



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Seventh Parliament  
First Session**

**Tuesday, 24 March 2020**

Authorised by the Parliament of New South Wales



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# LEGISLATIVE ASSEMBLY

**Tuesday, 24 March 2020**

**The Speaker (The Hon. Jonathan Richard O'Dea)** took the chair at 12:00.

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

*Business of the House*

## FACEBOOK STREAMING OF PROCEDURES

**Mr ANDREW CONSTANCE:** By leave: I move:

That this House authorises the livestreaming of today's proceedings on Facebook.

**Motion agreed to.**

## SESSIONAL ORDERS

**Mr ANDREW CONSTANCE:** By leave: I move:

That the following sessional orders be now adopted:

### POSTPONING MEETING TIMES

That, during the current session, unless otherwise ordered, the following Sessional Order be adopted:

**47A.**

- (1) When the House is not sitting the Government, in the public interest, may in writing to the Speaker or, in the absence of the Speaker, the Deputy Speaker, request an alternative day or hour for the next meeting of the House. If satisfied, the Speaker shall:
  - (a) Fix a day and time; and
  - (b) Communicate the day and time to all Members.
- (2) The Speaker's notification to each Member may be by electronic means.
- (3) This Sessional Order operates for the remainder of this session.

### PROCEDURE FOR DIVISIONS

That, during the current session, unless otherwise ordered, Standing Order 180 shall read as follows:

**180.**

When a division has been called for:

- (1) The Speaker shall state the question and appoint two tellers for each side.
- (2) Tellers may not decline to be appointed unless excused by the Speaker.
- (3) The Speaker shall order the division bells to be rung for 4 minutes and will allow a further 10 minutes for all Members voting in the division to reach the Chamber.
- (4) Members shall present themselves by entering the left and right doors to the Chamber from Speaker's Square— Ayes to the right and Noes to the left of the Chair.
- (5) After registering their vote with the tellers, each member will exit via the Chamber side doors to the Speaker's corridor and the Wentworth Room.
- (6) If, after the 14 minutes allocated for members to proceed to the Chamber, Members are still arriving to vote, the duration of the time allocated for the division may be extended at the Speaker's discretion.

### ELECTRONIC TRANSACTIONS

That, during the current session, unless otherwise ordered, the following Sessional Order be adopted:

- (1) All references throughout the Standing and Sessional orders to the requirement for matters to be authorised or transacted in writing, will be met through electronic transmission of documents bearing clearly displayed signatures.
- (2) The electronic transactions process operates for the remainder of this session.

### TABLING AND PRINTING OF PAPERS

That, during the current session, unless otherwise ordered, Standing Order 266 shall read as follows:

**266.** The following procedure shall apply for the tabling and printing of papers:

- (1) Ministers shall announce tabled papers at the time provided in the Routine of Business or at other times by leave of the House.
- (2) Papers that are to be deemed as tabled, by way of a Minister's announcement in the House, must have been provided in electronic copy, under the Minister's written authority, to the Table Office by 12.00 noon on the day of tabling, or at least two hours before.
- (3) Papers received in accordance with paragraph (2) are authorised for publication, including to the Parliament's website.
- (4) The Leader of the House, on a subsequent sitting day, may give a notice of motion regarding the printing of papers tabled. Consideration of this motion shall be Business with Precedence.
- (5) Alternatively such motion may be moved without notice at any time.
- (6) The question on the motion is open to amendment and debate.
- (7) Any Member may speak on the motion for up to 3 minutes, including the Minister in reply.
- (8) The Speaker may call on the Minister to reply if the debate exceeds 30 minutes.
- (9) The provision for the tabling of papers, in accordance with paragraph (2), operates for the remainder of this session.

#### **TABLING OF PAPERS WHEN THE HOUSE IS NOT SITTING**

That, during the current session, unless otherwise ordered, the following Sessional Order be adopted:

##### **266A.**

- (1) Where, under any Act, a report or other document is required to be tabled in the House by a Minister, and the House is not sitting, such report or document may be lodged with the Clerk.
- (2) Any report or document lodged with the Clerk is:
  - (a) On presentation, and for all purposes, deemed to have been laid before the House,
  - (b) To be printed by authority of the Clerk,
  - (c) For all purposes, deemed to be a document published by order or under the authority of the House; and
  - (d) To be recorded in the Votes and Proceedings of the House.
- (3) Provision for the tabling and publication of papers in accordance with this Sessional Order operates for the remainder of this session.

#### **PRINTING AND PUBLICATION OF PAPERS AND DOCUMENTS**

That, during the current session, unless otherwise ordered, the following Sessional Order be adopted:

##### **266B.**

Unless otherwise ordered, any reference to printing in the Standing and Sessional Orders is taken to mean publication, including by electronic means.

##### **Motion agreed to.**

#### *Members*

#### **LEAVE OF ABSENCE**

**Mr ANDREW CONSTANCE:** I move:

That due to the COVID-19 virus, leave of absence be granted to every member of the Legislative Assembly from the rising of the House this day to the date of its next sitting.

##### **Motion agreed to.**

#### *Business of the House*

#### **SUSPENSION OF STANDING AND SESSIONAL ORDERS: GOVERNMENT BUSINESS**

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Roads) (12:00:40):** I move:

That standing and sessional orders be suspended at this sitting to:

- (1) Permit the introduction without notice forthwith and passage through all stages of:
  - (a) COVID-19 (Emergency Measures) Bill; and
  - (b) Treasury Legislation Amendment (COVID-19) Bill.
- (2) Provide for the following routine of business for the remainder of the sitting:
  - (a) Government business;
  - (b) The Speaker to leave the Chair until the ringing of one long bell;

- (c) Upon the Speaker resuming the Chair, consideration of any messages from the Legislative Council;
- (d) Moving of a motion to amend the Days of Meeting; and
- (e) The House to adjourn without motion moved.

The Leader of the House for the Opposition is going to say a few words. I particularly thank him for working cooperatively with the Government over recent days. I also acknowledge the work of the Leader of the Opposition and the Premier on this issue. I single out the member for Lake Macquarie, who yesterday took a call on my behalf to share information that is relevant for the procedures of the House today with the crossbench. This is a serious issue and we want to ensure that these bills are passed quickly today. I thank the House for that understanding. As a result, there will be a speaker from the Government, a speaker from the Opposition and we will facilitate that with the crossbench. This legislation needs to go through to the upper House by 2.30 p.m. with the commencement of its government business. We will wait until the ringing of a long bell for the return of those bills.

**Mr RYAN PARK (Keira) (12:02:15):** On behalf of the Opposition I acknowledge my colleague and opposite number, the Minister and member for Bega. I also take the opportunity to acknowledge the Premier, who I know has been in discussions with the Leader of the Opposition. This is a very difficult time for our community. We gave the commitment yesterday, and we will continue to honour that commitment, that we will pass this legislation to ensure that funding, protections and every single available opportunity is provided to try to stop the transmission of this virus. The people of New South Wales are watching us carefully today; they expect us to behave ourselves in a spirit of bipartisanship, and that is what they will get. I look forward to working with the Government over what will be a very, very difficult few months.

**Mr GREG PIPER (Lake Macquarie) (12:03:01):** I will be very brief. I request clarification as to the intentions of the Government in relation to the sitting of the House and the return subsequent to the House rising. I understand that the other place will be setting a time frame and I ask the Leader of the Government in this House to clarify that.

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Roads) (12:03:32):** By leave: First of all, we are empowering the Speaker to have the House sit at any time. Given what our community is facing with the COVID-19 virus, there could be occasions when the House does need to sit to deal with emergency legislation. At this stage the upper House has a requirement to give six months' notice, which we will be mirroring, of changes to the sessional orders and the postponement of meeting times. When the House is not sitting, the Government, in the public interest, may, in writing to the Speaker or, in the absence of the Speaker, the Deputy Speaker, request an alternative day or hour for the next meeting of the House.

If satisfied, the Speaker shall fix a day and time, and communicate that day and time to all members. The Speaker's notification to each member may be by electronic means and the sessional order operates for the remainder of this session. The key point I make again is that we are in very tough times and for that reason we need to have flexibility with the sitting times of the House. The House will be recalled as necessary in the interests of our community, given what we are facing and will continue to face with the pandemic. Hopefully we will be able to get life back to normal as quickly as possible.

**The SPEAKER:** I will give the member for Newtown the call. However, I have been informed that there is no sound on the webcast at the moment. I am aware that a lot of members who are not in the House may be following the proceedings of the House remotely. I want to finalise this matter. If the audio problem is not resolved I may suspend the sitting for a short period.

**Ms JENNY LEONG (Newtown) (12:05:38):** By leave: I appreciate that we are all trying to work through this quickly. While I appreciate the communication that has occurred with the crossbench through the member for Lake Macquarie, details were not communicated about a time for the House to return. I believe it is important to express concerns on behalf of The Greens that that would sit purely with the Speaker. My understanding was, at least in relation to some of those conversations and in relation to the upper House, that we were setting some date for a return. That is what our Federal colleagues did when the Federal Parliament rose. I am seeking clarification if it is being suggested that on passing this motion there would be no return date until such time as the Speaker would call it, or if there is a majority request from the House. That would be of serious concern to The Greens given the important need, as we have identified, for all of us to come together to show clear leadership at this time.

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Roads) (12:06:39):** By leave: After the debate I will move a motion for the House to reconvene in September. The point I make is that between now and then there very easily could be the need for the House to sit again. The intention is to come back for the spring session in September. It will be noted that the Federal Parliament has, in essence, risen for six months. What we are doing today is a practical way to ensure that Parliament can sit, should it need to, for emergency legislation or whatever may be required of us as members of Parliament during this pandemic. I hope that clarifies the situation

for the member for Newtown: Parliament will not sit for six months, but it might sit next week if it has to, or the week after. During this time, for very obvious reasons, we are maintaining the ability for the Speaker to recall the House if need be.

**Ms JENNY LEONG (Newtown) (12:07:53):** By leave: I appreciate that we are trying to get through a number of things and that everyone has been working on that. Given that all of us have been hearing that it may be necessary for Parliament to resume earlier than September, I do not understand the need to deal with the issue of Parliament not returning for six months. We all would probably accept that there is a need to return before then. I am not sure why, given the debate we need to have on the bills, we need to set that provision for six months when we know we are here for at least the rest of the day. We can have some other conversations to see whether we can agree to setting a time limit that is sooner than six months to see where things are at. I do not see the urgency to agree on the six months' deferral right at this minute. At the moment we need more democracy, not less.

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Roads) (12:08:48):** In reply: I note what the member is saying, but it is obviously appropriate now for this motion to be put.

**The SPEAKER:** Before putting the question, I will suspend the sitting for a short period of time. I understand that the audio problem is still not resolved. I want to take some advice on the problem before we move to a vote.

The House will resume on the ringing of one long bell.

**The SPEAKER (12:57:58):** Today is a day like none other in the history of this Parliament. I thank all members and staff of the Parliament for finding a solution to enable the House to sit under such unique circumstances. One of the notable changes is the spacing of members in the Chamber. We have also had a technical issue, which means that there has been no audio to accompany the video broadcast for the first part of today's proceedings. Thankfully, Hansard staff were able to recover the audio and a transcript of the proceedings will be available on the Parliament's website later today. An additional mechanism that has been put in place is a live stream to Parliament's Facebook page. Hopefully, later today we will hopefully rectify the more permanent audiovisual failure, which is currently being worked on by technicians.

Also, given the important nature of today's proceedings, it is prudent to give a brief recap on where we are up to. A number of proceedings have occurred already, including authorisation to live stream to Facebook and a number of procedural motions have been moved by the Leader of the House, including that some standing and sessional orders be suspended at this sitting. The Opposition and crossbench replied to those motions with no fundamental objections. I see nodding from everyone in the Chamber. Does the Leader of the House want to say anything further before I put the motion?

**Mr ANDREW CONSTANCE:** Put the motion please, Mr Speaker.

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

**Motion agreed to.**

#### *Bills*

### **COVID-19 LEGISLATION AMENDMENT (EMERGENCY MEASURES) BILL 2020**

#### **First Reading**

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

#### **Second Reading Speech**

**Mr MARK SPEAKMAN (Cronulla—Attorney General, and Minister for the Prevention of Domestic Violence) (13:00:13): I move:**

That this bill be now read a second time.

The COVID-19 Legislation Amendment (Emergency Measures) Bill seeks to prepare New South Wales services and institutions for the impacts of COVID-19 in line with critical health advice. Broadly, the bill seeks to do three things: first, to take immediate steps to address existing barriers in our laws that may get in the way of social distancing; second, to empower our agencies and institutions with the capacity to continue functioning; and third, to build in flexibility so that the Government is able to act further as the public health emergency evolves. Some of the amendments in the bill are extraordinary, which is why they generally have sunset clauses of between six months to 12 months. The Leader of the House has asked me to be brief, so I will not go into detail with many of the substantive amendments in the bill.

The bill amends the Criminal Procedure Act 1986 to enable a judge to order that a relevant witness can give evidence by having their evidence recorded in advance of the trial, to enable a record of evidence given in the trial proceedings to be admissible in a subsequent trial, to facilitate more judge only trials, and to introduce a general regulation-making power for exceptional circumstances. This empowers regulations that will provide for altered arrangements for criminal proceedings, apprehended violence order proceedings, bail sentencing and the administration of sentences. The regulations made under this provision can override the provisions of any Act or other law and are not limited by regulation-making power in a relevant Act.

There are key safeguards as the Minister may only recommend to the Governor that regulations be made if: first, Parliament is not currently sitting and not likely to sit within two weeks after the day the regulations are made; second, in the Minister's opinion the arrangements made by the provisions are consistent with advice issued by the Minister for Health and Medical Research or the Chief Health Officer and are reasonable to protect the health, safety and welfare of persons in relation to the administration of justice; and third, where relevant the Chief Justice and if applicable the head of the jurisdiction of a court directly impacted by changes, consents. The regulations will lapse either six months after they are made or immediately upon resolution of either House. This will enable further changes so that the courts can continue to comply with the evolving guidance during this pandemic. It is an extraordinary provision but these are extraordinary times.

The bill amends the Evidence (Audio and Audio Visual Links) Act 1998 to facilitate increased use of audio visual links [AVL] in court proceedings. There will be a presumption in favour of AVL for bail appearances. The court will also have the power to direct the use of AVL in hearings and trials, including fitness hearings. It also includes a regulation-making power to exclude certain matter types. The court will have power to direct the use of AVL for appearances by witnesses and legal representatives, including the prosecutor. The bill amends the Jury Act 1977.

The bill amends the Crimes (Domestic and Personal Violence) Act 2007 to extend the period of time in which the listing of an application constituted by a provisional apprehended domestic violence order or apprehended personal violence order made by a police officer must occur from not more than 28 days to not more than six months after the making of the provisional order. The existing requirement to list the provisional order on the next date on which the matter can be listed on a domestic violence list at the appropriate court will not be changed. The bill introduces amendments to ensure powers are in place in the youth justice system and the adult correctional system to protect the health of offenders, staff and the community. The Commissioner of Corrective Services and the secretary of the Department of Communities and Justice will have powers to restrict any person visiting an adult correctional facility or a youth justice detention centre with limited exceptions.

The bill seeks to provide us with powers we hope we will never have to use but the evolution of the pandemic may require it. This includes amendments to the Crimes (Administration of Sentences) Act 1999 to give the Commissioner of Corrective Services the flexibility to release certain inmates early on parole in response to COVID-19. This flexibility is necessary to give the commissioner the capacity to protect the health of inmates and correctional services staff and ensure the good order and security of correctional premises through the emergency. The Government contemplates that if the power were used it would be in relation to lower risk or vulnerable inmates to be prioritised for potential release, such as older inmates nearing completion of their sentence.

The bill creates a power for the Government to make regulations to determine a class of inmates for potential conditional release and allows the Commissioner of Corrective Services to grant parole to those inmates. This will be possible for eligible inmates, irrespective of whether their non-parole period has expired. However, certain classes of inmates will be automatically disqualified from being considered for parole. The commissioner will not have the power to release an inmate serving a life sentence, a sentence of imprisonment for murder, a serious sex offence or a terrorism offence. I will shortly be providing a Government amendment that will list further exclusions.

While the commissioner already has the power to release inmates into the community on temporary leave permits, the parole framework is being used as it is designed to manage the transition from Correctional Services to the community and includes supervision of inmates by Community Corrections and management by the State Parole Authority. The conditional release of an inmate will be subject to the standard conditions of parole, which are that the parolee must be of good behaviour, must not commit any offence and must adapt to normal community life, and any other conditions the commissioner considers appropriate. There is no limit to the conditions the commissioner can impose, which could include home detention and electronic monitoring. These are broad and extraordinary powers, but necessary to respond to the grave risks posed by the COVID-19 pandemic and to control physical contact in places of detention.

The bill amends the Civil and Administrative Tribunal Act 2013 [NCAT] to provide greater discretion to manage the work of the tribunal during the public health emergency, in particular, for the Guardianship Division

generally and for the Administrative and Equal Opportunity Division in relation to functions under the Public Health Act 2010. The bill changes requirements under the NCAT Act relating to providing reasons for decisions. Courts will be able to extend the period of time in which an appeal or application for review of tribunal decisions can be made. The Government will be empowered to make regulations to modify any legislation relating to, first, the time periods within which anything must be done in connection with the tribunal and, second, the practice and procedure of the tribunal.

The bill amends the Electronic Transactions Act 2000 to create a regulation-making power that will allow for regulations to provide for alternative mechanisms for signing and witnessing documents in light of restrictions on interpersonal contact due to COVID-19. The bill amends the Child Protection (Working with Children) Act 2012 to enable the Children's Guardian to extend clearances, where appropriate, to help prevent any unforeseen disruptions to services as a result of COVID-19. The bill amends the Constitution Act 1902 to enable the Executive Council and the Governor to continue to perform key functions and operate in an environment consistent with the evolving health advice.

The bill amends the Subordinate Legislation Act 1989 to keep 13 regulations due for automatic repeal on 1 September in force for a further period of, generally, one year. The bill amends the Environmental Planning and Assessment Act 1979 to allow the planning system to respond. If we need to construct a COVID-19 clinic, we need, for the period of this crisis, to have the unfettered ability to be able to do that. The bill amends the Local Government Act 1993 to allow councils to continue to meet and members of the public to observe their meetings in a way that does not expose participants and attendees to the risk of transmission of the COVID-19 virus. For six months councils and their committees will be able to meet remotely using audiovisual links or, if not available, in any other manner approved by the Minister for Local Government. That may be extended to 12 months by regulation.

The bill amends the Retail Trading Act 2008 to allow supermarkets to open during the April public holidays for this year only. To relieve pressure on the health system and general practitioners, in particular, the bill amends the Motor Accident Injuries Act 2017 and the Workers Compensation Act 1987 to allow a relevant allied health professional to provide certification of ability to work. The bill amends the Public Health Act 2010. It will dispense with the requirement to make an application for confirmation within three working days in respect of a public health order made in relation to a person who has been exposed to COVID-19.

Changes will also be made to allow a police officer to arrest a person who breaches a public order and to return them to their home or place of detention. There will be an amendment to the bill as circulated in relation to this insofar as it affects homeless persons. The bill will allow police officers to act as authorised officers under the Public Health Act for certain purposes, being to issue a penalty infringement notice and demand a person's name and address. The bill amends the Private Health Facilities Act 2007, the Health Practitioner Regulation (Adoption of National Law) Act 2009 and the Mental Health Act 2007. The bill will commence on assent. The bill will provide for transitional arrangements that will enable action taken under these extraordinary powers to remain valid post the sunset period.

In commending the bill to the House I thank the Opposition and crossbench MPs for their speedy response—I should say urgent response—and, in particular, the member for Liverpool and Mr David Shoebridge in the other place. I thank all those frontline service workers in the fight against this virus. They are the new Anzacs. They include all of our medical profession, nurses and other hospital staff. They include general practitioners, intensive care specialists, even intensive care specialists in training like my daughter Kate.

Like many health professionals dealing with this crisis, when she is not caring for patients she is practising social isolation to the maximum extent possible so that if she contracts this dreadful, capricious virus she will not pass it on to us. Normal familial affection is over for the time being, but I am looking forward to our next family dinner. Kate will be there via FaceTime. It will be good to see her and to thank her and her colleagues for their tireless efforts. I reassure her, her colleagues and all the citizens of New South Wales that this Parliament will do all it can to help her, her colleagues and the communities of this State to defeat this virus so that we can return to enjoying the freedoms that we so cherish and that we all hold so dear once this crisis has passed. I mentioned some amendments earlier. I understand now that they will be moved in the other place. I commend the bill to the House.

### Second Reading Debate

**Mr PAUL LYNCH (Liverpool) (13:11:20):** I lead for the Opposition on the COVID-19 Legislation Amendment (Emergency Measures) Bill 2020. The Opposition does not oppose the bill. Our general attitude towards this issue is, obviously, one of support for the Government in a very constructive way. The bill enacts extraordinarily wide measures regarding significant pieces of legislation in this State, but we are living in

extraordinary times. Labor understands that extraordinary measures are needed to allow the justice system to continue to function.

I first saw the bill in draft form late yesterday. I am happy to acknowledge that the Attorney briefed me on Saturday about some of its provisions, so the bill has been subject to some consideration on this side of the House. Significantly, whilst there are extraordinary provisions in the bill, most of them are time limited to no more than 12 months. That is entirely appropriate and as it ought to be. One common theme in many clauses of the bill is an extraordinarily broad regulation-making power to allow amendments to principal Acts. They are what some might call Henry VIII clauses where a regulation can be proclaimed, allowing us to move to amend the Act itself. In normal circumstances people from my tradition would die in a ditch fighting that, but it is entirely appropriate at this particular point in history in this State that provisions such as that are supported, albeit with a time limitation.

Schedule 1 to the bill, which amends the Criminal Procedure Act 1986, allows the use of pre-recorded video evidence. That was a matter of some controversy with the New South Wales Bar Association. I do not intend to go through every item in great detail, but I note that, in relation to those provisions of the bill, it is clear there has been some constructive discussion between the New South Wales Bar Association and the Attorney's office, and the end product here has clearly been drafted as carefully as it can be. I note the changes to judge-alone trials. Importantly, in my view, the accused's veto has been retained in those provisions and the change that has been moved is entirely sensible. The Attorney referred to section 366. I mentioned it earlier in the sense that section 366 is the classic Henry VIII clause in this bill, but in extraordinary times it is appropriate.

The proposed changes to local government are significant. Certainly they allow the Minister to postpone elections if the Minister believes it is reasonable in the circumstances to do so. That postponement seems absolutely unavoidable. I note that my colleague the shadow Minister for local government, Greg Warren, called for that last week. Council meetings can be held remotely by AVL. There is, once again, a profoundly broad regulation-making power granted to the Minister.

There are a number of changes to the NSW Civil and Administrative Tribunal. The one that has stirred some controversy is the reduction in the numbers on the panel from three to two in relation to guardianship applications. The Council for Intellectual Disability contacted me and another shadow Minister about that last week. My response to that is simply that because it is a time-limited reduction it seems that the items of principle they raise do not prevent the legislation being supported. The Commissioner for Corrective Services is able to release inmates to parole, separately to any other parole scheme, as a matter of practicality. That cannot be used in any massive way simply because if too many people were released on parole, services would not be able to cope, so there is a natural slowing-down mechanism contained in the way that will operate.

Finally, the one matter that caused this side of the House some difficulty is the allowing of retail trading on each of Anzac Day, Good Friday and Easter Sunday. The Opposition has long opposed allowing trading on those days. It has clearly been a matter of strong political contention for some time. On this side of the House, we believe that personal, family and community time is absolutely vital, especially after the stresses that various communities have experienced. The community as a whole, but retail workers as well, have gone through drought and bushfires, experienced flood and terrible storms and now are facing the enormity of COVID-19. It is imperative that we realise we are a community—a society composed of individuals and families—not merely an economy. That is why we believe that on just a small handful of days each year there should be no shop trading. I note the hard work of our retail workers and their need to be with their family and friends to have a rest. We also note the desire of their families for this.

I acknowledge the work of the Shop, Distributive and Allied Employees Association on this issue, particularly the Newcastle and Northern Branch. The bill permits trading on each of those days for this year only. The drastic circumstances we are now in require that to occur. We must ensure there are as few obstacles to the restocking of supermarkets as possible to give the community confidence that what they need will still be on the shelves when they go to the shops. It also helps to guard against large crowds attending and the risk of spreading infection that that creates. Arguably, it reduces the risk of hoarding by some customers.

We do not accept that it was necessary to have proceeded with this and we asked the Government not to include it in the legislation. However, granted our general approach to those issues and, as a responsible Opposition, we have made a commitment not to stand in the way of the measures to address this crisis. We made that commitment and we will stick to it. Despite some misgivings, the Opposition will not oppose those measures. We note that the bulk of the measures in the bill are, of course, time limited, and that changes to shop trading hours are for this year only. I could spend a lot longer talking about a bill like this, but that would be entirely inappropriate. I commend the bill to the House.

**Mr ALEX GREENWICH (Sydney) (13:07:16):** The COVID-19 Legislation Amendment (Emergency Measures) Bill 2020 provides Ministers with extraordinary powers around justice, health, planning, local

government and trade. These are extraordinary times and these powers are important to ensuring social distancing can take place across all parts of society. This is the most vital measure to keep the community safe. I thank all Government Ministers, members and staff for being so responsive to ideas and requests for help during this time. I thank the Minister for Local Government and her office for providing ways to keep local government operating and using technology in acknowledging the role of Local Government NSW and the City of Sydney in suggestions and also the contribution of councillors Harriet Price and Pauline Lockie, who both raised the need for teleconferencing after their council meetings were cancelled.

Measures in the bill will enable local government elections to be postponed. This is vital. Now is not the time for political campaigns. Now is the time to address the health and economic crisis we are all facing. I acknowledge and thank the Attorney General and the Government for addressing this urgent situation and recognising that we may need to come back to extend or improve measures in the bill. I appreciate the Government's openness to this during this unprecedented time. The measures in the bill will ensure that the enforcement and adherence to social distancing can be met. I commend the bill to the House.

**Mr GREG PIPER (Lake Macquarie) (13:18:48):** These are extraordinary times and that has been noted. While the times weigh heavily on us, it is the responsibility of each and every one of us to rise and support our communities. I acknowledge all Government members who have been doing so, but I also acknowledge Opposition members who have come together to work as I think people would like to see the Parliament work. I thank the Attorney General for his personal briefing this morning on the COVID-19 Legislation Amendment (Emergency Measures) Bill 2020.

I acknowledge that it is a wideranging bill that covers many areas. One area that is particularly controversial and perhaps normally would be contested is changes around the criminal justice system. But I note once again that it is considered, and I agree, that these are extraordinary circumstances in which they should be taken in good faith. I know that is how they are offered up and have been crafted by the Government. I make particular reference to two matters, which perhaps the Attorney General can address specifically in his reply. The first relates to changes to provisions of the Environmental Planning and Assessment Act:

**10.17 COVID-19 pandemic—Ministerial orders**

- (1) During the prescribed period, the Minister may, by order published in the Gazette, authorise development to be carried out on land without the need for any approval under the Act or consent from any person.

This would seem to be an extraordinary provision unless you read part (5) (b):

- (5) The Minister may make an order under this section only if the Minister—

...

- (b) is reasonably satisfied that the making of the order is necessary to protect the health, safety and welfare of members of the public during the COVID-19 pandemic.

If it is applied as I understand it should be, and I would like the Attorney General to address that, this cannot be used for any purpose other than the direct provision of facilities to address the COVID-19 pandemic—not for economic stimulus or some such. I believe that that is the case and I thank the Attorney General for speaking to that earlier. I also want to touch on the Local Government Act 1993 amendment No. 30 and section 318B Postponement of elections. We all understand those amendments are obviously intended to provide flexibility for the Minister to set aside the requirement for an election in September this year if that is required for a particular period. I would ask that once those provisions are passed, the Minister act quickly on this to give some certainty to councils and prospective candidates who would be preparing for it. Councils do not need that distraction if elections are going to be postponed. I would like that to be done quickly.

On other matters the bill provides sensible measures to provide for remote attendance of council meetings by way of audiovisual means or other ways approved by the Minister. However, there is no specific provision for or discussion of how we ensure the participation of the public in those roles, because they will be largely set aside from those mechanisms. That should be addressed perhaps by the Attorney General, but probably more by the Minister soon after those measures are passed. This should be the case in all areas in which there is an approval process—that we continue to make sure that members of the public are part and parcel of the process. We are making big provisions, but we should not be setting all of those aside. That is all I wish to say on today. I once again thank the Government for the opportunity.

**Ms JENNY LEONG (Newtown) (13:23:17):** On behalf of The Greens I make a brief contribution to this unprecedented COVID-19 Legislation Amendment (Emergency Measures) Bill 2020. I flag that my colleagues in the other place, Mr David Shoebridge, Ms Cate Faehrmann and Ms Abigail Boyd, are looking at the specific measures around justice, local government and domestic violence protections. They are also looking at ensuring consultation with health and mental health sectors. I echo the concerns raised in relation to the Environmental

Planning and Assessment Act provisions for ministerial orders. I also flag that my colleague Mr Jamie Parker has been looking at those. The Greens wish to look at whether further limits can be placed on those or whether they can be clarified at least, because those powers seem to be broad.

I also flag—and I acknowledge the Attorney General referred to the fact that we are moving at a rapid pace—that The Greens have a specific concern about homeless people under the Public Health Act provision changes. If someone was not complying with an order and police were required to return that person to their place of residence, that obviously does not work for anyone who is sleeping rough or who is homeless. We have circulated an amendment that seeks to refer those people to whatever is the appropriate place for them to be returned, as is articulated by the Department of Communities and Justice through the Link2Home phone number and officers. However, I understand an alternative amendment is being drafted. We hope the Government will bring that change into the other place to address that issue.

The Greens are also concerned that no protection is being offered or provided in this legislation to people who are currently at risk of being evicted from rental properties into homelessness in this State. We have been calling for a moratorium on evictions. As I understand it, there may be some shifts around measures for renters through the National Cabinet meeting tonight. However, we need some assurances that the New South Wales Government is taking the plight of renters seriously. Day by day every member would be receiving messages from people required to move out of their rental accommodation or who are fearful that that will occur.

I strongly request consideration of proposed amendments of The Greens in the other place that will seek to provide broad-ranging but limited ministerial order provisions to enable the Ministers responsible for the Residential Tenancies Act, the Boarding Houses Act, the Residential (Land Lease) Communities Act and the Retail Leases Act in relation to both residential and commercial tenancies to make regulations to ensure that people are not evicted into homelessness during this crisis or slugged with the accrual of unmanageable and massive amounts of rental debts during this time. These assurances, although they do not need to be articulated today, to allow and enable ministerial orders to ensure that changes could be made for both residential and commercial tenants to be provided with relief in this current pandemic are absolutely essential.

While I appreciate that the National Cabinet is working on these measures right now, according to the information that we have, people are already giving notice on their properties. As of now, they are moving back home and they are suffering financial stress. Any indication that we could give by specifically referring to ministerial orders around both residential and commercial tenancy would provide much-needed assurances to people while these things are developed. We are not attempting to rush changes right now because we do not have all the answers. We are saying there needs to be a clear message to people who are currently deciding whether to close their business or determining whether they have to move back in with people into an unsafe environment because they are renting and they cannot afford to pay their rent.

We need to give them a clear assurance today that plans are in place to introduce those measures and put a moratorium on evictions in New South Wales. I appreciate we need to follow national structures, but we also need to recognise that right now people are making the decision to move back in with maybe an abusive partner because they can no longer pay rent because they have lost their jobs. People have decided to close cafes or shops because they do not believe or know that potentially rent relief is coming their way. We can put a stop to some of those impacts that will have detrimental consequences down the track by putting some of those protections and provisions in place. It is clear that big moves are afoot.

As I raised earlier, it is really important that this Parliament is sitting to make those changes. The strong view of The Greens is that we should not put a hold on our parliamentary sittings for six months. It is our strong view that we need to be in this place in whatever way, by whatever systems we can establish, to show that we are providing a multipartisan leadership approach to dealing with this crisis. In the middle of this pandemic we should not see less democracy and less accountability. It is exactly at these times that we need to see more cooperation and more collaboration.

We need to make sure that those who are making those decisions are held to account. We also need to ensure that there are ways to raise concerns in the community for those who are vulnerable or forgotten, or who have slipped through the cracks. I thank everybody, particularly those Ministers, officers and staffers who have been working collaboratively and collectively with us responding to immediate issues and needs on the ground in all of our communities. I am sure we have all had positive experiences with that. I put on record that The Greens thank all of those who are working overtime to be able to do that.

**Mr MARK SPEAKMAN (Cronulla—Attorney General, and Minister for the Prevention of Domestic Violence) (13:29:17):** In reply: I thank members representing the electorates of Liverpool, Sydney, Lake Macquarie and Newtown for their contributions to this debate. I will deal with one matter that the member for Lake Macquarie raised and that is the extent of the amendment to the Environmental Planning and Assessment

Act 1979. The Minister can only make an order if he—and it is a "he" at the moment—has consulted the Minister for Health and Medical Research and is reasonably satisfied that the making of the order is necessary to protect the health, safety and welfare of members of the public during the COVID-19 pandemic. So it is a circumscribed ability to make orders. For example, the power as set out in the bill will allow the Minister to approve the conversion of business and buildings and land into vital services, to transform buildings into temporary hospitals, to transform community centres into homeless shelters and to convert restaurants to dark kitchens. I commend the bill to the House.

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

**Motion agreed to.**

### **Third Reading**

**Mr MARK SPEAKMAN:** I move:

That this bill be now read a third time.

**Motion agreed to.**

### **TREASURY LEGISLATION AMENDMENT (COVID-19) BILL 2020**

#### **First Reading**

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

#### **Second Reading Speech**

**Mr DOMINIC PERROTTET (Epping—Treasurer) (13:31:18):** I move:

That this bill be now read a second time.

We come here today united to do everything in our power to safeguard the health of our people. Over the course of this crisis health must be our first priority. We are fighting an invisible killer, unknown to science until just a few months ago. It has already taken a terrible toll elsewhere. In New South Wales it continues to spread. Our heroic medical professionals are on the front line night and day, working to save lives and keep us all safe. We thank them for what they have done and what they will do over this time. Our health services need every resource available—and I have assured the Minister and his department that they will get whatever they need.

Last week an additional \$700 million in funding was made available to double intensive care unit capacity, ramp up testing, purchase additional ventilators and medical equipment, establish acute respiratory clinics, and to free up capacity by bringing forward elective surgeries to private hospitals. We know our health system will come under enormous strain. But we also know our hospitals, and the doctors, nurses and allied staff who work in them are among the very best in the world. They will give the people we love the care they need. And we will support them every step of the way through this difficult time.

The scale of the pandemic is like nothing in living memory. Globally, almost 400,000 people are infected, thousands deceased and tens of millions in lockdown. The virus has brought parts of the global economy to an abrupt halt. In New South Wales we have been tracking the economic fallout for some time. The initial downturn in the number of tourists and students was the canary in the goldmine. Barely eight weeks later we are staring down an economic challenge of immense and unprecedented scale. It is a challenge unlike any other before it. There is no underlying lack of demand. No bubble has burst. There is simply an extraordinary external event forcing many of us to stop what we are doing and shelter in place.

Tourism, travel and hospitality have been hit hard, airlines grounded, cafes closed and our public areas and the businesses that support them deserted. Entire sectors and entire livelihoods have been shut down, suspended or put on hold. Behind all those numbers are people. They are mums and dads paying off a mortgage, trying to put food on the table for their kids; small business owners who treat employees like family, trying desperately to keep staff on; and laid-off workers, who, for the first time, are forced to seek government assistance for the basics of life. In our hospitals, the victims of this virus need ventilators. At this time, our economy and our workers need support too. Forced to close down entire sectors to secure our people's health, we are doing whatever we can to keep the State going.

All this requires us to take extraordinary steps to take the strain and provide a safety net for those who need it, to keep listening, adapting, and responding to urgent needs as they arise. Our key economic responsibilities now are to provide as much support to keep people in jobs, business in business and take care of those most in need. This is not a conventional downturn, where the aim is simply to stimulate demand. Our objective is to preserve the structure of supply, to ensure that as many businesses as possible can remain viable so they can return

to profitability when this storm passes, to ensure that as many workers as possible can be kept in their current employment and to ensure the most vulnerable are looked after.

We cannot choose the circumstances that happen to us, but we can choose how we respond. Our Government has worked without pause to develop the right response for the people of New South Wales. I want to thank the many industry leaders, business owners, community groups and members of the public who have worked with us—contributed ideas, helped us understand their needs and thus contributed to developing our response announced last week. That response is underpinned by five key principles to ensure it provides the maximum benefit to our people. It is timely, temporary and targeted. It complements the efforts of the Commonwealth, the Reserve Bank and industry. It focuses on measures that have beneficial flow-on effects to ensure the biggest and longest-lasting economic boost possible. It is realistic and achievable and finally, but most importantly, it is designed to work with the public health measures that are vital to our collective safety.

The Treasury Legislation Amendment (COVID-19) Bill 2020 makes the legislative changes necessary to enact two key elements of our response. The bill proposes two changes to the Payroll Tax Act 2007 to deliver critical financial assistance to small businesses. The bill firstly provides New South Wales businesses with direct tax relief this financial year. The first proposal is to reduce the annual tax liability of eligible businesses by 25 per cent in 2019-20. This measure is targeted to smaller businesses, with total Australian wages of \$10 million or less a year, which are facing cash flow constraints. To ensure businesses receive this tax relief immediately in the 2019-20 financial year the Chief Commissioner of State Revenue will defer monthly payroll tax payments that would otherwise have been payable in April, May and June 2020. We estimate that this change will deliver savings of \$15,000 on average to 30,000 New South Wales businesses and keep around \$450 million in the New South Wales economy.

The second proposed change to the Payroll Tax Act 2007 will bring forward an increase in the payroll tax threshold amount to \$1 million. In the 2018-19 budget the Government delivered increases in the payroll tax threshold over four years. The threshold was increased from \$750,000 to \$850,000 from 1 July 2018 and to \$900,000 from 1 July 2019. Further increases are legislated to take the threshold to \$950,000 from 1 July 2020 and \$1 million from 1 July 2021. The bill brings forward the increase to \$1 million so that it commences on 1 July 2020. This will keep a further \$56 million in the economy in 2020-21, benefitting around 38,000 businesses that currently pay payroll tax.

The second legislative change proposed is to the Long Service Leave Act 1955. Currently this Act does not offer much flexibility in how much notice an employer must give an employee to take their long service leave or how much leave can be taken. The bill before the House proposes temporary measures that allow less than four weeks' notice to be provided for long service leave, where an employer and employee agree. The bill proposes additional temporary measures to provide greater flexibility and enable employees to access long service leave with less notice. The amendments proposed will sunset initially after six months. However, provisions have also been made to allow the Government to apply those changes for up to 12 months, if circumstances require this.

A number of measures will need to be taken over the course of this period. The situation is changing from week to week, from day to day. We need to move fast, and that may come at the expense of being perfect. This is a marathon, not a sprint, and it is our role to complement the actions of the Commonwealth, the Reserve Bank of Australia and the support provided by the private sector. As gaps appear, we will attend to them and put our people first. I commend the bill to the House.

### Second Reading Debate

**Ms JODI McKAY (Strathfield) (13:39:41):** I speak in debate on the Treasury Legislation Amendment (COVID-19) Bill 2020. The people of New South Wales are living in unprecedented and uncertain times, but this does not mean that we are not familiar with hardship—far from it. We have seen communities across rural and regional New South Wales suffering under what has been the longest drought in the history of this State. We have seen communities the length and breadth of our State ravaged by the scourge of bushfires. However, even after seeing this and going through all this I do not think anyone in our State anticipated just how shocking and how far reaching the consequences of this COVID-19 outbreak would be.

Right now people across New South Wales are worried about getting sick. I understand that and all members of this Parliament understand that. They are worried about their parents and their grandparents, and their elderly neighbours who are living alone. People are worried about whether their children are safe in their schools, TAFE campuses and childcare centres across this State. They are worried, of course, about the spread of COVID-19. They are worried about how it spreads and what is being done to stop it. These are extraordinary times, and such times call for extraordinary measures to protect our community.

During this process Labor will have its own ideas and policies that will respond to the unprecedented consequences of this pandemic. However, we will work with Government—that is the commitment that I have made as the Leader of the Opposition and the Leader of the Labor Party in New South Wales. We will work in a bipartisan way to constructively benefit the people of New South Wales. The welfare of everyone in New South Wales depends on it. It is not just a public health emergency. As the Treasurer has outlined, this is an emergency that deals with a profound economic shock and the consequences of this pandemic in New South Wales. People are concerned about their jobs. Many people do not know how they are going to put food on their table and feed their families—a basic need of families. They do not know how they will be able to keep a roof over their heads, pay their mortgage payments, meet their rent each week and continue to run their businesses.

Yesterday we saw images of the lines of people outside Centrelink offices around the country. It broke my heart, and I know that it affected every member of this House. Those lines were made up of tens of thousands of Australians whose lives have been thrown into utter chaos. Those people thought they had jobs that they could count on and businesses that were viable. Their lives seemed secure and happy, until suddenly and shockingly they were not. To all those Australians I say this: The Labor Party will stand with you and your families through these hard times and in the days ahead. We will fight to keep food on your table. We will fight to keep a roof over your head. We will fight to keep your businesses afloat. We will fight to make sure that no-one is left behind or found wanting. We will fight to make sure that there is work that pays a decent, dignified living wage for everyone who needs it. This is why we meet today as a Parliament and why we make the unprecedented decision to suspend the Parliament later today. This is why I stand here as Leader of the Opposition and give my support to the Treasurer on this very important bill.

We will act constructively and support it, but it is simply not sufficient. This measure provides a payroll tax holiday for 30,000 businesses, but it leaves some 700,000 businesses behind. These are our smallest businesses. These are our cafes and our restaurants, our drycleaners, our hairdressers, our corner stores, people who employ three people or five people and will be the first to go in this shocking downturn. It also does nothing for the thousands of workers losing their job, and it does nothing to protect the casuals and the contractors. We expect a much larger and far more comprehensive stimulus from this Government that puts money into the hip pockets of small businesses and working people who are doing it tough, not just big businesses. That is why we support the bill as a first measure.

The bill also allows people to more easily access their long service leave in these current difficult circumstances. We also support that measure in the bill. We will support these changes. However, we believe a far better solution to support workers during this time would be a proper wage guarantee like we are seeing in the United Kingdom, rather than forcing people to dip into their long service leave. The payroll tax measures contained in the bill were announced recently under the first stimulus announced by the Treasurer and the Premier. We supported that. We supported the extra \$700 million going into Health. We supported the fast-tracking of work in rural and regional New South Wales as a way of stimulating those economies. We want so much more, but we stand here today offering a hand to the Government to support it during this first part of the stimulus measures that it unfolds.

We are living in extraordinary times. Our community must come together to protect our health and the economy as it impacts everyone in New South Wales, and to protect the jobs and living standards of hundreds of thousands of workers, contractors and business owners whose lives have been thrown into turmoil today, tomorrow, next week and in the month ahead. I guarantee that every decision that Labor makes during this crisis will be in the interest of every citizen in this State. We will make sure as a Labor Party, as an Opposition in New South Wales that no-one is left behind. I make those statements in support of the bill and I commend the bill to the House.

**Mr ALEX GREENWICH (Sydney) (13:46:20):** I support the Treasury Legislation Amendment (COVID-19) Bill 2020 and thank the Treasurer for the urgent work he has done on this legislation and the support for NSW Health. The bill will provide small and medium businesses with much-needed payroll tax relief, whether it is waiving or deferring payments, or increasing thresholds. As someone who used to run a small business and had a payroll tax liability on a quarterly basis, I understand the importance this will mean to many businesses and the way in which it will allow them to keep staff employed for longer. The bill also allows workers and employers to agree to allow staff to access long service leave earlier. This removes the financial liability from the employers and allows an employee to have a break from work while still receiving income. This is also a very important measure.

As the Treasurer said, we are in a health crisis but we are also in an economic crisis. People are losing their jobs and their income and businesses are going under. Over the weekend I spoke to friends who are small business owners, people who are cleaners, people who run laundromats and people who are CEOs. The entire community is concerned about what lies ahead. It is crucial that the Government undertakes strategic workforce planning to

help manage the massive shifts that are happening in the workforce during this pandemic. While large numbers of people are losing their jobs, some industries such as groceries, logistics and medical manufacturing are gearing up. This is an important role for Treasury, whether it be through Jobs for NSW or another body, to coordinate with Government and unions to facilitate the massive shift that is occurring in employment. This function can help us prepare for future shifts in the workforce, be they from increased automation or transitioning energy supply and resources beyond this crisis.

It is critical that during this pandemic the public service remains a large employer and, if it can be, expanded. The more people with steady jobs and income, the more consumer spending there is to help keep the economy afloat. I thank the Minister for Customer Service for agreeing to allow bars in pubs and other licensed venues to provide delivery and takeaway services. Innovative measures like this can go a long way to helping businesses continue to trade and keep staff employed. I understand that the residential and commercial rental protections are forthcoming. Hopefully they will include protections for renters and incentives for landlords. I look forward to seeing how the National Cabinet addresses this. We must not forget other forms of less secure housing, particularly dodgy boarding houses, where landlords may use the increase in the JobSeeker payment and increase in demand for low-cost housing to raise rents. Boarding house protections must also be included.

As we all know, as members of Parliament we are the lucky ones. We have stable and ongoing employment. It is imperative that we do what we can for people who have lost their jobs and their income. The measures in the bill will go a long way towards keeping and creating jobs, but this will not be easy. I know the Treasurer is committed to an ongoing process to addressing this economic crisis as it unfolds. The combination of measures in this bill and the Attorney General's COVID-19 Legislation Amendment (Emergency Measures) Bill means that the Government should have no qualms over accelerating the shutdown of human movement and interaction in the near future.

There is support in the two bills before the House, stimulus coming from local, State and Federal governments and JobSeeker payments have been doubled. Councils can meet by phone. Cocktails can be delivered to your home. Personal trainers are doing video classes. Rental relief and protections are on the way. All levels of government have put in place measures that now allow people to stay home and stay away from each other. We know that limiting human-to-human contact will reduce the spread of COVID-19 and save lives. We need to act before the situation gets dire, as has occurred elsewhere. I commend the bill to the House.

**Mr JAMIE PARKER (Balmain) (13:50:42):** On behalf of The Greens, I make a contribution to debate on the Treasury Legislation Amendment (COVID-19) Bill 2020. The bill contains many important provisions, which The Greens support as a first step. I acknowledge the Treasurer, all the Government Ministers and in particular a lot of the Treasury staff, who are making very late phone calls and working very long hours. Whether it is child care, community sporting clubs, creative industries or the small bars, restaurants and cafes, there has been an enormous amount of dislocation and pressure placed on those organisations in this State. They are all looking to this Government for assistance. We have seen a huge impact on tourism, travel, hospitality and in particular on casuals, contractors and business owners. The two measures concerning payroll tax and long service leave are an important first step and, of course, we are calling on the Government to ensure that this is just the beginning.

There is no doubt that we will need a comprehensive stimulus package with a range of measures to protect people in our community who are least able to endure the changes we are experiencing. Once-in-a-generation employment shifts are happening in a matter of days. While we acknowledge that the bill should be supported and we should move forward, we want to make sure that we recognise this is just one step. I ask the Treasurer to give some comfort to people in our community so they know that the deferral of this Parliament will not mean that if legislation is required that is particularly important for the people of New South Wales, the Treasurer will not hesitate to ensure that the Speaker recalls Parliament to introduce bills.

I also ask the Treasurer to address the enormous need in the future. While I am not asking the Treasurer to reflect in particular on any category or sector of our community, it is important that the Treasurer highlights that these things are subject to ongoing consideration and that the Government is not reluctant to invest in our community to stabilise our employment sector to ensure that we can continue as well as possible in the future when we are over the worst of this virus. I also join the Treasurer in acknowledging those people who work in the Department of Health. I know there has been an enormous amount of effort. Just one hospital in my electorate of Balmain, which is a geriatric-focused hospital, has done an incredible amount of work protecting residents, patients and those who use its services.

It is important we make sure that these savings which businesses are seeing are used in the first instance to protect workers and we make sure that those workers can continue to receive employment. I acknowledge the work of everyone in this Parliament. I encourage this Government to continue to invest in this community and recall this Parliament whenever necessary so that we can do what the people expect of us.

**Mr DOMINIC PERROTTET (Epping—Treasurer) (13:53:56):** In reply: I thank every member for their contribution and I commend the bill to the House.

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

**Motion agreed to.**

### Third Reading

**Mr DOMINIC PERROTTET:** I move:

That this bill be now read a third time.

**Motion agreed to.**

## BETTER REGULATION AND CUSTOMER SERVICE LEGISLATION AMENDMENT (BUSHFIRE RELIEF) BILL 2020

### Second Reading Debate

**Debate resumed from 4 March 2020.**

**Ms SOPHIE COTSIS (Canterbury) (13:54:46):** I lead for the Opposition on the Better Regulation and Customer Service Legislation Amendment (Bushfire Relief) Bill 2020. These are unprecedented times and events are bringing out special qualities in people, particularly our emergency services personnel, our health workers, our retail workers and many people who are helping our communities. Many of these people have overcome adversity and remain at the forefront of our community at this time. Our Australian spirit will get us through. Please look after each other, listen to the authorities and abide by the rules to save lives. I give a heartfelt thank you from our community and from all of Australia.

I state at the outset that the Opposition will not oppose the bill. I have spoken to several colleagues who also have carriage in this House, including the Deputy Leader of the Opposition, the shadow Minister for Consumer Protection, the shadow Minister for the Cost of Living, and the Hon. Daniel Mookhey, the shadow Minister for Finance and Small Business, who will have carriage in the upper House. I thank the Minister and his staff who have briefed us about the bill. We have some concerns, which I have outlined to the Minister's staff. I did have some amendments but with respect to the current situation I have withdrawn them. I will note them in my speech and I know that the Minister will take them in good faith.

The bill was introduced in response to the greatest bushfires this State has ever seen. Over the previous summer, around 5.4 million hectares were burnt—7 per cent of our State's entire land mass. Across Australia more than 30 people died and thousands of homes were destroyed. When the bill was introduced at the start of this month, the Government stated its desire was to provide relief from fees and charges to help communities recover from those devastating fires. It is now clear that the measures in the bill are needed to face an entirely new catastrophe. While it will be important to continue to help communities recover from the bushfires that turned our skies red, we now face an enemy that is invisible to the naked eye.

The COVID-19 coronavirus pandemic is the most serious public health crisis humanity has faced in almost a century. This crisis has grown exponentially across the world and now threatens to overwhelm our health system. Only drastic measures to enforce social distancing can slow the spread of this contagion. While those measures are necessary and justified, they are not without cost. Today it has been reported that around two million Australians will lose their jobs as key sectors of our economy shutdown. I note the particular devastation being felt in sectors such as hospitality, tourism, entertainment and the arts.

Jobs in those sectors were always insecure but many workers had casual, seasonal jobs without the protections and entitlements that permanent workers take for granted. Workers in cafes, pubs, bars and clubs do not have the option of working from home so many of them are now without a job because of this crisis. Thousands of small business owners have seen their life's work upended with no certain date as to when this crisis will end. So while the Government's intention was to use the bill to provide relief for communities devastated by bushfires, it is the Opposition's understanding that the bill will also allow relief to be provided to those suffering hardship due to the shutdowns necessary to slow the spread of COVID-19. The Government has our full support for the bill.

I turn to the specifics of the bill. There are three main elements. Firstly, schedule 1 to the bill amends 32 different Acts and regulations administered by the Minister for Better Regulation and Innovation. Those Acts and regulations provide legislative schemes that govern work health and safety, builders and buildings certifiers, conveyancers, property agents, incorporated associations, cooperatives, tow truck operators, tattoo parlours, pawnbrokers, community gaming, paintball and explosives. The bill amends each of these legislative schemes in

similar ways. In essence, the bill replaces any current provisions in those Acts and regulations that allow for the waiver of fees with new consistent provisions.

The new provisions inserted into the amended Act and regulations by this bill use essentially the same language, which will provide a consistent power to allow fees to be waived, reduced, postponed or refunded. The power to waive, reduce, postpone or refund fees would be exercisable by the Secretary of the Department of Customer Service or the equivalent official responsible for administering the relevant Act. This power would be exercisable if a person is suffering financial hardship or if special circumstances exist. I note the bill does not define "financial hardship". I also note the bill does not define a "special circumstance". However, it includes a note that states that an example of a special circumstance is a natural disaster or recovery from a natural disaster. I will return to those matters later.

For the record I also note the amendments made by the bill to the Fair Trading Legislation Amendment (Reform) Act 2018 are different from the amendments proposed to the other 31 Acts and regulations, which are amended in schedule 1 to the bill. This is because the bill is removing a number of uncommenced provisions from schedule 2 to the Fair Trading Legislation Amendment (Reform) Act 2018. Those uncommenced provisions would have amended various Acts to insert language allowing fees to be waived or refunded. However, because the bill would have a similar effect, the Opposition understands those uncommenced provisions will become redundant and should therefore be removed from the Fair Trading Legislation Amendment (Reform) Act 2018.

The second element of the bill makes changes to the Service NSW (One-stop Access to Government Services) Act 2013. Those changes expand the functions of the Chief Executive Officer of Service NSW and allow additional functions for the CEO of Service NSW to be provided by ministerial direction or regulation. The bill also allows the CEO of Service NSW to make payments and waive, reduce, postpone or refund fees if certain conditions are met: first, a special circumstance declaration must be published; and second, either an agency or Service NSW must direct that a fee be waived, reduced, postponed or refunded, or the Minister for Customer Service must direct that a payment be made. The Opposition understands the practical example of this power being used in the real world would be Service NSW waiving the fees charged for replacement driver licences and birth certificates that might have been lost in the bushfires.

I note the bill defines a special circumstance declaration as a natural disaster declaration, a declaration under section 33 of the State Emergency and Rescue Management Act 1989 or another delegation prescribed by the regulation. The third element of the bill retrospectively validates decisions that have been made since 18 July 2019 regarding the waiver, reduction and postponement of fees. That date was the date of the first natural disaster declaration for bushfires on the State's North Coast. As I stated, while the Opposition will not oppose the bill I put on record some concerns. The first concern that we have is with the retrospective validation of decisions made since 18 July. While the Opposition will not oppose, we believe that the Government should come clean about why this aspect is necessary. The Minister is in the Chamber and we are looking for clarification.

In terms of clarification, while it may be appropriate that the Government took urgent decisions to respond to the bushfire emergency, it would be concerning if many of those decisions were taken without sound legal authority. I do not think so, but it is better to have an understanding. Retrospective legislation can be problematic, and the main reason the Opposition will not object to this aspect is that we understand those retrospective provisions will not operate to disadvantage ordinary people. However, in the interest of transparency, I request that the Minister, who is in the Chamber, in his reply places on record more information about the decision.

The second concern relates to transparency and accountability. In general, we expect the power to provide relief from fees will be exercised to give effect to major government policy commitments. Those commitments are usually well publicised and so it is possible for the Opposition, the media and members of the public to ask questions and hold the Government to account. It is not clear that all decisions empowered by the bill need to be made public; rather the bill confers broad discretionary powers on the Ministers and officials to waive, reduce or postpone requirements to pay fees. The discretion to exercise this power is broad because the bill does not define the key terms. As I noted earlier, there is no definition for financial hardship and the example provided in a note for special circumstances is very broad. On balance, the wide discretion conferred by the bill is likely to be appropriate and, under the circumstances as we stand here today, this is very necessary. I urge the Government to use those discretionary powers, wherever possible and very regularly.

We are concerned about officials having broad discretionary powers about waiving fees, but in this instance it is very important. My amendment was that the Opposition hoped that the Auditor-General would look at measures empowered by the bill in 12 months or 18 months to provide a report in the interest of accountability and transparency. It would be beneficial to understand the Government's measures to provide relief to communities affected by the bushfires and the coronavirus pandemic. We support the bill wholeheartedly. I wish everyone who is working on the front line to help our community members well. Have faith, because we will get through this. I want the Minister to know that we will support him to do whatever is necessary. The Opposition

will, of course, highlight gaps and issues and raise concerns with the Government. At this point in time, we stand as one.

**Mr VICTOR DOMINELLO (Ryde—Minister for Customer Service) (14:06:20):** In reply: I am pleased to give a reply on the Better Regulation and Customer Service Legislation Amendment (Bushfire Relief) Bill 2020. To make sure that no-one misses out, the bill will insert transitional provisions into each of the 14 schemes. Those provisions will take the amendments to be valid from 18 July 2019, the date of the first natural disaster declaration for the North Coast bushfires. The bill will future-proof our laws, providing the clarity and flexibility required to provide fee relief as soon as the need arises. For example, the amendments will support the Government's \$80 million stimulus package for small businesses impacted by the novel coronavirus. To ensure public disclosure and oversight of how the proposed fee-waiver measures are implemented, Service NSW will report on the type, number and dollar value of fees waived via its annual report. Finally, not all services provided by Service NSW are under statute, nor do they necessarily have a natural home in another agency. Some services, like the bushfire customer care program, are needed suddenly in response to circumstances.

When customers need additional support, it is important, particularly in times of disaster and crisis that we find ourselves in now, that the Minister be able to direct the CEO to deliver such services to the people of our great State of New South Wales without having to put in place artificial arrangements with another agency. There are two important limitations on the provision: first, the Minister must direct the CEO to perform the functions; and secondly, the functions must involve the delivery of government services to the people of New South Wales. I am confident that the bill delivers meaningful amendments that will reduce complexity and provide benefits to the people of our great State. The bill demonstrates this Government's continued commitment to better customer service. It will create more simple, consistent and responsive laws to support customers in crisis now and into the future. I thank the member for Canterbury for her contribution and I commend the bill to the House.

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

**Motion agreed to.**

### **Third Reading**

**Mr VICTOR DOMINELLO:** I move:

That this bill be now read a third time.

**Motion agreed to.**

### *Documents*

#### **INFORMATION AND PRIVACY COMMISSION**

##### **Report: Report on the Operation of the Government Information (Public Access) Act 2009, 2018-2019**

**The SPEAKER:** In accordance with section 39 of the Government Information (Information Commissioner) Act 2009, I announce receipt of the report of the Information and Privacy Commission entitled *Report on the Operation of the Government Information (Public Access) Act 2009, 2018-2019*, received 18 March 2020. I order that the report be printed.

#### **LAW ENFORCEMENT CONDUCT COMMISSION**

##### **Report: Operation Dukono**

**The SPEAKER:** In accordance with section 142 of the Law Enforcement Conduct Commission Act 2016, I announce receipt of the report of the Law Enforcement Conduct Commission entitled *Operation Dukono*, dated March 2020, received 18 March 2020. I order that the report be printed.

#### **NSW DOMESTIC VIOLENCE REVIEW TEAM**

##### **Report: Report of the New South Wales Domestic Violence Review Team for the period 1 July 2017 to 30 June 2019**

**The SPEAKER:** In accordance with section 101K of the Coroners Act 2009, I announce receipt of the report of the New South Wales Domestic Violence Review Team for the period 1 July 2017 to 30 June 2019, received 18 March 2020. I order that the report be printed.

*Members***THE HONOURABLE TROY GRANT**

**The SPEAKER:** I table a copy of correspondence from the Parliamentary Ethics Adviser enclosing advice provided to the Honourable Troy Grant, former Minister, dated 23 March 2020.

*Committees***PUBLIC ACCOUNTS COMMITTEE****Government Response**

**The CLERK:** I announce receipt of the Government Response to Report 3/57 of the Public Accounts Committee entitled *Examination of the Auditor-General's Performance Audit Reports May 2017 - December 2017*, received 13 March 2020.

*Announcements***NEW SOUTH WALES PARLIAMENT DEMONSTRATIONS POLICY**

**The SPEAKER (14:10:15):** The New South Wales Parliament has a demonstrations policy, which was recently reviewed by both me and Mr President from the Legislative Council. The President and I support the time-honoured democratic tradition of protesting, and acknowledge that the use of banners and signs is a form of political expression. The current policy guidelines dictate that banners and signs are not to be attached to any part of the Parliament House building, which includes the front and rear of the building. As the building is enclosed by a fence, that prohibition to attach banners and signs will now extend to the fence both in Macquarie Street and in Hospital Road. Demonstrators are permitted to have freestanding banners and signs, but none attached to the fence around Parliament House. There will be a four-week transition period to implement the policy changes.

In accordance with the earlier resolution, I shall now leave the chair until the ringing of one long bell.

*Bills***BETTER REGULATION AND CUSTOMER SERVICE LEGISLATION AMENDMENT (BUSHFIRE RELIEF) BILL 2020****TREASURY LEGISLATION AMENDMENT (COVID-19) BILL 2020****Returned**

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

**COVID-19 LEGISLATION AMENDMENT (EMERGENCY MEASURES) BILL 2020**

**The SPEAKER:** I report receipt of a message from the Legislative Council returning the bill with amendments.

**Consideration in Detail****Consideration of Legislative Council's amendments.***Schedule of amendments referred to in message of 24 March 2020*

- |       |   |
|-------|---|
| No. 1 | <b>GOVT No. 1 [c2020-019A]</b><br>Page 10, Schedule 1[1], Insert after line 13—<br><br>(3A) To remove any doubt, subsection (3) does not apply to allow regulations to be made under this section that amend or override this Division. |
| No. 2 | <b>GOVT No. 1 [c2020-020B]</b><br>Page 18, Schedule 2.5 (proposed section 276(1)), line 9. Insert "or any other Act or law" after "regulations".  |
| No. 3 | <b>GOVT No. 2 [c2020-020B]</b><br>Page 18, schedule 2.5 (proposed section 276(3)(a)(ii)), line 30. Insert "or an offence of a sexual nature" after "offence".   |
| No. 4 | <b>GOVT No. 3 [c2020-020B]</b><br>Page 18, Schedule 2.5 (proposed section 276(3)). Insert after line 34—<br><br>(b1) a serious offender,  |
| No. 5 | <b>GRNS No. 1 [c2020-014A]</b>  |

Page 23, Schedule 2.12[1], proposed section 318B(1)(a1), line 33. Insert ", having regard to the COVID-19 pandemic," after "that".

No. 6 **GRNS No. 1 [c2020-015A]**

Page 24, Schedule 2.12[3], proposed section 747A(1)(a), line 6. Insert "in whole or in part" after "held".

No. 7 **GOVT No. 1 [c2020-018]**

Page 26, Schedule 2.16[3], proposed section 71A(2). Insert after line 41—

- (a) the place specified in the public health order that the person has been ordered to reside,  
or

No. 8 **GRNS No. 1 [c2020-017B]**

Insert on page 27, after line 15—

**2.16A Residential Tenancies Act 2010 No 42**

**Part 13**

Insert after Part 12—

**Part 13 Response to COVID-19 pandemic**

**229 Regulation-making power**

- (1) The regulations under any relevant Act may provide for the following matters for the purposes of responding to the public health emergency caused by the COVID-19 pandemic—
- (a) prohibiting the recovery of possession of premises by a landlord, owner or proprietor of premises from a tenant or resident of the premises under the relevant Act in particular circumstances,
- (b) prohibiting the termination of a residential tenancy agreement, occupancy agreement or site agreement by a landlord, proprietor of premises or operator of a community under the relevant Act in particular circumstances,
- (c) regulating or preventing the exercise or enforcement of another right of a landlord, proprietor of premises or operator of a community by the landlord, proprietor or operator under the relevant Act or an agreement relating to the premises,
- (d) exempting a tenant, resident or home owner, or a class of tenants, residents or home owners, from the operation of a provision of the relevant Act or any agreement relating to premises.
- (2) The Minister may recommend to the Governor that regulations be made under this section only if—
- (a) Parliament is not currently sitting and is not likely to sit within 2 weeks after the day the regulations are made, and
- (b) in the Minister's opinion, the regulations are reasonable to protect the health, safety and welfare of tenants or residents under the Act.
- (3) Regulations made under this section are not limited by the regulation-making power in a relevant Act.
- (4) Regulations made under this section expire on—
- (a) the day that is 6 months after the day on which the regulation commences,  
or
- (b) the earlier day decided by Parliament by resolution of either House of Parliament.
- (5) In this section—

*occupancy agreement* has the same meaning as in the Boarding Houses Act 2012.

*operator of a community* has the same meaning as in the Residential (Land Lease) Communities Act 2013.

*proprietor* has the same meaning as in the Boarding Houses Act 2012.

*relevant Act* means any of the following—

- (a) *Boarding Houses Act 2012*,
- (b) *Residential (Land Lease) Communities Act 2013*,
- (c) *Residential Tenancies Act 2010*,

- (d) any other Act relating to the leasing of premises or land for residential purposes.

*site agreement* has the same meaning as in the *Residential (Land Lease) Communities Act 2013*.

**2.16B Retail Leases Act 1994 No 46**

**Part 11**

Insert after Part 10—

**Part 11 Response to COVID-19 pandemic**

**87 Regulation-making power**

- (1) The regulations under any relevant Act may provide for the following matters for the purposes of responding to the public health emergency caused by the COVID-19 pandemic—
- (a) prohibiting the recovery of possession of premises by a lessor or owner of premises or land from a lessee or tenant of the premises or land under the relevant Act in particular circumstances,
  - (b) prohibiting the termination of a lease or tenancy by a lessor or owner of premises or land under the relevant Act in particular circumstances,
  - (c) regulating or preventing the exercise or enforcement of another right of a lessor or owner of premises or land under the relevant Act or an agreement relating to the premises or land in particular circumstances,
  - (d) exempting a lessee or tenant, or a class of lessees or tenants, from the operation of a provision of the relevant Act or any agreement relating to the leasing or licensing of premises or land.
- (2) The Minister may recommend to the Governor that regulations be made under this section only if—
- (a) Parliament is not currently sitting and is not likely to sit within 2 weeks after the day the regulations are made, and
  - (b) in the Minister's opinion, the regulations are reasonable to protect the health, safety and welfare of lessees or tenants under the Act.
- (3) Regulations made under this section are not limited by the regulation-making power in a relevant Act.
- (4) Regulations made under this section expire on—
- (a) the day that is 6 months after the day on which the regulation commences, or
  - (b) the earlier day decided by Parliament by resolution of either House of Parliament.
- (5) In this section—
- relevant Act* means any of the following—
- (a) *Agricultural Tenancies Act 1990*,
  - (b) *Retail Leases Act 1994*,
  - (c) any other Act relating to the leasing of premises or land for commercial purposes.

**Mr MARK SPEAKMAN:** I move:

That the Legislative Council amendments be agreed to.

**Motion agreed to.**

*Business of the House*

**DAYS OF MEETING**

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Roads) (20:31:10):** I move:

That the resolution of 23 October 2019 regarding the 2020 autumn and spring sittings be amended by leaving out "March 25, 26 and 31; April 1 and 2; May 5, 6, 7, 12, 13 and 14; June 2, 3, 4, 15, 16, 17 and 18; July 28, 29 and 30; and August 4, 5 and 6".

**Motion agreed to.**

**The SPEAKER:** That effectively means the Parliament will resume on 15 September. I thank all members for their cooperation on what has been quite an historic day. I look forward to seeing members on the next occasion, if not on 15 September, then in the public interest before then.

*Community Recognition Statements*

**WENTY LEAGUES CLUB BUSHFIRE EVENT**

**Dr HUGH McDERMOTT (Prospect)**—Known officially as Wentworthville Leagues Club but known locally and by friends simply as "Wenty Leagues", I want to recognise the terrific efforts of the Wenty Leagues Club in their fundraising efforts for those affected by bushfires this summer. On the 28th February 2020 I was invited to speak to over 400 attendees from Clubs across Western Sydney who had gathered to raise money for the victims of the 2019/2020 Bushfires. CEO Wenty Leagues, Glenn Kovacs, Chairman, Ian McCann and the Board of Directors donated their venue and raised over \$200 000 in just a few hours. Members of Wenty Leagues should be rightfully very proud of their Clubs contribution to the Bushfire recovery efforts. It was my distinct honour to speak at their event about the bravery of Firefighters Geoff Keaton and Andrew O'Dwyer, our Rural Fire Service colleagues. Clubs like Wenty Leagues can always be counted upon to step up and help out the community whenever they are asked to. I am a proud member of Wenty Leagues and I am very thankful for their support of the RFS.

**ICARE COMMUNITY SERVICES**

**Mr PAUL LYNCH (Liverpool)**—I recognise iCare Community Services who are a not for profit specialist provider of multicultural, community, and disability support services targeted at people living in south western and western Sydney. I recently attended the launch by iCare of a new Day Program that aims to offer various activities to assist people living with disabilities to participate in community-based and centre-based activities. Such activities aim to improve their community connectedness and their well-being. The launch took place at their centre on Hoxton Park Rd, Prestons. The M.C. at the event was Simon El-Khawand; other speakers included Bishop Richard Asamoah Boateng; Brunella de Francesco; Rachel Tafili and Noor Elbaf. The organisation also partners with a range of government and social and welfare agencies to provide job readiness programs, and community programs. They also have a group home. They offer overnight respite and short term accommodation as well as supported independent wing for permanent residents. They also offer a wide range of other services including personal care, meal preparation, homelessness, lawn maintenance, and transportation among other things.

**ST BRENDAN'S CATHOLIC PRIMARY SCHOOL**

**Ms TANIA MIHAILUK (Bankstown)**—I recently had the pleasure of attending St Brendan's Catholic Primary School for the blessing and opening ceremony of their new learning spaces and administration area for the 2020 school year. I would like to take this opportunity to acknowledge the many distinguished guests, including Episcopal Vicar for Education, The Very Reverend Father Michael McLean, St Brendan's Parish Priest Father Toan Nguyen, Sydney Catholic Schools Executive Director Mr Tony Farley, Regional Director Dr Vicki Lavorato, and School Principal Ms Maria Femia, as well as all the students, teachers, parents and community members who attended this wonderful occasion. This event follows the recent Catholic Schools Week celebrations, which highlighted the many successes of the catholic education system, and I would like to commend the entire St Brendan's Catholic Primary School community for their valuable and ongoing contribution to education in our local community. I am proud to continue my support for St Brendan's Catholic Primary School, as the many dedicated and hard-working students and staff make use of the terrific new facilities, and I look forward to another wonderful year for the school in 2020.

**ENID SEELY**

**Mrs HELEN DALTON (Murray)**—Today I would like to recognise Enid Seely, who has been a familiar face at the Deniliquin South Primary School's canteen for nearly 50 years. Enid has decided to hang up her apron just shy of marking 50 full year of volunteer service to the children and families of Deniliquin South. Enid is a life member of the school, having commenced her volunteer service when her own children attended in 1970 and now retires as the third generation of the family are becoming part of the school community. Enid continued volunteering after her youngest finished primary school because she found it interesting work, her service and dedication continued through seeing her grandchild attend and complete primary school and with her great-grandchildren now attending Enid is hanging up the apron. But is looking forward to returning for grandparent reading. I want to congratulate community minded citizens like Enid for the amazing work they do in their local communities. Without our volunteers many country organisations and services would not be able to function.

### JOEL KING

**Ms ANNA WATSON (Shellharbour)**—Through skill, hard work and determination, young Joel King from Shellharbour has followed his dreams and is fast becoming one of Sydney FC's rising stars on the field. Joel King first played for Shellharbour Junior Football Club, before joining Football NSW's program called Project 22, and then moving to Canberra to join the Australian Institute of Sport. Ultimately, in 2018 Joel was asked to join the Sydney FC, sky blues. Despite now playing defence for the reigning A-League champions, Joel clearly hasn't forgotten his roots. He has returned to the Illawarra on multiple occasions to encourage local young footballers to take up the sport, and also hosted sessions for Sydney FC's Skills Training Program in Wollongong and Albion Park. I would like to congratulate Joel King on his outstanding achievements and thank him for his ongoing involvement in my local football community. I know so many young players are inspired by the example you're setting. I look forward to following your very bright career in the future. Congratulations again Joel - the entire community of Shellharbour is behind you.

### JOANNE SAMPSON

**Mrs LESLIE WILLIAMS (Port Macquarie)**—I pay my respect and gratitude to a compassionate and fearless lady in my electorate, Joanne Sampson who is raising awareness on the importance of self-isolating while undergoing treatment for stage three breast cancer. In November last year Joanne was sadly diagnosed with breast cancer and as a result has a compromised immune system, due to her recommended treatment plan. Since the COVID-19 outbreak in Australia Joanne is advocating for the community to follow the medical advice from NSW Health in order to protect vulnerable people like herself. Joanne urges people to identify the warning signs and self-isolate for 14 days in efforts to consider others, as well as those with a pre-existing health condition and the elderly who could be severely or fatally impacted by exposure to the Coronavirus. I encourage my community to seek medical advice, if they have been exposed to someone with COVID-19 and they have symptoms; fever, cough, runny nose and shortness of breath.

### PENSHURST WEST PUBLIC SCHOOL PRESENTATION

**Mr MARK COURE (Oatley)**—I congratulate Penshurst West Public School on their 2019 School Presentation, which I attended on the 18th of December. School presentations are a highlight of my year, as it is a chance to celebrate the achievements of the future leaders of our community. I was very impressed with the quality of the presentation, which was largely student-led. I am also proud to say that this Government is enthusiastic about its support for Penshurst West Public. Construction is currently underway on a new two storey building, which features seven innovative learning spaces, new student amenities and a special programs room. Thank you to Principal Ross Angus for the invitation and to the whole Penshurst West community for your continual contributions to our wider community. I wish the Penshurst West students who graduated on the day all the best as they begin their high school journey this year.

### CASTLE HILL WOMAN OF THE YEAR

**Mr RAY WILLIAMS (Castle Hill)**—I would like to take this opportunity to congratulate the wonderful Shelley Brackley, to whom it was my privilege to present the 2020 Castle Hill Woman of the Year award. Shelley has an infectious, can-do attitude which manifests itself within the local community in a wide-range of charitable exploits. Perhaps her most impressive work has been her help with the local 1st Kellyville Scouts. Shelley was absolutely driven in ensuring that the troop became the thriving organisation it is today – assisting in fundraising efforts and securing funding to enhance the troop's facilities at their Scout Hall. Shelley is also well known in the area for setting up a new Women's Play Group, as well as being involved in the local school P&C and managing teams for all of her 3 children's sports. Shelley is now focusing on her charity Pink Finns which is assisting women and their families after they have been diagnosed with cancer, providing support, be it moral or financial, or even things like organising transport for appointments. Once again I congratulate Shelley for her award and thank her for all she does in the local Castle Hill community.

### COMMUNITY SUPPORT IN CRISIS

**Mr ALEX GREENWICH (Sydney)**—On behalf of the Sydney Electorate I acknowledge the inspiring community support that has occurred during the current COVID-19 crisis. Facebook groups like Darlo Darlings, Potts Pointers and Pyrmont Locals are sharing information and spare supplies, helping each other get on with life during very abnormal times. People who can are contributing to their local area through projects like 'buy-now-shop-later', where residents can buy ahead of time to support local businesses. Others are paying for an extra meal or drink so that the business can keep open, pay staff and also provide this help to someone in need. They are sharing information about where you can get hard-to-find or specialist supplies and helping those who cannot get out with shopping and errands. We are seeing creative responses to difficult situations, older people passing on tricks and shortcuts they used in past difficult times, and younger people using their knowledge of

technology to help older people sort problems. In times of crisis, it is inspiring to know that so many people in the community will show kindness and care, helping vulnerable people and sharing resources.

#### **MISS TAMSYN GRILLET**

**Mr ROY BUTLER (Barwon)**—During January and February this year when some of our east coast friends were fighting bushfires, one of my Barwon constituent's was working to assist those impacted and affected by these fires. Eleven-year-old Tamsyn Grillet, initially sent the RFS Commissioner Shane Fitzsimmons 32 shower packs to distribute to families who were in need of assistance. She then continued to put together individual and family sized packs, until these donated items, filled a large removalist box. With the assistance of her brother Bryant and Regional Express, these items made their way to the Rural Fire Service for distribution. It fills me with pride that I have such generous, caring young people in the electorate of Barwon.

#### **SUPERINTENDENT ALLAN SICARD**

**Ms FELICITY WILSON (North Shore)**—Today I acknowledge the incredible service of Superintendent Allan Sicard, who after forty years of serving in the New South Wales Police Force is retiring. Having joined the force in 1980 and serving in various frontline roles in which command areas include Northern Beaches, Bega, Goulburn and Merrylands. As one of North Shore's longest serving police officers, and serving as Superintendent of the North Shore Police Area Command, Allan is a familiar and friendly face to many across my community. Some of Allan's personal highlights have been overseeing leadership development for his colleagues, and supporting homeless people in the region into housing. Allan has also been involved in some large policing operations including the 2011 Mosman Collar Bomber case, and was the first officer to take command of the scene at the Lindt cafe siege in 2014. Allan has also taken part in the Police Legacy Boxing Challenge, completed the Police Kokoda Track, and was awarded the Champion of Change award at the Advancement of Women in Policing Awards in 2019. I would like to thank Allan for all his hard work over the years, and wish him the best of luck for his future endeavours.

#### **GRATITUDE TO CENTRAL COAST COMMUNITY**

**Ms LIESL TESCH (Gosford)**—Today in the Parliament of NSW I would like to send profoundly sincere appreciation to all our community and business leaders across the Central Coast who have managed, during extraordinary times, to make rapid significant adjustments in their workplaces to benefit our community. I send love and gratitude to all community members for every action you have taken to manage the current COVID19 situation. Whilst we cannot heal the virus, we will continue to work together on supporting and healing each other in our own individual adjustments that continue to be necessary. I encourage every person on the Coast to pick up the phone and start the ripple effect of connection & support... whilst we are physically isolated, we are together in caring for each other. This is a time of profound change. Just as each day ends to make way for a new dawn - the world as we knew it is changing. Imagine a new world where everyone works together, where we look after each other, where there is no fear or limitation. At this time, We have the power to create such a world. Let's make that new world our focus. Let's imagine it, believe in it, create it. NOW.

#### **FUNDRAISING FOR KILLARA RFS**

**Mr JONATHAN O'DEA (Davidson)**—I am pleased to recognise that Lindfield Community Bank, a branch of Bendigo Bank in my electorate of Davidson, has helped raise over \$60,000 for our local Killara Rural Fire Service. In early December, the Lindfield and Turrumurra Community Bank branches launched the 'Fund the Fight' campaign in response to our devastating bushfires. The funds have helped the Killara RFS crew, led by Stuart Clarke, to purchase essential equipment such as masks and emergency food. It will also be used towards costs of establishing a new station, including a workshop, lockers and IT equipment for the training room. I am grateful of the overwhelming support from members of the community and the local branches that collected the funds. I also again commend the RFS for their selfless work in protecting homes and lives across NSW.

#### **ADDISON ROAD FOOD PANTRY**

**Ms JO HAYLEN (Summer Hill)**—The Addison Road Food Pantry has come under increased pressure during the COVID-19 pandemic, with over 2,500 people lining up for food and essential supplies in the last week alone. I recently visited to thank the wonderful volunteers and to support the Food Pantry's call out for donations and support. We have all been shaken by the bare shelves at our local stores and supermarkets, but for an increasing number of families and vulnerable people, including older people, people with disabilities and their carers, and the increasing number of casuals left unemployed as a result of COVID-19, the Addison Road Food Pantry has been nothing short of a lifeline. Other local community groups are also now relying on the Addison Road Food Pantry to supply food and other essentials. It is clear that yet again, the Food Pantry represents the heart and soul of the inner west coming together in a time of crisis. Demand for food and essentials is increasing every week and

I sincerely thank the volunteers who are giving their time to help out and to the many inner westies who have donated food and money in this difficult time.

### **"PI" DAY AT PATRICIAN BROTHERS COLLEGE, FAIRFIELD**

**Mr GUY ZANGARI (Fairfield)**—On Friday 13th March 2020, the Mathematics Department of Patrician Brothers' College Fairfield hosted "Pi" Day. It was a celebration of all things Pi which equals approximately 3.14159265359 or 3.14 for those who remember this from their Mathematics lessons. The day was a mixture of the essence of Mathematics mixed together with the principles of the round ball - namely football and basketball. Students had the opportunity to join in the festivities with games of basketball and football. The West Sydney Wolves Basketball Association were on hand to provide some on-court tips in the finer points of basketball. In addition the Western Sydney Wanderers FC were also in attendance to officiate mini games of football and promote Pi day. No Pi day would be complete without the presence of "Pizza Pie". Congratulations to the Mathematics Coordinator Mrs Melissa Zangari and the entire Mathematics Department for bringing fun back to the classroom with a great way to learn about "Pi".

### **MIRANDA LOCAL WOMAN OF THE YEAR**

**Ms ELENI PETINOS (Miranda)**—I congratulate the 2020 Miranda Local Woman of the Year, Lina Willmott of Sylvania. Lina is to be commended for her role as Program Coordinator of the 3Bridges Community Early Years Support Service. For more than 20 years, Lina has ensured that local mums with children aged 0-3 years have access to much needed information, counselling and practical support, particularly when a newborn arrives. As the Coordinator of a vital early intervention home visiting program, Lina has changed the lives of many local mothers who are vulnerable due to isolation from family and friends, or are experiencing postnatal depression or anxiety. The importance of the service that Lina and her team provide is clear through their support of over 60 families in need at any given time and receiving between 8 and 10 referrals each week. I commend Lina for her dedication to local mums and families, and thank her for her contribution to making our Shire the best place to live, work and raise a family.

### **GINO MARRA**

**Ms MELANIE GIBBONS (Holsworthy)**—Mr Speaker, I would like to congratulate Gino Marra on being announced as the Chair of the new Macarthur Bulls FC team. Macarthur FC is going to be great for our region and I am looking forward to them contributing to the sense of community and connectedness present in the South West Sydney and Macarthur region. Gino has been a huge advocate of football in South West Sydney and ran the Southern Districts Soccer Football Association – where we worked closely together to obtain a grant to upgrade their facilities. He was one of the driving forces to get a football team in our local area and served as the Chair of the South West Sydney bid - which eventually merged with Campbelltown Council's Macarthur bid to form the Macarthur Bulls FC team. Since the team was announced, he has served as the Deputy Chair of their Board. I look forward to watching Macarthur FC grow and prosper – and congratulate Gino once again for his new appointment.

### **RECOGNISING TEACHERS AND EDUCATORS IN THE CHARLESTOWN ELECTORATE**

**Ms JODIE HARRISON (Charlestown)**—In the midst of the current COVID-19 health emergency I recognise today the amazing work of teachers, educators and staff in the local schools and early childhood learning services in the electorate of Charlestown. We know that where the stability of a regular routine of learning, play and friendships is able to be maintained for our children, this will have lasting benefits for their well being and mental health. We know that where parents are able to continue to go to work this will be beneficial for families and society as a whole. I also recognise lecturers, tutors and staff in TAFE institutes in the region, and at the University of Newcastle who are continuing to support our students, who themselves are investing in their future and in the future of our nation. At this time when others are stepping back in social distancing, these workers continue to step forward for the good of my local community. I express my gratitude to them. I wish them continued health and safety in their work, and I recognise all that they are doing on behalf of the people of the electorate of Charlestown.

### **YELLOW CRAZY ANTS PROGRAM**

**Ms JANELLE SAFFIN (Lismore)**—Recently, I met with the Chair and the General Manager of the North Coast Local Land Services (NCLLS), Bob Smith and Louise Orr. We discussed local issues post bushfires and the successful Yellow Crazy Ant (YCA) eradication program - a nineteen month collaboration led by the NCLSS and the NSW Government Department of Primary Industries. I was delighted to learn that this program was well recognised at the recent Australian Biosecurity Awards. Yellow Crazy Ants are extremely destructive pests that can inflict severe impacts on human amenity, agricultural production, the horticultural industry and the environment. Thanks to a timely report from a member of the public large infestations were identified at Lismore and Terania Creek. Given its historical importance, the detection of YCA at Terania Creek was significant.

I acknowledge and thank community members and the following organisations for their work and contribution that ensured the success of this project:

- Landcare
- NSW National Parks and Wildlife Service
- Rous County Council
- Lismore City Council
- Environmental consultants
- NSW DPI Cattle Tick Inspection staff
- NSW Rural Fire Service
- NSW State Emergency Service

This project is an example of successful collaboration among government agencies, local organisations and local communities. Congratulations to all!

#### **WAVERLEY WOOLLAHRA SES AWARD EVENING**

**Ms GABRIELLE UPTON (Vaucluse)**—On Thursday, 12 March 2020, I was pleased to join our local Waverley Woollahra SES Unit Awards Evening alongside Woollahra Council and Waverley Council. On the evening, we awarded outstanding members of the Unit, including Allister Bevege who I presented with a 15 Year National Medal of Service for his long and diligent volunteer service. Congratulations also to local SES members Anthi Kollaras, Mara Greenwood, Denise McKeon, John Brock, Judith Indyk, Symeon Bourd, Max Henderson, Orlagh Nogher, Richard Miller and Patrick Moore. They are amazing volunteers, ready to assist at a moment's notice to service our community. With hundreds of requests each year, and the recent bushfires – they have undoubtedly made a difference in so many lives. Thank you to SES Assistant Commissioner of Metropolitan Operations Steven Hayes and SES Acting Metro Zone Commander Stuart Fisher for attending and assisting with the award presentations. An extra special thank-you to the Unit Commander Kim Edwards who has now served with the Unit for over 15 years, coordinating local operations and keeping the community strong and active in our local area. We are so grateful for your time and dedication.

#### **COVID-19 MOBILE CLINIC**

**Ms ROBYN PRESTON (Hawkesbury)**—I thank Nepean Blue Mountains Local Health District and Hawkesbury Hospital for coordinating the mobile clinic which has been operating on the grounds of Hawkesbury Hospital since 16th March 2020 to screen patients who may be at risk of having the COVID-19 virus. Our appreciation must go to the health professionals who are operating this clinic for their devotion and commitment to servicing the Hawkesbury community. Thank you also to Hawkesbury Hospital CEO Strehon Billingham for his leadership and support of this clinic. The work achieved at this clinic is critical to the health and wellbeing of Hawkesbury's people. It is reassuring to see this ongoing service at a local level.

#### **HEROES OF THE COVID-19 CRISIS**

**Ms JENNY AITCHISON (Maitland)**—As residents of NSW withdraw to the safety of their homes, by Government decree and through self-preservation, I salute those who must continue to work in our communities for the good of the many. To the doctors, the nurses, allied health workers, emergency service personnel, teachers and childcare workers, I say thank you. To those in retail who keep products on the shelves, food on the tables and medications in our cupboards, we literally couldn't live without you. The bus drivers, the cleaners, the postal workers and delivery people – your work has never been more important. I have faith that history will show that the COVID-19 crisis of 2020 was a social and economic crisis from which Australia, and our State, recovered. The heroes of those annals will be people such as yourselves. People who prioritised the needs of the many, at potentially the greatest sacrifice of all, so that Australians could retreat to the isolation of their homes and shelter from the viral storm that shakes the very foundations of our globe. You have our deepest gratitude.

#### **ROCCO LARIA**

**Mr PETER SIDGREAVES (Camden)**—I would like to congratulate Rocco Laria, who completed his HSC at Elderslie High School in 2019, for having his HSC Design and Technology major work, a "Wildlife Road Safety Detector" selected to be on exhibition at the Powerhouse Museum for Shape 2019. This year 35 students from across NSW were selected across the HSC Design and Technology, Industrial Technology and Textiles and Design courses to have their works on display. The major works explored themes including the environment, sustainability and wildlife protection and were required to have the potential to improve and change our lives in the future. It is a wonderful exhibition and one which in partnership with NESAs allows the talent of the next generation of designers in NSW to be celebrated. Congratulations to Rocco Laria on this incredible achievement.

**GABBY WYSE**

**Mr STEPHEN BROMHEAD (Myall Lakes)**—I acknowledge Gabby Wyse and her continual passion and advocacy for agriculture. Through her role with Mid Coast Women in Dairy the reigning Taree showgirl outlines how doors continue to open up for young people to get involved in the industry. Scholarships are being offered to school students to complete an agricultural employability course ran through Hunter Local Land Services and Taree TAFE and this is what Gabby is advocating for. Gabby has also joined the Agricultural Societies Council of NSW Next Generation that encourages young people aged between 18-35 to communicate and workshop ideas in preparation for future leadership roles in agriculture. It also aims to educate the general public about country shows and agriculture. Thank you Gabby for your continual advocacy for agriculture.

**LANCE PARTRIDGE, WALCHA SHOW COMMITTEE**

**Mr KEVIN ANDERSON (Tamworth—Minister for Better Regulation and Innovation)**—I recognise the efforts of Mr Lance Partridge of Moona Plains Road, Walcha who was presented with a medal by the Walcha Show Society for his 40 years of service as a volunteer. What a fantastic contribution by Lance to his community. Volunteers are the lifeblood of our communities and I am committed to supporting them. I cannot thank them enough for their work, often carried out quietly with no fuss or bother. Every day I meet and talk with volunteers from all walks of life – they really keep our towns and communities alive. Whether it is in our larger centres like Tamworth, Gunnedah, Manilla, Walcha, Werris Creek or Barraba to the smaller centres like Nundle, Bendemeer, Moonbi or Carroll, our volunteers will turn up and pitch in with their help. Volunteers are priceless - you cannot put a price on time that is donated. So thank you Lance for your work with the Walcha Show Society and congratulations on your medal, it is well deserved.

**The House adjourned, pursuant to resolution until Tuesday 15 September 2020 at 12 noon,  
unless otherwise advised in accordance with Sessional Order 47A.**