill, more specifically to part 3 of the bill, which covers the duty of care owed to home owners. The Government wants to ensure that all reasonable steps are taken to ensure that this provision can be applied as intended, which is why we will amend part 3 to allow for the duty of care to be applied retrospectively to classes 1, 2, 3 and 10 or a building containing those classes, for example, mixed use. Moreover, the duty of care extends to manufacturers or suppliers of a building product used for building work. These laws will apply upon proclamation to catch a wider part of the market suffering economic loss now.

I turn to the registration scheme for engineers. While I will not dwell on the contribution of the member for Swansea, which in part was a grab bag of unrelated elements, I respond to her comments about why the Government has not taken the opportunity to provide a full registration scheme for engineers in this bill. The Government's response to the *Building Confidence* report specifically committed to introducing registration for design practitioners and other unlicensed building professionals to improve the preparation of design documentation and to ensure that builders construct in accordance with the declared designs. The bill we are tabling and debating today is the implementation of this commitment.

The bill delivers a broader and more holistic response to the issues affecting the building work than could be achieved by just focusing on one profession. Under the bill, design and building practitioners will have specific functions to make declarations about their work and its compliance with the Building Code of Australia. These functions are likely to be performed by a range of practitioners who will need to be registered to perform those functions, and one of these professions is engineers. Under the bill, engineers will need to be registered in New South Wales for the purposes of providing design compliance declarations. By regulating any person who prepares, coordinates or supervises the preparation of a regulated design, the Government is seeking to ensure the standards of performance are improved across the broad range of practitioners providing these services.

As members have heard, the Design and Building Practitioners Bill 2019 delivers on the Government's promise to introduce a suite of obligations on design and building practitioners to ensure that each step of construction is well documented and compliant. The bill also establishes key reforms that will significantly improve the redress that is available to consumers for building defects. The bill delivers on a number of key reforms committed to by the Government's response to the *Building Confidence* report, authored by Professor Peter Shergold, AC, and Ms Bronwyn Weir. The *Building Confidence* report found that the accountabilities of different parties were unclear and there were insufficient controls on the accuracy of documentation. It identified that, particularly for design practitioners, there was a systemic failure to expressly require documentation to demonstrate compliance with the Building Code of Australia.

The Government's response to the report was a strong plan for the future of building laws in this State. The response directly addressed the concerns raised in the report. As members would be aware, in response to the report the Government supported the majority of the recommendations, a number of which have been reflected in

the bill that is now before the House. An important first step to support the Government's reform agenda was the appointment of Mr David Chandler, OAM, as the NSW Building Commissioner. Mr Chandler has joined us to help transform the New South Wales building and construction industry now and into the future. Mr Chandler's leadership role in driving the necessary reforms will play an important part in ensuring the bill's success in transforming the industry in this State.

However, the Government went a step further and welcomed the temporary appointment of Ms Bronwyn Weir to assist with the development of the reforms in the bill. The Government has leveraged the expertise of Mr Chandler and Ms Weir and has taken swift action on delivering on the reforms and recommendations committed to by the Government's response to the report. This bill and its policy proposals have been the subject of significant public consultation. The Government has facilitated the feedback of stakeholders through a series of targeted round tables, public consultation through the *Building Stronger Foundations* discussion paper and public consultation on the bill itself.

The Government has carefully considered all of the feedback received and listened to the voices of industry and the public. Importantly, the Government has actioned a large amount of that feedback directly in the bill that has been tabled. Specifically, over 80 submissions were received on the exposure draft of the bill. I was waiting for one more but Labor's submission never came. I am confident that this bill responds to a significant portion of those submissions, either through further refinements to the bill or through broad regulation-making powers, affording us the scope to make refinements under the regulations. To further enshrine the Government's commitment to partner with industry, I have established a building reform expert panel. The panel has been established to provide advice and industry insight to me, the Building Commissioner and the Department of Customer Service on the existing reforms before us, including the development of the regulations and the agenda to come. This is to ensure we get these important reforms right. The bill reflects only the first tranche of reforms this Government expects to make as part of the biggest overhaul of the New South Wales building sector.

The Building Commissioner has started to develop a strategy and implementation plan for 2019 and 2020 to 2025 to regain public confidence and to create a new customer-focused construction industry. The Government is taking a no-nonsense approach to regulation in this State. This bill will reflect a new era in the industry; it is about putting public safety first to ensure that New South Wales has a leading system of design and building regulation that delivers well-constructed buildings into the future. I thank the dedicated team of people in my office, led by Gavin Melvin and including Harriet Platt-Hepworth and Michael Hansen, as well as the dedicated staff of Customer Service, who have clearly shown their deep commitment to the people of New South Wales. I commend the bill to the House.

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

**Motion agreed to.**

**Consideration in detail requested by Mr Kevin Anderson and Mr Alex Greenwich.**

#### **Consideration in Detail**

**TEMPORARY SPEAKER (Ms Felicity Wilson):** By leave: I will deal with the bill in groups of clauses and schedules. The question is that clauses 1 to 100 and schedules 1 and 2 be agreed to.

**Mr KEVIN ANDERSON (Tamworth—Minister for Better Regulation and Innovation) (15:41:33):** By leave: I move Government amendments Nos 1 to 6 on sheet c2019-219J in globo:

No. 1 **Duty of care**

Page 15, clause 29(1), line 6. Omit all words on that line. Insert instead—

**building** means—

- (a) a class 1a, 1b, 2, 3, 10a, 10b or 10c building or a building containing parts classified as class 1a, 1b, 2, 3, 10a, 10b or 10c, or
- (b) a building of another class or type prescribed by the regulations.

No. 2 **Duty of care**

Page 15, clause 29(1), lines 7 and 8. Omit all words on those lines. Insert instead—

**building product** has the same meaning as in the *Building Products (Safety) Act 2017*.

**construction work** means any of the following—

- (a) building work,
- (b) the preparation of regulated designs and other designs for building work,

- (c) the manufacture or supply of a building product used for building work.
- No. 3 **Duty of care**  
Page 15, clause 29(1). Insert after line 26—
- (4) In this Part, a reference to a person who carries out construction work includes a reference to a person who manufactures, or is a supplier (within the meaning of the *Building Products (Safety) Act 2017*) of, a building product used for building work.
- No. 4 **Transitional arrangements**  
Page 41, Schedule 1, clause 3, lines 28–30. Omit all words on those lines. Insert instead—
- 3 Application of Act (other than Part 3) to work done under existing arrangements**
- This Act (other than Part 3) applies to the preparation of designs, building work or other work done in respect of a building under an existing arrangement if the first application for the issue of a complying development certificate or construction certificate (within the meaning of the *Environmental Planning and Assessment Act 1979*) for the building is made on or after a day prescribed by the regulations for the purposes of this clause.
- No. 5 **Transitional arrangements**  
Page 41, Schedule 1, clause 4, line 33. Insert "to which this Act does not apply" after "work".
- No. 6 **Duty of care**  
Page 41, Schedule 1, clause 5, lines 34–36. Omit all words on those lines. Insert instead—
- 5 Application of duty of care provisions to existing buildings and contracts and arrangements**
- (1) Part 3 of this Act extends to construction work carried out before the commencement of section 30 as if the duty of care under that Part was owed by the person who carried out the construction work to the owner of the land and to subsequent owners when the construction work was carried out.
- (2) However, this clause does not confer rights on an owner to take action in relation to a particular economic loss if—
- (a) the owner commenced an action for breach of a common law duty of care against any person before the commencement of section 30 in relation to the economic loss, or
- (b) the loss first became apparent before the commencement of the period of 6 years immediately preceding the commencement of section 30, or
- (c) in the case of construction work other than the manufacture or supply of a building product used for building work, the date of completion of the construction work was more than 10 years before the commencement of section 30.
- (3) Section 33 of this Act extends to a contract, agreement or stipulation relating to the construction work whenever made.
- (4) Section 6.20(2) of the *Environmental Planning and Assessment Act 1979* applies for the purposes of determining when construction work was completed for the purposes of subclause (2)(c) as if a reference in that subsection to building work includes a reference to construction work.
- (5) For the purposes of this clause—
- (a) a loss becomes apparent when an owner entitled to the benefit of the duty of care under Part 3 of this Act first becomes aware (or ought reasonably to have become aware) of the loss, and
- (b) a reference to construction work includes a reference to work that is prescribed as construction work for the purposes of Part 3 of this Act after the commencement of this clause (whether as a regulated design or otherwise), unless the regulations otherwise provide.
- (6) Words and expressions used in this clause have the same meanings as in Part 3 of this Act.

Amendments Nos 1, 2, 3 and 6 seek to amend the duty of care provision in part 3 of the bill. The amendments will allow for the duty of care to be applied retrospectively to classes 1, 2, 3 and 10 or a building containing those classes, for example, mixed use. They will also ensure the duty of care extends to manufacturers or suppliers of a building product used for building work. These laws will apply upon proclamation to capture a wider part of the market currently suffering economic loss.

Amendments Nos 4 and 5 seek to clarify the transitional arrangements. The duty of care provisions will commence immediately. However, an amendment has been made to the transitional provisions to provide certainty as to how the rest of the bill, once passed, will commence and how that will impact building work under existing arrangements. Rather than pick an arbitrary date, stakeholder feedback indicated that the appropriate date for commencement of any building work under existing arrangements would be the first application for a construction certificate or a complying development certificate made on or after a date prescribed by the regulations. As such, we move an amendment reflecting that.

**Ms YASMIN CATLEY (Swansea) (15:37:50):** I support the Government's amendments. In fact, I outlined a lot of this detail in my response on behalf of the Labor Opposition yesterday and today. I am very pleased that the Minister has taken the opportunity to accept our suggestions on issues that stakeholders had raised with the Labor Opposition over and over again and that they are now in the bill as amendments. As the Minister said, amendments Nos 1, 2, 3 and 6, which deal with duty of care, are critically important. As members know, the Owners Corporation Network was very strong on this matter. I know that the member for Sydney will agree with me that the network has been incredible in its advocacy for the people it represents, who of course are the cohort that is so affected by these problems and the crisis in our building industry.

A number of other stakeholders have also raised problems associated with the duty of care. I note that the bill without this amendment stated that the person who carries out construction work has a duty to exercise reasonable care. We obviously did not know the full extent of what that duty is and I suspect, given the complex but scant legislation that is presented to this place, everything is left to the regulation. I have said that ad nauseam and I will not repeat it again. Now that this amendment is being made to the bill, it gives us some comfort about the duty of care.

In relation to the transitional arrangements, again the Owners Corporation and others talked to us specifically about concerns they had with those arrangements. The bill now includes contractors, which I believe is critically important. The Labor Opposition has for some time held the view that a chain of responsibility is critical to delivering good outcomes for buildings in this State. That is how it is done in other States and we believe it should be entrenched in this State. The Owners Corporation agreed with the Labor Opposition on this matter. The Government has now seen the errors of its ways and has included contractors and subcontractors as part of that chain of responsibility.

If the Government wants to use the term we would be very happy for it to do so because a true chain of responsibility in the building industry is accepted internationally. We would be in lock step with the rest of the world if we went down that path. Introducing building products and including them as part of the chain of responsibility is another good step forward and the Labor Opposition agrees with that. Indeed, as I have said, these were all matters that I raised yesterday and today in my contribution to the second reading debate on behalf of the Labor Opposition. It is very pleasing to see that the Government has seen fit to introduce some of Labor's suggestions. I support the amendments.

**TEMPORARY SPEAKER (Ms Felicity Wilson):** The question is that Government amendments Nos 1 to 6 on sheet c2019-219J be agreed to.

**Amendments agreed to.**

**Mr ALEX GREENWICH (Sydney) (15:41:58):** I move amendment No. 1 on sheet c2019-217I:

No. 1 **Regulated designs**

Page 3, clause 5, lines 31–34. Omit all words on those lines. Insert instead—

For the purposes of this Act, *regulated design* means—

- (a) a design that is prepared for a building element for building work, or
- (b) a design that is prepared for a performance solution for building work (including a building element), or
- (c) any other design of a class prescribed by the regulations that is prepared for building work.

At the outset I thank the Minister and his staff for their strong collaboration and work to further strengthen this critically important bill. I appreciate the work that has been done on the Government amendments that have just been agreed to in relation to the duty of care and transitional arrangements. Currently under the bill regulated designs must be prepared by certain qualified designers who will be required to declare that those designs comply with the Building Code of Australia. The bill currently does not say which types of designs will be regulated designs and leaves it up to the regulation.

While an ongoing regulation-making power is appropriate for deeming the types of designs that should be regulated, as the system evolves the whole regime will be ineffectual if a regulated design does not include a building element or a performance solution. Indeed, the bill has been written with references to building elements and performance solutions as if they were already regulated designs. I am glad that the Government agrees that there is no reason to allow this uncertainty by relying on the regulations to define these as regulated designs. This amendment will enshrine in the Act that a design that is prepared for a building element for building work and a design that is prepared for a performance solution for building work are regulated designs.

**Mr KEVIN ANDERSON (Tamworth—Minister for Better Regulation and Innovation) (15:43:33):** The Government supports the amendment moved by the member for Sydney and thanks him for his advocacy.

**Ms YASMIN CATLEY (Swansea) (15:43:41):** I too thank the member for Sydney for bringing this very sensible amendment. Again, this is an obvious oversight. Clearly we would expect that all qualified designers are required to declare those designs and comply with the Building Code of Australia. This very sensible amendment is welcomed by the Labor Opposition. I look forward to hearing him speak on his further amendments. They are more sensible suggestions that unfortunately were not included in the original draft of the bill.

**TEMPORARY SPEAKER (Ms Felicity Wilson):** The question is that amendment No. 1 on sheet c2019-219I of Mr Alex Greenwich be agreed to.

**Amendment agreed to.**

**Mr ALEX GREENWICH (Sydney) (15:44:50):** I move amendment No. 2 on sheet c2019-217I:

No. 2     **Building elements**

Page 3, clause 6. Insert after line 42—

(e)           the services for a building, as prescribed by the regulations.

The definition for "building elements" excludes mechanical, electrical and hydraulic services for buildings, which means that aspects like hot water and stormwater services, air conditioning, lifts and car stackers are not covered. There are many cases where services in apartments have been subject to significant defects and it is impossible to conceive that anyone other than specialist electrical, hydraulic and mechanical consultants would be permitted to do designs for these works. Therefore, my amendments widen the definition of a building element to include building services. However, regulations will prescribe how these are included to ensure that the definition is not so wide that it results in onerous obligations.

**Mr KEVIN ANDERSON (Tamworth—Minister for Better Regulation and Innovation) (15:45:36):** The Government supports the amendment moved by the member for Sydney and thanks him for his advocacy.

**Ms YASMIN CATLEY (Swansea) (15:45:46):** I thank the member for Sydney for this sensible amendment. The definition of a building element at section 6 is too narrow, as outlined by the member for Sydney, and leaves significant aspects of the design of apartment buildings not covered by the scheme. It is a great concern that the bill does not include many of the building services and should only be designed by specialised design practitioners, which currently results in significant defects in strata schemes. Examples the member has highlighted include hydraulic designs, hot water and stormwater services and mechanical designs like air conditioning, lifts and car stackers. They are critical components to an apartment building. It is impossible to conceive that anyone other than specialist electrical, hydraulic and mechanical consultants would be permitted to do the design work for these works. I commend the amendment.

**TEMPORARY SPEAKER (Ms Felicity Wilson):** The question is that amendment No. 2 on sheet c2019-217I of Mr Alex Greenwich be agreed to.

**Amendment agreed to.**

**Mr ALEX GREENWICH (Sydney) (15:47:14):** By leave: I move amendments Nos 3 to 5 and 7 on sheet c2019-217I in globo:

No. 3     **Documents with building compliance declarations**

Page 9, clause 16(1), line 7. Insert ", contractor document" after "building work".

No. 4     **Documents with building compliance declarations**

Page 9, clause 16(2), line 12. Insert ", contractor document or other required document" after "building compliance declaration".

No. 5     **Documents with building compliance declarations**

Page 9, clause 16(3), line 17. Insert ", contractor documents and other required documents" after "building compliance declarations".

No. 7 **Documents with building compliance declarations**

Page 9, clause 16(5). Insert after line 22—

*contractor document* means the following—

- (a) a list of persons who have agreed under a contract or arrangement with the registered building practitioner to do any of the building work,
- (b) a list of any other persons prescribed by the regulations who have done building work on the building,
- (c) a list of the work done by each of the persons referred to in paragraphs (a) and (b) in relation to the building work,
- (d) copies of final designs used for the building work that are not regulated designs and are designs of a class prescribed by the regulations for the purposes of this paragraph,
- (e) other documents prescribed by the regulations.

While the bill imposes obligations on regulated design practitioners and construction workers in relation to regulated designs that they prepare, there is a wide range of contractors and subcontractors doing designs and construction work who are not covered by this regime. While the designs and work may not be relevant to the Building Code of Australia, their work can result in defects and the bill needs to provide a mechanism for future owners to determine who did what work. Owners' corporations will not be able to identify who is responsible for defects and who owes them a duty of care if the problem arises from any design defect that is not in a regulated design or if there are installation defects.

The lack of transparency and accountability currently discourages best practice and much-needed culture change in construction. My amendments create an obligation on builders to provide a list of all contractors and subcontractors and the work they have done on the building. The regulations will prescribe any design that must be lodged. Again, I thank the Minister for working with me towards this outcome for these important amendments.

**Mr KEVIN ANDERSON (Tamworth—Minister for Better Regulation and Innovation) (15:48:50):**

The Government supports the amendments moved by the member for Sydney and thanks him for his cooperation and advocacy.

**Ms YASMIN CATLEY (Swansea) (15:49:02):** I thank the member for Sydney for these very sensible amendments to this legislation. The Labor Opposition supports a chain of responsibility that outlines who is accountable for the different works. This is the right thing to do. It is unfortunate that we have not been able to have this in place already and have better-built and better-designed buildings. That being said, we are here today with the opportunity to do that. I am very thankful to the member for bringing these amendments to the House. Obviously, the bill did not provide a regime under which an owners' corporation will, for every part of the building, have a copy of the final designs that it was supposedly built to, or know the persons responsible for those designs and the subcontractors who carried out the relevant physical work, which is very important.

It would become highly problematic if owners' corporations had to identify defects but did not know who actually carried out that work. This will be a step in the right direction to ensure that the pendulum swings back to the owners, quite rightly, so that they are able to follow the chain of responsibility and discover who has actually done what work and then make the necessary advances to those people in order for rectification to occur. I commend the amendments to the House.

**TEMPORARY SPEAKER (Ms Felicity Wilson):** The question is that amendments Nos 3 to 5 and 7 on sheet c2019-217I of Mr Alex Greenwich be agreed to.

**Amendments agreed to.**

**Mr ALEX GREENWICH (Sydney) (15:50:58):** By leave: I move amendments Nos 6 and 8 on sheet c2019-217I in globo:

No. 6 **Issue of occupation certificate**

Page 9, clause 16. Insert after line 21—

- (5) A person who is provided with a building compliance declaration under subsection (1) must provide the declaration to the principal certifier who is responsible for issuing an occupation certificate for the building work before or when the application for the certificate is made. Maximum penalty—300 penalty units (in the case of a body corporate) or 100 penalty units (in any other case).

No. 8 **Issue of occupation certificate**

Page 13. Insert after line 10—

**26 Principal certifier must consider compliance certificates**

- (1) A principal certifier who is responsible for issuing an occupation certificate for building work must not determine an application for an occupation certificate unless the principal certifier is satisfied that all compliance declarations required for the building work have been lodged in accordance with this Act.
- (2) A principal certifier who is responsible for issuing an occupation certificate for building work must consider any instances of non-compliance specified in the compliance declarations provided to the certifier relating to the building work when deciding whether to issue the certificate.
- (3) Nothing in this section prevents a regulation from being made under section 25 that prohibits the issue of occupation certificates unless compliance declarations are provided.

Although the bill requires a builder to lodge a compliance declaration before an occupation certificate is made, there is nothing in the bill to stop the developer from applying for the occupation certificate or to stop a certifier from issuing it without that declaration. Defects have arisen from developers cutting corners and if the developer chooses not to wait for the declaration they can proceed to apply for an occupation certificate without penalty.

The regime needs a gatekeeping provision to ensure that occupation certificates are only ever issued when all declarations under the new system have been made. My amendments will require the principal certifying officer to receive all compliance declarations and consider any declared noncompliance before issuing an occupation certificate. The requirement does not place any obligation on the certifier to verify whether a compliance statement is correct. This will provide a greater level of assurance that occupation certificates will only be issued for buildings that comply with the regime set out in the bill.

**Mr KEVIN ANDERSON (Tamworth—Minister for Better Regulation and Innovation) (15:52:06):**

The Government supports the amendments moved by the member for Sydney and thanks him for his cooperation and advocacy on this very important issue.

**Ms YASMIN CATLEY (Swansea) (15:52:20):** I could not agree more with the Minister: This is a very important issue and it is one that I am quite surprised was omitted from the bill. The occupation certificate is critical. We regularly see occupation certificates issued for buildings that have not been completed and the owners are left with a mess. This is very important. I am pleased that the member for Sydney has brought this to the House and that it is something the Government has agreed to. The Labor Opposition will agree to these amendments, which require that a registered building practitioner provide a compliance declaration before an application for an occupation certificate is lodged.

There is nothing in the current bill to ensure that an occupation certificate is not issued unless the compliance declaration is received and complies with all obligations. Obviously, this is incredibly problematic because usually the developer applies for the occupation certificate, not the builder. There is significant evidence that developers have been responsible for defects, so this is something that will be incredibly important to prevent. The certifier should be required to review all compliance declarations before issuing a certificate. These are additional very sensible amendments. I commend them to the House.

**TEMPORARY SPEAKER (Ms Felicity Wilson):** The question is that amendments Nos 6 and 8 on sheet c2019-217I of Mr Alex Greenwich be agreed to.

**Amendments agreed to.**

**Mr ALEX GREENWICH (Sydney) (15:54:01):** By leave: I move amendments Nos 9 and 10 on sheet c2019-217I in globo:

**No. 9 Statutory home building warranties**

Page 42, Schedule 2.2. Insert after line 15—

**[1] Section 3A Application of provisions to developers**

Insert "or (2A)" after "subsection (2)" wherever occurring in section 3A(1) and (1A).

**[2] Section 3A(2A) and (2B)**

Insert after section 3A(2)—

- (2A) The circumstances are the residential building work is done in connection with an existing or proposed building with 4 or more existing or proposed dwellings or in connection with an existing or proposed retirement village or accommodation specially designed for the disabled and the individual, partnership or corporation manages—
  - (a) the development of the land on which the residential building work is carried out on behalf of the owner of the land, another person who is a developer in relation

to the residential building work or a person who is connected with a developer in relation to the residential building work, or

- (b) the carrying out of the residential building work on behalf of the owner of the land, another person who carries out the residential building work or a person who is connected with a developer in relation to the residential building work.

(2B) For the purposes of subsections (1), (2) and (2A)—

- (a) a reference to an individual includes a trust that is not a corporation and a trustee of any trust, and
- (b) a person is connected with a developer if the person is a close associate of the developer or in the circumstances described by the regulations for the purposes of this subsection.

**[3] Section 18CA**

Insert after section 18C—

**18CA Warranties as to work by arms-length developers**

- (1) This section applies in respect of residential building work on land if the developer in relation to the work is an individual, partnership or corporation referred to in section 3A(2A).
- (2) Section 18C applies to the work as if the owner of the land when the work was completed was the immediate successor in title to the individual, partnership or corporation.

**[4] Section 18D Extension of statutory warranties**

Insert after section 18D(1A)—

- (1AA) To avoid doubt, the rights conferred on a non-contracting owner under subsection (1A) extend to the rights conferred in relation to subcontractors (including subcontractors of subcontractors) under section 18B(2).

**[5] Section 18F Defences**

Insert after section 18F(3)—

- (3A) The defence provided by this section does not extend to a defendant who is a developer, a close associate of a developer or a person who is connected with a developer in the circumstances described by the regulations for the purposes of this subsection.

**No. 10 Statutory home building warranties**

Page 42, Schedule 2.2. Insert before line 20—

**[2] Section 18G Warranties may not be excluded**

Insert at the end of the section—

- (2) In any proceedings for a breach of statutory warranty or in other proceedings relating to a breach of a duty of care relating to residential building work, the court may determine that a person is entitled to enforce the statutory warranties against another person (including a trust) (the *principal*), whether or not the warranties may be otherwise enforced against the person under this Act or may be enforced against another person under this Act, if the court is satisfied that—
  - (a) the principal is a party to a contract or arrangement, or 1 or more contracts or arrangements, that have the effect of removing the principal or a person connected with the principal from liability for statutory warranties under this Act, and
  - (b) the principal has or had a substantial role in the development of the land on which the residential building work is carried out, or in facilitating the residential building work or is connected with another person who has or had a role of that kind.
- (3) A court that makes a determination under subsection (2) may make orders, as it thinks fit, relating to the enforcement of the statutory warranties.
- (4) For the purposes of subsection (2)—
  - (a) a reference to a person includes a trust that is not a corporation and a trustee of any trust, and
  - (b) a person is connected with the principal if the person is a close associate of the principal or in the circumstances described by the regulations for the purposes of this subsection.
- (5) Subsections (2)–(4) have effect despite any other provision of this Act.

**[3] Schedule 1 Definitions and other interpretative provisions**

Insert after clause 5—

**5A Leasehold strata schemes**

In this Act, a reference to an owner includes, in the case of a leasehold strata scheme (within the meaning of the *Strata Schemes Management Act 2015*)—

- (a) the owners corporation, and
- (b) each person who is an owner (within the meaning of that Act) of a lot in the scheme.

There are significant loopholes in the existing statutory warranty regime under the Home Building Act that were created through case law and that legislative attempts have failed to close. Developers who are not landowners avoid statutory warranty obligations to owners because the courts have determined that future owners are not successors in title to a non-landowning developer. Developers now draft crafty contracts to take advantage of this interpretation of the law. The courts have found that an owners' corporation of a leasehold strata scheme is not the successor in title to the developer because it does not hold a freehold title to the common property. This prevents it from suing the builder or developer and from being a beneficiary under an insurance policy under the Home Building Act.

The courts have also found that owners and future owners do not have the benefit of subcontractor statutory warranties. These court interpretations go against the intention of the statutory warranty regime, which exists to give all owners an avenue to get remedies if they buy a home under warranty that is faulty. My amendments seek to close this loophole to ensure that those technical court interpretations no longer prevent owners' corporations from accessing statutory warranties.

**Mr KEVIN ANDERSON (Tamworth—Minister for Better Regulation and Innovation) (15:55:32):**

The Government does not support these amendments, which relate to statutory warranties within the Home Building Act 1990, because they fall outside the scope of the bill. However, I do note the issues that stakeholders have raised with the member for Sydney and me. I assure the member that the Government is listening to stakeholders. I will continue to work with the member for Sydney as we progress. As I indicated in my second reading speech, the Government is committed to further reform of the building and construction industry. As part of that reform it is my intention to further examine these issues and, where possible, address any shortcomings, including those identified by stakeholders.

**Ms YASMIN CATLEY (Swansea) (15:56:21):** The amendments moved by the member for Sydney deal with an issue that needs addressing. I am pleased to hear that the Minister will continue to have dialogue with the member for Sydney and stakeholders on this important issue. Development contract structures routinely take advantage of this loophole. That happened with the Opal Tower building when the Sydney Olympic Park Authority engaged Ecove, which then engaged the builder and carried out the role of developer despite not being a landowner. It is a critically important change. It will give home owners and consumers more confidence if loopholes have been removed from the legislation. It is fair to say that this was most likely an unintended consequence, but now that we know the loophole exists it is important we take action. I thank the member for Sydney for moving these important amendments, which Labor supports.

**Mr ALEX GREENWICH (Sydney) (15:57:35):** Statutory warranties remain an important avenue for owners to seek remedies for defects, and are arguably more useful than suing for negligence, which can be difficult to prove. I welcome the Government's commitment to look at closing these loopholes in the next tranche of building reforms. I stress my appreciation for the open way in which the Government has dealt with what all members and stakeholders find to be very complex legislation. Indeed, issues do emerge over time, and it is a sign of a good government and a good Minister that he is open to further strengthening the legislation he has put forward. I am grateful for that. I am keen to work with the Government in this area. I hope this loophole can be closed in future legislative attempts. I am open to introducing a private member's bill to resolve this issue. It would certainly be less controversial than the last bill I introduced. I will work with the Government on that.

Finally, it is critical that this bill as amended passes through both Houses of Parliament before we break for the year. This legislation will provide safeguards and protections that do not currently exist. We do not want to go into the summer break without providing those protections and safeguards for people who live in apartment buildings. It would be a dereliction of duty for us to allow that to occur. I urge members of the upper House to ensure that this legislation passes before we go on summer break.

**TEMPORARY SPEAKER (Ms Felicity Wilson):** The question is that amendments Nos 9 and 10 on sheet c2019-2171 of Mr Alex Greenwich be agreed to.

**Amendments negatived.**

**TEMPORARY SPEAKER (Ms Felicity Wilson):** The question is that clauses 1 to 100, and schedules 1 and 2 as amended be agreed to.

**Clauses 1 to 100, and schedules 1 and 2 as amended agreed to.**

### **Third Reading**

**Mr KEVIN ANDERSON (Tamworth—Minister for Better Regulation and Innovation) (16:00:12):**  
I move:

That this bill be now read a third time.

I thank the member for Sydney for his collaboration on a significant part of the process that this Government is putting in place to reform the building and construction industry and to restore consumer confidence in the market. The issue falls fairly and squarely within the member for Sydney's electorate. I appreciate, acknowledge and respect the interest that he has taken and the time he has given to dig into the detail and work for and in the best interests of his constituents and greater New South Wales. I look forward to continuing to work with him.

**TEMPORARY SPEAKER (Ms Felicity Wilson):** The question is that this bill be now read a third time.

**Motion agreed to.**

## **ELECTORAL FUNDING AMENDMENT (LOCAL GOVERNMENT EXPENDITURE CAPS) BILL 2019**

### **Second Reading Debate**

**Debate resumed from an earlier hour.**

**Mr KEVIN CONOLLY (Riverstone) (16:01:38):** I speak in support of the Electoral Funding Amendment (Local Government Expenditure Caps) Bill 2019, which amends the Electoral Funding Act 2018 to substantially amend the current expenditure caps for participants in local government elections. In October 2018 the Joint Standing Committee on Electoral Matters reported on its inquiry into the impact of expenditure caps for local government elections. The committee made nine recommendations to substantially amend the current regime. The Government accepts the committee's recommendations, which are implemented by the bill. The bill seeks to create a fairer regime for all candidates in local government elections, regardless of whether they are independent or endorsed by a party. In local government elections the reality is that all candidates—whether they are part of an official party or an informal independent group—are competing on a level playing field and should be treated that way. All candidates are competing in local elections in local communities and are appealing to the same people.

The committee's main recommendation was to replace the current two-tiered regime of caps for candidates and groups with eight different bands that reflect the enrolment size of each council area. The bill implements this recommendation. The committee also recommended that the new model for expenditure caps apply equally to candidates or groups of candidates, whether they are endorsed by a party or not. This is implemented in the bill. That is a departure from the current regime in the Electoral Funding Act 2018, which set a slightly higher cap for independent candidates and groups compared with those for party-endorsed candidates and groups. The committee also recommended that when a party incurs expenditure for the purpose of an election in a particular local government area or ward that expenditure should be apportioned to any candidates endorsed by the party in that area.

The bill implements that recommendation, which maintains parity across all people contesting the election. The bill amends the current caps for parties by providing that for a local government election a party's cap for electoral expenditure for a candidate or group endorsed by the party in that election is the amount of the applicable cap for the candidate or group. The bill also provides that parties' expenditure for the purpose of an election in a local government area or ward is required to be aggregated with any expenditure of any endorsed groups or candidates in that area. This means that parties are not permitted to spend additional amounts on top of the amounts able to be spent by endorsed groups or candidates of the party.

These reforms are fundamental to creating a level playing field for all candidates, regardless of whether they are independent or endorsed by a party. The significant changes to the expenditure caps for candidates, groups and parties will assist in creating a fairer electoral funding scheme for New South Wales local government elections. This is the goal of all who are involved in this process. We want our communities to be properly informed and able to make an informed choice about the candidates that they would like to represent them. In local government, which is the level of government closest to people, we do not want the field to be skewed heavily by an imbalance in the amounts that candidates are able to spend.

The caps that are introduced by this bill reflect the scale of the enrolments in an area and allow candidates to communicate effectively during the campaign period with those whose support they are seeking, but not to overwhelm the contest with vast amounts of money, which would be inappropriate for small council areas. I think the committee got it right, and I think the bill, in reflecting the committee's recommendations, has got it right in trying to empower the people in a local government area to make an informed choice and to allow candidates to communicate with their electorates in a reasonable and sensible way that allows democracy to function properly.

Right across New South Wales—whether it is areas where parties generally run or in councils where most of the candidates, if not all, are independent—people can campaign in a way which is effective but which does not overwhelm and unduly favour those who have deep pockets over those who do not. We do not want councils to be only populated by people with deep pockets any more than we want State and Federal governments to be controlled by the power of money. We want people to be able to make a reasonable choice. We want candidates to be able to present a campaign and to articulate to the community what they stand for, and to allow the community to make a choice about whom they want to represent them. This balance is achieved better through this bill than through the process we have had to date. The bill is an improvement on the current regime. It is another step towards empowering the community to make the kinds of choices they need to make about the people they want to represent them. I commend the bill to the House.

**Ms ANNA WATSON (Shellharbour) (16:07:09):** In May 2018 the New South Wales Government launched an appalling and unfounded attack on our State's unions and, in turn, on our State's workers. The attack I am talking about went by the name of the Electoral Funding Bill 2018. Today, as we discuss the Electoral Funding Amendment (Local Government Expenditure Caps) Bill 2019, it is important to understand the reasons for its creation. This bill seeks to correct some of the merciless attacks contained in the previous legislation and, as such, I and my fellow Labor colleagues will not oppose this bill.

To reflect on last year, the Electoral Funding Bill 2018, in my opinion, was not just immoral but bordered on unlawful. Contained within this bill was an attempt to inhibit the power of our unions, to gag the voices of our workers and citizens, and to cement the power and pay packets of those opposite. The motivations behind last year's bill were not, as those opposite would have us believe, democracy and fine-tuning of the functioning of our electoral system. Instead, one underhanded motivation of that legislation that was shockingly clear to everyone on our side of the House was the New South Wales Liberal Party's hatred and fear of unions.

An attempt to ban third-party campaigners and individual citizens from organising properly outside of political parties is undemocratic. Make no mistake: The bill was an attempt to do just that. Ultimately, I believe that the New South Wales Government will be its own undoing. It has launched countless attacks on our unions, and allowed wage theft and the exploitation of our State's workers to run rampant. The system is not fair, and light is finally starting to be shed on the dark underbelly of countless industries in New South Wales.

People are finally listening to what has been happening behind closed doors in our workplaces. People are finally starting to understand their own rights and to be less trusting and more vigilant. People are finally understanding where to go for help—and that is, of course, to their union. The Electoral Funding Bill 2018, the bill which today's amending bill seeks to correct, was symptomatic of a much broader problem. Let us be clear: The tide is turning. The scales will tip back towards our State's workers in the very near future. Robin Hood would not have been so popular if he were stealing from the poor to give to the rich, and that is exactly what the Government is allowing to happen in our economy and in our workplaces.

Every week new cases of widespread wage theft are being made public, and it seems no industry will emerge unscathed. There was Qantas, the ABC, the Commonwealth Bank, Super Retail Group, Michael Hill, Calombaris' MAde Establishment, Sunglass Hut, Bunnings, Neil Perry's Rockpool Dining Group, Woolworths and the list goes on and on. Those instances of wage theft represent millions of dollars taken out of the pay packets and superannuation entitlements of Australian workers. Millions of dollars have been greedily stolen by big business. Was there justice for these workers? Of course not—the businesses just received a slap on the wrist. If members are not angry about these examples and about how rife wage theft is in New South Wales then there is something wrong with them.

To return to the bill at hand, the amendments in the Electoral Funding Amendment (Local Government Expenditure Caps) Bill 2019 now provide for expenditure caps for an individual candidate or group of candidates in a local government election to correlate to the total number of enrolled electors in the local government area [LGA] or ward. Where the LGA or ward is smaller than 5,001, expenditure is capped at \$6,000. An LGA larger than 20,000 and smaller than 30,001 has its expenditure capped at \$25,000. It goes all the way up to an expenditure cap of \$72,000 where the number of enrolled electors in an LGA or ward is larger than 125,000.

I remind the House that in the initial Electoral Funding Bill 2018, expenditure for parties with candidates in a general election was capped at \$5,000 multiplied by the number of wards or local government areas not split

into wards in which the party has endorsed candidates. There was no thought given to the size of wards or LGAs or the total number of enrolled voters. Likewise, in the 2018 bill the cap for third-party campaigners was \$2,500 multiplied by the number of local government areas for which the third-party campaigner incurred electoral expenditure. Today's amendments will mean instead that in a local government general election the applicable cap for a third-party campaigner is the amount that is one-third of the applicable cap for a candidate for election.

To my understanding the rest of the Electoral Funding Amendment (Local Government Expenditure Caps) Bill 2019 will also ensure several things. Firstly, it will ensure that candidates, or groups of candidates, in all wards within a single LGA will have an expenditure cap equal to the cap of the largest ward in the LGA. Secondly, the bill will ensure that expenditure caps will be applied equally to candidates, or groups of candidates, whether they are endorsed by a political party or are independent. Thirdly, it will change the current expenditure caps in a local government election for a directly elected mayoral candidate to 125 per cent of the cap for a candidate in undivided LGAs and in multi-ward LGAs it will be capped at 100 per cent of the cap for a councillor, plus an additional 25 per cent of the cap for a councillor candidate in each of the other remaining wards of the LGA.

I understand that this piece of legislation and these caps have been supported by the NSW Local Government Association, and has been created in accordance with the recommendations of the Joint Standing Committee on Electoral Matters report on expenditure caps for local government elections. I will not oppose this bill, because it rightfully seeks to roll back the unfairness and the biased attacks contained within the Electoral Funding Bill 2018. I am grateful that the arbitrary figures that would have compromised the democratic and accessible nature of our State's elections have been removed. I will be more grateful when those opposite own up to their underhanded motivations and stop their cruel, irrational and unending attacks on our State's unions.

**Ms WENDY LINDSAY (East Hills) (16:14:13):** I speak in support of the Electoral Funding Amendment (Local Government Expenditure Caps) Bill 2019. The bill makes significant reforms to the current regime for expenditure caps in local government elections. The bill implements reforms recommended by the Joint Standing Committee on Electoral Matters in October 2018. One of the issues considered by the committee was the expenditure cap for directly elected mayoral candidates. Currently, there are different expenditure caps for directly elected mayoral candidates, depending on whether or not they are in a group. If they are in a group, the group also has different caps, depending on whether or not it is independent or endorsed by a party. This is a complex system.

For a general election, the expenditure cap for a mayoral candidate is higher than for other candidates. During the parliamentary committee's inquiry, some stakeholders expressed concerns that the current caps for mayoral candidates may be too high and encourage candidates to run for mayor disingenuously just to access the higher caps. After considering the issues, the committee recommended changing the caps applicable to directly elected mayoral candidates and proposed the same cap for an individual mayoral candidate and a group that contains a mayoral candidate. The bill implements the committee's recommendation. The bill provides that for a local government election the cap for a mayoral candidate or a group that includes a candidate for mayor in an undivided local government area is 125 per cent of the cap that applies to a candidate for councillor of the local government area. For example, if the proposed cap for a councillor in a local government area is \$6,000, the proposed cap for a mayoral candidate in that local government area is 125 per cent of \$6,000—that is, \$7,500.

Where the local government area is divided into wards, the cap for a mayoral candidate or a group that includes a candidate for mayor is 100 per cent of the applicable cap for a candidate for councillor in a ward plus 25 per cent of the cap that applies to a candidate for councillor in each of the other wards. For example, in a local government area with three wards the proposed cap for a candidate for councillor in each ward is \$6,000. The proposed cap for a mayoral candidate in that local government area is 100 per cent of the proposed cap for a candidate for councillor of \$6,000 plus 25 per cent of the \$6,000 for the two remaining wards. The total cap is \$9,000. The bill recognises that mayoral candidates are likely to incur additional expenditure for their campaigns. The bill aims to allow some additional expenditure for mayoral candidates; however, not so much that it would give candidates an incentive to run for mayor disingenuously. I commend the bill to the House.

**Dr HUGH McDERMOTT (Prospect) (16:17:11):** I contribute to debate on the Electoral Funding Amendment (Local Government Expenditure Caps) Bill 2019. The bill amends the Electoral Funding Act 2018 in line with reforms recommended by the report by the Joint Standing Committee on Electoral Matters on expenditure caps for local government elections. The bill's proposed amendments determine the expenditure caps for local government elections based on the number of electors in a local government area or ward. The reforms are an attempt to create local government elections that are run in a fair manner, ensuring that candidates have the ability to communicate with electors without excessive expenditure by some candidates that may unduly influence the result.

The expenditure caps will be set to better reflect the reasonable cost of communicating to electors in local government areas and wards of varying sizes. The legislation passed last year was inadequate in this regard, providing for only two categories of councils based on the number of electors, which is not reflective of the large range of communities represented by local governments. Further, the only local government areas that were large enough to be in the category for higher expenditure caps were divided into wards. As each of these wards contained fewer than 200,000 electors, the lower expenditure cap applied.

The bill sets out expenditure caps for council elections based on eight different enrolment levels. These caps vary from local government areas and wards with fewer than 5,001 electors, which will have an expenditure cap of some \$6,000, up to local government areas or wards with over 125,000 enrolled voters, where expenditure will be capped at \$72,000. These expenditure caps better reflect the cost of running an election campaign in local government areas of differing sizes, taking into account both the fixed costs of running a campaign and the communication costs per elector.

Expenditure caps are also set out for mayoral candidates in local government areas where they are directly elected. In an undivided local government area, candidates for mayor may spend 125 per cent of the expenditure cap for a candidate running for a councillor position. In local government areas with multiple wards, expenditure will be capped at the same amount as a candidate for council with an additional 25 per cent loading for each ward in the council area. The new funding model set out in the bill also proposes consistent expenditure caps for independent and party-endorsed candidates. The Electoral Funding Act 2018 sets out that candidates and groups endorsed by a political party had an expenditure cap of \$5,000 less than candidates running independently. Candidates could then spend \$5,000 per candidate or group of candidates that they had endorsed, with the restriction that no more than \$5,000 could be spent on any one campaign. This rule was unduly complicated and open to gaming, where a candidate could claim to be spending money for the campaign at large while doing so in a way that targeted a single ward or council area.

The bill also reforms the expenditure caps for third-party campaigners, setting it at one-third of the expenditure cap for candidates. It is important that we stay vigilant about undue influence being exerted by third parties on election results and the conduct of candidates, councillors and mayors. These expenditure caps will be based on the number of electors in each local government area or ward one year before the council election, with this figure provided to candidates to ensure that they are able to adequately plan for upcoming elections. In the case of a by-election occurring between normal election periods, the expenditure cap of the previous local government election will apply to that by-election.

It is important that workable expenditure caps are in place for local government elections. The vast majority of campaigns are run on a small budget by local community members wanting to make a positive change in their community. Some 97 per cent of local government campaigns spend less than \$30,000. Wealthy candidates with the ability to spend large amounts of their own money or solicit large donations from third parties must not be allowed to overrun the election process. It is vital that candidates without large financial resources are able to compete in council elections on a level footing and to ensure that their ideas are able to reach electors without being drowned out by high-spending campaigns.

I thank the Joint Standing Committee on Electoral Matters for conducting the inquiry and making the recommendations that have led to the bill being introduced to the Parliament of New South Wales. The inquiry was conducted in a professional manner with appropriate stakeholder engagement. I note that although there was some disagreement about the size of the expenditure caps, the committee's recommendations were broadly bipartisan. Also, the findings of the Joint Standing Committee on Electoral Matters were endorsed by the Local Government Association at its recent annual conference.

The recommendations made by the inquiry were sensible reforms to ensure that the Electoral Funding Act 2018 included reasonable and fair restrictions on expenditure. It is a shame that the committee was not properly consulted and allowed to conduct an inquiry before the introduction of the original legislation in 2018. The reforms that have to be made to this legislation could have been avoided if proper consultation had been carried out before its introduction. The Opposition does not oppose the proposed amendments to the Electoral Funding Act 2018. I commend the bill to the House.

**Mr JAMIE PARKER (Balmain) (16:22:47):** I address the Electoral Funding Amendment (Local Government Expenditure Caps) Bill 2019. I am delighted to say that The Greens believe that the bill is an important addition to the responses required to address how we fund and manage donations and expenditure in elections. There is no question that the current legal framework for local government expenditure that the bill seeks to amend is amateurish—it is unworkable, quite frankly, and it is inconsistent.

We welcome these spending caps for local government elections and support the direction of these reforms. The Minister is with us in the House today. We appreciate the approach that the Minister has taken.

Along with her staff, she has undertaken an exemplary job regarding the bill. It provides a very positive model for how laws are made. It is not always necessary to have conflict and disagreement; in fact, we can often come to points where we all agree if we take the time to listen respectfully to each other's perspectives. One of the problems that we have had in the past is that things have been rushed and there has not been the opportunity to take the time to consider things carefully.

I appreciate the approach the Minister has taken to undo some of the problems with the current arrangements and make sure we have a principled and workable process to manage election funding frameworks going forward. We believe that it should be ideas and not cash that determines the outcome of elections. It should be about community engagement. That should be the driving force behind council elections, and how we communicate with the members of our community should be about direct interaction, rather than carpet bombing the electorate with very expensive material, advertising brochures and so on.

However, there has to be sufficient capacity to produce materials to engage with local residents to allow ideas to be communicated. This is not just a political belief, but it recognises the constitutional limitations that the Parliament has faced on restricting political communication in election campaigns. There are clearly fixed costs that all candidates are likely to incur, and then as campaigns scale up to meet the needs of larger council electorates there are some economies of scale that can be achieved in producing campaign materials. In my own community my electorate covers part of the City of Sydney and the Inner West Council. The Inner West Council now has almost 200,000 residents. That is a significant sized council that needs some resources to ensure that the ideas that candidates put forward can be communicated effectively.

Caps that are set too high will inevitably favour wealthy candidates and wealthy donors and/or corporate supporters. This can happen to the detriment of local democracy and the ability of local communities to competently and relevantly be represented. Parties' expenditure is aggregated with the expenditure of any endorsed groups or candidates. The proposed caps in the bill are broadly supportable. We would have supported them being lower, but we understand the position the Government has taken and we will not be opposing the bill. We raised concerns in our submissions about the possible risks that mayoral elections would allow some candidates to essentially buy councillor positions by deploying significant resources in what could euphemistically be called a mayoral campaign, which is really intended to secure ordinary councillor positions.

The addition of the 25 per cent increment for each additional ward recognises this without paying an excessive incentive for false mayoral campaigns designed solely to increase expenditure. No double dipping is allowed so that a candidate can receive only the councillor cap or the mayoral cap that is applicable. That is a good step. The cap on third-party campaigners is set at one-third of the applicable cap for that ward or local government area. This reflects the right of community groups and unions, amongst others, to have a say in local elections, but limits this to ensure that their influence does not unfairly impact on local decision-making. The Electoral Commission is also required to publish the number of enrolled electors for elections and is required to notify candidates of the relevant number of electors.

I will not go through the entire list of the categorisation and the substance of the bill. This is an important step forward and I am sure the Minister and others can point to previous council elections where huge amounts of money were spent to win and capture local government roles. We know local government is very important and those who are seeking to profit from development or rezoning can sometimes look at local council as an opportunity to influence in an unfair manner to the detriment of those seeking legitimately to represent their community. It is important that we take these matters seriously. I was disappointed when the original bill came to the House. It was done in such a way that was unsatisfactory and is not the way we should be developing laws.

There may have been reasons for that, but what we have here today is a very thoughtful process that has engaged all of us in Parliament to ensure that when it comes to elections at least we can all agree we want them to be fair and transparent, and for everyone to have an opportunity, whether a single candidate, an independent candidate or a candidate from the Liberal, National or Labor Party in government. This bill goes a long way to achieving that. I thank everyone who has been involved. Mr David Shoebridge in the other place and others have been very pleased with the way this interaction has happened. This is a good example that while we may not agree on things all the time, if we listen to each other respectfully we can often come up with very good legislation. I commend the bill to the House.

**Ms TANIA MIHAILUK (Bankstown) (16:28:55):** I make a brief contribution in debate on the Electoral Funding Amendment (Local Government Expenditure Caps) Bill 2019. I note from the outset that the Opposition does not oppose the bill, but indeed supports the bill. The bill clearly has support from across all political parties. Each member in the House wants to see more integrity in our electoral system, not only at a State and Federal level but also at a local government level. I commend the Government for bringing forward this legislation.

The Electoral Funding Act 2018 currently contains electoral expenditure caps for candidates and groups standing in local government elections. The caps are different in value and are based on factors such as whether the candidate is endorsed by a party, whether they are a member of a group, and the number of enrolled electors at the previous general election. The Act also specifies caps for mayoral candidates and political parties that endorse candidates. As we have heard, in August 2018 the Joint Standing Committee on Electoral Matters commenced an inquiry into the impact of expenditure caps for local government election campaigns that closely considered the adequacy of the expenditure caps for candidates at local government elections introduced in the Electoral Funding Act 2018. In recent years we have heard much about local government. A number of councils have been referred to the ICAC. There have been amalgamations, some of which were controversial and some not. There have also been examples of investigations into specific councillors and councils. It was a fitting time to also have a closer look at local government. This is one way of ensuring that we have integrity at a local government level.

I commend the committee and its work in undertaking a vast inquiry with a range of hearings, working closely with Local Government NSW President Councillor Linda Scott and different stakeholders, councils and councillors, and the community at large to produce a report that contained nine specific recommendations. The bill will now implement these recommendations. Expenditure caps outlined in section 31 (3) to section 31 (9) of the Electoral Funding Act 2018 will be substantially amended by the bill to provide eight specific cap amounts that are based on the number of enrolled electors for the local government area [LGA] or ward. The expenditure caps contained in the bill range from \$6,000, where the number of electors is smaller than 5,001, to an amount of \$72,000, where enrolled electors exceed 125,000.

The expenditure of all candidates and groups standing for election in an LGA will be equal to the expenditure cap applicable to the biggest ward in the LGA. These new expenditure caps will apply equally to candidates and groups of candidates, whether from a political party or not, and that electoral expenditure incurred by a political party be apportioned to any endorsed candidate. The expenditure caps for mayoral candidates in undivided LGAs will be an additional 25 per cent on top of the applicable expenditure cap. In LGAs that are divided into wards the mayoral cap is an additional 25 per cent for each remaining ward.

Under this legislation caps for third-party campaigners, such as unions, community groups and lobby groups, will be set to a third of the amount applicable to the candidate. In calculating the expenditure caps the number of eligible voters will not include non-residential voters, except where voting is compulsory for non-residents, as it is in the City of Sydney Council. The bill also contains provisions requiring the Electoral Commission to notify candidates of the number of enrolled electors and the corresponding applicable expenditure cap. That communication between the Electoral Commission and the candidates is critical so that they understand their obligations.

From time to time there are people standing for election to local government for the very first time. They may not be part of a political party. Candidates who belong to a political party are provided with a degree of support by their party to understand what their obligations are in disclosing their electoral funds, expenditure, donations, and so forth. There are many examples in the past of candidates who did not make the declarations that they were required to. There was one particular councillor—I will not name him, but he was not a member of the Liberal, Labor or The Greens parties; he was an Independent and thankfully is no longer in public life—who when questioned about why he failed to make declarations said he did not know that he had to.

It is important that candidates understand their obligations and understand that they must comply with these expenditure caps. There are many vested interests in local government, more so than State and Federal government in many respects. A councillor can have significant influence in a local government area, particularly with tenders that come before council, often in confidential session, and information is provided to councillors on planning and rezoning of their council areas. They are privy to far more pertinent information than even members of Parliament so it is important for there to be just as much vigilance of local government as there is of State and Federal government with respect to any influence. There is more work to do in this area.

Another bill is to come before the House that seeks to tighten this area of political donations and I will speak more about that area when the bill is introduced. It is important for councillors to understand that expenditure caps should not be abused and that they should not find loopholes to avoid their obligations. I note that the Minister for Local Government is at the table. When there is an opportunity to review the legislation down the track, there should be some discussion with the Electoral Commission following the next council elections—which will be in 2020—that once declarations are made, a review be undertaken to ensure there has been full compliance and, if there has not been full compliance, that the matter be somehow rectified in the future, perhaps with the introduction of tougher legislation.

I take this opportunity to commend the Joint Standing Committee on Electoral Matters for its hard work. I commend the Hon. Walt Secord in the other House, shadow Minister for Local Government Greg Warren,

Minister Don Harwin and Minister Shelley Hancock for their respective roles in this area of local government. I commend the committee members for bringing forward these recommendations and the Government for ensuring that these recommendations will be part of a very important bill.

**Mr MARK COURE (Oatley) (16:37:45):** I speak in support of the Electoral Funding Amendment (Local Government Expenditure Caps) Bill 2019, which amends the Electoral Funding Act 2018 to amend the current expenditure caps for participants in local government elections. I commend the Minister for Local Government for her outstanding work on this bill and her staff, who are here today. Expenditure caps for local government elections were first introduced by the Electoral Funding Act 2018. During the parliamentary debate on the Electoral Funding Bill 2018 questions were raised about whether the caps should further distinguish between local government areas and wards with different population sizes.

In response in August 2018 the Premier made a referral to the Joint Standing Committee on Electoral Matters and I thank the committee for its outstanding work in this space. The committee was asked to inquire into and report on the impact of the current expenditure caps for local government areas and wards with different populations. In October 2018 the committee reported on its inquiry and made nine recommendations to substantially amend the current regime. The bill implements these recommendations. The main recommendation by the committee was to substantially amend the current model for caps for candidates and groups.

Currently the Electoral Funding Act 2018 provides a two-tiered regime of caps for candidates and groups, depending on whether there were 200,000 or fewer enrolled electors at the previous general election for the local government area or ward, or more than 200,000 enrolled electors at the previous general election for the local government area or ward. The committee recommended replacing this regime with eight different bands to address the concerns raised during its inquiry that the current scheme fails to adequately distinguish between local government areas or wards of different population sizes.

I have raised with the Minister's staff over the past couple of months my concerns in regard to the different sizes of wards, population sizes and the extent of the expenditure cap, but this certainly makes a lot of sense. The recommended expenditure caps for a candidate or group are as follows: \$6,000 where the number of enrolled electors for the local government area or ward is smaller than 5,001, \$10,000 where the number of enrolled electors for the local government area or ward is larger than 5,000 and smaller than 10,001, and it goes up in increments from there, with the final band being \$72,000 where the number of enrolled electors for the local government area or ward is larger than 125,000.

Many of the local government areas or wards in the Georges River City Council—the local government area that encompasses my electorate in the St George area—are larger than 20,000 but smaller than 30,000, I would have thought, which means that the caps for candidates or groups moving forward would be, I presume, \$25,000. The bill implements this recommendation. I thank the Minister and her office for the work they have done on this. The changes are intended to reduce the variation in amounts a candidate is allowed to spend on a per capita basis as between local government areas of different populations. To ensure parity within a local government area, the bill also provides that candidates or groups of candidates in all wards within a single local government area will have the expenditure cap that applies to groups or candidates in the ward with the highest number of enrolled electors in that local government area. Again I thank the committee members for all their hard work during the inquiry and to everyone who made submissions to the committee. Again I thank the Minister and her staff. I commend the bill to the House.

**Mrs SHELLEY HANCOCK (South Coast—Minister for Local Government) (16:42:02):** In reply: I thank all members for their contributions this afternoon—the members for Campbelltown, Riverstone, Shellharbour, East Hills, Prospect, Balmain, Bankstown and Oatley who, for the most part, made relevant and intelligent contributions. I appreciate their obvious interest in local government and their commitment to local government in view, obviously, of the elections that we are having next year. This bill implements reforms that have been recommended by the Joint Standing Committee on Electoral Matters. The proposed changes will further the electoral funding scheme's objects of fairness and transparency in local government elections. 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

**Mrs SHELLEY HANCOCK:** I move:

That this bill be now read a third time.

**Motion agreed to.**

**STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO 2) 2019****Returned**

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

*Private Members' Statements***BEGA OUTSTANDING CUSTOMER SERVICE AWARDS**

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Roads) (16:44:08):** I speak about the state of play for our businesses in the regions. On Saturday night I was pleased to attend the Bega Outstanding Customer Service Awards. I pay tribute particularly to the Bega Chamber of Commerce, led by John Watkin and ably assisted by Robert Hayson, for the work of the team in putting together a fantastic evening. In the midst of drought there is nothing like the business community coming together not only to recognise the environment in which businesses work—and it is tough—but also to celebrate excellence within the business community, particularly in Bega.

There is no doubt that the sponsorship of the awards night was greatly received. In particular I acknowledge Bega Cheese, which was instrumental in providing support for the chamber and the evening. I was pleased to present the agribusiness and retail awards and congratulate the businesses, particularly those that received awards in the highly commended categories and the winner of each category. In the highly commended categories I recognise the Bega Cobargo Veterinary Clinic, the Glen Mia Saddlery, the Sapphire Community Pantry, Sportspower, Chris Dunning Electrical, the Commonwealth Bank Bega, Helloworld, Plevy's Pharmacy and Tyrepower Bega, which is one of the longest running Gold Star members of the Chamber of Commerce.

In recognising those businesses I give a cheerio to the highly commended award recipients in the junior and senior employees categories. These very dedicated staff help their business owners to run a fantastic business in the community. In particular I recognise Makayla O'Bryan, Ben Angus, Jamara Nye and Brendan Hayson. The winners of each category were Southern Farm, Tuff-As Work Wear and Safety, GH Mechanical, Bega VRA—which took out the community service award and does an incredible job in supporting our community, particularly in volunteer rescues and assisting people who have been involved in car accidents—Bega Fasteners and Industrial, United Fitness Studio, the Coffee House Cafe, Elders Real Estate Bega and Clifton and Russell Constructions.

The winners of the junior and senior employees categories—these are the stand-out employees in the town—were Casey Back, Mat Bonomi, Ellie Christison and Matthew Gibbs. I thank all of them for their dedication and the hours they spend in the workplace to support their business and to enrich the customer experience of everybody in the community. Their efforts are especially appreciated in light of the challenges currently besetting retail businesses, particularly in regional communities. It was the first time in 13 years that the chamber awards have taken place, and it was great to see that occur.

These are tough times with the drought, but the Government is providing regional employment growth opportunities through incentives and support to business. It is telling that throughout the course of the drought the Government has generated 40,000 jobs. When compared to the rest of Australia, with figures of about 5,000 jobs, that signals the benefit of the infrastructure stimulus and the support that has been provided to small business and farmers to assist them in growing employment, despite the difficult conditions.

I again recognise the President of the Bega Chamber of Commerce and I particularly recognise Robert Hayson. Robert has been the chair of the Bega Valley Business Forum for 20 years and is a life member of the Bega Chamber of Commerce, having been involved for 26 years, 14 years as president. His support to the community, as well as that of the chamber team, has been an outstanding effort. This Government will continue to provide support to small business. It is one of the great initiatives we are doing as a government.

I was pleased that the Minister for Skills and Tertiary Education attended the awards, although some activists from the union movement made his visit a little disappointing. These people want to fight against TAFE investment, for goodness sake. The Minister wants to invest over \$25 million into TAFE to develop trade courses and the Connected Learning Centres and to provide support for businesses. On Saturday night we celebrated through the Bega business awards the work of these businesses, which are ably supported by investment by the Government in TAFE and in the community.

**Mr GARETH WARD (Kiama—Minister for Families, Communities and Disability Services) (16:49:14):** I take this opportunity to congratulate the member for Bega. I have been the Parliamentary Secretary for the South Coast and have attended business events with him. The respect in which he is held in the business community, particularly in Bega, is obvious. He can be proud of the investments he has secured, especially in infrastructure in the Bega electorate. The Minister has made a private member's statement in the House today to

talk about small business, the people who are the backbone of the economy, particularly the Bega economy. That speaks volumes about the sort of local member he is for the people of Bega. He is a transformative Minister who is changing New South Wales and I know he works incredibly hard as the local member to make sure that his constituents' views are heard not only in this House but also at the Cabinet table and at the highest levels of government. The people of Bega should be very proud to have a local member like the member for Bega.

#### INNER WEST YOUTH MENTAL HEALTH FORUM

**Ms JO HAYLEN (Summer Hill) (16:50:14):** Last month I was pleased to host an Inner West Youth Mental Health Forum at Petersham Bowling Club. The forum was an opportunity to learn more about the pressures young people face and the scale of the challenge we face together. It was also an opportunity to consider both in policy terms and practically how we can best help people with moderate to complex mental health issues. The statistics tell a really tough story. One in seven young people aged four to 17 years experience a mental health condition in any given year. Half of all lifelong mental health problems begin before the age of 14 and over 75 per cent of mental health problems occur before the age of 25.

Most alarming of all is that only 31 per cent of young women and only 13 per cent of young men with mental health problems seek any professional help. Suicide rates among young people are the highest they have been for over a decade and now account for around one-third of all deaths of those aged 15 to 24. The rates of mental health and suicide among Indigenous young people is significantly higher than among non-Indigenous young people. Young people in regional communities, LGBTIQ+ people and young women are all disproportionately affected by mental health issues.

The forum shone a light on the important and transformative work being done to improve youth mental health across New South Wales. The speakers included amazing community leaders such as Jono Nicholas, who is the founder and managing director of the Wellbeing Outfit. Jono is a passionate advocate for how technology can help young people with their mental health pressures. He gave some practical tips to members of the forum audience. As a father he spoke about the practical ways we can help build resilience in our children.

The young person and speaker on our panel was Neha Manandhar, who is the program co-ordinator at Batyr, a preventative mental health organisation that runs specialist programs in schools and universities. Neha spoke powerfully about the need for peer-to-peer support in destigmatising mental health and she reiterated Batyr's top five tips for looking after yourself and your mates: Look out for signs that your mate is having a tough time; get talking about mental health; engage in active listening so your mate knows you are there for them; reach out and connect to professional supports; and take charge and control of your own mental fitness. I thought they were fantastic tips and she spoke about them so passionately on the day.

Our final speaker was Carmel Tebbutt, the now CEO of the Mental Health Coordinating Council, the peak body for community mental health organisations. Carmel shared her years of expertise and experience and articulated why governments need to invest in services to bridge the "missing middle", which is something we have heard about from Professor McGorry and others. At the heart of each of their contributions was a simple message: One of the most powerful tools we have is connection. We need to reach out and let other people know that we are there for them. That is so incredibly powerful in itself. To be able to refer young people to quality and well-resourced services is key to dealing with this large and complex issue.

In the inner west young people are well supported by headspace in Ashfield, the Gender Centre in Petersham, Youth off the Streets, Twenty10, the Marrickville Youth Resource Centre, Rosemount Good Shepherd, as well as the PCYC and other excellent local organisations. But they cannot do it on their own. They need resources and leadership from the Government. To its credit, the New South Wales Government has signalled it will invest in student welfare and mental health in schools. This is incredibly important and we need to expand the capacity of the existing services. The Government has indicated it will set up an eating disorder hub. It will also support kids and families through the drought hardship, and we know the severity of that.

At the last election Labor put forward a raft of important and transformative policies, including ensuring additional counsellors, psychologists and student support throughout our high schools and providing mental health first aid training to public school principals and senior staff to better assist students and colleagues. We want to train mental health outreach workers in regional New South Wales. Most importantly, we need to look into how we can help our mental health system across the board. We have not had a parliamentary inquiry into this issue since 2001 and this needs to happen now. We would also like to ban gay conversion therapy and tackle the bullying and isolation felt by our LGBTI community. There is so much we can do in this space. I was very proud to host an excellent conversation in Sydney's inner west recently to support our young people.

## BUSHFIRES AND OXLEY ELECTORATE

**Mrs MELINDA PAVEY (Oxley—Minister for Water, Property and Housing) (16:53:59):** I talk with great sadness about the impact of these most terrible bushfires on the electorate of Oxley and the valleys in my community. In fact, it started more than six weeks ago in the Bellinger Valley at the top of the Dorrigo Mountain. The fires around the Bees Nest area have continued on and off for six weeks. On Friday the suddenness and the dramatic energy with which those fires affected the Nambucca Valley, the Macleay Valley and the Hastings Valley had the most horrific consequences. Today I read about 63-year-old Christos Savva, who died in a car crash on Saturday morning after leaving his beloved property in South Arm near Nambucca Heads, which is an area of the valley that has been so affected by the fires.

Christos Savva had been defending his home from the Buckrabendinni bushfire but as he left in a rush the blaze bore down on his property. The long-term resident of South Arm managed to save his house from last weekend's raging bushfire but died after his exit route was blocked by a burnt-out bridge. His SUV had rolled down an embankment. His stepdaughter Amanda Griggs told journalists she went to her dad's property and was amazed the house was still standing as the fires had basically joined and created an even bigger fire front. Chris was described by neighbours as shy but part of a very tight-knit rural community, like so many in the valleys that I represent. I mourn for him and his family. We will stand and support them. Three people have been confirmed dead through the region and at least 50 houses were taken only yesterday across the State.

Emergency services have confirmed that at this moment 19 houses have been lost in the Nambucca Valley due to the fires, which have impacted 100 residents. More than 3,000 firefighters have been working hard across the State. I cannot thank enough the incredible NSW Rural Fire Service volunteers in our communities. They have done the most incredible work for 14 days straight, some for longer, working until their bodies ache and they cannot continue. I also tell the story of Brett and Gemma Porter from Upper Forbes River, just west of Wauchope. The fire came out of national parks onto their farmland. They sought to bulldoze a firebreak to try to create some distance from the fire that they sensed was coming but they were unable to do so.

On ABC Radio this week Gemma said that 250 cattle had crowded together to at the bottom of a valley and somehow the fire went over them. But Gemma and Brett cannot get hay to the property because the Oxley Highway has been cut, and they are stressed beyond belief. They lost their timber mill. Gemma said that the property and the five people that they employ at that timber mill are now in limbo. The hydraulics and the capacity of that timber mill are no longer workable. On top of their cattle and on top of their business which they are no longer able to operate, they now have the added stress of not being able to get fodder to that farm. We are going to do what we can to fix that situation.

I also speak of the Duffs up at the top of the Macleay Valley and Bernadette O'Sullivan and her family at the Pee Dee Station, a very famous and beautiful property. They have been fighting every day to save their paddocks and their fencing and it has been a very traumatic time. Yesterday I spent the day at the Macksville emergency services evacuation centre, which the club has opened. The centre moved from the designated park to the club because the club wanted to do it. There were food, clothes and shoes everywhere; the volunteers were amazing.

I spent a few hours at the Kempsey evacuation centre talking to people who said they just wanted to go back to their properties even though they had lost their houses. They wanted to see if they could find their Doberman or their cats. It was memorable just to hear their stories and about their trauma. I spoke to one lady who had lost her very basic subsistence house but it was her shed, it was her home, and she had no insurance. There was pain in the faces of the people who talked to me about their animals and the native wildlife that they had seen burned. Some firefighters saw 13 koalas that had died in the national park. That is very traumatic. We have a lot to learn from these fires. We will learn together to ensure that we manage these situations. We must learn from our Indigenous forebears. I make that plea.

### *Public Interest Debate*

## BUSHFIRES

**Ms TRISH DOYLE (Blue Mountains) (17:00:46):** I move:

That this House:

- (1) Notes that New South Wales is in a state of emergency, with severe fire conditions being experienced and many fires continuing to burn across the State.
- (2) Expresses its deepest sympathies to those who have lost lives and property.
- (3) Acknowledges the heroic efforts of the thousands of firefighters from the NSW Rural Fire Service, and Fire & Rescue NSW in fighting dozens of fires across New South Wales.

- (4) Recognises the vital role played by the National Parks and Wildlife Service in conducting hazard reduction activities, and commits to ensuring all agencies are fully resourced to do so in the future.

I pay tribute to the many thousands of professional and volunteer firefighters across this State who have been working almost constantly since September to contain significant bushfire emergencies, especially from the mid North Coast to the North Coast of New South Wales. They are supported and assisted by other emergency services workers who have swung in behind them in recent weeks to protect our community. Police, paramedics, and community volunteers have all provided invaluable support to our fireys and have made life easier for those who have lost homes and loved ones or who have been injured and displaced during these fires. All the members of this House acknowledge the people who have lost loved ones or who have lost their homes.

As a member of Parliament representing an area that recently faced its own bushfire catastrophe in 2013, I know that the recovery process for communities that have borne the brunt of a bushfire disaster is long, difficult and continuing. To that end I call upon the Premier and the Minister for Police and Emergency Services to avoid the mistakes of 2013 when the Government dithered and delayed its initial response to the Blue Mountains bushfires. A coordinated recovery effort is essential and will take time. It will take time for people's grief, anxiety, displacement and loss to be resolved. Long after the Metro Media has returned to metropolitan Sydney, long after the ministerial visits have ended, there will be hundreds of people in regional and rural towns across the State who are doing the hard work of bushfire disaster recovery.

I pay tribute to these people in anticipation of the efforts I know they will contribute in the coming months and years. In the meantime, however, it is important that this House commends our firefighters both within the NSW Rural Fire Service [RFS] and Fire and Rescue NSW. These are the heroes who are out on the fireground right now, alongside their colleagues from the NSW National Parks and Wildlife and the Forestry Corporation. They are battling the ongoing threat up and down the east coast of New South Wales. Often when we hear of bushfires we think of our valiant RFS volunteers but, of course, they are assisted by professional firefighters, both permanent and retained, from Fire and Rescue NSW. They are also assisted by professional full-time staff within the RFS who provide the essential coordination and leadership support that makes the volunteer effort possible.

It is a significant concern for volunteers across the State that the ranks of the professional staff within the RFS are so depleted. Recently I was approached by volunteers in the Blue Mountains, the North Coast and the Riverina who are all horrified by the recent restructure of the Rural Fire Service, which left some 175 positions within the ranks of professional staff vacant right at the beginning of the bushfire season. The vacancies included area commanders, fire behaviour specialists, fire mitigation experts and aviation supervisors. That restructure not only produced vacancies but also resulted in a huge number of experienced and skilled individuals—people who have committed their lives to professional public service and public safety—restructured out of the Rural Fire Service. Their corporate knowledge was priceless but it has been pushed out of the organisation.

At the same time, our Fire and Rescue NSW crews, both retained and permanent, have had to face successive budget cuts and labour expense caps, which have pushed down their operational capacity across the State. The RFS covers 80 per cent of the bush while Fire and Rescue covers 80 per cent of the population. Often it is a Fire and Rescue firefighter who stands between a bushfire and people's homes. This Government has enforced a 1.2 per cent labour expense cap on our fireys, despite making promises every year that the cuts to public service agencies will not impact frontline services. The Government has exempted teachers, police and nurses from the labour expense cap but not our fireys. Is a firefighter not a frontline worker?

Over the last day or two the Government and its supporters have crowed up and down Macquarie Street and at press conferences at Rural Fire Service headquarters in Homebush that our emergency services have never had it so good. They deny the cuts. But in this year's budget papers the truth is there for all to see. Employee-related operating expenses within Fire and Rescue were cut by \$13.1 million, while other operating expenses were cut by \$10.25 million. After other revenue is added back into the budget and other accounting measures are taken into consideration, the overall position of Fire and Rescue NSW is a cut of \$20.5 million for 2018-2019.

Other operating expenses at the Rural Fire Service were also cut by \$17.4 million in the last budget and there is a funding shortfall of some \$49 million between expected costs, including that \$17.4 million cut, and expected revenues. Members opposite can call it what they want; it is a cut. That is all on top of the 175 vacant positions, which hobbled the organisation in the lead-up to bushfire season. I raise these issues today because if not now, when? The Government dismissed these issues at budget estimates and in the media. Yesterday Government members stood up and said that the RFS has never had it so good.

**The ASSISTANT SPEAKER:** The member for Kiama will come to order.

**Ms TRISH DOYLE:** The Government has opened the door to criticism of its constant cuts to our frontline emergency services. Members opposite may want to shout down any attempt by the Opposition to hold them to account for their cuts but I will not be dissuaded. [*Time expired.*]

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

**Mr ALISTER HENSKENS (Ku-ring-gai) (17:07:55):** At the outset I thank the brave men and women of the NSW Rural Fire Service—whether they are full-time employees or part of the largest volunteer firefighting brigade in the world—for everything they have done to preserve life and property from devastation over the past days. They continue to work to contain the fires burning around our State. From time to time people tease me about some of the qualities of the people of my electorate but one thing is absolutely certain: The electorate of Ku-ring-gai is well known for its beautiful tree-lined suburbs and for the fact that it is abutted by two national parks, Ku-ring-gai Chase National Park and Lane Cove National Park. The amount of energy within those bushlands—which can fall prey to the devastation of bushfires—is substantial and magnificent.

Only a few days ago the Premier visited with Ku-ring-gai Rural Fire Service volunteers who were fighting fires on the North Coast. As a consequence of the particular topography of my electorate, we have an extraordinary group of Rural Fire Service volunteers in our brigades, led by Superintendent Mark Sugden, who is the district manager, and Inspector Rolf Poole, who is the district coordinator. Mark, Rolf and their volunteers are simply magnificent. Yesterday, unfortunately, there was a bushfire in South Turramurra in my electorate. As the House has heard over the past days, the Government has purchased large air tankers, including the *Marie Bashir* for \$26.3 million. It has also contracted two other large air tankers to assist with firefighting. Yesterday one of those tankers snuffed out the bushfire in South Turramurra very quickly.

Many of us recall the devastation caused by bushfires in Sydney in 1993 and 1994 and many of us recall how those bushfires spread into the Lane Cove National Park in South Turramurra. It is not an exaggeration to say that the swift action of our firefighters to put out the fire yesterday contained the fire and stopped it spreading into Lane Cove National Park, where it could have caused the kind of devastation that was done in the 1990s. I pay tribute to the Rural Fire Service volunteers and heroes who snuffed the fire out so quickly yesterday. As the local member, my interactions with the Rural Fire Service have been with our local volunteers. I will inform the House on some of the aspects of the characters of the men and women of my local Rural Fire Service brigades.

The brigades include people such as Jack Barnett, who was recognised last September for his 60 years of volunteer service to the Rural Fire Service, and John A'Beckett, Terry Donnelly, John Handscombe and Gary Keenan, who were each recognised for their 50 years of volunteer service to the Rural Fire Service. Those extraordinary individuals have provided incredible community service. I also acknowledge the Rural Fire Service cadet program that operates in our schools. At one of my local special needs schools, St Edmund's College, the Rural Fire Service runs a wonderful program for year 9 children. It is the brainchild of Captain Rick Jones and operates for eight weeks. It has been a privilege to attend the graduation ceremonies that are conducted with the aid of our Rural Fire Service volunteers. The pride of the students and their parents when they graduate from that program is in stark contrast to some of the cheap politics that we have seen during this debate already.

**Mr CLAYTON BARR (Cessnock) (17:13:03):** I make a contribution to this very important public interest debate. I was in this Chamber during question time today and I also watched the Legislative Council question time—I have too much time on my hands. I was not here for question time yesterday so I had to make up for it by getting a double dose today. I was intrigued by the Government's defence to questions about whether there have been budget cuts. I appreciate that members opposite probably went into the party room and were given some pretty specific information about that but, as most members know, I am a bit of a budget nerd. If we are going to have a debate and conversation about this issue then we need to work from a structural truth. I recommend that members—and if they do not know about this they should grab a pen and jot it down—look at page 15 of chapter 6 of *Budget Paper No. 3*, which deals with Fire and Rescue NSW. There are five budget papers, by the way. At the top you will see that employee-related expenses in 2018-19 were \$628,876,000. This year—2019—that figure will be \$615,000,000.

**Mrs Melinda Pavey:** Is this RFS or Fire and Rescue?

**Mr CLAYTON BARR:** This is Fire and Rescue. Let me tell members opposite who want to criticise me for talking about Fire and Rescue NSW rather than the Rural Fire Service that I live in a community where the bush meets the town. If the bush is alight the rural fireys are there, but when it comes over the back fence Fire and Rescue NSW is there. It turns out, as indicated by the Government's budget papers, that Fire and Rescue NSW has less money. Let me turn to the Rural Fire Service. I wanted to check its budget, which is also in *Budget Paper No. 3* at chapter 6, page 30. Under the heading "Office of NSW Rural Fire Service" there is a line item called "other operating expenses", which the Labor Party has been referring to. In the 2018-19 financial year the RFS received \$123 million. In 2019-20 the RFS will get \$105 million. That is in the Government's budget papers. At the bottom half of the page the paper refers to what revenue will be received. Last year the revenue received by the RFS was \$458 million from grants. This year from grants the RFS will only receive \$453 million. To me that seems like a smaller number.

I know those on the other side of the Chamber find it inconvenient to talk about the budget. I know there are people out there who are working their butts off, but in the Government's budget papers—being *Budget Paper No. 3*, chapter 6, pages 5 and 30—the numbers this year are smaller than they were last year. Government members should go and check the budget out because what they are being told in the party room is not the truth. Opposition members are used to that, because we hear from Government members all the time and it is never true. But Government members should expect a little bit of truth in their party room. I wanted to make that point.

The other point that I want to make is about the *Marie Bashir*. I am so proud of that aircraft because I am a stakeholder. The vehicle cost \$26 million, of which \$20 million was funded from the emergency services levy contributions of people who have insurance policies on their house and contents—including me—and people who pay rates to their local councils—including me. I and other people like me own 75 per cent of the *Marie Bashir*, and we are very proud. As Government members pat themselves on the back, the reality is that they have imposed a new fee, charge, duty, levy or whatever they want to call it on the people of New South Wales to buy that vehicle. Congratulations!

**The ASSISTANT SPEAKER:** Order! The member for Cessnock will be heard in silence.

**Mr CLAYTON BARR:** We must give credit where credit is due. Those opposite need to congratulate the people of New South Wales who have helped to fund the vehicle that they have purchased. Good on them!

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

**Mr CLAYTON BARR:** I tell the Government this: The volunteers I talk to are looking for more resources, not fewer. [*Time expired.*]

**The ASSISTANT SPEAKER:** I remind the member for Kiama that he is on two calls to order.

**Mrs MELINDA PAVEY (Oxley—Minister for Water, Property and Housing) (17:18:23):** I quote:

It is rubbish. It's misinformation. It is being misrepresented ... Not only has our budget not been cut, but we are enjoying record budgets and we have got more money today than we have ever had before in the history of the organisation.

**The ASSISTANT SPEAKER:** Order! The Clerk will stop the clock. If members do not come to order I will ask them to remove themselves from the Chamber under Standing Order 249A for 15 minutes, 20 minutes or maybe even half an hour.

**Mrs MELINDA PAVEY:** Opposition members' humour and mirth was directed at Nathan Rees-appointed commissioner Shane Fitzsimmons. Shame on them! I point out that Fire and Rescue NSW will be receiving a record \$774 million in recurrent funding. Opposition members should read the budget papers in their totality, and be truthful and honest. The community does not need to hear this silliness. I ask people to look at the facts and listen to the experts.

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

**Mrs MELINDA PAVEY:** If the member for Cessnock wants to mention the 2013 bushfires in the Blue Mountains it would be appropriate to point out that I was at Winmalee. I was fighting for greater hazard reduction in 2010, which was achieved. That was very much to do with the fact that there had not been enough hazard reduction going on. Even the member's boss at the time recognised that.

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

**Mrs MELINDA PAVEY:** Some extra hazard reduction was carried out in 2010, which had a very big impact on saving the Blue Mountains from further destruction in 2013.

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

**Mrs MELINDA PAVEY:** I am proud that we took to the 2011 election a policy to double hazard reduction, and we have more than doubled it across the State. I put on record, right here and now, the thanks that my community wants to give to the National Parks and Wildlife Service staff, who are doing an incredible job. Neville Beaumont, a farmer at Dorriggo, and not usually a friend of the National Parks and Wildlife Service staff, recognised their firefighting skills. This Government has put more people on the ground in the National Parks and Wildlife Service. The Government has taken them out of the offices and into our communities.

The Government has employed more Indigenous people and is doing the right thing. I have heard a lot of support from the people around Willawarrin and Temagog for the National Parks and Wildlife Service personnel who have been there on a daily basis advising them of what is going on and offering them any help that they might need. On the other hand, I have also had some farmers explain why fires have gone straight into their properties and destroyed them. One volunteer told me yesterday that there were about 160 hectares of fire fuel load in parts of the forest. The volunteer got out of the truck and discovered that the fuel load was at hip height.

So there are challenges for us all. We can only work through this if we look at the burning customs of the traditional custodians of the land. When he was at the top of the Oxley Mountains explorer John Oxley wrote about the density of the forest at the time before European settlement. It was much less dense than now.

These are not the only bushfires we will have. This State had huge fires in the 1950s and the 1930s. It is part of our history and it is part of our make-up. We must appreciate the work of our volunteers and thank them for it. We must also appreciate the work of the National Parks and Wildlife Service staff and our Fire and Rescue personnel. We must also listen to the farmers and to the Indigenous custodians, who want to see more burning and a better relationship with the land—the way that they managed the land before Europeans took over most of it. That will be an important part of the debate and the conversations we have going forward.

I am proud to be part of a government that has at least doubled the amount of hazard reduction. That is an important aspect of government policy. The Government has put record funding into our Rural Fire Service—a magnificent organisation. Funding has gone into bigger pieces of equipment, small cargo and tip trucks and support and training. We must acknowledge that fire will always be a part of the landscape of this nation. We must learn from what has happened in the past as we move into the future. We need to reduce fuel loads so that fires like the one that occurred last Friday—a fire that took out communities, homes and properties in my electorate—does not happen again in such a sudden, brutal and devastating way. The only way we can move forward in all of this is by acknowledging that there will always be better ways of doing things. The only way to discover better ways is to have respectful conversations and not begin those conversations with mistruths.

**Ms KATE WASHINGTON (Port Stephens) (17:23:43):** Today, as we have this debate, much of the North Coast and the mid North Coast is on fire. The stress, heartache and anxiety being experienced by those families and communities to the north is unimaginable. I know everyone here extends their heartfelt thoughts, prayers and wishes. But thoughts, prayers and wishes only go so far. People are asking questions. Our hardworking colleague Janelle Saffin has quite rightly stayed in her electorate of Lismore this week to support her community. She has been speaking with people who have lost everything. Janelle says people are traumatised and they are exhausted. They want to talk about how this happened. They are pleading with her to have the funds restored to the RFS, to have funds restored to National Parks and Wildlife, to have funds restored to Forestry Corporation and to have enough staff in those agencies to help care for our communities, our environment and our natural resources.

They also want to talk about climate change. People are frightened for their families and for the future. These are the thoughts of Janelle's communities. This is what those who are facing such difficult times are asking of this Government. The problem is that this Government will not accept facts; we have heard that today. We have had a terrific lesson about the budget papers from the member for Cessnock, and shadow water Minister. Those opposite are going to sit there and scoff, but I suggest they read the pages that he has referred them to rather than the briefing notes that they are getting in their caucus room. Their budget cuts to firefighting agencies are real. Their cuts to the National Parks and Wildlife Service are real. They also have very real consequences that are being felt on the ground right now.

Members opposite want to blame everyone else. However, the fact is that under this Government \$200 million has been cut from the National Parks and Wildlife Service and its department. Some \$121 million came directly from the National Parks and Wildlife Service in 2016 and 2017—that is a fact. Again, that is something members can read in the budget papers. Any Government MP who disputes this should read the budget papers. Some \$57.6 million went missing in 2016-17, while \$58.1 million was cut in 2017-18. Then there was an efficiency dividend that ripped out \$5.6 million. As if that was not enough, the department that oversees the National Parks and Wildlife Service has had another \$80 million cut this year. What do these cuts mean? They mean that national park rangers have been sacked all across the State. That is a fact. One-third of all park rangers—the staff who manage hazard reduction burns—have been sacked since this Government was elected. Government members sitting in the Chamber do not like hearing this now. I know they do not like hearing the truth.

**TEMPORARY SPEAKER (Mr Mark Coure):** Order! The member for Riverstone will come to order.

**Ms KATE WASHINGTON:** But they did not stop it happening. Today the Premier and the Minister want to talk about every other employee in national parks, but they are not talking about the park rangers and the ones who have managed fire risks. When we asked about park rangers today the Premier deflected and talked about staff. The Government has got rid of the experienced employees with expertise who managed hazard reduction burns. The Premier and the Minister have said today, in the media and in this Chamber, that they have 1,226 firefighting staff in the National Parks and Wildlife Service. However, I have an answer to a question on notice from September this year. I asked, "How many National Parks and Wildlife Service staff are qualified for firefighting and fireground duties in 2019?" The response was 1,044 staff. To be clear, I received an answer from the Minister 48 days ago that is different to the figure being told to the media today. It was 1,044 staff 48 days

ago in September, yet today they are saying it is 1,266. One figure makes it look as though they have increased staff since 2011 and the other tells the truth, which is that they have decreased staff levels.

I know that these are just numbers and they get lost in the mix, but this is important. The figures spouted by the Government seem to change when the heat is on. It gives us no confidence in anything we are being told. Our communities deserve the truth. They also deserve a plan for tackling the effects of climate change—the Government has no plan, but that is a debate for another day. None of this questioning takes anything away from the work being done on the ground right now. Alongside all my colleagues I express my deepest gratitude to every single person fighting fires on the front line and supporting behind the scenes. Our firefighters amaze me. While everyone else gets out of the way of the fires our firefighters run towards them and towards danger. They deserve every bit of credit that they get.

**TEMPORARY SPEAKER (Mr Mark Coure):** Order! The member for Terrigal will come to order.

**Ms KATE WASHINGTON:** I thank all of our RFS volunteers, Fire and Rescue NSW, police and paramedics. I also thank staff from the SES, the National Parks and Wildlife Service, councils, Family and Community Services and all of the agencies supporting communities and people at their lowest ebb. [*Time expired.*]

**Mr GURMESH SINGH (Coffs Harbour) (17:28:58):** I start by expressing my sympathy to those who have lost property and loved ones. Yesterday we had quite a significant fire situation in Coffs Harbour. I do not want to say that we were fortunate, but it could have been a lot worse. Only a small number of homes were lost and no lives. The motion acknowledges firefighters—RFS and Fire and Rescue NSW—but it does not mention the police, ambulance, local council staff, Family and Community Services staff, teams from the NSW Department of Education, SES volunteers and all the other community members who helped out in other ways, such as by delivering food and water to RFS volunteers. It also does not mention the local media, which in our area in particular was instrumental in getting information out to our communities.

In Coffs Harbour yesterday the state of emergency conditions meant that it was very hot, dry and windy. We had very low relative humidity. They were perfect conditions for our fire to get quite out of hand. As of yesterday morning, the fire threatened about 700 homes in the Nana Glen, Coramba and Glenreagh areas. The crews did a fantastic job keeping the fire relatively under control until late in the afternoon, when it jumped over the Orara Way and the Orara River and was about to jump into the Conglomerate State Forest. At that point the fire was spotting one kilometre ahead of the main fire front. The Conglomerate State Forest is very difficult terrain with limited to no vehicle access, so a fire can only be fought from the air. The forest is only 13 kilometres from a major built-up area; however, the RFS had air assets on hand to be able to put the fire out and save who knows how many homes. We have all known fires to travel 13 kilometres very quickly.

There was an absolute sense of dread in Coffs Harbour yesterday. It was a ghost town—I have never seen it like that before. The projected worst-case scenario showed about 90 per cent of the Coffs Harbour electorate at risk of fire or ember attack. However, under those terrible conditions the RFS and Fire and Rescue NSW members did a fantastic job. They were able to contain the fire with very few homes lost; we are still getting the final numbers. On top of that, police had to deal with arsonists operating in the area. I believe they made some arrests. All of this occurred in conditions that we can describe as catastrophic, even though that might not have been the official rating.

The worst is not over. Coffs Harbour dodged a bullet yesterday. We expect conditions to worsen again later this week—on Friday, Saturday and Sunday. I think it is important that we start to learn some lessons from these situations. About 30 years ago my family lost the family farm to a bushfire. Because our farm contained mature fruit trees, we did not plant them again—it takes too long. There are countless stories like that up and down the coast and around the State. We need to learn those lessons. I think it is important to acknowledge the great work that the National Parks and Wildlife Service teams do with hazard reduction burns. However, can we do more? I think we can always do more hazard reduction burns. We can do more not only in national parks and State forests but also in another area that is often overlooked, which is private land. Private areas where councils have locked up land as E2 zones make things difficult. It is green tape that has been put in place and is making the job very difficult.

The past 48 hours in Coffs Harbour have obviously been very stressful. With the prospect of dangerous conditions ahead next week, people are anxious. This morning on the way to the airport I visited an evacuation centre. There were 140 people there, many of them elderly, who were worried. They were concerned about their properties and the pets that some of them had left behind. The volunteers and staff there worked longer than they were supposed to so they could keep those people fed and looked after in the evacuation centre. The last thing I think anyone would want to hear is some of the rubbish we have heard today about resourcing. I think it was yesterday that NSW RFS Commissioner Shane Fitzsimmons addressed the funding issue and stated:

It is rubbish. It's misinformation. It is being misrepresented ... Not only has our budget not been cut, but we are enjoying record budgets and we have got more money today than we have ever had before in the history of the organisation.

We have got record funding in particular programs, we're the only jurisdiction in the country with a dedicated Large Air Tanker, with a budget impact of something like \$26.3 million to make that possible.

**Mr ALEX GREENWICH (Sydney) (17:34:11):** I thank the member for Blue Mountains for bringing this important public interest debate to the Parliament and acknowledge her leadership and the support that she and her office are providing the Blue Mountains community during these bushfires. Indeed, I acknowledge all members and their staff for the amazing work they are doing. Across Sydney our hearts are with all the communities impacted by these devastating bushfires. Many Sydneysiders come from those communities, and many have family and friends suffering as a result of them. We are all grateful to the emergency services officers and volunteers working around the clock. Everyone impacted should know that Sydneysiders are here to help however we can.

I understand that this week the Lord Mayor of Sydney will propose that the City of Sydney mobilise urgent funds to assist bushfire- and drought-affected communities, and will also offer direct council resources such as water and waste collection trucks to support the firefighting efforts and affected communities. The city is also looking at ways to promote the Buy Regional this Christmas campaign and regional tourism to help mitigate the economic impact of these devastating events. The lord mayor has acknowledged the severity of these bushfires and indicated that the City of Sydney is prepared to make further contributions and assist in any other way possible. As the Minister for Local Government said in question time this week, many councils, whether directly impacted or not, are taking leading roles. I thank the Premier, the Government and all agencies responding to this state of emergency for their leadership during the bushfires. I have never seen a more effective and responsive communications strategy during a crisis. People across the State are getting the information they need when they need it through multiple accessible channels.

I thank the Parliament for the largely respectful and thoughtful way in which this issue has been handled. It is in stark contrast to some of our Federal colleagues. It will be important—and this is clearly not over—to have a full and thorough review of the response to these bushfires so we can learn and improve. That is something everyone always seeks to do. One thing we all should know—particularly inner city MPs like me—is despite our politics we can all do better to advocate for and support people in rural and regional New South Wales. Pointing the finger does not save lives, homes or habitats. We can all play a part in working to do and learn more, whether it is through taking action on climate change, supporting campaigns to buy from the bush or taking time to understand the intense way people have been impacted by the bushfires to truly understand the fear and devastation they are facing, as I and others have done. I thank the member for Blue Mountains for bringing this public interest debate to the House and offer the support of my constituents to all those impacted through any way we can help.

**Ms TRISH DOYLE (Blue Mountains) (17:36:57):** In reply: I acknowledge the contributions of members representing the electorates of Oxley, Ku-ring-gai, Port Stephens, Coffs Harbour and Sydney, and the excellent budget explanation from the member for Cessnock. I thank members for being here for an important public interest debate. Members on this side of the House will not be told that our concerns are invalid just because the Government does not want to hear any kind of criticism when we are in the midst of a firestorm. In drawing attention to funding shortfalls or cuts—whatever the Government wants to call it—we are still all together in supporting our firefighters from across a number of agencies and thanking them for their efforts.

Last Friday night as we ticked over into Saturday, with a sickening and a growing sense of anxiety, I stood alongside firefighters from both agencies at the Woodford staging area. Every single one of them—all ranks, both agencies—told me that they need more resources, people and equipment to adequately tackle this bushfire season. We will not be told that the concerns we hear from the firefighters in our communities who ask us to draw attention to the fact that they need more resource are invalid. I will finish where I started, and that is by paying tribute to the many thousands of professional and volunteer firefighters across the State—in fact, across Australia. Half of Australia is on fire. They have been working constantly since September to contain the emergencies. I encourage every one of us, whichever way we vote and whatever flavour of politics we bring here with us, to talk to the firefighters on the ground and ask them, "Do you think we need more resources in the future?" I guarantee they will say, "Yes".

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

**Motion agreed to.**

*Private Members' Statements***COOL @ SCHOOL PROGRAM**

**Mr GUY ZANGARI (Fairfield) (17:40:22):** On 30 October 2019 I had the wonderful opportunity to attend the graduation ceremony for the participants of the Cool @ School program at Fairvale Public School. Fairvale Public School was selected to be a participant in the Cool @ School trial program that aimed to prevent early age overweight and obesity problems affecting kids aged six to eight. The Cool @ School program also included measures that were tailored to assist in reducing the chances of children developing chronic juvenile diseases such as type 2 diabetes, which is unfortunately quite high in our area. Seventeen kids were selected to participate in the program, which would divulge a wealth of information and ultimately alter the way in which they perceived food. Anyone in the Chamber who has kids can surely attest to how fussy they can be with food, especially during their early formative years.

The Cool @ School program is a guide to healthier eating, living and thinking that provides a well-balanced foundation and guide in life for kids to share with their friends, family and classmates. Participants received information that guided them to understand healthier food options and why their choices were so important. That included lessons on nutrition, food preparation and even cooking sessions, which ultimately helped even the fussiest of kids overcome their adversity to trying new and unknown foods while learning to make healthier choices about what they were consuming. In addition to the nutritional lessons, participants learned about the importance of balancing their healthy diets with sufficient quality sleep, while ensuring that they scheduled enough time in their day to keep active and do some exercise.

Those in the Chamber can attest to how time poor we all are. How many of us are able to conscientiously find time to always prepare healthy meals while getting enough sleep and slotting in enough time to exercise daily? Sure, we do our best to fit it in as much as possible, but it is seldom a reality because of the fast-paced lives we live today. Having said that, members can see why it is vitally important to start young with preparing our children to maintain a healthy and balanced lifestyle and instilling in them the skills and knowledge necessary to make the right choices now and into the future.

I am proud to announce that, following the successful trial at Fairvale Public School, the program will now be expanded to a further three schools to ensure that more students will learn invaluable life lessons while spreading the word that "It's cool to be healthy". These programs would not have been possible if it were not for the ongoing advocacy and support of Community Action Services Australia [CASA], which incepted the program, the generous sponsorship of Cabra-Vale Diggers, which funded the program under the ClubGRANTS scheme, or Fitness4Life, which helped to present the program within the school. On behalf of the electorate of Fairfield I extend a great big congratulations to all participants in the program at Fairvale Public School. We are all incredibly proud of them. We trust that they have a newfound wisdom for healthy lifestyles which they can all share with their friends, family and the rest of our community. I say well done to all.

I commend and congratulate everyone who has been involved with this fantastic initiative from the beginning. It would be remiss of me to not give a special mention and thanks to Ms Tanya Ortiz and Ms Rosanna Braga from CASA, Mr Michael Foulkes from Cabra-Vale Diggers, Mr Phin Tang from Fairfield City Council, Mr Anthony Pitt and Ms Rebecca Wulf, principal and assistant principal at Fairvale Public School, and of course, the parents, teachers, support staff and participants who helped make this initiative possible. With childhood obesity and preventable diseases in children on the rise, it is terrific to see such an outstanding program aimed at early intervention and prevention making its way into our schools to pave the way for a healthier tomorrow.

**TRIBUTE TO LEIGH BROWN**

**Ms GABRIELLE UPTON (Vaucluse) (17:45:01):** Last month I was so saddened to hear of the passing of Leigh Brown, a long-time friend and a brilliant legal mind. Leigh was an eastern suburbs local who was an early supporter of my political aspirations along with his loving partner, Odette Gourley. I will be ever grateful to him for that. I recall him saying to me that he would not be much good at politics, but that he was grateful someone, namely me, was willing to do that job. Unlike some in the corporate world he was willing to join the Liberal Party and remained a loyal member for over 35 years. He nailed his colours to the mast, as they say. It has often struck me that it is not often that this House, the State Parliament, stops to honour the luminaries of our business community. But we must do that, especially when the person concerned has spent a lifetime in legal service to the companies and businesses that have built and continue to support our strong economy. Leigh is one of those important people.

Leigh was a founding partner at MinterEllison law firm, where he worked for 46 years. He built a very strong reputation as one of Sydney's leading corporate lawyers. He started as an articled clerk in 1972 at the Sydney firm of Minter, Simpson & Co. Seven years later, in 1979, he became a partner at the firm and five years

after that, in 1984, he took on the role of managing partner until 1987. Following that, he was a member on MinterEllison's partnership board for 16 years until 2003 after which he became corporate division head, now called capital markets & corporate, before retiring last year. Leigh was one of the good guys. To take the words of Nathan Deveson, who is currently Managing Partner at Sydney's MinterEllison:

Leigh was not driven by personal gain or self-aggrandisement — it was always about the clients and the Firm. He was dedicated to the profession, unfailingly polite and always respectful and appreciative of everyone.

His legacy is one of great innovation and change. In 1984 he welcomed the firm's first woman partner, Pamela Madafoglio. After setting up the firm's strong Sydney base, Leigh helped launch the firm as a national powerhouse, driving the merger with Ellison Hewison & Whitehead in Melbourne in 1988. Con Boulougouris, a partner at MinterEllison, said of his passing:

Leigh was a great practitioner, trusted adviser, top biller, great mentor during a period of great change - computers, the great economic and tax reforms of Keating and Howard, the Wall Street crash, dot.com boom, dot.com crash, 9/11 and the GFC. Periods of ups and downs when many of Leigh's peers lost clients, lost their practices during these great changes - but Leigh continued to succeed through all these changes.

There is no doubt that Leigh's attitude to life and his qualities are the foundation of his success. His reputation preceded him not only in Australia but also across the world. Those who knew him, knew that he was so much more than just a good lawyer. He was loyal, frank and fearless. He was a man of genuine integrity who always brought a sense of fun. He was a partner, loved by Odette of course, and a wonderful father to his children Michael, Laura and Andrew. He was also a loving and encouraging brother to Craig and a devoted son to his parents, Gloria, who is now deceased, and Perry, who resides at Mark Moran Vacluse. Perry is still going strong and will soon turn 95. Leigh has inspired so many people who had the privilege to meet him during his lifetime and to work with him, including me. Vale, Leigh Brown. You will be missed by many.

### REGIONAL DIGITAL CONNECTIVITY PROGRAM

**Ms STEPH COOKE (Cootamundra) (17:49:05):** There are many reasons people choose to live in the bush. Some are drawn to the lifestyle, the clear air and the star-speckled skies, the five-minute commute and the enviable cost of living. Some of us were born west of the mountains and feel at home walking the streets or the paddocks with an abundance of wide open spaces. Some of us leave and some come back. I can guarantee one thing, though: No-one is living in the bush for the internet speeds or the mobile reception. Unfortunately, a lack of infrastructure has led to unreliable connections, uncompetitive product offerings and ultimately business and personal disadvantage for those living outside metropolitan New South Wales. I have had enough, the people of the Cootamundra electorate have had enough and the NSW Nationals have had enough.

The only party that has the back of regional New South Wales is The Nationals and in the 2019 election we pledged to do something about the enduring inequality of digital connection in regional New South Wales. No, it is not our responsibility. The Communications portfolio sits with the Federal Government, but, sadly, we have not seen the vision or the action the bush needs to bring our towns and cities up to speed. Here in New South Wales we have decided to do something about it. Strong economic management means we have the means to make a difference for our people and so in the 2019 election we announced the Regional Digital Connectivity program.

We are investing \$400 million through the Snowy Hydro Legacy Fund to help bridge the digital divide and ensure that where ever people live, whether it is Wallendbeen or Wagga Wagga, Muttama or Milsons Point, they can make the calls, get online and stay connected as modern life demands. The Regional Digital Connectivity program is focused on three priority areas: first, mobile coverage to eliminate blackspots where people live and work, and investigate new and emerging technologies to futureproof mobile coverage in regional New South Wales; second, internet and data to bring metropolitan-level data speeds and connectivity to regional New South Wales, and invest in backbone digital infrastructure, including data centres to support regional communities and businesses; and, third, farm and water to increase coverage of the connectivity needed for agribusinesses to use agricultural technologies.

Investigations are now underway in Dubbo and Wagga Wagga as potential locations for regional data hubs to increase the capacity, speed and accessibility for regional internet services. This impressive investment is in addition to the New South Wales Connecting Country Communities Fund, which has helped deliver over 150 new mobile towers in New South Wales since 2015, including at Koorawatha, Billimari, Murringo and Ungarie in the Cootamundra electorate, among others. For the hardworking people of regional New South Wales, a better mobile and internet service is a dream they so desperately want to become a reality. They are the ones who know the blackspots, live with the dropout zones and feel the impact of the product prices in their day-to-day lives.

How do I know this? Because I have heard it firsthand from our communities and I, too, have experienced it. Only last week I dropped in to a Regional Digital Connectivity program workshop in Grenfell, which was just

one of the consultations being carried out across the State, to hear from regional people about the connectivity issues they are facing. Residents in Grong Grong were also given the chance to share their concerns. I can tell members that Grong Grong is notorious for multiday internet blackouts that prevent people from doing something as simple as paying their bills; all e-commerce grinds to a halt.

The community consultations on digital connectivity will continue for the rest of the month across New South Wales, allowing more regional communities to share their input. An online survey is also open to all residents and visitors to regional New South Wales so more people can have a say. Despite the adversity we may currently face, I believe we are looking at a better future. The New South Wales Government's unprecedented investment in connectivity for regional New South Wales will deliver incredible opportunities for the Cootamundra electorate in the coming years. It will boost investment and business opportunities, improve community access to services and ensure our younger residents have the educational opportunities enjoyed by their city cousins. Every community in regional New South Wales deserves to have the connectivity they need to access online services and connect with family and friends.

### **PUBLIC LIBRARIES**

**Mrs SHELLEY HANCOCK (South Coast—Minister for Local Government) (17:54:27):** Public libraries provide essential and valuable services to so many across our communities. They are cherished centres, providing a place to connect for all members of the community. Whether it is writers workshops, English lessons, seniors classes or kids Rhymetime, our libraries continue to deliver programs and activities that people from every part of our community can access and rely on. No matter who you are or where you live, our local libraries are critical in giving everyone the opportunity to connect and stay in touch. With the fires our State has battled this week, I was pleased to see councils extending the opening hours of their libraries to provide a safe place for residents to use, creating a valuable community hub in uncertain times.

The NSW Public Libraries Association will celebrate Love Your Library Week from 2 December to 8 December. I thank the association for coming to Parliament House recently to provide an insight into our State's libraries. With 2,300 library staff working across 375 public libraries and 22 mobile libraries, providing 40.2 million book loans to 34 million people in person and 14.8 million online visits, as well as welcoming 1.75 million people attending 87,700 programs across the State in the 2017-2018 financial year alone, I am proud to stand with the 3.3 million card-carrying library members who celebrate our local libraries.

As part of Love Your Library Week I celebrate local libraries on the South Coast and the valuable services they provide to my community. In my local community I joined with residents in 2014 to save Milton Library after an evaluation by Shoalhaven City Council recommended it for closure. Learning that our beloved library was in danger, the passionate Milton community banded together to establish the Save the Milton Library campaign. The response and support of local residents was remarkable, with more than 3,000 people signing a petition advocating to keep the library open. Shoalhaven City Council received a total of 212 submissions from local residents, high school students, primary school students and seniors—the most submissions that have ever been lodged for a Shoalhaven community consultation. All voiced their concern at the proposed closure, emphasising the integral role the library played within the community and asking that it continue to deliver services.

In particular, the tireless Alison Pakes deserves to be commended for her efforts in driving and coordinating the campaign, which reached its pinnacle on 4 October 2015 when a crowd of at least 350 people marched along the Princes Highway in protest at the closure. I was in attendance that day and was happy to add my voice to the chant of "save our library". It was truly a magnificent sight to witness and rally alongside such a united and devoted community. By December the council had voted unanimously to retain the library's services and to form a task force comprising Friends of Milton Library representatives, councillors and library staff to implement the new library proposal. This was a truly tremendous win for the community. I congratulate the incredibly hardworking and dedicated volunteers of the Friends of Milton Library and, of course, Alison Pakes, who is a stalwart now of that group. I am thrilled to say that not only is the library still open but also it has increased its operating opening hours, runs an expanded program of activities and has recently undergone a refurbishment.

The Friends of Milton Library are responsible for saving the library, for its staffing and, more recently, for the mammoth task of packing up its thousands of books so that new shelves and furnishing can be installed. They truly go above and beyond to ensure Milton Library remains at the heart of the community. I also thank the Berejiklian Government for providing funding of almost \$200,000 over the past four years, which has made the much-needed refurbishment of the library possible. Thanks to a record \$60 million investment by Premier Gladys Berejiklian and arts Minister Don Harwin I am pleased to inform the House that public libraries in New South Wales will be able to expand their collections, carry out major upgrade works and extend their services. The funding will transform and modernise public libraries, especially those in regional areas delivering key services

as well as educational and cultural experiences across the entire State. This is a record investment in New South Wales public libraries—the biggest single cash injection in their history—and will result in all councils receiving an increase in annual library subsidy funding of between 40 per cent and 50 per cent by 2022-2023.

This significant investment demonstrates that our Government supports the hundreds of libraries across the State. Under the new investment, the per capita subsidy for public libraries will increase from \$1.85 per capita to \$2.85 per capita—the first time it has been increased in over 20 years. The Government is also providing a more than \$2 million annual boost in funding for libraries in disadvantaged and remote communities. Infrastructure grants of \$24 million will transform public libraries and ensure they can grow with and support their communities. I am proud to stand by our local libraries. I will always support the wonderful centres right along the South Coast.

### CENTRAL COAST GEOGRAPHICAL IDENTIFICATION

**Mr DAVID HARRIS (Wyong) (17:59:30):** I raise a perennial problem that was once again highlighted with the catastrophic fire declaration made on Tuesday: Where in the world does the Central Coast fit? I was contacted by a representative of ABC Local Radio on Tuesday morning who said that they had been contacted by a number of Central Coast residents who were confused. When the fire declaration was made it referred to the Greater Sydney region and the Greater Hunter region, but people were not sure where the Central Coast fitted into those areas. It is made even more interesting when you go to the Rural Fire Service website to look at local government areas, which are listed alphabetically. The Central Coast was not listed under "C". You have to go right to the bottom of the list. I missed it the first time I looked because it was not under "C" in the list; it is next to Northern Beaches, which was last on the list, which caused some confusion for people.

People must understand that the Central Coast has long run a campaign for this to be changed. If it is to do with weather, the Bureau of Meteorology puts the Central Coast in the Hunter region—it does not talk about the Central Coast, it talks about the Hunter region. But when it comes to bushfires the Central Coast is in the Greater Sydney region. The alerts that people heard on the radio referred to the Illawarra, Greater Sydney and Greater Hunter, but they did not mention the Central Coast. The Central Coast is a region of 320,000-plus people. It covers a geographical area stretching from the Hawkesbury River in the south to Catherine Hill Bay in the north, west to Spencer—on the Hawkesbury River again—the Watagans and Ravensdale. It is an area of 1,681 square kilometres, yet we still cannot get a classification of just the Central Coast.

People contacted my office, the ABC Local Radio Facebook page went mad, local television station NBN is covering the issue this evening and the office of Emma McBride, the Federal member for Dobell, rang the Rural Fire Service to ask why the Central Coast does not have its own separate region. We have a fire region—the Central Coast Rural Fire Service region has just been created. It used to be Gosford and Wyong-Lake Macquarie, which have just merged. The Rural Fire Service said it basically had not been resourced to change the maps and that was the reason. Federal and State Labor MPs on the Central Coast will write to both the Federal Minister, who is responsible for the Bureau of Meteorology, and the State Minister responsible for the Rural Fire Service to ask that this anomaly be finally resolved for the people of the Central Coast because it does create confusion. At a time of emergency you do not want any confusion. If you are in a risky area you want it to be very clearly identified.

Strangely, when I was being interviewed on ABC Local Radio this morning they said that they had contacted the office of the member for Terrigal and were told that apparently a survey—I would like to see that survey—result showed that 98 per cent of residents on the Central Coast identified as living in Greater Sydney. I was born and bred on the Central Coast. I am a coastie. I have never been from Sydney. I have never been from the Hunter. I would be very surprised if 98 per cent of the Central Coast population regard themselves as being still part of Sydney. People move out of Sydney to the Central Coast—they want to get away from Sydney. Anyone who follows A-League football knows that the Hunter—with apologies to the member for Charlestown—is the old enemy. We are the Central Coast and we want to be identified as the Central Coast. When there is an emergency it needs to be clear and concise that you are talking about our region—not somewhere else. Unfortunately in tourism we are part of a region that includes the Blue Mountains, the Hunter and the Central Coast. When it comes to education we are split in every direction. Health has it right: We have a Central Coast Local Health District. But, for goodness sake, let us finally recognise the Central Coast as the Central Coast.

### ANDREW "RAY" JOHNSTON

**Mr ROB STOKES (Pittwater—Minister for Planning and Public Spaces) (18:05:01):** I speak in honour of my electorate officer, close advisor and friend for more than a decade, Andrew Johnston, affectionately known as Ray. Tomorrow he will receive an award for 10 years of service to the Parliament, which involved him working in my electorate office. The award is greatly deserved, given he has to deal with me every day. I was introduced to Andrew by Robert Dunn, a former mayor of Pittwater, who was really keen that Andrew come and

work with me because he saw the incredible contribution that Andrew could make. Andrew and I met at the golf club where he then worked and we walked to a cafe to have a coffee. As we walked everyone was saying, "G'day, Andrew. How are you?" Everyone knew him.

As a local member it was an odd feeling that more people recognised Andrew than recognised me. Just as I was feeling a bit left out a lady approached Andrew and said, "Andrew, I have just baked you a chocolate cake. I hope you like chocolate." At that point it was beyond ridiculous: Wherever he went all these people knew him and loved him. I have come to see why. Andrew was a fixture at the golf club and everyone knew him there. He has translated that warmth and other-person centeredness to my electorate office where he has faithfully served our community for years. A vice captain at Pittwater High School, Andrew went on to Macquarie University where he received a bachelor's degree in arts and politics. I understand he was the first person in his family to receive a higher degree.

Andrew took over from Peter Heaton-Jones, who worked for me for two years and then went on to be elected to the British Parliament for the seat of North Devon, where he has done a superb job ever since. Peter has just announced that he will retire from politics at the next election, but he has done an incredible job representing that community. As many members know, the nature of local politics is that the people who contact electorate offices often become regulars and sometimes can be quite difficult to deal with, but Andrew has always been even tempered and patient. I remember one constituent who visited regularly and who continues to visit my office. He was homeless and lived in the bush. He came in to get the warnings on back-burning so that he would not camp anywhere near where the firefighters were working.

When this homeless man got sick Andrew made sure that he went into hospital and then made sure that he found emergency accommodation for him. Andrew has found a stable place in Mosman for this homeless man to live. It is Andrew's love and desire to help that has led to hundreds of stories like this over the past 10 years. While he treats everyone fairly, it is fair to say that he puts in an extra effort for those who truly need our help. Electorate offices are too often seen as breeding grounds of political activity, but Andrew is not partisan or politically ideological. He is genuinely community focused. In fact, the longer he has spent in the electorate office, the less tolerance he has shown for ideologically driven politics, whether it is in my own party or others. His community centeredness has always been one of his greatest qualities.

As a Minister it is often hard to balance the requirements of my portfolio with my local obligations. However, in my absence from Pittwater I am always confident in Andrew's ability to speak on my behalf, whether it is on local committees, with local community groups or to constituents generally. As a keen local fisho, he has been hugely influential in guiding fishing policy that has resulted in a sensible compact between commercial and recreational fishers on the Pittwater. It was Andrew who noticed that local media would report that the Wakehurst Parkway was closed when it was not; it was Oxford Falls Road West, an offshoot of the parkway, that was closed. He intervened, made sure that Roads and Maritime Services properly informed the community and ensured the signage was correct. This positively influenced traffic movements for thousands and thousands of motor vehicles every day. It is often the little things like that that a local sees that can make a real difference to people's lives

Rohan Walter, a local who has his fingers in multiple pies in the community, has the highest regard for Andrew. When someone like Rohan Walter has high regard for you, you know you must be doing something right. Even the political activists in the area who are no friends of the Government still show him a great deal of respect. Andrew has made an unfathomably deep contribution to my office and to the people of the Pittwater. I am proud to work with Andrew and to call him my friend. Congratulations to Andrew. This award is much deserved. Congratulations also to his beautiful bride, Lisa, and to little Holly who just turned three and is so lucky to call him "daddy".

### SKILLS SHORTAGE

**Ms YASMIN CATLEY (Swansea) (18:09:30):** I refer to the current skills shortage in New South Wales and the impact of TAFE cuts on the community of Swansea. The recently released 2019 *Workforce Skills Survey* highlighted the extent of the skills shortage in New South Wales. I was shocked to read in the report that more than one in two businesses are experiencing a skills shortage. At the heart of this skills shortage is the Berejiklian Government's destruction of TAFE. The Government's Smart and Skilled policy has been a disaster for TAFE, including my local TAFE at Belmont in the Swansea electorate. In 2017 alone student enrolments dropped by 13 per cent and there are now more than 175,000 fewer students in the TAFE system than there were in 2012. There is no doubt the Government's \$130 million cut from the coffers of TAFE has resulted in a reduction in skilled graduates ready to work in New South Wales businesses.

The skills shortage is being felt particularly by the construction industry in New South Wales. According to the *Workforce Skills Survey* the demand for construction trades nationally is at 4.5 per cent, but in New South Wales it is at 6.8 per cent. As the Hunter region grows we will need more qualified and skilled local tradespeople

to cope with increased construction. I worry that we will not meet the required numbers. Cuts have seen courses in fibrous plastering disappear from TAFE across New South Wales. The courses for fibrous plastering are offered at just two TAFE campuses—one in Albury and one Maitland—yet fibrous plastering is listed on the 457 temporary work visa list. Clearly there is a need for this course to be offered at more campuses. Why is a government that is supposedly committed to revitalizing the manufacturing industry in New South Wales flying in workers from overseas rather than training local students to take up these skills?

Young people in the electorate of Swansea who want to study this trade have to move to another regional area to learn this important and valued skill, when it could be easily offered in Newcastle or on the Central Coast, which are accessible by public transport. I am saddened to say that once again regional and rural New South Wales have been let down by the Berejiklian Government. Prior to the election it promised rural and regional New South Wales eight new TAFE campuses, only to backtrack and deliver these communities Connected Learning Centres instead. One of the eight communities betrayed by the Berejiklian Government is Nelson Bay, which was promised a new TAFE campus, but now finds it will instead receive a Connected Learning Centre.

At budget estimates the Minister for Skills and Tertiary Education denied that the community had been misled. He claimed that a Connected Learning Centre is a TAFE institution. That is just wrong. If there is one thing families in Swansea are telling me it is that they want good-quality courses offered at their local TAFE, including at Belmont and all the TAFEs right across the Hunter and Central Coast regions, so that their kids have good quality local options for further study to get a well-paying job. It is not just the local community of Swansea that is raising its concerns about the current skills shortage. NSW Business Chamber Chief Executive Officer Stephen Cartwright said:

More must be done to train the next generation to ensure the economy has the requisite skills to sustain existing and future economic activity.

I call on the Berejiklian Government to restore the millions of dollars in funding it has cut from TAFE to address the critical skills shortage in New South Wales.

### MRI TECHNOLOGY

**Mr KEVIN CONOLLY (Riverstone) (18:13:49):** On 26 October 2019 I attended the launch of Australia's first course for a Masters of Advanced Imaging (MRI) for medical and dental practitioners. The launched occurred at a symposium at the Western Sydney University clinical school and research centre at Blacktown Mount Druitt Hospital. I was joined by my colleagues the Hon. Natasha Maclaren-Jones, who represented the Premier; the current member for Mount Druitt; his predecessor, Richard Amery; and the Federal member for Berowra, Julian Leeser; along with an audience of medical professionals. The event was organised by Associate Professor James Nol, a dedicated medical professional who has been a champion for the health benefits of using MRI wherever possible, rather than relying on ionising radiation.

It was a privilege to attend the symposium and to meet the special guest speaker, Professor Raymond Damadian, the inventor of MRI, who travelled from the USA to acknowledge the value of the course and share his knowledge of the potential of MRI technology in medicine now and in the future. Associate Professor Nol expressed concern with the current reliance on X-ray and CT scans for medical imaging across Australia, despite growing international acknowledgement that those technologies carry the risk of both missing critical diagnoses and contributing to the incidence of cancer. Employing ionising radiation on the human body makes the inception of cancer more likely, with an estimated risk of one person in 2,000 developing a fatal cancer. That is a big concern considering that Medicare paid for three million CT scans last year. That may mean that 1,500 Australians develop a fatal cancer later in life because of a CT scan they had last year.

Many studies have been published around the world that indicate that CT technology carries the risk of cancer development, particularly in children. Professor John Matthews from the University of Melbourne examined the Medicare and cancer records of almost 11 million Australians aged 19 years and younger. The study found that more than 3,100 children who had been given a CT scan developed cancer. That is 24 per cent higher than children who had not had a scan. I dare say that the majority of parents who allow their children to undergo a CT scan are unaware of the potential dangers they are exposing their children to. I suspect that most parents are not told that MRI is both safe and for most conditions provides a more reliable diagnosis. My advice to parents is that if a doctor recommends an X-ray or a CT scan they should always ask first whether MRI is an available option in that particular circumstance.

At the symposium Professor Andrew Jones, an MRI specialist at Blacktown Mount Druitt Hospital, explained that CT scans detect only about 10 per cent of brain strokes while MRI detects 99 per cent of strokes. In response to an audience question, Dr Jones stated that MRI has the ability to eventually fully replace the use of CT scans. Despite MRI's safety and superior diagnostic capacity, medical practitioners continue to rely on the use of CT scans, in part because Medicare heavily subsidises CT scans while imposing restrictive eligibility guidelines

for the use of MRI. As a result Australia is one of the highest users of CAT scans in the world. There are 67 CAT scanners per one million people in Australia compared to just nine per one million people in the United Kingdom. Australia has four times more CAT scanners than MRI machines, while Finland has twice as many MRIs as CAT scanners.

Australia must do more to change the prevailing culture and the Medicare guidelines must start to favour the safer MRI technology. I have raised the issue with the Minister for Health and Medical Research, who has responded positively and is ensuring that this pressing issue is being examined within the department and medical profession in this State. I thank him for his action to progress this necessary cultural change. I also note that the member for Mount Druitt spoke on this subject in this place this week and in June last year. I concur with his comments and commend him for raising this issue.

In conclusion, it was a privilege to hear Professor Raymond Damadian, Associate Professor James Nol and Professor Andrew Jones present their papers at the symposium, sharing their knowledge and continuing research work on the value of MRI technology. The presentation raised the prospect that MRI technology may one day be used to diagnose and assist in development treatments for conditions such as dementia, Parkinson's disease and multiple sclerosis, for which there are no known cures to date. It was a very exciting insight into the future. If nothing else, I want to put on the record that the medical profession in Australia needs to sit up, listen, take notice and, wherever possible, move away from ionising radiation and its cancer risks.

### **BUSHFIRES AND LONDONDERRY ELECTORATE**

**Ms PRUE CAR (Londonderry) (18:18:51):** I thank the communities of the electorate of Londonderry for getting through a pretty horrible couple of hours yesterday afternoon. I am one of the hundreds of thousands of people who have downloaded the Fires Near Me app and yesterday as I walked into question time I discovered that there was a significant fire in my area in Llandilo. I rushed back out to my electorate. It was a scary couple of hours for the northern part of my community. This evening I pay tribute to a range of heroes and the community at large for getting through that situation. I have spoken in this place about the community of Llandilo many times in many other contexts. It is one of the last semirural areas left in Sydney. It is a beautiful part of the world that is surrounded by bush, and with the catastrophic conditions yesterday it is no surprise that it was at risk.

The fire on Fourth Avenue in Llandilo—near the corner of Cranebrook Road and The Northern Road—was put on the watch and act level pretty much straight away. The fire started in the midst of a period when winds were picking up and the temperature was well in excess of 38 degrees. It was very scary for the community. There was some damage to assets in the surrounding area, including some greenhouses at Hamilton's World of Cacti. Residents will be well aware of where that is. Thankfully, due to the amazing work of the RFS in our local area, no property or life was lost. From the bottom of my heart I thank the Llandilo Rural Fire Brigade as well as the Londonderry and Castlereagh brigades.

People in my community have been dropping off food, snacks and rewards to people in Llandilo. That does not surprise me at all. I am so proud to represent such a generous community. I thank the team at Club Paceway Penrith, who opened up the property as a potential evacuation centre for animals. A lot of residents of Llandilo and the surrounding areas, including Castlereagh, have livestock. That offer gave them a lot of consolation. Yesterday the bravery of the local Rural Fire Service brigade was on display but these heroes are doing lots of work behind the scenes all the time, including hazard reduction, training and the maintenance of equipment. They are going about that business all the time. I thank them all for keeping us alive. I also thank Llandilo Public School principal Deborah Getley. It was a stressful period for her. The school was open yesterday and she had to get all the students into the hall very quickly. Her calm leadership during that period was brought to the fore.

I say well done to the schools in the area that closed yesterday, including St Paul's Grammar School, Xavier College and the Lakes Christian College, which are all very close to bushland in that part of the electorate. They had the forward thinking to close because of the predicted conditions, which came to the fore yesterday. This is not the first challenge that people in my area have been forced to deal with because it is in the middle of beautiful bushland. We love it there and I live very close to the area. We are raising our families there because it is right in the middle of the beautiful Cumberland Plain. It is one of the only places left in western Sydney where you can live in the suburbs, walk half a kilometre and see someone who is growing produce that Sydney eats. I am so happy that we are all safe. I thank the fireys, the RFS, the emergency workers and everyone else who did everything they could to put that fire out very quickly. I thank the community for staying calm. As the local member, I am very happy that everyone is okay and no-one was hurt. We are very grateful for the heroes who made sure of that.

**TEMPORARY SPEAKER (Mr Lee Evans):** I thank the member for Londonderry. I echo her sentiment because last night I was across the road from the Royal National Park. We do not realise how much we rely on volunteers in our community.

### COOTAMUNDRA ELECTORATE VOLUNTEERS

**Ms STEPH COOKE (Cootamundra) (18:24:21):** I wish to recognise the importance of volunteers in the Cootamundra electorate. We all appreciate the valuable role they play in our communities and this week I had the pleasure of acknowledging as part of the 2019 Hidden Treasures honour roll seven women who go above and beyond to make their communities thrive. Helen Knagge of Narrandera manages to do a huge amount of volunteer work despite being hearing impaired and with no language. Every week she helps out at the community transport office for four or five hours. She also covers new books for the local public schools and the local library. She is part of the Nattering Knitter group at Narrandera Shire Library and she sends the rugs that she makes to those in need. She pays for her own wool to do this rather than take wool from the group. She also spends time at Sew Fab craft shop, which I have been to many times, sewing together bags that are used for the local Anglican op shop, Vinnies fruit shop and the local public school. What an amazing woman she is.

Then there is Heather Christie. Heather started volunteering when her children started school and volunteered on the school P&C and at the school canteen. She holds various executive positions in local clubs. She certainly has made an impact. She is a member of the Narrandera Soroptimists Club, where she is the club reporter, as well as being part of the local Meals on Wheels and Probus Club. Janice McGilvray has been a member and volunteer of the Narrandera Golf Club for 41 years. She is a member of the local VIEW Club and operates the Christian book club at the Christian Reformed Church. She is also a volunteer with Meals on Wheels. Through the church's mission work she has volunteered in Sri Lanka and Serbia. She has crocheted countless rugs, which have been donated to the needy, and she helps out at the local library. She is also a member of the Soroptimists Club. What an impressive list of volunteer work.

Rachael Hyde was awarded Narrandera Citizen of the Year in 2017. After 10 years in banking she changed her lifestyle to work with a local disability support group at Kurrajong and voluntarily organises trips to various sporting matches and other activities for the supported workers. Rachael started a ladies' sewing group and has voluntarily trained a running group from Kurrajong workplaces. She has completed many charity runs to raise funds. She is a founding member of Narrandera Bidgee Boxing, one of my favourite places in the electorate. It is a not-for-profit, volunteer-run community gym that brings together people from all walks of life.

Mary Sutcliffe is renowned in the Narrandera community for her contribution to the arts and music. She has been the lead pianist in many productions, has assisted with musical and dancing exams and has accompanied dancers, school choirs, singers and string musicians at eisteddfods. She has volunteered for local school productions and has participated in Carols in the Park for nearly 30 years. She was awarded Citizen of the Year in 1996. Mary has spent endless hours volunteering and sharing her craft. The last of our Narrandera participants has been volunteering for community-minded organisations since early childhood. Following the birth of her son Jamie with Down syndrome, she has spent many hours volunteering with disability service providers at Kurrajong, Jamie's schools and workplace and the local laundry. She has made each of the Kurrajong workers birthday cakes for more than 20 years and is also a member of the Soroptimists Club.

Finally, Sue Gordon from Young was a councillor with the Nursing Mothers Association for 10 years. She was a leader in establishing local preschools and childcare centres and was a representative on the New South Wales government advisory committee for country childhood multipurpose services. She held executive positions with the Isolated Children's Parents Association and served as a director for the Young Rural Lands Protection Board. She also held executive positions with the South West Slopes Sheep Breeders association and Young Rotary.

These are all amazing women. I know that the women who have been acknowledged as part of the Hidden Treasures honour roll within the Cootamundra electorate do not do it for the recognition. Rather they volunteer because they see it is a job that is worth doing. Despite the tough times that we all find ourselves facing at the moment—our communities feeling the effects of drought or the looming concerns of natural disaster—we are so lucky to have women like these in our communities, who turn up day in, day out to help make our towns better places. It is important that the Government continues to recognise and appreciate the valuable contributions of our volunteers, who really are the backbone of our society.

### REMEMBRANCE DAY

**Mr VICTOR DOMINELLO (Ryde—Minister for Customer Service) (18:29:27):** We are lucky to live in a time that is afforded peace and prosperity. Our world is a product of history and our history in the Great War is one marked by honour, courage, bravery and mateship. This has since come to define our Australian spirit

and forged an identity for us all. Yet this history is also mired in tragedy, loss and conflict. We have Remembrance Day on the eleventh hour on the eleventh day of the eleventh month to rightly pause, reflect and remember. This spectre of war affects us all and it uniquely haunts those who have been so vividly touched by family bereavements and sacrifices. The stories and memory of those who stood are passed on to us and we remember the fallen as a way to comprehend this era of our history. Hearing perspectives of the war often inspires a deep sense of empathy and provides us a perspective to view the world and others.

James Hobson recently honoured the story of his father, Private George William Hobson. James, known as Jim, is a local Ryde resident who professionally collated records of his father as well as his father's personal stories over the years putting them into writing and, in doing so, contributing a missing piece of Ryde's history. George William Hobson's story is one of immense bravery. He served under the 4th Battalion of the Australian Imperial Force, which saw conflict across Gallipoli, the Somme and Ypres. George was a runner, and told of experiences serving with militaries from across the globe on the front lines. Being a runner, he had to leave dugouts to carry enormous quantities of supplies in immensely dangerous conditions. George's story conjures images of the front that echo our legends. One can scarcely wonder what it might have been like to operate among the bogs of mud, disease and anguish.

The final lengths of the war saw the introduction of chemical weapons. George was one of many that suffered terrible respiratory burns in the deployment of those cruel weapons. Others on the front had temporary blindness and other terrible injuries from these evil weapons. George's wounds led to his admission to the 14th General Hospital followed by the Royal Herbert Hospital and eventual discharge. Jim has done us all a service. Grounding the tragedy of war in the experience of his father is a difficult yet important tale to tell.

Don Bailey is another local hero, being an emcee at several Remembrance Day and Anzac Day proceedings and has been an advocate for those affected by war, himself being a legacy ward along with four siblings. Don is extremely proud of this heritage, to this day writing poetry on the matter; however, these circumstances presented his family with an unjust and tragic challenge. This ripple effect of war is one which we must tackle as a society. From the Great War and every conflict since, the effect on families is profound. To this extent Don notes that we need to look to the future while treasuring the memory of the past through education. Ryde has stories from generations past that we carry through to today and it is critical that we recognise those stories for all the generations to come so that they too may appreciate the peace and prosperity we can provide them.

### LIVERPOOL ELECTORATE ROADS

**Mr PAUL LYNCH (Liverpool) (18:33:28):** I advise the House of a plan that I oppose to alter the current traffic alignment at the intersection of Dorrigo Avenue and Hoxton Park Road at Hoxton Park within the electorate I represent. The plans have been raised by the Roads and Maritime Services [RMS] and involve the prohibition of right-hand turns into Dorrigo Avenue from Hoxton Park Road and right hand turns into Hoxton Park Road from Dorrigo Avenue. This proposal potentially causes difficulties for a whole range of people. First there are the residents. It would limit the access of Hoxton Park residents who live in Dorrigo Avenue and Colong Close to their homes. It would also have the same consequences for the residents who live on the southern side of Hoxton Park Road west of First Avenue and east of Dorrigo Avenue.

Adjacent to those residents is the Hoxton Park Scout Hall, which is the centre for the 1st Hoxton Park Scouts Group at 594 Hoxton Park Road. Next to the scouts, at 596 Hoxton Park Road, is the Hoxton Park Community Health Centre, part of the South Western Sydney Local Health District. This centre has significant community use, including by people who drive there from the west. At the intersection of Hoxton Park Road and Dorrigo Avenue is Hoxton Park shopping village. The village has about 1½ dozen shops and businesses—a newsagency, a cafe, a barber shop, a restaurant, a medical centre, a real estate agency, a bottle shop and a takeaway, among others.

The village started as a small neighbourhood centre with seven shops in 1978. Before that, it had been two petrol pumps outside a house front which was a general store. The village has always has right-turn access into Hoxton Park Road and there has always been right-turn access into Dorrigo Avenue. There were attempts previously to close this intersection to right-hand turns. This occurred when the predecessor to the RMS widened Hoxton Park Road. That was rejected then, as was the equally silly idea of completely cutting off access from Wilson Road to Hoxton Park Road. Sometimes the ideal world of traffic engineering planning forgets that planning and engineering is supposed to help people, not that people are made to fit planning and engineering objectives.

There would be two different sets of adverse consequences flowing from the implementation of this proposal. The commercial ones for the centre are obvious. Making access to the centre more difficult can only reduce patronage. That will make the businesses less successful. I do not think anyone pretends that running a

small business is easy or particularly lucrative. If this proposal is implemented, the task of running the businesses will become harder and it will be more difficult to make a living from them. They already face the challenge of large shopping centres nearby and the effective supermarket duopoly. I note in particular I have had discussions or have received representations from a number of owners, including Lance Lagudi and Fade Toma.

There is a particularly galling aspect to this. The September 2019 RMS document on the Hoxton Park Road upgrade, which is a community update that deals with this proposal, makes clear that this is part of the New South Wales Government plan to establish rapid bus services from Liverpool central business district to the western Sydney international airport. Changes to Hoxton Park Road between Banks Road at Miller and Cowpasture Road at West Hoxton is one stage of this long-term plan. There are clearly engineering solutions that allow the upgrade to proceed without right-hand turns being precluded, but this is not proposed by the RMS. However, the galling part to me is the way that the airport is being treated almost like a cargo cult in that it will solve everyone's problems and there cannot possibly be any adverse consequences.

Planners bound ahead without regard to what it actually means, be it for Hoxton Park shopping village or the Kemps Creek Bowling and Sporting Club, which was the subject of another speech of mine on these sorts of topics. The airport will clearly bring benefits, but they should not be uncritically received without making sure that unintended consequences are mitigated. I am happy to welcome the progress associated with the airport but it should not be at the expense of Hoxton Park shopping village—especially when there are alternative engineering solutions available.

The second set of consequences relate to the traffic that will still use the intersection of Dorrigo Avenue and Hoxton Park Road. Obviously there will still be patrons using the shopping village and, just as obviously, there are still residents in Dorrigo Avenue, Colong Close and Hoxton Park Road who will be driving there. Under the proposal, vehicles travelling east along Hoxton Park Road from Cowpasture Road will have to engage significant detours if they wish to access the centre. As a traffic study by traffic and parking consultants Terraffix Pty Ltd makes clear, traffic is now most likely to turn right at Glen Innes Road and proceed along Pacific Palms Circuit, Lismore Avenue and First Avenue before entering Hoxton Park Road, approaching the intersection with Dorrigo from the east. This is presently an unnecessary extra distance to travel. It also adds a whole extra burden to what are residential streets. That strikes me as hardly likely to be a desirable outcome.

Vehicles leaving Dorrigo Avenue that wish to go east will now instead turn left and go west, turning down Glen Innes Road, once more putting extra traffic on residential streets along Pacific Palms Circuit and First Avenue. Clearly, this puts an extra level of traffic on local roads that is entirely undesirable. I have made written representations to the Minister for Transport and Roads indicating the objections of myself and my constituents to this proposal. I hope that he treats those representations favourably and rules out this proposal.

### **BUSHFIRES AND HORNSBY ELECTORATE**

**Mr MATT KEAN (Hornsby—Minister for Energy and Environment) (18:38:33):** Living in and representing the Hornsby shire is a wonderful thing. We are blessed by having one of the most beautiful natural environments anywhere in the State, but with that comes the ever-present threat of bushfires. In the past 48 hours we have seen the impact they can have on entire communities. As the member for Hornsby, I was so proud to see Hornsby residents on the front line not only looking after our community but also supporting other communities across New South Wales. I take this opportunity to acknowledge the extraordinary work of a number of our members of the Rural Fire Service who have left the Hornsby shire to put themselves in harm's way to protect people and property in the past 24 hours. The Hornsby Rural Fire Brigade, which I belong to—I have recently completed my competencies—sent one of its tankers up to the Crowdy Head area near Port Macquarie where it has been assisting with back-burning operations.

I note also there was a small fire in South Turrumurra off Canoon Road yesterday. That fire also saw members of the Hornsby RFS first on the scene, led by our fearless captain, Dougie. They were there helping to protect properties and I am pleased to report that no properties were damaged and no people were harmed in that small bushfire. Berowra 1 and 7 were also at Canoon Road in South Turrumurra, supporting the bushfire efforts. Also, Berowra 1 was in Taree doing its best to help local crews in their preparation work. I also note that Muogamarra 1 is on its way to St Albans today to assist local crews with a strategic back-burn in the vicinity of Upper MacDonald Road.

Today in question time I set out some facts about the contribution that the National Parks and Wildlife Service is making to the bushfire effort. Since then, some people have been trying to score some political points. That is completely unacceptable when we should be focusing on keeping people and property safe. To be clear, I am advised that, first, as at 24 October, the National Parks and Wildlife Service had 1,226 firefighters. Secondly, from time to time some of those firefighters are not available. These numbers are dynamic, including as staff complete required training and update their fire fitness status. Thirdly, accordingly, as at 24 October, we have

1,067 staff who are capable of fighting fires. It is unfortunate that members opposite want to play politics on days like today rather than support the Government and its agencies in keeping people safe.

As I said, those people who are focused on keeping people safe are the wonderful men and women in the Rural Fire Service. They do incredible work and I am so proud of the volunteers in the Hornsby shire who have done their bit to keep communities like mine and many others safe in the past 48 hours. I congratulate everyone who has done their bit, whether they be National Parks and Wildlife Service staff, Rural Fire Service volunteers or paid staff, or just members of the community. I acknowledge the wonderful efforts they have made to keep our community safe and to protect properties in this great time of need.

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Roads) (18:42:25):** I thank the Minister for Energy and Environment for what he has said about the Hornsby Fire Brigade and the National Parks and Wildlife Service, because in places like Bega they have been up there for weeks. They have left their community and they have been spending 10 days away from home with the National Parks and Wildlife Service fighting these fires. There is nothing more heartening than being at an airport and seeing them with their bags, getting on an aircraft, all smiles and no complaints, to stand up and deliver. They have a fantastic Minister and he is right: politics should be cast aside from what the National Parks and Wildlife Service is doing. We have to constantly train them up to be able to protect themselves, and he has done a wonderful job as Minister.

### FOREIGN OWNERSHIP

**Mrs HELEN DALTON (Murray) (18:43:19):** Tonight I speak about foreign ownership. We decide who comes into this country and the circumstances in which they arrive. In the past 30 years the Coalition has successfully portrayed itself as strong in protecting our borders and strong in putting Australian interests ahead of those of foreigners. Today I will tell the House why this image is a complete sham, and I will explain how the Liberal and National politicians are selling our country's soul. Yes, the Liberals and The Nationals stopped the boats—on the Darling River as well as on the Indian Ocean, but that is another story. Protecting our borders should be about more than just stopping sick refugee children from presenting at Australian hospitals.

Protecting our borders also means protecting Australian land, Australian jobs, Australian water, Australian farms, Australian heritage and the Australian way of life. On that score the Coalition has failed dismally. Under the watch of Liberal and National politicians we have now sold 52 million hectares of prime agricultural land to foreigners. For example, Canada increased its stake in Aussie farms five-fold last year alone. Our biggest irrigation property, Cubbie Station, is owned predominantly by the Chinese. Overall, we have sold more than four million megalitres of our precious river water—enough to fill eight Sydney harbours—to overseas investors. Energy Australia, which powers more than four million homes, is now owned by a Hong Kong-based company. We have even leased the Port Darwin to the Chinese.

It is true that we need some level of foreign investment in Australia. But the rules in place at the moment favour wealthy foreign corporates over Australian families. Last year a group of Riverina farmers wanted to buy a large diversified agribusiness in Temora. They offered \$270 million. What happened? The agribusiness was sold to a Canadian pension fund for \$62 million less than the Australian farmers were prepared to pay. Let that sink in. Our Government rejected Australian farmers and allowed the agribusiness to be sold to a foreign corporation for less money than the Australians were willing to pay. What a disgrace.

Government is making decisions about foreign purchases in secrecy and without proper review processes. We need more regulation and more scrutiny on this. Sadly, we are moving in the opposite direction fast. In 2017 a Victorian branch of the Liberal Party pushed for law changes to make it much easier for foreigners to buy agricultural land without government approval. The motion said that attitudes toward foreign investment were fuelled by xenophobia. Can you believe it? The Liberal Party, which has been playing the race card to its advantage for 30 years, is now calling people racist for not wanting to sell Australian land to foreign multinationals. This is not about racism. I am proud to come from one of the most multicultural towns in regional Australia. Griffith was built on the back of immigrant farmers and businesses. Migrants moved here, worked really hard and are now 100 per cent Australian. But I fear for their children, who are being outbid by foreign interests that have no loyalty to Australia whatsoever.

What chance does a young Australian family have when they need a 50 per cent deposit to buy a farm and they are competing against wealthy foreign multinationals with millions of dollars in their pockets? Why do we not waive stamp duty to help young Aussies compete? Why do we give foreign companies Australian taxpayer dollars so they can build private dams? Why do we allow multinationals to dodge tax by shifting their revenue to other countries? We need to urgently review the rules around foreign ownership to bring our children up to a level playing field. Every day I hear stories of young family farmers going under and foreign multinationals swarming all over their land, ready for the next deal. Foreign multinationals are buying our most fertile dryland farms and taking over our best irrigated land to plant thirsty crops such as nuts, which will suck our rivers dry. Foreign

purchases are not passing the public interest test. As a result, our food security is at stake as well as our future and our national identity. This trend cannot go under the radar any longer. It is time for the Liberals and The Nationals to realise that our water, our farms and our land are very much within our borders and that they need protecting too.

### SEVEN HILLS ELECTORATE

**Mr MARK TAYLOR (Seven Hills) (18:48:23):** On 30 October it was my pleasure to welcome Premier Gladys Berejiklian to the Seven Hills electorate. The Premier and I visited and spoke to constituents, educators, industry, students, workers and veterans at the local Seven Hills Endeavour facility, the Seven Hills RSL and Toongabbie Public School. The Premier and I attended the Endeavour facility at Seven Hills first, where we spoke with the CEO, the board of directors, the facility manager and staff about the operations of the site and their continued efforts in ensuring accessible and rewarding employment for those with a disability. We then went to the break room for morning tea with many of the employees, where the Premier made sure everyone sang happy birthday to staff member Garry. He was thrilled, and so were the workers, to meet and speak with the Premier about their roles at Endeavour.

The Premier and I then went on a tour of the site and saw how the employees processed and packaged pharmaceuticals for distribution across Greater Western Sydney and right across New South Wales. Each time I go inside Endeavour Foundation Seven Hills, I am glad to see the many persons who are meaningfully employed and who are so happy to tell me about the job they do and the importance it plays in their lives. It was also good to chat with a group of work experience students, who were excited to begin their time at Endeavour Foundation with the many welcoming staff.

Premier Berejiklian and I then spent time with local veterans at the Seven Hills RSL. The Seven Hills Toongabbie Wentworthville RSL sub-Branch was delighted to meet with the Premier and take us both on a tour of its awesome war memorabilia centre. Sub-Branch Honorary Secretary Chris Gammage, JP, led the tour as the Premier and I saw materials, learnt about local servicemen from World War I up to today and saw the educational facilities and incredible items that the sub-branch has recently purchased or obtained for display. The Premier commented that it was one of the most impressive and largest memorabilia sections she has seen in all her tours of RSLs across New South Wales. I am pleased to tell the sub-branch and the RSL that the Premier has announced a \$2,500 grant for additional materials to further support the memorabilia area at the Seven Hills RSL and create a library section on Australian military history. I thank Chris Gammage for his tour and the sub-branch committee members for their attendance—in particular President Graeme Quinn, Secretary Peter Sparrow and RSL President and Board Director Barry Wilson.

The Premier and I were also fortunate to spend time at Toongabbie Public School with staff, classes and their famous school band. First the Premier and I met with Principal Craig Brown, Deputy Principal Sue Bownds and assistant principals, along with a kindergarten student by the name of Ben. Ben has written three books, which are published in the school's library, for his fellow kindergarten and stage 1 friends to borrow and read. Aside from being a champion author, Ben says he wants to be a police officer when he grows up. I congratulate Ben on his achievements. I commend his choice of career. It was great to catch up with class 4M for a refresher on fractions before speaking with class 6D.

The Premier and I then spoke with members of the dedicated P&C committee and were entertained with three perfectly performed songs by the fantastic Toongabbie Public School band. We also saw the new artificial football field at Toongabbie Public School. The Premier and I were pleased to announce a \$3,000 grant for new soccer nets and sports equipment. It is always terrific to have Ministers or the Premier visit the Seven Hills electorate, but this was an absolutely spectacular day in the presence of the Premier. I thank the Premier for her time and I thank the people at Endeavour Foundation Seven Hills, the Seven Hills RSL, the Seven Hills Toongabbie Wentworthville sub-Branch and Toongabbie Public School for a fantastic day.

### MAITLAND ELECTORATE COMMUNITY LEADERS

**Ms JENNY AITCHISON (Maitland) (18:52:17):** I draw the attention of the House to a number of outstanding community leaders in Maitland who deserve our congratulations and thanks and to some of those we have lost. Firstly I recognise Brad Adams, who has combined the old with the new to bring our community closer. Brad is a Neighbourhood Watch area coordinator who has designed a bespoke app called Gillieston Heights Connect. It displays a wide variety of options for local services to help those who live, work or play at Gillieston Heights. The options range from ideas for where to eat or grab coffee right through to up-to-date information to help keep people safe during storms and other emergencies. There are also links to traffic, local amenities, fuel prices, inspection stations, childcare services, council services and a school finder and even advice about what to do if your wheelie bin's wheels fall off. I love that there is a feedback section, which I used tonight to offer some

suggestions. It is a fantastic app. I commend Brad for the effort that he is putting into our community by providing an app that will make people feel much safer and more connected.

I recognise Kevin Short, who has clocked up an incredible 60 years and an estimated 2,500 games throughout his ongoing hockey career. Kevin also deserves a nod for his sportsmanship and tenacity. He played the game for 50 years before he was part of a premierships-winning game—that is a long commitment. Kevin has been a player with the Maitland Rams since 1984, having previously graced the field in Taree and Newcastle competitions. In Maitland he now has the very great pleasure of playing alongside his eldest son, Andrew. Kevin is pragmatic about the changes he has seen in the game throughout the past six decades. An article in the local newspaper, the *Maitland Mercury*, quoted him saying:

I am 70 now and while the hands are still quick and the mind still operates, I have to say the legs do not always do what I tell them.

I look forward to watching Kevin go around again in 2020. He is not just an amazing hockey player but also a community leader, being a member of the Maitland and District Historical Society, Maitland Regional Museum, the Maitland Musical Society and Lodge Wallis Plains No. 4. I inform the House that Pat Allen, OAM, passed away recently aged 77. Pat was one of the first people I met after I was elected, as she was very keen to have me open the Maitland Friends of Palliative Care community walk at Tocal College in May 2015. That is what got her in the door, but really she just wanted help for the organisation. She founded Maitland Friends of Palliative Care in 1985 and was president of the organisation for a very long time.

Pat was a pocket rocket full of energy, with a strong Irish Catholic faith and an even stronger resolve to do good in our community. Arriving in Maitland from Belfast in 1962, Pat certainly made a contribution by teaching religion and working for Maitland Cancer Appeal and her beloved Father Riley's Youth Off The Streets op shop, as well as being behind the city's first business advocacy group, High Street Promotions. Pat left behind her loving husband of 57 years, David Sr, as well as five children, 15 grandchildren and four great-grandchildren. She received an Order of Australia Medal in 2014 and the Centenary of Federation Medal in 2000. Vale Pat Allen, OAM; we will miss you.

My community also recently farewelled Ernest "Doug" Pyle, OAM. Mr Pyle served as a code breaker in World War II and, on his return to Maitland, spent many more years serving at a community level. In 2016 Doug was honoured with an Order of Australia Medal for his involvement with and service to many community groups in Maitland, including 70-plus years of work with Maitland Repertory Theatre, where he acted on stage and worked behind the scenes. He was also a founding member of the Australian Clothing and Textiles museum and was a period costume model for over 50 years. After his military service, Doug had to wait 30 years before he could discuss his work with the Central Bureau Intelligence Corps. When that time period expired he published a book that detailed his war efforts. This incredible man lived a full and vibrant 96 years and we, as a community, will miss him terribly. Vale Doug Pyle.

I cherish the memory of Warren Trappel. Warren was a formative member of the Western Suburbs District Cricket Club and is often referred to as a legend by members of the Plovers team. The distinguished top-grader was renowned as a ruthless player on the field while also being an incredible mentor and, when necessary, a brutally honest coach. He played more than 100 first-grade matches in his time and rarely missed a game. Although a fierce adversary on the field, he was a family man at heart. His wife of 42 years, Mary, his three sons and his grandchildren knew his softer side, as did his special companion, Lily the border collie. In the words of his son Andrew, this "very hard but fair man" was an ideal father. He taught his family that if they were passionate about something, they could achieve it. Vale Warren. You will be forever loved by your family and remembered as a true Maitland legend.

### WESTCONNEX TREE REMOVAL

**Mr JAMIE PARKER (Balmain) (18:57:26):** Trees bring so much to our community. An abundance of research shows that trees improve our air, soil and water quality; improve mental health and wellbeing; reduce anger and aggression; provide a sense of place; and even enhance the value of our properties, our streets and our general community. Canopy coverage over paved surfaces reduces emissions of hydrocarbons involved in ozone depletion, controls stormwater run-off and increases pavement longevity. Robust canopy coverage is also a cost-effective means of mitigating urban heat islands. Up to 15 per cent of the incoming heat energy from the sun is reflected back into the sky by trees. Much of the energy that is absorbed is used to evaporate water from leaves—a process called evapotranspiration, which cools the surrounding air. As the impacts of climate change become more serious, this benefit alone makes trees a truly remarkable asset to urban areas like the inner west of Sydney and the community I represent.

But in just the past two months, the Government has removed a huge number of trees as part of the destructive WestConnex project. First it cleared rows and rows of trees along the City West Link. Initially the community was advised that trees were removed for safety reasons. After the trees were gone, the contractor told

the community the trees were removed simply to widen the road. Just a few short weeks after that, the Government cleared over 70 significant trees and a swathe of vegetation at Buruwan Park in Annandale, including two magnificent old Moreton Bay fig trees. I thank the 80 residents who came out to object to those removals and rally to protect our trees, including representatives from Leichhardt Against WestConnex and the WestConnex Action Group more broadly. We have saved some trees during the project, which has gone through Haberfield, St Peters and now Rozelle, but we need to do so much more and the Government should take action.

Sadly, that decision by the Government came shortly after the Inner West Council proposed a policy that saw Labor and Liberal councillors team up to drastically increase the number of trees that can be cut down. This political arrangement between Labor and Liberal as part of the election of a Labor mayor and a Liberal deputy mayor, was a payoff to the Liberal Party to ensure those votes for the Labor mayor. It is disappointing that that arrangement happened because every tree within a few short metres of property has been put at risk and we are doing everything we can to reverse that policy proposal.

Off the back of those destructive events, there is a new proposal to clear a totally separate stand of trees to make way for a pedestrian and cycling bridge on Brenan Street in Annandale between Railway Parade and White Street—the Whites Creek Link. Although our community needs more cycling and pedestrian links, they should not be provided at the cost of dozens if not hundreds of local trees, some of which are over 40 years old. In addition to the benefits I have mentioned, this set of trees also physically separates houses in Annandale from the City West Link and form a sizeable physical barrier to the noise, traffic and fumes of that motorway which carries thousands of cars each day. Removing those trees will mean more noise and fumes for residents.

As important as tree planting is to maintaining a truly productive tree canopy, we also need to protect the trees that already exist. Pulling out existing trees while we furiously plant saplings is like running the bath on full while the plug is out. It is counterproductive, wasteful and short-sighted. We understand the proposal is to plant more trees and governments around the world are doing that, but we must protect the ones we already have. Large trees create more shade per tree, better shade for buildings, intercept larger amounts of particulate pollutants and absorb more greenhouse gaseous pollutants. Critically, research shows that the benefits of trees increase exponentially with size and increase in leaf area.

Planting millions of trees and then cutting them down before or during their maturity does not work. The proof is in the numbers. Green Spaces Better Places completed the first ever map of Australia's green canopy coverage and found a decline in the urban tree canopy. It has shown that coverage is down almost 1 per cent between 2009 and 2016 in New South Wales to an average of just 26 per cent, while hard surfaces increased by 3 per cent to 42.8 per cent. It found that some areas of the inner west, particularly Ashfield and Marrickville, have extremely low coverage.

Last Thursday I held a community meeting at the site of the proposed Whites Creek Link in response to the proposal to continue moving down this destructive, anti-environmental path. Over 150 residents turned up to hear what can be done to save the trees. Since Thursday I have collected over 250 letters from local residents requesting that the Minister for Transport and Roads rethink the proposed design of the pedestrian link. He can expect to receive those letters next week. The turnout at my public meeting and the swell of community activity since then sends a clear message to the Government that our community knows how much those trees benefit our health, environment and city.

We want the Government to listen to the science, to protect those trees and not simply promise to keep planting more. I encourage the Minister to look at every possible alternative to this pedestrian and cycleway link. We are working with the Government and Roads and Maritime Services to minimise the impact because the current approval means every tree can be removed. We will work to make sure that improves. I call on the Government and the Minister to reconsider the proposal. I look forward to working with the Minister in the future to positively resolve this issue.

### REDEEMER BAPTIST SCHOOL

**Dr GEOFF LEE (Parramatta—Minister for Skills and Tertiary Education) (19:02:34):** I bring to the attention of the House the broad range of excellent achievements this year of students and staff of Redeemer Baptist School. In a ceremony at Government House on 29 October 2019, Stuart Garth, a science teacher at the school, was honoured with the NSW Premier's Prize for Innovation in Science or Mathematics Teaching. Over the past 20 years, 15 of Stuart's students have represented Australia at the Intel International Science and Engineering Fair, the world's largest pre-university science, technology, engineering and mathematics [STEM] competition. As an active leader on the Young Scientist Committee of the Science Teachers' Association of New South Wales, Stuart has single-handedly brought together STEM teacher associations to promote investigation awards that are entirely syllabus-based. I thank and congratulate Stuart. He has also helped to form

the new science extension course for the New South Wales Education Standards Authority [NESA]. His leadership in science teaching has influenced thousands involved in the annual Young Scientist competition.

On 1 November, this year's Young Scientist Awards were presented in a ceremony at the University of Wollongong. Following many years of high achievement in original scientific investigation, Redeemer Baptist School students achieved excellent results again, including first prizes in scientific investigations, working mathematically and chemistry. The STEP Environmental Award was also won by a year 11 student from Redeemer Baptist School, Suzanne Jones, whose detailed survey on cicadas in Lake Parramatta Reserve, adjacent to the school's campus, found the as yet undescribed Sydney Ticking Ambertail Yoyetta species. I congratulate Suzanne Jones.

Redeemer students have also achieved recognition for excellence in literacy this year. At a ceremony in the State Library of New South Wales, year 2 student Tiya Maharaj received a gold medal from the Minister for Education and Early Childhood Learning in NESA's 2019 WriteOn competition. Well done, Tiya. In Gunnedah, during National Literacy and Numeracy Week, Redeemer students won four out of 13 national prizes in the Dorothea Mackellar Poetry Awards. This year, for the third consecutive year, Redeemer Baptist School was congratulated by the Australian Curriculum, Assessment and Reporting Authority for demonstrating substantially above average gain in NAPLAN. In a context of excellence, Redeemer students are achieving significant, ongoing and measurable academic improvement. A satisfying high point in the school's 2019 sporting achievements are the gold, silver and bronze medals that were won at the NSW Combined Independent Schools athletics carnival at the end of term three.

At the Parramatta Australia Day celebrations at the beginning of the year, Redeemer Baptist School HSC student, Pariselle Hughes, was proclaimed the Parramatta Young Citizen of the Year in recognition of her community service. In September, Pariselle also received a 2019 John Lincoln Youth Community Service Award from the Order of Australia Association at a ceremony at Government House. I applaud Pariselle on receiving those awards. Last month, Eugene Kim, a year 6 student at Redeemer, received a Fred Hollows Humanity Award from Gabi Hollows in a ceremony at the University of Technology Sydney. The Fred Hollows award was received for compassion, integrity and kindness, which are core values at Redeemer. Well done, Eugene.

During NAIDOC week in July this year Redeemer year 10 students returned to Boggabilla with the \$30,000 they raised in the student-led gala day program. Supported by a team of volunteer licensed tradesmen, they completed the Oasis Ministries community facility to serve Indigenous communities in that remote northern New South Wales town. I commend all the year 10 students and the volunteers for their hard work and effort. Redeemer students have achieved so much in one year. I congratulate all those students on their excellent achievements. They give us reason to hope that they will make a valuable contribution to our State's future.

#### **WILLIAM BNYAMEEN ADAM**

**Dr HUGH McDERMOTT (Prospect) (19:07:07):** The Australian Chapter of the Assyrian Universal Alliance, based in the Prospect electorate, has raised serious concerns with me about the detention of Mr William Bnyameen Adam, a prominent Assyrian journalist and human rights activist in Iraq. Mr Adam was arrested and detained by Kurdish authorities on 31 October 2019 while returning from north-eastern Syria where he was on assignment with Assyrian National Broadcasting to document the impact of the Turkish incursion on the local Assyrian community.

Mr Adam's arrest appears to be a direct attack on the freedom of the press by the Kurdish authorities. In the past few hours, Mr Adam was finally released on bail from detention after a protracted campaign by Assyrian organisations. We still do not know the reasons behind his arrest and detention or if he was subject to harsh interrogation techniques or torture. Mr Adam and his family have previously received death threats after publishing an article speaking out against a senior Kurdistan Democratic Party [KDP] official. At the time, Mr Adam criticised the Kurdistan Democratic Party, stating:

What I published was just an attempt to object to the way my people—  
the Assyrians—

are being treated, which I consider to be an insult to them. The Kurdistan Democratic Party confiscates and infringes upon the free will of my people by imposing on us their loyalists and puppets to represent our national cause. The personal and direct language used in the threatening messages I have received only confirm the brutal nature of the [Kurdistan Democratic Party] within the lawless region in which we live. The Assyrian Policy Institute confirmed that death threats were made against Mr Adam's family, with one family member warned that the KDP will "make him disappear". With consideration of those previous threats against Mr Adam and his family there are concerns that his detention was retaliatory for his journalistic work.

The Assyrian Policy Institute's report about the facts of his detention is troubling. After returning from a two-week trip to Syria Mr Adam was detained in Zakho, which is the location of the Kurdistan Regional Government intelligence forces. He was subsequently transferred to a detention facility in Dohuk where he was held with little

communication from the outside world. For 12 days his plight was kept secret by Kurdish authorities until his family established where he was being detained and visited him. After determining that Mr Adam was alive, he was able to access legal counsel. This led to his eventual release on 12 November at 10.00 p.m. Iraqi time. The Assyrian Universal Alliance initially wrote to the Australian Minister for Foreign Affairs, Marise Payne, seeking assistance from the Australian Government to help secure Mr Adam's release. Now that he has been released on bail, it is important that the Parliament of New South Wales stands in solidarity with our Assyrian community as they seek answers to why Mr Adam was detained.

There are many families from an Assyrian background in the Prospect electorate. Those families are proudly part of our Australian community. However, they will always have a connection with their traditional homeland of Assyria, currently in northern Iraq and Syria, where many of their family members and friends still live. It is important that we work together with the Australian-Assyrian community to improve the lives of those still residing in Assyria. I stand here before the Parliament of New South Wales in solidarity with the Australian Assyrian community. The Assyrian people have suffered through oppression and genocide. We as Australians should stand with them as they fight for their human rights. They deserve to be able to live in their traditional homeland without fear of persecution.

To highlight the serious concerns regarding press freedom in Kurdistan and throughout Iraq I wrote directly to the International Federation of Journalists in Brussels, the Iraqi Journalists Syndicate in Baghdad, the Kurdistan Journalist Syndicate in Erbil and locally to the Media Entertainment and Arts Alliance to gain their support in highlighting press freedom concerns. I keenly await further information about the circumstances that led to Mr Adam's arrest and detention, and the action of the international community to highlight the lack of press freedom in Kurdistan and the oppression of the Assyrian community. I thank the House.

### **TERRIGAL WATER QUALITY**

**Mr ADAM CROUCH (Terrigal) (19:11:54):** As the jewel in the crown of the Central Coast coastline, Terrigal is the most popular beach across our region. Over a number of years, poor water quality has continued to worsen at this location. It is a location that is frequently used by commercial boaters, recreational boaters, spearfishers, ocean swimmers, surfers and surf club members for a range of activities. This is an area that is highly used in so many different ways and it is my priority to ensure it remains safe and accessible to all. This involves addressing water quality concerns. At the last election, I made a promise to my community of \$500,000 to investigate the causes of poor water quality at Terrigal and surrounding lagoons.

I am pleased we have been able to quickly deliver on this election commitment, with research undertaken by scientists from the University of Technology Sydney, or UTS, who have worked closely with Department of Planning, Industry and Environment scientists, Central Coast Council staff and local residents from the Terrigal Haven Supporters group. On 30 October this report was publicly released as part of the proceedings of the twenty-eighth annual New South Wales Coastal Conference that also was held in my community. The report found that human, bird and dog faecal matter and urban wastewater are responsible for the poor water quality. It found that after rainfall, the presence of human faecal matter in the water increased to levels that pose a very high risk to human health. In light of this, I think it is quite fitting that we have started referring to this as the "poo report".

It goes without saying that the presence of sewage in the stormwater network needs to be fixed. Follow-up work is already being undertaken by Central Coast Council staff and Department of Planning, Industry and Environment scientists. As part of stage two of my election commitment, the focus of work will be on identifying and prioritising the most problematic sewage and stormwater management systems in the catchment for remediation. Everyone in our community wants immediate action to be taken to address this problem. That is why last week I wrote to Central Coast Council's Chief Executive Officer, Gary Murphy, to outline my concerns. Part of the letter I sent to the council states:

I note that Director of Environment and Planning, Scott Cox, indicated on ABC Central Coast on 1 November that Council is not surprised by the report and that Council is doing 'all they can' to fix this problem. Could you please explain the next steps Council will undertake to identify the source and implement solutions.

Members of the Terrigal Haven Supporters group have advised me that the construction of an underwater stormwater pipeline has been 'ruled out' by Council. I would urge you not to rule out any potential solutions. All reasonable options should be considered and nothing should be off the table.

However, the Government is not dumping responsibility on the council and running away. There are tens of millions of dollars available from the New South Wales Liberal Government through the Coastal and Estuary Grants Program. I strongly encourage the council to make use of that funding opportunity. This funding is available for only a limited time so it is important for the council to act quickly to identify the source of faecal matter in our stormwater and implement solutions. The health of our coastline and waterways is a high priority

for residents in my electorate and right across the Central Coast. Our community expects decisive action in cleaning up and eliminating any human health risk at Terrigal Beach.

This has been an issue of ongoing concern for my community. As I stated earlier, the Government is not dumping and running. The Government stands by and is ready to assist the council with any assistance it needs to find a solution. Given the popularity of Terrigal Beach for both visitors and local people alike, this is a huge issue that must be addressed. It cannot be ignored any longer. I have met and spoken to residents and I have met with the council. We are all working together to deliver the solution. I am pleased that the council has worked proactively with the State Government. On this issue, the State Government and the council can work together to deliver a good outcome. The \$500,000 the Government committed prior to this year's election already has been utilised for the study and stage two. That shows that this Government is getting on with the job of delivering the funding to assist local governments to address those serious issues.

I commend the council, the great team from UTS and the residents who, together with UTS and council staff, collected water samples. This has been a collective approach by the community, the State Government, the council and UTS to identify the problems so that we can now work together to deliver a solution. As I stated in my letter, nothing should be off the table since Terrigal Beach is one of the most popular beaches on the Central Coast. I commend all the work that has been done so far and look forward to the future.

### KOGARAH WAR MEMORIAL POOL

**Mr CHRIS MINNS (Kogarah) (19:17:00):** The Kogarah War Memorial Pool at Carss Park has been a major issue in my local electorate for some time. The future of the pool has been under a cloud after a draft report by the Georges River Council recommended it be closed or relocated. The pool was closed completely in July due to a structural fault whereby pool water was flooding into Kogarah Bay and posed a threat to the ecology of the local area. Therefore the Environment Protection Authority demanded that the council take action. Recently I conducted a survey of local residents to ask them what they wanted to happen with their pool. The response was overwhelming—99 per cent favour keeping a pool on the existing site and oppose relocating the facility elsewhere. For more than a year, the community has sent a very simple message: There must always be a public pool located at Carss Park.

**Mr Geoff Provost:** Hear, hear!

**Mr CHRIS MINNS:** Thank you. We have overwhelming support from the Government, which is fantastic. The residents of my community will warmly welcome that support and financial contribution. That is confirmed by my survey and a petition that was signed by thousands of residents opposing the relocation of the pool and indeed its closure. I understand many of the Georges River councillors—Labor, Liberal, Independent and others—agree with me about the importance of community certainty concerning the future of the pool. If the council wishes to build an aquatic centre on the site, it should stage the development so that a working and safe public pool is built first. That way people can get back to swimming as soon as possible. More elaborate facilities of the aquatic centre, such as gyms, cafes and wellness centres, can all be built at a later stage, if need be.

To end the uncertainty I am proposing a five-step plan that will ensure residents can get access to a new swimming facility as quickly as possible. Step one—if you can take this down, Geoff, and feed it up the chain—expedite the required studies. Georges River Council is currently conducting site feasibilities which will be followed by the development of a business plan. The council must immediately commit to an expedited timetable that will see those studies completed by early 2020. Step two, confirm the location. The council needs to confirm that the new pool facility will be built on the existing site, bringing the crippling uncertainty to an end.

Step three, develop a staging plan. If the council proceeds with a new aquatic centre on the site then it should stage the development so that a public pool with appropriate facilities is built first. Step four, confirm the budget. These things have to be paid for. If council proceeds with an aquatic centre, it must confirm the details of the funding to build it. This includes securing the Commonwealth's allocation of \$5 million as well as the generous support of the New South Wales Government—which, I am pleased to say, from the look on the Parliamentary Secretary's face, has been confirmed this evening—and any debt facilities that may be required.

The Prime Minister of this great country has confirmed as recently as six months ago that he would kick in the very extensive revenues of the Commonwealth Government for a capital grant for this wonderful site of \$5 million. That is very generous. Of course he is the local member so it does not seem to be a huge stretch for the Prime Minister to put a modicum of money into the community that he professes to love. The worst result for the community is a project that starts but gets delayed due to a failure to budget properly or it is moved to another site. I must say unambiguously that my community would not support removal of the pool to another location within Georges River Council area. It is the Carss Park Pool. It always has been the Carss Park Pool. We have

overwhelming support from the Government today, which is huge for my community. I am not sure whether the Parliamentary Secretary he has been given—

**Mr Geoff Provest:** No. It's got to stay.

**Mr CHRIS MINNS:** This is just your personal view?

**Mr Geoff Provest:** Absolutely.

**Mr CHRIS MINNS:** That is fine. You will be a hero amongst men if you can get the funding for this much-needed—

**TEMPORARY SPEAKER (Mr Greg Piper):** I advise the member for Kogarah to take what he can get and to finish his private member's statement.

**Mr CHRIS MINNS:** Okay, great. Put that in the bank. We have got the headline. Thank you. We will rename it the Geoff Provest Memorial Pool, of course, if we can get this money. It is time to end the uncertainty over this important public facility once and for all so we can get a decision on the Carss Park Pool.

### NSW RURAL FIRE SERVICE

**Dr HUGH McDERMOTT (Prospect) (19:22:07):** I recognise the brave volunteers of the NSW Rural Fire Service from the Prospect electorate who have fought and are fighting fires in the Blue Mountains and in northern New South Wales. They are part of the Eastern Creek Rural Fire Brigade, led by Captain Robert Wallace, and the Horsley Park Rural Fire Brigade, led by Captain Darren Nation. Those volunteers have joined thousands of others from across New South Wales to protect families and properties endangered by the current fire emergency. I have been proud to serve with the Horsley Park brigade for a number of years and I wish I was standing with them on the fire line this week.

It is a tough time for our State. Lives have been lost and properties have been destroyed. If not for the selfless volunteers of the NSW Rural Fire Service working in conjunction with Fire and Rescue NSW and the National Parks and Wildlife Service firefighters, it would have been much worse. It is humbling to witness the community spirit exhibited by those individuals taking time off work and away from their loved ones and families to travel hundreds of kilometres to face a dangerous situation. All of our volunteer firefighters have my sincere gratitude and the gratitude of everybody in the New South Wales Parliament and in western Sydney.

Those volunteers all have commitments in their communities that they have put aside to help their fellow Australians. They are tradesmen and professionals, factory workers and office workers. They have families that they care for deeply. Those everyday people from the Prospect electorate and all over the State and beyond have heroically volunteered to defend our people and our State from the ravages of those terrible fires. They do not do it for the money or for the awards but because they genuinely care for their fellow Australians and for our community.

The Rural Fire Service and its predecessor organisations have been protecting our communities for over a hundred years. Volunteers working around the clock throughout New South Wales to protect our communities follow in this proud Australian tradition of pitching in together to protect each other from the ravages of bushfires. During trying and tragic times such as the events of these terrible fires our communities come together to support each other. Not everyone in our community is able to fight the fires, but so many have put up their hands up to provide shelter to those who are in areas facing catastrophic fire danger. Strangers have welcomed evacuees into their homes to take shelter and rest after evacuating fire-prone areas. It is this spirit of generosity and community that helps to keep our families safe and supported during this emergency.

Our bushfire ravaged communities and volunteer firefighters need support. The Salvation Army has set up a bushfire disaster appeal where those who have the means can donate to help those less fortunate who have lost so much in those fires. Donations can also be made to the Rural Fire Service to help buy equipment and fund the volunteer firefighting efforts. This is just the start of the 2019-20 fire season and our communities will face many more dangerous fire seasons like this in the years ahead. I encourage everybody that is able to consider joining their local Rural Fire Service brigade. By coming together we are able to face the dangers of our world and ensure that our communities remain strong and resilient.

Brigades are located not just in regional and rural New South Wales but throughout Sydney, with these firefighters performing important duties in their community and reinforcing brigades throughout New South Wales as they battle destructive fires. Volunteering with the Rural Fire Service can be challenging but it is rewarding and it is an important community service. To all those who are currently battling fires, I say thank you from the bottom of my heart. Thank you for your service, for the countless hours that you have volunteered

and for protecting our communities. May God bless you and keep you safe as you work to protect our communities this fire season as you have done for many fire seasons previously.

*Community Recognition Statements*

**WINSTON HEIGHTS PUBLIC SCHOOL COMMUNITY CORNER**

**Mr MARK TAYLOR (Seven Hills) (19:26:33):** I was incredibly pleased to visit Winston Heights Public School on Friday 8 November for the grand opening of their Community Corner play space. The Community Corner represents the culmination of a successful New South Wales Government Community Building Partnership grant of \$50,000 and a \$60,000 contribution from the Parents and Citizens Association, the students representative council and the school's canteen. The Community Corner will include new chalkboards, sandpits, a giant xylophone and two covered picnic shelters, all of which include access for students of all abilities. The school and Winston Hills communities came together on a special afternoon to show off the new play space for a fantastic celebration that involved the whole community. Motiv8sports was there to provide a free sports clinic and face painting and balloons were also provided. Award Real Estate, a private sponsor of the school, was also there to run the barbecue. I congratulate all members of the school's community involved in making this project happen but particularly Principal Margaret Creagh and previous president of the P&C, Penny Millgate.

**ST GEORGE MIGRANT INFORMATION DAY**

**Mr CHRIS MINNS (Kogarah) (19:27:35):** The annual St George Migrant Information Day took place on 6 November 2019 at Hurstville Marana Auditorium. This is an important event to welcome new arrivals to the St George region and provide information about the services available to help them settle into a new and hopefully better way of life in Australia. Each year more than 500 families attend this event to learn about the community and government support programs available in the local area. Attendees also get to enjoy cultural performances and activities that celebrate the diversity of the communities living in St George and my electorate of Kogarah. This year's theme is "Seeing, knowing, supporting", which embraces the idea that migrants and refugees are not invisible within our community and there is help and support available to help make their transition into Australia as easy as possible. I thank the St George Multicultural Network, which has run this free community event for more than 20 years and in particular the team at Advance Disability Services, who have been instrumental in the event's success.

**REGIONAL YOUTH SUPPORT SERVICES**

**Mr ADAM CROUCH (Terrigal) (19:28:40):** I congratulate Regional Youth Support Services [RYSS] at Gosford for being nominated at this year's NSW Youth Work Awards and winning the Outstanding Youth Participation Award for the work of the RYSS bus. I congratulate each of the crew members on their fantastic work. The statistics I have received are truly staggering. In 2018-19, 8,768 young people had direct contact with the bus. The bus attended 86 events including youth festivals, schools, young parent groups, neighbourhood centres and more. The RYSS bus performs such a valuable role on the Central Coast. It effectively operates as a mobile youth centre that targets at-risk areas and helps engage people in those areas. It also delivers workshops about personal development, self-awareness, anger management, body confidence, respectful relations, anti-domestic violence, anti-bullying and more. Kim McLoughry is RYSS's incredibly passionate and effective CEO and I congratulate her and her team. I also congratulate the bus program manager, Lani Pomare, on her success in receiving this award.

**THE ENTRANCE CHAMBER OF COMMERCE FRIGHT NIGHT**

**Mr DAVID MEHAN (The Entrance) (19:29:40):** On Thursday 31 October I attended The Entrance Chamber of Commerce's Fright Night at The Entrance. This event had an estimated 15,000 people in attendance and was a great success. Events like this bring life back into The Entrance township, which benefits from the businesses and tourists visiting our beautiful waterfront. I personally thank Shane and Danielle Raics from Greys Haunted House, who put on an amazingly scary experience for many local residents. It was wonderful to see so many locally run small businesses taking part in the celebrations. Even my office got into the spirit of Halloween by decorating our front window with many spooky decorations and providing treats to my constituents as they passed by. Thank you also to Belinda Katalinic from the chamber for organising this wonderful event and bringing all the fantastic sponsors together.

**GLENMORE PARK CRICKET CLUB**

**Mrs TANYA DAVIES (Mulgoa) (19:30:40):** Congratulations to the Glenmore Park Cricket Club whose 2019-2020 session is off to a great start due to a successful year on and off the pitch. The Redbacks are beginning this season with around 250 players already registered—an increase of 20 per cent from the previous season. The 250 players make up a total of 13 junior teams and seven senior teams. Last season saw four

premierships won for the club, with two junior teams, the under 12s and under 13s division 1, and two senior teams, third and fourth grade, taking home trophies.

This year Glenmore Park Cricket Club worked with the New South Wales Government through the Community Building Partnership program, Cricket NSW and Penrith City Council to upgrade Blue Hills Oval and have four new training nets installed at Ched Towns Reserve, allowing the club to double its training capacity each night. Growing the club's social media presence has been another initiative that has proven successful, with match highlights broadcast on the club's Facebook and YouTube channel and the launch of Redback Radio showcasing stories from the club. Well done, Glenmore Park Cricket Club.

#### **NSW FEDERATION OF TAMIL SCHOOLS**

**Dr HUGH McDERMOTT (Prospect) (19:31:45):** The NSW Federation of Tamil Schools held its annual awards ceremony to celebrate and recognise the achievements of students. The awards ceremony is a wonderful event where family, friends and school communities come together to celebrate students' achievements and the Tamil language. The evening was filled with presentations from students who attend schools affiliated with the NSW Federation of Tamil Schools showcasing their Tamil language and cultural skills. The night also recognises the work of all the teachers and volunteers who serve the Tamil School community. Those teachers and volunteers educate the 1,800 students learning the Tamil language and culture. Thank you to the President of the NSW Federation of Tamil Schools, Mr Naranthiranathan, and his committee, as well as the teachers, educators, volunteers, parents, and especially those involved in work to continue the knowledge of the Tamil language in New South Wales, ensuring that members of our Tamil community continue to share their rich cultural heritage with all Australians. Congratulations to all the awardees and the students.

#### **GRAFFITI REMOVAL DAY**

**Mrs WENDY TUCKERMAN (Goulburn) (19:33:00):** I acknowledge the outstanding volunteers and team leaders who led the Graffiti Removal Day charge on Sunday 27 October 2019. It was an outstanding turnout, with councils and members of the community coming together to remove ugly and offensive graffiti from streets, parks and public spaces. Graffiti vandalism affects the lives and wellbeing of communities across the State, often leading to people feeling vulnerable in the places where they live. With graffiti vandalism costing the State over \$300 million each year, the New South Wales Government is proud to support organisations like Graffiti Removal Day to help remove graffiti and repair communities that have been badly affected. The hard work and dedication of volunteers who have contributed to the removal of close to 141,000 square metres of graffiti has saved almost \$10.4 million since the organisation started in 2012. I thank all those involved in this year's clean-up, and encourage councils and communities to make next year's Graffiti Removal Day bigger and better than ever.

#### **MYALL RIVER FESTIVAL**

**Ms KATE WASHINGTON (Port Stephens) (19:34:05):** Mobile offices are not usually terribly exciting, unless it is at a local festival in Port Stephens. The Myall River Festival never disappoints. It was the perfect expression of this community's vibrant, creative and caring way at Tea Gardens Hawks Nest. Beside the Myall River there were over 100 stalls, and huge crowds enjoyed a prawn-eating competition, a dog show, duck races and a pink flamingo derby. Thank you to the Myall Coast Chamber of Commerce and Tourism for its commitment to our community in delivering this festival, which was coordinated by the fabulous Margie Tierney and hardworking stall coordinators Sandra Clark and Roz Meehan and their team of hardworking volunteers. These events do not happen without the support of sponsors. This year they included Tea Gardens Hawks Nest surf lifesavers, Tea Gardens Primary School volunteers, The Pearls of Port Stephens, Tea Gardens Pindimar Rural Fire Service, Tea Gardens Fire Service, Tea Gardens Motor Club, Sheargold, Ray White Tea Gardens, Rick Wraight, IGA Hawks Nest and the Hawks Nest Tea Gardens Progress Association.

#### **COMMISSIONER RAYMOND CLAUDE BELL, OAM**

**Ms MELANIE GIBBONS (Holsworthy) (19:35:30):** I acknowledge the outstanding work and efforts of Commissioner Raymond Claude Bell, OAM, for the Australian Air League. Commissioner Bell has given the past 75 years tirelessly working for the Australian Air Leagues Cadets. In 1944, as a 12-year-old boy with the Marrickville Company, he quickly rose to be the commanding officer of his squadron, leading them to be the national champions in band and field competitions and supporting local events such as the ANZAC Day marches. In 1984 he was promoted to group executive commissioner and established the League's own flying school—the only volunteer operation of its kind in Australia.

In 2010 the Moorebank Squadron, with only three members, was deeply in need of his guidance. Due to his efforts, it now has over 50 members and also have a new band. The squadron won Most Outstanding Squadron of the Year in 2017, 2018 and 2019, along with many other achievements. I know that the \$5,000 grant I recently secured from the Premier to purchase new band equipment should also help it continue to grow and succeed.

I thank Commissioner Bell for his passion and dedication to the Australian Air League and the futures of these young men.

#### **LIONS CLUB OF CHITTAWAY BAY**

**Mr DAVID HARRIS (Wyong) (19:36:35):** Lions Club of Chittaway Bay supported the Central Coast Local Health District by donating to help patients at Gosford Hospital. In September the Lions Club provided funds for Gosford Hospital to purchase a vascular doppler to measure blood flow through patients arteries and veins. The dopplers will be located in the surgical inpatient unit J9, where the patients are admitted. Gosford Hospital invited the members of the Lions Club for a demonstration of the doppler. Patients sent to J9 usually have a fractured bone in their leg or arm and all those patients require neurovascular assessments before and after their operation. Having their own doppler will create great benefits for patients and staff because it picks up a pulse far quicker and easier than by touch, creating a more efficient and effective process of quickly identifying blood-flow issues and allowing the staff to identify and escalate any potential risks earlier. Well done to the Lions Club of Chittaway Bay for supporting our community.

#### **SOUTH WEST SLOPES RURAL FIRE SERVICE CADETS**

**Ms STEPH COOKE (Cootamundra) (19:37:40):** I congratulate the South West Slopes Rural Fire Service Cadets, who won the Australian Fire Cadet Championships for the third time. Six cadets from brigades in the Young region represented the South West Slopes Zone at the seventh biannual championships held on 1 and 2 October in Sydney. The cadets were Sam Dunn, Eithan Dovern, Brady Noyes, Ben Williams, John Cass and Hamish Green. These cadets are part of the Boara, Young, Murringo, Monteagle, Bendick Murrell and Maimuru rural fires service brigades. Congratulations boys, and well done on this huge achievement.

#### **TRIBUTE TO BRIAN POWYER**

**Ms JULIA FINN (Granville) (19:38:25):** Yesterday our community lost one of its greatest champions of heritage, Brian Powyer. As the New South Wales president of the National Trust since 2018, Brian has been a strong voice for the defence of heritage across our State, particularly in and around Parramatta, where so much of it is under threat. Prior to serving as the New South Wales president, Brian was the president of the Parramatta branch of the National Trust from 2014 to 2018. He was also president of the Parramatta and District Historical Society from 2015 to 2018. He was a member and deputy chair of the City of Parramatta Council Heritage Advisory Committee for the past five years. He was involved in promoting and protecting our heritage for many years before that. Brian was also an accomplished educator during his working life, serving as principal of Hoxton Park, Busby West, West Ryde and Winston Hills public schools; as assistant director curriculum for the NSW Department of Education; and also as secretary of the NSW Primary Principals' Association. Brian gave so much to our community and to our State. We owe him a debt of gratitude. May he rest in peace.

#### **TRIBUTE TO JIM HATFIELD**

**Mr MATT KEAN (Hornsby—Minister for Energy and Environment) (19:39:15):** Today I pay tribute to a special member of the Hornsby community, Jim Hatfield, who passed away last month. Jim is an example of everything that is good about Berowra. In 1928 he was born at Mirrabooka Farm and attended Berowra Public School. In 1955 he and his wife, Doreen, built their home in Alan Road, and that is where the family still lives today. He joined the Berowra Rural Fire Service at age 17, one day becoming the longest serving member of the brigade. His service with the Rural Fire Service is second to none. He worked with a number of brigades and was awarded his 65 years of service medal at the age of 83.

There is hardly a community organisation that Jim was not involved with. He was active in the Berowra Neighbourhood Watch program, as well as the Berowra Progress Association. He was the founding member of the Berowra Probus Association, a volunteer in the Bush Regeneration Group and volunteered during the Sydney Olympics. He was also a prolific blood donor, giving 145 donations. In 2002 he was awarded a Medal of the Order of Australia. He was given more life memberships and community awards than I can mention here today. Our community and our State are worse off for having lost Jim and my thoughts are with his wife, Doreen, and his entire extended family.

#### **MARRICKVILLE HIGH SCHOOL**

**Ms JO HAYLEN (Summer Hill) (19:40:19):** I congratulate Tony Le, a year 12 Higher School Certificate student at Marrickville High School, who has been awarded the STANSW Young Scientist Award for his in-depth study of infectious diseases. The Young Scientist Award program is open to students from kindergarten through to year 12. The program offers kids the opportunity to conduct scientific or mathematical investigations or create an innovative device. Marrickville High School students are excelling in the field of science. Last year, year 11 students Binh Do, Michael Guo and Jin He conducted an in-depth investigation of the

Marrickville High School solar water heater, receiving a bronze award at the Rowe Scientific Depth Study Awards. Those successes are a testament not only to their hard work and dedication to a subject they love, but also to the nurturing environment that Marrickville High School provides and the school's exceptional science teachers. I congratulate Tony and all the teachers at Marrickville High School who helped foster his love of science.

#### **GYMEA CHAMBER OF COMMERCE**

**Ms ELENI PETINOS (Miranda) (19:41:20):** I acknowledge the beating heart of the Gymea shopping village, the Gymea Chamber of Commerce, which recently held its annual fair. The Gymea Village Fair is a highlight of the community calendar, with this year's event boasting the biggest attendance numbers to date. More than 55,000 people enjoyed festivities throughout the day, with a total of 198 stalls, including food, fashion, homewares, services and entertainment. Established in the 1950s, the chamber is comprised of more than 60 businesses, including retail, hospitality, service providers and community-based businesses. I acknowledge the hardworking chamber committee, including president Esna Lee, vice-president Andrew Schwartz, treasurer Kirsty Fox, secretary Megan Horsman, and promotions officer Cathy Asimus. Not only is the group instrumental in bringing together our local businesses, but also it provides our community with what is the largest fair in the Miranda electorate and a highly anticipated day out. I congratulate the chamber on yet another successful Gymea Village Fair and commend it for its continued support of local businesses.

#### **TRIBUTE TO MICHAEL CALLAGHAN**

**Ms LIESL TESCH (Gosford) (19:42:17):** I say farewell to beautiful Michael Callaghan, a man who changed so many lives in the world of wheelchair users across New South Wales. Michael arrived at Prince Henry Hospital with coaldust all over him, having broken his back in a mining accident in the Illawarra. He went on to become a legendary and talented wheelchair basketball player and a hero and inspiration to many. Recognising an opportunity, Michael went on to become a father and a grandfather of new technology in sports wheelchairs in New South Wales, Australia and around the world. He transformed wheelchair basketball from a competition that took place in dated hospital wheelchairs to the incredibly fast and technically precise elite sport it is today. His incredible wheelchair designs took wheelchair sport to a new level in Australia and around the world. We all love Michael and Gail and their son Leon for continuing this legacy. Mogo is a go-to, top-class, New South Wales made wheelchair and the favourite Australian-made supplier for all of us on the east coast of this great country. Vale, Michael Callaghan.

#### **BRAYDEN GALLUCCI**

**Ms YASMIN CATLEY (Swansea) (19:43:21):** I congratulate the talented Brayden Gallucci from Belmont, who has been accepted into The Royal Ballet company in London. This is a dream come true for Brayden, who successfully auditioned for The Royal Ballet School in 2016. Brayden has been working on his technique and performance ever since, and will now work alongside some of the best classical ballet dancers in the world. His first performance with The Royal Ballet will be in *Manon*, which opens later this year. I once again congratulate Brayden. I am convinced that we will see more of him in the future, and I wish him all the best in the next chapter of his life.

#### **RIVERWOOD SPRING FAIR**

**Mr MARK COURE (Oatley) (19:44:04):** I recently had the pleasure of attending the Riverwood Spring Fair, a great community-organised event held next to the beautiful Salt Pan Creek. The fair brings together local business, clubs and community groups for a day of entertainment, stalls and great food. The fair is a great way for local residents to enjoy the company of their own community and celebrate the diversity and difference of those living in Riverwood and its surrounds. The fair is also a great way to stimulate the local economy. I am proud to represent a community that will always back their local businesses, and this fair is an important encouragement to shop local. I thank all the event sponsors, coordinators and stallholders, particularly Riverwood Community Centre. The centre's CEO, Michelle Newman, did a fantastic job organising the event. The Riverwood Spring Fair is a true highlight on our local calendar.

#### **REDHEAD PUBLIC SCHOOL ACKNOWLEDGEMENT OF COUNTRY**

**Ms JODIE HARRISON (Charlestown) (19:44:54):** Today marks the fifth anniversary of my inaugural speech in this place. In that speech five years ago today I reflected upon my growing understanding of acknowledgement of country. Last week at the opening of the Miner's Memorial at the Redhead Men's Shed, I heard Redhead Public School student Damon deliver an acknowledgement of country written for the occasion by year 6 students. After acknowledging the Awabakal land and paying respect to elders, Damon read:

I extend respect to emerging elders as it is them who will carry the traditions and beliefs towards the next century. As we live, work, learn and play beside ancient camping grounds and near Kintirrabbin, we must reflect on the Awabakal legend that tells of a

time when, after a sound like a volcanic eruption in Redhead, a great darkness fell on the land. Messengers were sent in all directions, bringing all people together to work out how light could be brought back to the world. As we move forward towards reconciliation, we should learn from these wise people and all work together in the spirit of harmony, tolerance and acceptance.

As I think about those students in my electorate, I think the work of reconciliation will be in good hands.

### SPRAYGRASS

**Ms ROBYN PRESTON (Hawkesbury) (19:46:08):** I congratulate the Wimble family on the success of their business SprayGrass, which recently celebrated its fiftieth birthday. I also congratulate their staff, both past and present, on their contribution. It was an honour to attend the celebration of this milestone and reflect on the great work of its founders, Mr Doug Wimble and Mrs Judy Wimble, as well as their son Luke, who is now the managing director after his father passed away in recent years. Brother David works in the business too. The Wimble family are very well regarded and are talented entrepreneurs in Hawkesbury. This high opinion is due in part to their honest and hardworking natures. We are very grateful for the benefits that family businesses such as SprayGrass provide to our community and appreciate the risk, persistence and effort that is required. I congratulate the Wimble family and all who have been involved in SprayGrass on reaching this wonderful 50-year milestone, and wish them continued success.

### NSW TRAINING AWARDS

**Ms JENNY AITCHISON (Maitland) (19:47:20):** Recently Sharon Smith, Cassandra Gibbens and Breda Diamond—three hardworking women—won the Industry Collaboration Award at the NSW Training Awards. Sharon, who is the CEO of the Hunter Valley Training Company [HVTC], collaborated on a traineeship program with Cassandra and Breda of Service NSW. The 12-month traineeship participants receive a nationally recognised qualification in customer service, as well as a multitude of other skills only learned through real situations and experiences. The result was that 76 per cent of trainees secured permanent employment with Service NSW. This kind of work is invaluable to regional and rural areas as it creates job opportunities for our precious young people. I am so proud that young people and young women from the Hunter Valley are making such a huge difference in training opportunities for school leavers and job seekers, continuing the wonderful legacy of the founding chair and former patron of HVTC, the former member for Maitland, the Hon. Milton Morris, AO; and the former director, Kay Sharpe, AM. I congratulate also Robert Cameron, AO, and Richards Owens, AM.

### NSW FEDERATION OF TAMIL SCHOOLS

**Mr MARK TAYLOR (Seven Hills) (19:48:22):** On 27 October it was my pleasure to attend the NSW Federation of Tamil Schools Awards Ceremony. The event is held annually and acknowledges kindergarten to year 12 students, teachers and volunteers for their dedication and efforts in Tamil language education and learning. Tamil language education is important for local students at Darcy Road Public School, Girraween Public School, Metella Road Public School, Toongabbie West Public School and Westmead Public School. Local students are educated at Tamil language centres in Auburn, Seven Hills and Wentworthville. The federation was formed in 1991 and currently there are 1,250 students educated by 100 teachers and 75 volunteers at 12 sites across Sydney and regional New South Wales. I congratulate all the students, teachers and volunteers awarded for their efforts.

### POLYTECHNEIO COMMEMORATIVE EVENT

**Ms SOPHIE COTSIS (Canterbury) (19:49:20):** This Friday 15 November Combined Universities Greek Association [CUGA] will co-host a commemorative event for Polytechnio with the University of Sydney's Department of Modern Greek and Byzantine Studies to acknowledge the events leading to the 17 November 1973 anti-dictatorship protest at Athens Polytechnic against Greek university students losing their lives after the tearing down of the university gates by tanks sent by the Greek military junta. I acknowledge that the CUGA initiative was agreed upon by the four Greek societies of New South Wales to remember the sacrifices made by university students of the past in the name of freedom, as well as to raise awareness among the diaspora youth of important events in Greek history. I acknowledge President of Sydney University Greek Society Mr Athanasios Kallos, President of the Hellenic Society of UNSW Mr James Doumanis, President of the Hellenic Society of University of Technology Mr James Kassiou and President of Macquarie University Greek Association Mr Dean Ohtaras. The event will be held this Friday at 6.30 p.m. in Lecture Theatre, Social Sciences Building, University of Sydney.

### GOSFORD PRIVATE HOSPITAL

**Mr ADAM CROUCH (Terrigal) (19:50:28):** Last Wednesday 6 October I had the pleasure of visiting Gosford Private Hospital, where I heard more about sustainability programs at the fantastic facility as well as the plenty of challenges when it comes to recycling and properly managing waste in the healthcare sector. What struck me is the large amount of waste that cannot be recycled due to being considered as contaminated waste. Every day 150 cubic metres of comingled, general and cardboard waste is generated across that facility. Multiplying that

with every public and private hospital in New South Wales, of which there are thousands, one realises that the issue is huge. I am already beginning conversations with health Minister Brad Hazzard and environment Minister Matt Kean to consider how our Government can reduce waste and increase recycling in the healthcare sector. I commend the passion and dedication of Gosford Private Hospital CEO Matt Kelly and his team in being environmentally friendly in their business practices.

#### CHORDS FESTIVAL

**Dr JOE McGIRR (Wagga Wagga) (19:51:35):** From classic musicals to pop songs and dance recitals, the talent of primary school students truly moved me across my electorate last month. Chords, formerly the Choral Festival, has provided year 3 to year 6 students with an opportunity to engage in choral, and more recently dance, performance. There is so much to be gained from the creative arts and it is great to see that fostered and supported in Wagga Wagga. The efforts, energy and skills of more than 650 children from 17 schools was this year showcased in four one-hour performances. I found the performance that my wife, Kerin, and I attended to be genuinely moving. I congratulate every teacher, committee member, group and parent who gave up their time to make it possible. I commend creative director Diana McGregor and Chords president Matthew Gray who celebrated their curtain call with the company after 24 years and 22 years respectively. They should be proud of what they have achieved. Well done to them and to every young star who got up to sing, play and dance in front of 500 people.

#### TERRY CORBETT

**Mrs TANYA DAVIES (Mulgoa) (19:52:41):** I acknowledge St Clair resident Terry Corbett—more affectionately known as "Mad Dog"—for his kind act of giving away his footy tipping competition prize to a child with an illness. Terry was the *Nepean News* footy tipping competition 2019 winner. The prize consisted of two tickets to the recent NRL Grand Final on October 6. Instead of accepting his prize, Terry asked *Nepean News* to find a child who is battling cancer or another chronic illness and give the tickets to them instead, in the hopes that the child could enjoy a day out with a parent or carer. Terry was quickly recognised by the community when his selfless act was posted to Facebook. Now he has become a community hero. *Nepean News* teamed up with the Westmead Children's Hospital to present the gift to a local who is a massive Panthers fan, but also loves all footy. Terry's simple selfless act truly made that child's day. Well done, Terry, for your act of kindness and for thinking of others struggling with challenges of sickness and giving them the boost they need.

#### THE ENTRANCE DISTRICT CRICKET CLUB

**Mr DAVID MEHAN (The Entrance) (19:53:45):** On Saturday 19 October I attended The Entrance District Cricket Club's presentation of club caps to the first senior women's cricket team. It is an important step in the life of the Central Coast's oldest continuing cricket club. I acknowledge that this season is special because the club has merged its senior and junior clubs. I wish it all the very best. The Entrance District Cricket Club has been a wonderful local sporting organisation, which aims to bring many cricket players together to compete with the best and brightest on the coast. I thank it for its continued hard work.

It was great to also be joined by my dear friend and colleague Emma McBride, the Federal Labor member for Dobell. I know that we both cannot wait to see the new fantastic team and the rest of the mighty Gullies in action. I thank club registrar Terrie Bradshaw for organising such a wonderful event. The team manager is Ken Gough. The team is Kim Pond, Nicola Gray, Nicola Gough, Aesha Pearce, Hailey Paul, Olivia Field, Sharon Crosdale, Miranda Crosdale, Julie Starkey, Jess Smythe, Kristy Barry, Korrey Blackwood and Sara Hawkins. I wish them all the very best. I am pleased to report that the team won its first game on 9 November.

#### COOTAMUNDRA FIREFIGHTERS FUNDRAISING

**Ms STEPH COOKE (Cootamundra) (19:54:57):** I congratulate a bunch of rural fireies from Cootamundra who raised \$18,564 for motor neurone disease, when they recently performed the full monty at the Coota Ex-Services Club. The firefighters were finding it hard to raise money for the Fire and Rescue NSW motor neurone disease campaign by running golf days and sausage sizzles, so Jeremy Annetts came up with the idea of the full monty. The six part-time firefighters enrolled in dance classes and performed to a noisy, enthusiastic full house. The fireies have been overwhelmed by the generosity of their supporters and have now raised about \$21,000, which puts their team at number three across New South Wales. Well done and congratulations to this bunch of innovative fireies on their mighty fundraising effort.

#### STEEL PARK INCLUSIVE PLAYGROUND

**Ms JO HAYLEN (Summer Hill) (19:55:50):** All kids have a right to play. Creating community spaces that are accessible for everyone, irrespective of ability, is vital to fulfilling that right. I am very proud that little inner westies of all abilities will now be able enjoy the \$5 million new inclusive playground at Steel Park. Thanks

to the Inner West Council and the State Government, Steel Park in South Marrickville now boasts a beautiful new inclusive playground, new pedestrian paths and lighting, shared paths, new park furniture and plantings, raingarden systems and an expansion of the adjoining, highly popular Waterplay Park. It is popular with my twins, too. Investing in community spaces like these is vital to providing greater opportunities to get our kids out from behind their screens and active and outside. I congratulate Mayor Darcy Byrne, the Inner West Council and all those involved on delivering the fantastic, new community facility.

#### **MOUNT COLAH UNITING CHURCH 100TH ANNIVERSARY**

**Mr MATT KEAN (Hornsby—Minister for Energy and Environment) (19:56:50):** Recently I attended a wonderful service at the Mount Colah Uniting Church for its 100th anniversary. The church began as a small building on the corner of Pacific Highway and Amaroo Avenue in Mount Colah in 1919. Prior to that, services had been held in the homes of Mrs. E. C. Walker and Mrs. W. E. Ardill. The church and the location have stood the test of time. In 1965 it opened a new hall and in 1995 it opened a modern and impressive complex on the site. Many in the Hornsby community will have fond memories of the Mount Colah Uniting Church, with its family-orientated services, including kids clubs and youth groups.

Many locals and those who have now moved away will remember their time at the church. As well as countless baptisms, marriages and funerals, there would be hardly a local who has not attended the church at one time or another. I thank the current minister, the great Reverend Nich Cole, for his wonderful service to commemorate the anniversary. I also thank everyone who attended on the day. I am sure there are many more years of service to our community in the future. The 100th anniversary celebration was sensational. The music was first class and there was singing and dancing. It was absolutely beautiful. Everyone had a great day.

#### **MARIE DIXON**

**Ms LIESL TESCH (Gosford) (19:58:00):** Marie Dixon is an inspirational 89-year-old woman who has devoted much of her time to the benefit of others in my community. For the past 40 years Marie has been convening dance classes at the Ettalong 50+ Leisure and Learning Centre twice every week. The dance classes have given many elderly residents a lot of pleasure and provided them with an opportunity to socialise and learn complex dance routines and maintain a healthy lifestyle along the way. One of the dances Marie teaches is called New Vogue. Originating in Australia in the 1930s, it has since become a popular dance that allows dancers to style and personalise their dance to individual taste. Marie has also been involved in round dancing and square dancing in Woy Woy since the 1950s. She has often been described by members of her dance classes as a community role model and a hidden gem. I welcome her back to great health and thank her for her contributions to the creative arts and the Central Coast community over the past 40 years.

#### **TRIBUTE TO KEITH MCALPINE**

**Ms ELENI PETINOS (Miranda) (19:59:00):** I congratulate Keith McAlpine of Miranda on winning four gold medals at the 17th Australian Masters Games held in Adelaide. At 90 years of age Keith is an inspiration to all. Having lost his wife, Marcia, last year, Keith was determined to find a new project. He started training for the Masters Games in March, making his gold medals in the 90- to 94-year-old category 50-metre freestyle, 25-metre freestyle, 25-metre backstroke and 25-metre breaststroke all the more inspiring. Keith has always been involved in sport in the shire, having joined Wanda Surf Club in 1949 and winning the surf championship that very same year, and the belt race championship in 1950. Today Keith has three children—Karen, Graham and Bruce—seven grandchildren and two great-grandchildren, all of whom supported his decision to compete at the Masters Games, with many travelling the distance to surprise him. I commend Keith not only for his victory at the Masters Games, but also for his positive and inspiring outlook on life.

#### **VICTIMS OF CRIME ASSISTANCE LEAGUE**

**Ms JODIE HARRISON (Charlestown) (20:00:00):** In November 1989 Dawn Gilbert rallied together over 600 people who were outraged by the murder of her daughter, Tracey, and the subsequent inadequacies of the criminal justice system. On that evening, thanks to Dawn's drive and determination, the Victims of Crime Assistance League Inc. NSW—known as VOCAL—was formed. Earlier this month I joined board members, staff and supporters of VOCAL to celebrate their thirtieth year of empowering victims of crime. The evening was full of mixed emotions.

We were both entertained by local blues singer Marissa Saroca, and also reminded of the harsh reality of why we were there by Superintendent Danny Sullivan and domestic violence survivor and advocate Kylie Farthing. VOCAL offers a range of free services to the community including emotional support, practical help and assistance to navigate the court system, led by CEO Kerrie Thompson. I am pleased to recognise the important work of VOCAL and to congratulate them on this significant anniversary.

## CANREVIVE

**Mr MARK COURE (Oatley) (20:01:00):** I inform the House about CanRevive and thank them for recently hosting its twenty-fourth anniversary fundraising dinner. CanRevive is a compassionate organisation with the aim of helping minimise the impact of cancer on patients and their families by providing information and support to people of Chinese-speaking backgrounds. In 2008 a branch centre was set up in Hurstville, a centre that I together with a number of New South Wales Government health Ministers have visited in support.

Its vision is that no-one should face cancer alone. It seeks to provide relief in some form to patients and their loved ones. It does this with home and hospital visits, telephone support, support group meetings, outings and information sessions. Volunteers are the backbone of CanRevive's work, meaning it must also fundraise to continue its incredible and highly appreciated work. Its recent twenty-fourth anniversary fundraising dinner was hugely successful. I thank all those in attendance for supporting such an invaluable organisation. On behalf of my electorate I thank CanRevive for its work.

## MAITLAND ABORIGINAL EDUCATION CONSULTATIVE GROUP PATHWAYS AWARDS

**Ms JENNY AITCHISON (Maitland) (20:02:00):** I congratulate the Maitland Aboriginal Education Consultative Group on its staging of the 2019 Pathways Awards night, which recognised the achievements of more than 150 members of our community. It was a night filled with ceremony, song and dance, celebrating the educational, cultural, social and sporting achievements of Maitland's Indigenous students. Many community members who have contributed to the education and wellbeing of Indigenous children were also recognised.

The awards involved pupils, teachers and members of communities from across Maitland's public, private, religious, trade-specific and special needs educational facilities. Thank you to the wonderful Maitland Aboriginal Education Consultative Group committee members for their continued dedication to our Indigenous children. I make special mention of president Phillip Cliff, vice president Pauline Mitchell, secretary Arnie Leonard and treasurer Nicola White. Congratulations to everyone whose efforts and contributions were recognised with an award on the night.

## NSW POLICE OFFICER OF THE YEAR AWARDS

**Mr ADAM CROUCH (Terrigal) (20:03:00):** Last Friday I had the honour of representing the Premier and Minister for Police at the Rotary Clubs of NSW Police Officer of the Year Awards. I congratulate all nominees for this year, of which there were 30 across nine different categories. I was honoured to join the Governor of New South Wales, Her Excellency the Hon. Margaret Beazley in recognising these police officers. It goes without saying that police do an exceptional job keeping the people of New South Wales safe. Our communities are among the safest in the world as a result of the crime prevention and detection.

I had the honour of presenting the IJ Fellowship Award, an award introduced by the Government in 2014 to recognise outstanding individual contributions to community-based policing. This award is named after Irene Juergens, APM, who I later discovered is currently a constituent of mine! Irene is a veteran police woman with a career spanning 44 years. She is the exemplar of forging strong relationships between Police and the community. Once again I congratulate all nominees at the Police Officer of the Year awards.

## EMERGENCY SERVICES

**Mr KEVIN ANDERSON (Tamworth—Minister for Better Regulation and Innovation)—**I recognise the hundreds of Rural Fire Service volunteers and NSW Fire and Rescue staff who are out on the fire fronts keeping our communities safe. I want to give a big shout out to those who have travelled from across the state and across state borders to help us defeat these fires that threaten our friends and neighbours' livelihoods and homes. Thanks to the families of these selfless volunteers who provide them with the support to allow them to travel many kilometres to defend farms, homes and belongings of others who are in trouble. Kudos also to Department of Primary Industries and Local Land Services officers who are assisting landholders to manage animal welfare-related issues. To every member of the emergency services and their supporters, thank you. We are a greater community with what you do. Stay safe.

## CLARENCE VALLEY SPORTS AWARDS

**Mr CHRISTOPHER GULAPTIS (Clarence)—**The Clarence Valley Sports Awards were held in Grafton on Saturday night with special guest, former Paralympian Rodney Nugent, donating his National Team Jacket from Barcelona and a custom-made jacket from the Seoul games to auction to raise funds for the Rural Fire Service. Winners on the night were:

- Senior Sportsperson of the Year: Andrew Landenberger (sailing)
- People's Choice: tied between Ashleigh Ensbey (hockey) and Mitch Christiansen (athletics)

- Masters Sports Award: Tom Hancock (athletics)
- Junior Male Sportsperson of the Year: Dakota Walters (surfing)
- Junior Female Sportsperson of the Year: Tahlia Marsh (BMX)
- Wall of Fame Inductee: Ken Moran
- Ernie Muller Award: Tracey Moran
- Max Godbee Award: Lynn Rudder
- Club of the Year: Clarence Valley BMX Club
- Team of the Year: Grafton Ghosts Rugby League 1st Grade
- Coach of the Year: Ray Wiblen (Yamba Boaties)
- Holly Butcher Memorial Volunteer of the Year: Rod and Janet Gould (hockey)
- Daily Examiner Contributor of the Year: Gary Nichols (rugby union, cricket)
- Daily Examiner Contributing Photographer of the Year: Chris and Shirleyanne Blanchard (hockey)

Congratulations to all these wonder sports people on your achievements throughout the year and into the future.

#### **WEDDIN MOUNTAIN MUSTER**

**Ms STEPH COOKE (Cootamundra)**—Mr Speaker, I wish to congratulate the Weddin Mountain Muster Committee on another successful event. The event is held annually in Grenfell in the first week of the spring school holidays and this year, drew a crowd of over 100 horses for a week of trail riding in and around Grenfell. Riders came from across New South Wales, Victoria and the ACT to attend the event which has been running since 2001. The event is an important one for the Grenfell tourism calendar with funds raised from the event going toward local groups, including the Grenfell Showground. Funds have helped with repairs and upgrades to the showground grandstand, pavilion extensions and new amenities blocks in the past and in 2019, will go toward building new horse stables. This year, money was also raised for the Grenfell Branch of the Country Education Foundation.

#### **NABIAC SECOND CHANCE OPPORTUNITY SHOP**

**Mr STEPHEN BROMHEAD (Myall Lakes)**—Mr Speaker, I rise to congratulate Nabcac Second Chance Opportunity Shop on being a finalist in the Community Group of the Year category at the Myall Lakes Community Awards. Back in the early 80's some mothers who were apart of the Nabcac Preschool set up a clothing pool which gradually morphed into what is known today as the Nabcac Op Shop. Over the last 38 years, the hard working volunteers of the Op shop, have been instrumental in raising funds for a variety of projects in the local community, including;

- Nabcac Pool that opened back in 2014
- Playgrounds
- Solar Heating
- Quilting machine for the local group that makes quilts for women and children affected by domestic violence.
- Purchase of a horse for the local Riding for the Disabled
- Contribution to local drought relief fund raising

With a mindset of working locally and thinking globally the group have sent books, clothing and toys to drought affected areas and also to Africa, Fiji.

Can I thank from the executive committee and 38 volunteers who ensure the shop is open six mornings a week for all their hard work;

- Hannah & Grahame Lindbeck
- Carol Grace

- Vanessa Hawkins
- John Baker and
- Bob Glover

#### AUSTRALIAN PEACE ASSOCIATION

**Mr PAUL LYNCH (Liverpool)**—I recognise the Australian Peace Association (APA), an organisation that has existed for about 18 months. On 19 October the organisation held an event at Cecil Hills High School. The event was an Arbæen observance which is a Shia Muslim commemoration that usually occurs forty days after the Day of Ashura. It commemorates the martyrdom of Hussein ibn Ali. The event also featured speakers from the Chaldaean community and from the Muslim Sunni Community. Also speaking were Sayed Mouhamad El-Moussawi and the Vice-President of the Australian Peace Association, Ali Toufaily.

One of the points made about the night was that it was not just about the martyrdom anniversary of Imam Hussain but also about contemporary leadership and contemporary struggles for justice and civil liberties, and how individuals could contribute to modern society. There was also discussion of projects that the community could pursue. The APA is another community based organisation that will add to our area's cultural diversity and will add positively to the community that it serves.

#### GLENMORE PARK PUBLIC SCHOOL BREAKFAST CLUB

**Mrs TANYA DAVIES (Mulgoa)**—Glenmore Park Public School, within my Electorate, has welcomed the Glenmore Park Breakfast Club, a new initiative designed to support the well-being of their students. The Breakfast Club houses a relaxed, friendly environment where students can enjoy cereal, toast and fruit with their friends. The food is generously donated by Glenmore Park Woolworths, Coles and Bakers Delight with local charity WestCare having provided all the equipment required to get the club running.

The program, organised by the school's Student Well-being Officer Maybelle Galuvao, is held on Mondays, Wednesdays and Fridays. On launch day, 100 students came to participate and 120 on the second day. The cosy set up in the hall with picnic blankets and music, makes the students feel valued and welcome and they absolutely love it! With a goal to run the Breakfast Club all five days of the school week, they have recruited many student helpers and plan to generate a roster for next term. Many staff members are also volunteering to set up and pack down the event. Well done Glenmore Park Public School, what a great way to start any school day!

#### CHRISTMAS DRIVE

**Mr GREG WARREN (Campbelltown)**—For the majority of people, Christmas is a time of joy and giving. But for some, the festive period is anything but a time for celebration. Over the past few years I have run an annual Christmas Toy Drive. The aim is simple – to make a child's Christmas by giving them a present to unwrap. And as the saying goes, many hands make light work. The drive would not be a success without the generous contributions of many people throughout the community. From those who dig deep and donate a present to those who spend their days and nights distributing the gifts among the community – everyone plays a crucial role. Recently I got some donors, recipients and distributors involved in last year's Christmas Toy Drive in the one room. It was a great opportunity for everyone to get together and to talk about the impact of the drive. It was a truly humbling experience to see all of those people in the one room together. My Christmas Toy Drive will be on again this year and I would like to take this opportunity to thank everyone who will be involved in advance.

#### JPS FIFTY YEARS

**Ms JODIE HARRISON (Charlestown)**—I bring to the attention of Parliament of New South Wales, and recognise publicly, the exceptional contribution of five of my constituents in the service of their local communities. Each of these men became a Justice of the Peace in 1969, and this year we celebrate their commitment of fifty years of service. They are a part of a cohort of two hundred and fifty JPs who mark fifty years of service this year. Justices of the Peace provide a much needed service to our community helping people at key moments such as when they apply for a passport, buy a house or access superannuation. I was delighted that Robert 'Noel' Mahoney was able to join me here in Parliament to celebrate this milestone. I celebrate with the four other JPs who were unable to be present. They are: Earl Barnes from Mount Hutton, Ronald Robson from Warners Bay, Francis Sleishman from Charlestown, and John Walker from Gateshead. There is no reward for serving as a Justice of the Peace, other than the pleasure of assisting others. On behalf of my local community I extend our gratitude to these JPs for their long and committed service.

#### PICTON ANZAC DAY COMMITTEE

**Mr NATHANIEL SMITH (Wollondilly)**—On Monday November 11th I was privileged to attend the Remembrance Day service conducted by the Picton Anzac Day Committee at Picton Memorial Park. The truly

beautiful cenotaph which was paid for by the committee is a centrepiece for the celebrations. Representatives of the Armed Forces, SES, Fire and Rescue NSW and the general public were in attendance. A moving address was given by Mr Ray Law of the Anzac Day Committee and, as always, the excellent Picton High School Band provided the musical accompaniment for the service. The last post was signalled by a lone bugler from the band. It gave all of those present a chance to reflect on the commitment and sacrifice of all that served and to those that paid the ultimate sacrifice. My thanks and congratulations go to the committee, President Ray Law and Secretary Bob Rogers. They do us all proud and provide us with the opportunity to honour those who have served. Let us not forget.

### **2019 DENILIQVIN COMMUNITY CHAMPIONS AWARD**

**Mrs HELEN DALTON (Murray)**—Mister Speaker,

Today I would like to recognise two members of the Deniliquin community for their contribution and dedication to the town and the Deniliquin Ute Muster festival. Harold and Bonnie Clapham were recently presented with the 2019 Community Champions Award at the Ute Muster Chairman's reception. The award is acknowledgment of over 10 years of involvement from volunteering during the festival on site to becoming board members and even a stint as Chairman for Harold. Congratulations to Harold and Bonnie, the community of Deniliquin is lucky to have such dedicated people, without whom such amazing events like the Deni Ute Muster would not be possible.

### **NORTHERN RIVERS REGIONAL BUSINESS AWARDS**

**Ms TAMARA SMITH (Ballina)**—Today I acknowledge the winners of the 2019 Northern Rivers Regional Business Awards. The NSW Business Chamber's Business Awards celebrates business excellence in NSW by recognising and rewarding outstanding businesses whose passion, determination, innovation and success inspire other businesses and business people. There were over 100 nominations across 19 categories in the Northern Rivers. I am proud to see the excellent quality of the entrants in this program and of the calibre of businesses in my electorate. Of particular note are the following businesses from the Ballina Electorate:

Outstanding Young Entrepreneur: Eddie Brook, Cape Byron Distillery (Highly Commended)

Excellence in Small Business: Cape Byron Distillery

Excellence in Business: Southern Cross Credit Union

Excellence in Social Enterprise: Enova Community Energy

Excellence in Sustainability: ENV Solutions

HALL OF FAME Excellence in Professional Services: Southern Cross Credit Union

### **MIKARIE CHILD CARE CENTRE**

**Ms ELANI PETINOS (Miranda)**—I rise to acknowledge the wonderful team at Mikarie Child Care Centre ("Mikarie") who have won the Australian Childcare Alliance NSW's 2019 award for Inclusivity Practices Program Excellence. Established by the Sylvanvale Foundation, Mikarie is an award-winning, purpose-built long day care centre catering to children aged from 0 to 6 and with additional supports available for children with a disability. I am delighted that Mikarie has received \$7,840 through the NSW Government's Quality Learning Environments program for the installation of shade sails to protect children from the sun and enhance the outdoor learning environment.

The entire team at Mikarie do an exceptional job caring for and nurturing our littlest learners, notably, Sylvanvale Foundation's Chief Executive Officer Leanne Fretten, Executive Manager Cathy Quinn, Mikarie's Director Cameron Evans, Room Leader Jessica Gilbert, Early Childhood Teacher Hee Oh, and Child Care Workers Leigh Lord, Brooke Russ, Jo-Anne Hilleary, Jessica Boudib, Xi Li, Rhiannon Manny, Brett Wilson, Ana Cristina Rocha Torres, Julia Ledonne, Panayiotis Romanos, Jemma Eaton, Jenna Newton, Alice Peddie, Kerry Crottey and Mary Shinkle. I thank the amazing team at Mikarie for their tireless commitment to enriching young lives and supporting our local families.

### **ARAB COUNCIL AUSTRALIA'S 40TH CELEBRATION DINNER**

**Ms TANIA MIHAILUK (Bankstown)**—I was pleased to attend the Arab Council Australia's 40th Celebration Dinner on Saturday, 9th November 2019 in Bankstown, celebrating 40 years of providing support and assistance to Arab Australians through a wide range of valuable services. I would like to acknowledge Arab Council Australia Chairperson Ms Mary Shalhoub, Deputy Chairpersons Dr Imad Berro and Mrs Rana Saab, Secretary Dr Rita Almohty, Treasurer Mr Jamal Hamdan and the other Board Members, as well as Chief Executive

Officer and Public Officer Ms Randa Kattan, and I thank the Board for their kind invitation and warm hospitality on the night.

Arab Council Australia is a non-profit, secular and independent community organisation with a strong commitment to social justice and a long-standing commitment to social harmony and is supported by many generous members, sponsors and donors. I take this opportunity to commend the entire Board of Management, as well as the council's dedicated staff and volunteers on their continued advocacy, and leadership in helping to improve the lives of vulnerable people and their tremendous and invaluable contribution to our community.

#### **ETTALONG PELICANS MASTERS SWIM CLUB**

**Ms LIESL TESCH (Gosford)**—I commend the Ettalong Pelicans Masters Swim Club and its members who have recently won a score of medals at the Masters NSW State Championships which were held at Peninsula Leisure Centre, Woy Woy. The Masters NSW State Championships had over 200 Master swimmers participate and 11 of those participants were from the Ettalong Pelicans Masters Swim Club. The Ettalong Pelicans Masters Swim Club won 7 gold, 16 silver and 6 bronze medals across the competition. A special congratulations to club member, Cameron Horn, who broke two state records during the championships. I implore members of my community to consider joining the Ettalong Pelicans Masters Swim Club who are currently recruiting new members. There are no specific criteria to join the club, other than a love of swimming and being a part of a fantastic social group. The Ettalong Pelicans Masters Swim Club meets every Thursday night at the Peninsula Leisure Centre from 7 pm.

#### **MARGARET CORBETT, OAM**

**Mr MARK SPEAKMAN (Cronulla—Attorney General, and Minister for the Prevention of Domestic Violence)**—I congratulate Margaret Corbett OAM of Gymea Bay on becoming the second person ever to be elevated to legend status by Netball NSW. Ms Corbett was inducted into the hall of fame in 2006. She has made a huge contribution to netball over the last 40 years. She was a leading coach in Australia from the 1970s through to the early 2000s. She was a NSW selector for 20 years; the NSW convenor for 12 years; the NSW coaching director and state coach for 20 years each; the head coach of the NSW Institute of Sport for six years; and spent 14 years as an Australian underage selector.

#### **MY COMMUNITY PHARMACY SHORTLAND**

**Ms SONIA HORNER (Wallsend)**—In October, we celebrated Small Business month and looked at successful businesses who are giving back to our community. John Jones from the My Community Pharmacy at Shortland loves being a pharmacist and being part of the community. The My Community Pharmacy Shortland was born from a desire to realign pharmacy back to being a healthcare destination and the hub of the community. This is a back to the future approach to pharmacy where the pharmacist knew each person by name and was a trusted health adviser.

They have seen exceptional growth in the business over the past eighteen months since taking over the pharmacy. Growing to 10 employees over that time and being able to sponsor a range of local sporting and community groups. The only reason they can support the community is because of the support from the people of Shortland. Whilst it is still early days the business continues to grow and their vision of becoming a healthcare destination and community hub is becoming a reality. Congratulations to John and his team on the work they are doing in our community.

#### **PAUL WHELAN**

**Ms JO HAYLEN (Summer Hill)**—Paul was a titan of Inner West Labor, always putting the needs of his community first. He served in NSW Parliament as first the Member for Ashfield and then Strathfield for 27 years. Before that, Paul served as an Alderman on the Ashfield council and served as Mayor for 5 years. Paul was the longest serving police minister in the NSW parliament's history. During his tenure, Paul oversaw the initiation the Wood Royal Commission and the establishment of the first medically supervised injecting centre in Kings Cross.

In the Wran Government, Paul also served as the Minister for Forests and Minister for Water Resources. That Government's bold environmental protection agenda included the record creation of 20 new National parks in NSW. Following a 30-year political career, Paul retired and went on to enjoy on of his other great passions, horse racing, raising two prize winning horses. Paul leaves behind not only a legacy of public service but a wonderful family. I send my condolences to Paul's family and friends in the Inner West Labor party. Vale Paul.

### 2019 FAIRFIELD ART PRIZE

**Mr GUY ZANGARI (Fairfield)**—On Friday 18th October 2019, I joined the Fairfield City Art Society Inc. and was honoured to officially open the 2019 Fairfield Art Prize exhibition. In operation since 1961 the Fairfield Art Society Inc. has been contributing to the cultural arena in our community by showcasing the talents of our local artists. Every year, artists in Fairfield are given the opportunity to exhibit the projects they have been working on for the year. This year's exhibition included many fine works of art in the form of drawings, oil paintings and sculpture. I wish to congratulate all the prize winners and all artists who have exhibited this year for allowing us to view their fine works of art. It was wonderful to be able to meet with this talented group who contribute so much to our community. We are fortunate to have a large pool of talent in the Fairfield area. I would also like to acknowledge the Fairfield Art Society Inc. President Mr John Supe, Secretary Mr Joe Briffa and the Committee for their commitment to supporting the artists in our community and for contributing to the rich cultural atmosphere of Fairfield.

### PENRITH SELECTIVE HIGH SCHOOL STUDENT LEADERS

**Mr STUART AYRES (Penrith—Minister for Jobs, Investment, Tourism and Western Sydney)**—As the end of the 2019 school year is quickly approaching, I wish to thank and recognise the outgoing Penrith Selective High School Leadership team for the positive and valuable contributions they have made across their school community. School Captains: Aryenish Kavarana and Soham Desai, and Vice Captains: Amber Vella and Jem Herbert-Rice, thank you and I wish you all the very best for your future pursuits. Additionally, I extend my congratulations to the incoming student leadership team for 2019/20, Captains: Ethan Shackley and Sophia Hadjimichael and Vice Captains: Ben Gange and Holly Gerard.

### ANDREW BRODALA

**Ms MELANIE GIBBONS (Holsworthy)**—I would like to recognise Barden Ridge resident Andrew Brodala, who recently participated in the Captain's Ride charity event. The event, which raises funds for children with rare diseases, involves a six day cycle through Victoria. It is organised by the Steve Waugh Foundation, which has supported Andrew's son Lachy, who was diagnosed with the rare Schuurs-Hoeijmakers Syndrome as an infant. Andrew decided to participate in the ride as a way of showing thanks to the Steve Waugh Foundation for helping his family. Andrew raised more than \$20,000 in support of the organisation. This is a great achievement, and the funds raised will be used to support families just like his own. I commend the Steve Waugh Foundation for their work in organising this great event and for assisting families like Andrew's. I would also like to congratulate Andrew for his involvement in the event and I wish him, his son Lachy, and his family all the best in the future.

### CARMEL KENTWELL

**Mr CLAYTON BARR (Cessnock)**—I would like to recognise Carmel Kentwell from my Electorate who has been nominated by ATWEA College for the National Education Student of the Year Awards 2019, Community Colleges Australia. Carmel is a woman that has faced serious life challenges and hardship but has proven to be resilient and determined. Carmel has 3 young children, all of whom have identified disabilities, including Oppositional Defiant Disorder, Communication Disorder, Developmental Delays and Attention Deficit Hyperactivity Disorder. Growing up, Carmel had limited access to educational opportunities and found herself in a situation of recurring domestic violence, abuse and homelessness.

Carmel has worked diligently over the past 10 years to break that pattern and build a better life for her and her children. She has proven education is possible for everyone, regardless of what life throws at them. Carmel was also the winner of Atwea College's Student of the Year Award which was presented during Adult Learners Week in September. I commend Carmel for her hard-work, tenacity and dedication and wish her and her family a bright and fulfilling future, one that she is working so hard to achieve for them all.

### MAITLAND CITY HALL OF FAME

**Ms JENNY AITCHISON (Maitland)**—I wish to join Maitland City Council in congratulating five locals who recently made it into the city's Hall of Fame. The inductees were Peter Bogan, Nicholas Enright, Gary Harley, Colin Johnston and Melinda Thompson. Peter, who unfortunately passed away last year, was acknowledged for his contribution to research and education. He is a highly regarded local historian, especially around his work preserving Maitland's flood history. Nicholas Enright, who passed away in 2003, was an important playwright remembered for his contribution to the performing arts. Gary Harley has represented his hometown of Maitland with distinction in broadcasting and journalism across rugby league, greyhound racing and horse racing. Colin Johnston will be remembered for his services to sport and, specifically, cricket in the Maitland community. Melinda Thompson is an inspirational and honourable sportswoman who was the first woman to compete professionally against men and win in a 70-metre race. All worthy recipients of a high honour.

### INTERSEX HUMAN RIGHTS AUSTRALIA

**Mr ALEX GREENWICH (Sydney)**—On behalf of the Sydney Electorate I commend the work of Intersex Human Rights Australia and Intersex Peer Support Australia to raise awareness and promote human rights and bodily autonomy of people born with variations of sex characteristics, and to provide vital peer support. Intersex Human Rights Australia and Intersex Peer Support Australia are run by and for people with intersex variations. Their work includes advocacy, policy and community development, law reform, advice and education. Coinciding with Intersex Awareness Day on October 26, Intersex Human Rights Australia launched the first issue of YOUth&I, a magazine of personal stories, poems and art by young people with intersex variations.

Supported by the ACT Capital of Equality grants program, it is an inspiring publication where young people safely share their individual journeys. I support these groups' vision of a society where intersex bodies are not stigmatised and people are not excluded or made to feel ashamed for being different. I thank the committed people in these groups who work for inclusion and against discrimination and violence and build on the strength and resilience of the community of people with intersex variations and their allies.

### MRS HANNE SABA

**Mr JIHAD DIB (Lakemba)**—I recently had the privilege to visit the home of Greenacre resident Mrs Hanne Saba, to join in the celebrations for her 100th Birthday. Ms Saba is an amazing woman who has seen so much of human history and achieved even more. Fleeing the Lebanese Civil War in the 1970's, Mrs Saba came to Australia with her four children alone after her husband passed away in Lebanon. She settled in the suburb of Greenacre where she has been living for over 40 years. Mrs Saba is described as the matriarch of the family. With a charming personality and exceptional culinary skills, Mrs Saba had dedicated her life to her children, grandchildren and great grandchildren. I was able to present Mrs Saba with a certificate and a bouquet of flowers and then enjoyed a cup of Lebanese coffee and cake with her. We learn so much from our elders and should never underestimate the importance of having a cup of coffee with someone whose life experiences are as rich as Mrs Saba. On behalf of the Lakemba community, I congratulate Mrs Saba on her 100th birthday and wish her happiness and good health in the future.

### 2019 BAYSIDE COUNCIL GARDEN COMPETITION

**Mr CHRIS MINNS (Kogarah)**—The winners of the 2019 Bayside Garden Competition were announced on Saturday 2 November at the Bayside Garden Centre. Gardening is an incredibly healthy and enjoyable pastime. But when it is done by a skilled and knowledgeable person, the practice of gardening is lifted to an art form. Gardens brighten the streetscapes and our community, and the Kogarah community is certainly bright after this year's incredible entries. The Bayside Garden Competition recognises the role gardens play in making our suburbs some of the most attractive in Sydney. Congratulations to Janette Byrne from Bexley for winning Best Backyard, and to all the other winners and nominees across each category.

### BICOL TRADE AND TOURISM EXPO

**Dr HUGH McDERMOTT (Prospect)**—The Bicol Communities Leagues Inc first ever Bicol Trade and Tourism Expo and Filipino Street Food Festival was held to promote trade between Australia and Philippines, with a focus on the Bicol region. The event was a wonderful showcase of all the Bicol region has to offer, with exhibitors promoting a variety of products, from the regions famous pili nuts to handbags and home décor made from abaca. A variety of delicious Filipino street food was also on offer showcasing the unique flavours of the Philippines. It was an honour to be joined by the Philippines' Ambassador to Australia Hellen B. De La Vega, and Consul-General Ezzedin H. Tago. Blacktown City Mayor Tony Bleasdale was also in attendance to support the strong bonds that have been formed between our communities and those in the Bicol region. Congratulations to Bicol Communities Leagues Inc and Project Manager Bobby Lastica on hosting such a successful event. I look forward to seeing this event grow over the coming years and the bond between our region in Western Sydney and the Bicol region in the Phillippe's continue to strengthen.

### DAPTO CITIZENS LAWN BOWLS TEAM

**Ms ANNA WATSON (Shellharbour)**—I would like to take this opportunity to congratulate Linda Meiser, Debbie Kelly, Chris Ellem and Kim Suckley from the Dapto Citizens Bowling Club. These four women recently proved the best of six unbeaten teams to win the prestigious Illawarra District Carnival at Warilla Bowls. Thirty-four teams competed on the day, with six of these going unbeaten. Overall, only four teams failed to win a match on the day, which goes to show the competitiveness and standard of bowling in the competition and makes this victory all the more impressive. Linda, Debbie, Chris and Kim finished the day on top with a score of 3 wins + 43. Congratulations ladies on your resounding victory and I wish you the best of luck in your upcoming clash against the South Coast in the annual Anderson Irvine Shield at Bomaderry Bowling Club. You're doing Dapto proud - keep up the great work.

### WINSTON HILLS PUBLIC SCHOOL AND LIFE EDUCATION NSW

**Mr MARK TAYLOR (Seven Hills)**—It was great to visit Winston Hills Public School on 29 October for a seminar delivered to Year 3 students by Life Education NSW. The session I attended at Winston Hills Public was led by Life Educator, Sally Fletcher, and, of course the famous Healthy Harold giraffe. It was great to see the kids using the new smart TV which was supplied as part of the Seven Hills 2017 Community Building Partnership grants. The Life Education van is a familiar sight on the grounds of public schools and have been now for four decades. Founded in 1979 by Reverend Ted Noffs, Life Education has been seeking to motivate and empower our schools kids so they can and will actively draw on their own knowledge to make safer and healthier choices. Last year alone, Life Education visited 4,200 schools, engaging with 710,000 Australian schools kids – just some of the 7 million students who have participated in Life Education since it was founded 40 years ago. I commend Life Education NSW for their tremendous work.

### PINK RIBBON BREAKFAST

**Dr GEOFF LEE (Parramatta—Minister for Skills and Tertiary Education)**—Two dedicated women of the Sydney Indian Community Rekha Rajvanshi and Sue Advani organised a Pink Ribbon Breakfast at the Parravilla Function Centre in Parramatta in late October. The event was to raise awareness and to raise funds for the National Breast Cancer Foundation. Women from three to eighty supported this fundraiser, including a handful of men. Breast cancer is the most common cancer affecting Australian women. In 2019, it is estimated that 19,371 women and 164 men will be diagnosed with breast cancer which is an average of 53 people every day. I was privileged to attend and show my support at one of the fundraisers for breast cancer awareness. Thank you Rekha Rajvanshi and Sue Advani for your kind invitation and for all your hard work and dedication towards raising funds for solving an issue affecting thousands of Australians.

### GLENN INNES SERVICES CLUB NSW AWARD

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Agriculture and Western New South Wales)**—I congratulate the Glen Innes Services Club on winning the 2019 Clubs NSW Arts and Culture award for the 2018 Outlandish Gathering of fans of the hit series Outlander. I recognise the Club's Secretary Manager Patrick Lonergan, Events and Entertainment Manager Julie Clement and all the staff on this fantastic recognition. The Outlandish Gathering attracted fans from across Australia and from as far away as the United States, Germany, Afghanistan and even from Scotland. 578 fans enjoyed authentic food and period costumes along with entertainment and activities that paid tribute to the show Outlander. The Glen Innes Services Club also won the same award in 2017 for hosting the Celtic Music Awards which makes the country club one of the smallest of NSW's 1440 clubs to win more than one of the most prestigious Clubs and Community Awards. I commend the Club on their dedication and resourcefulness which sees them host incredibly popular and enjoyable events that showcase the Glen Innes region to the rest of NSW, Australia and in this case the world!

### AVA DUPONT SCARBOROUGH PUBLIC SCHOOL

**Mr LEE EVANS (Heathcote)**—I had the pleasure of attending Scarborough Public School's NAIDOC event in July which showcased the amazing talent and passion of students. I was moved by the students' "Slam Poems", their innovative performances and artworks and their original composition "Five Islands" amazed me. Ava Dupont, a Year 6 student, gave her incredibly moving speech titled "Welcome to Australia". Ava's speech was powerful and thought provoking and it was clear how passionate she was about the subject matter. I was pleased but not surprised to hear Ava will be competing this Friday 15th November in the finals of the NSW Multicultural Public Speaking Competition at the ABC Centre in Ultimo to give her "Welcome to Australia" speech. I commend her on this outstanding achievement and wish her the best of luck for Friday.

### TURNING OF THE SOD FOR OASIS PEAKHURST RETIREMENT APARTMENTS

**Mr MARK COURE (Oatley)**—Speaker, I rise to commemorate the Turning of the Sod in Peakhurst, signifying the beginning of the works of OASIS Retirement Apartments. The new apartments are set to provide a contemporary retirement community that is close to transport, retail and medical facilities. These apartments have been designed to emulate a smart urban residence in the inclusive Peakhurst neighbourhood. I welcome these new apartments, to provide more options to our ageing community as they make important decisions about moving into retirement. These brand-new facilities will mean that residents can stay in the local area, close to their family and friends, while also enjoying luxury apartment living. It was my pleasure to officiate the Turning of the Sod ceremony on the 23rd of August, and I look forward to seeing our older residents enjoy the new facilities when they open.

## INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALASIA

**Mrs SHELLEY HANCOCK (South Coast—Minister for Local Government)**—It was a pleasure to be a part of this year's Institute of Public Works Engineering Australasia (IPWEA) NSW Engineering Excellence Awards and to present the Minister's Award for Innovation in Local Government Engineering last week. Events like this bring the industry and community together to celebrate the engineering heroes of NSW, and it's never been more important to celebrate the significant contribution engineers make to our great State. Over the past 8 years, the NSW Government has invested more than \$111 billion in building infrastructure, with \$87.2 billion earmarked for projects over the next 4 years.

Not only is this infrastructure boom a major economic and employment driver but it creates ongoing opportunities for engineers and other public works professionals to continue to work and expand their knowledge, skills and experience. Special thanks to IPWEA NSW president Warren Sharpe, vice president Peter Shields and CEO John Roydhouse who were also at the event, and congratulations to the 2019 winner of the Minister's Award for Innovation in Local Government Engineering Shellharbour City Council for its Shellharbour Civic Centre project.

## TURRAMURRA RESIDENT JOINS LOCAL RADIO STATION

**Mr ALISTER HENSKENS (Ku-ring-gai)**—I congratulate 77-year-old Turramurra resident, Ian Nicholas, who recently became a presenter on the community radio station, Triple H FM which broadcast from Waitara. Ian began his career in journalism in 1959 as a cadet for the Times-Herald in Gosford. To date, he has interviewed public figures such as Gough Whitlam, Frank Sinatra and Robert Menzies, to name a few. Ian's career also includes being a Public Relations consultant for 32 years and former President of the NSW Public Relations Institute. He worked at CBN Orange, ABC Sydney, Macquarie Sports Radio 2UE and Commercial Radio Broadcaster 2CH. Ian believes radio:

"...conjures pictures in your mind – it is the most individually creative medium available".

His experience in print, television and radio lead him to start a community radio station in Temora NSW, where he lived for a few years for a 'tree' change. Now back in Sydney, Ian is not only working at Triple H but becoming involved in local community organisations. Ian, I wish you good luck in this next stage of your interesting and successful career.

## MEGAN LARYMORE

**Mr MATT KEAN (Hornsby—Minister for Energy and Environment)**—Today I would like to acknowledge Berowra Mum Megan Larymore who recently represented Australia at the World Triathlon Championship in Switzerland. The gruelling event included a 750 metres swim, 20km bike ride and 5km run. The Mum of three trained 6 days a week in the lead up to the event which included swim squad at 5am. While the training schedule proved challenging it was worth it to be able to fulfil her dream of representing Australia. Megan began competing in triathlons as a way to get fit after having three children and she never expected it to take her to Switzerland or to compete for Australia. Congratulations Megan on smashing your goals and I look forward to hearing what is next for you.

## THE HILLS POLICE AREA COMMAND AWARDS CEREMONY

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Police and Emergency Services)**—I was honoured to attend The Hills Police Area Command (PAC) Awards Ceremony at Castle Hill RSL on Friday, 20 September 2019 hosted by The Hills Police Area Commander, Superintendent Jason Joyce. Joined by the Member for Castle Hill, Ray Williams, and Mayor of The Hills Shire Council, Dr Michelle Byrne, we recognised and paid tribute to the high standards of courage, honour, and duty of our local heroes in blue. I congratulate all award recipients who work tirelessly alongside the community to keep crime rates low, and I thank Superintendent Joyce for supporting the NSW Police family and organising this event. We turn to the Police in our worst hour and expect them to stand in harm's way to prevent and disrupt criminal activity. As a community, we thank our local Police who do an extraordinary job attending to incidents, targeting criminals, and supporting victims of crime.

## CLONTARF FOUNDATION

**Mr TIM CRAKANTHORP (Newcastle)**—Today I recognise the work of the Clontarf Foundation, a not-for-profit organisation that work to improve the education, employment and life skills of young Aboriginal and Torres Strait Islander men. Launched in 2000 with one academy in Western Australia, the innovative program has been rolled out to almost 130 schools across the country and caters for over 8000 participants. Rugby League is a strong focus of the Clontarf Academy in New South Wales, where the sport is used to teach valuable skills like teamwork and discipline, as well as boost self-esteem and improve school attendance rates. This year an

Academy was welcomed to Newcastle High School and last month I was fortunate to be able to participate in one of their football training sessions. That morning I was impressed by the enthusiasm, engagement and genuine enjoyment that was exhibited by the boys involved, which is a testament to the sterling work being done by Daniel Fitzhenry, Mick Riddle and Brad Tighe. The Clontarf Foundation is a fantastic addition to the Newcastle community.

#### **CHERRYBROOK RESIDENTS ASSOCIATION**

Last weekend I attended the annual general meeting of the Cherrybrook Residents Association. Hearing from representative organisations like the Association is an important part of my role as the Member for Epping and I am very grateful for the invitation to attend and speak at this event. I was happy to give updates to the Cherrybrook community on local issues such as bus services, the Cherrybrook Station Precinct and road infrastructure. These are issues that mean a lot to people and have the potential to make a difference in people's lives as well as change the suburb as a whole.

It is for these reasons that I will continue to advocate on behalf of my constituents and ensure that their voices are heard. I would like to thank everyone who came along and for the excellent questions that were asked. I also encourage all members of the community to contact me should they want to discuss any state or local issue. Thank you to Charles Adderley and Herman Monserrat, and the Association executive for organising the event and for the hard work you do in the Cherrybrook community.

#### **WESTERN SYDNEY YOUTH CONFERENCE**

**Mr RAY WILLIAMS (Castle Hill)**—It was recently my pleasure to represent the Premier and the Minister for Western Sydney at the 'What's Up West' Western Sydney Youth Conference. The Conference was hosted by Youth Action, a young person's advocacy and support organisation which works with young people across NSW. Opening the Conference provided a wonderful opportunity to talk to 300 young leaders from high schools across Western Sydney about the modernisation of our infrastructure and the opportunities that will be available to young educated people from Western Sydney in the future. Particularly in areas surrounding Badgery's Creek airport and the rapid investment of global businesses in the new Aerotropolis which will provide the high tech jobs of the future. My thanks go out to Krissy Stapleton and Jacquie McKenzie whose work in organising the conference, alongside their continued work with the Youth Action Organisation is of much service to our NSW and Western Sydney Young People.

**The House adjourned, pursuant to standing and sessional orders, at 20:04 until Thursday 14 November 2019 at 09:30**