



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Seventh Parliament  
First Session**

**Tuesday, 12 May 2020**

Authorised by the Parliament of New South Wales



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# LEGISLATIVE ASSEMBLY

**Tuesday, 12 May 2020**

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

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

## *Announcements*

### **DEATH OF THE HON. IAN RAYMOND CAUSLEY, A FORMER MEMBER FOR CLARENCE AND MINISTER OF THE CROWN**

**The SPEAKER:** It is with regret that I inform the House of the death of the Hon. Ian Raymond Causley on 27 April 2020, a former Minister of the Crown who served as the member for Clarence from 24 March 1984 to 1 February 1996. On behalf of the House, I extend the deep sympathy of the Legislative Assembly to the family of Ian Causley in the loss sustained. His death will be the subject of a motion of sympathy on a future day.

*Members and officers of the House stood in their places as a mark of respect.*

## *Members*

### **MEMBERS OF PARLIAMENT BIRTHDAYS**

**The SPEAKER:** I note many members have recently celebrated or will soon celebrate their birthdays. I hope the members representing the electorates of Kiera and Bankstown enjoyed their recent birthdays. I wish the members representing the electorates of Camden, Terrigal, Gosford, Cabramatta, Lakemba, Summer Hill and Shellharbour all the best for their upcoming birthdays. I wish the member for Wollondilly the best for his upcoming fortieth birthday.

## *Announcements*

### **PARLIAMENT LIVESTREAMING**

**The SPEAKER:** The House has gathered to debate urgent bills in the public interest. In light of COVID-19 a number of safety procedures are in place, including social distancing and temperature checks. It is important that the public knows that the Parliament continues to serve them despite the challenging circumstances. I foreshadow that subject to a resolution of the House proceedings will be live streamed on Facebook, as well as photographed and filmed from the public gallery. Approval has been granted for film and camera crews to operate in the public gallery today.

### **MEMBERS OF PARLIAMENT PROFESSIONAL DEVELOPMENT PROGRAM**

**The SPEAKER:** Today members received an email from the Presiding Officers of the Legislative Assembly and Legislative Council to e-launch a new professional development program for all members. I thank the various members who have played an active role in the development of this important piece of work. While professional development might be part of the job for a lot of other professions, traditionally there has been little formal effort to support or develop parliamentarians over the course of their careers. As there is an effort to change that in the New South Wales Parliament setting, I encourage all members to consider the material.

## *Bills*

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

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

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

## **Assent**

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

*Documents***LAW ENFORCEMENT CONDUCT COMMISSION****Reports**

**The SPEAKER:** In accordance with section 142 of the Law Enforcement Conduct Commission Act 2016, I announce receipt of the reports of the Law Enforcement Conduct Commission entitled:

*Operation Cusco*, dated April 2020, received out of session on 16 April.

*Operation Brugge*, dated May 2020, received out of session on 8 May.

*Operation Gennaker*, dated May 2020, received out of session on 8 May.

*Operation Karuka*, dated May 2020, received out of session on 8 May.

*Operation Mainz*, dated May 2020, received out of session on 8 May.

*Operation Sandbridge*, dated May 2020, received out of session on 8 May.,

*Operation Tabarca*, dated May 2020 received out of session on 8 May.

I order that the reports be printed.

**REGISTER OF DISCLOSURES**

**The SPEAKER:** I table the Supplementary Ordinary Returns by members of the Legislative Assembly as at 31 December 2019. I order that the document be printed.

*Committees***LEGISLATION REVIEW COMMITTEE****Reports**

**The CLERK:** In accordance with section 10 of the Legislation Review Act 1987, I announce receipt of the reports of the Legislation Review Committee entitled:

*Legislation Review Digest No. 11/57*, dated 24 March 2020, received out of session on 25 March 2020 and authorised to be printed.

*Legislation Review Digest No. 12/57*, dated 22 April 2020, received out of session on 22 April 2020 and authorised to be printed.

*Legislation Review Digest No. 13/57*, dated 5 May 2020, received out of session on 5 May 2020 and authorised to be printed.

I also announce receipt of the minutes of the committee meetings regarding:

*Legislation Review Digest No. 10/57*, received on 25 March 2020.

*Legislation Review Digest No. 11/57*, received on 22 April 2020.

*Legislation Review Digest No. 12/57*, received on 5 May 2020.

*Documents***LAW ENFORCEMENT AND NATIONAL SECURITY (ASSUMED IDENTITIES) ACT****Reports**

**The CLERK:** In accordance with section 35 of the Law Enforcement and National Security (Assumed Identities) Act 2010, I announce receipt of the Assumed Identities Report of the NSW Police Force for the year ended 30 June 2019, received out of session on 25 March 2020 and authorised to be printed.

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

**The CLERK:** In accordance with section 49 of the Surveillance Devices Act 2007, I announce receipt of the report of the Inspector of the Law Enforcement Conduct Commission entitled *Report under Section 49 (1) of the Surveillance Devices Act 2007 for the period ending 31 December 2019*, dated March 2020, received out of session on 31 March 2020 and authorised to be printed.

**AUDITOR-GENERAL****Reports**

**The CLERK:** In accordance with section 63C of the Public Finance and Audit Act 1983, I announce receipt of the Performance Audit Reports of the Auditor-General entitled:

*Integrity of data in the Births, Deaths and Marriages Register*, dated 7 April 2020, received out of session on 7 April 2020 and authorised to be printed.

*Local Schools, Local Decisions: needs-based funding*, dated 8 April 2020, received out of session on 8 April 2020 and authorised to be printed.

*Destination NSW's support for major events*, dated 9 April 2020, received out of session on 9 April 2020 and authorised to be printed.

*Train station crowding*, dated 30 April 2020, received out of session on 30 April and authorised to be printed.

## OFFICE OF TRANSPORT SAFETY INVESTIGATIONS

### Reports

**The CLERK:** In accordance with section 46D of the Passenger Transport Act 1990, I announce receipt of the report of the Office of Transport Safety Investigations entitled *Bus safety report: Bus Incidents in New South Wales in 2019*, received out of session on 9 April 2020 and authorised to be printed.

### Committees

## PUBLIC ACCOUNTS COMMITTEE

### Further Government Response

**The CLERK:** I announce receipt of the Further 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 out of session on 10 May 2020 and authorised to be printed.

### Reports

**The CLERK:** In accordance with section 63C of the Public Finance and Audit Act 1983, I announce receipt of the report of the Public Accounts Committee entitled *Examination of the Auditor-General's Performance Audit Reports February 2018—July 2018*, Report 4/57, dated 12 May 2020, received out of session on 12 May 2020 and authorised to be printed.

### Members

## LEADER OF THE HOUSE

**The SPEAKER:** I congratulate the member for Cronulla on being appointed to the position of Leader of the House.

### Business of the House

## DAYS OF MEETING

**Mr MARK SPEAKMAN:** I move:

That the resolution adopted by the House on 24 March 2020, subsequently varied by the Speaker, be amended to provide for the House also to sit on the following days, unless otherwise directed in accordance with sessional order 47A: 2, 3, 4 June; 16, 17, 18 June; 28, 29, 30 July; and 4, 5, 6 August, subject to consultation between the Speaker and relevant public health authorities in relation to public health measures in the Chamber.

**Motion agreed to.**

### Motions

## PARLIAMENT LIVE STREAMING

**Mr MARK SPEAKMAN:** I move: By leave:

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

**Motion agreed to.**

### Business of the House

## SUSPENSION OF STANDING AND SESSIONAL ORDERS: ROUTINE OF BUSINESS

**Mr MARK SPEAKMAN (Cronulla—Attorney General, and Minister for the Prevention of Domestic Violence) (12:07:56):** 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 the COVID-19 Legislation Amendment (Emergency Measures—Attorney General) Bill 2020 and cognate bills.



- (2) Provide for the following routine of business for the remainder of the sitting:
  - (a) COVID-19 Legislation Amendment (Emergency Measures—Attorney General) Bill 2020 and cognate bills;
  - (b) if at 3.30 p.m. consideration of the bills has not concluded, all questions necessary to complete the remaining stages of the bills to be put without delay;
  - (c) at 4.00 p.m. Question time comprising five questions without notice, the answers to which shall not exceed five minutes (no additional information to be sought and no supplementary question). Four of the questions without notice to be asked by the Opposition and one question to be asked by the crossbench;
  - (d) the Speaker to leave the chair until the ringing of one long bell;
  - (e) upon the Speaker resuming the chair, consideration of any messages from the Legislative Council and any Council amendments; and
  - (f) the House to adjourn without motion moved, pursuant to the earlier resolution.
- (3) Provide for the following speaking times during the second reading debate on the bills:
  - (a) up to 50 minutes for Government members;
  - (b) up to 60 minutes for Opposition members;
  - (c) up to 15 minutes for members of the Shooters, Fishers and Farmers Party;
  - (d) up to 15 minutes for members of the Greens;
  - (e) up to 10 minutes for the member for Lake Macquarie;
  - (f) up to 10 minutes for the member for Sydney; and
  - (g) up to 10 minutes for the Minister in reply.
- (4) Provide for the following speaking times during consideration in detail on the bills:
  - (a) mover of any amendment—5 minutes;
  - (b) any other members—5 minutes; and
  - (c) mover in reply—5 minutes.
- (5) Provide for further arrangements for written questions to be lodged by members during the non-sitting weeks of 18 to 22 May 2020 and 25 to 29 May 2020 as if the House was sitting during those weeks.

**Mr RYAN PARK (Keira) (12:10:17):** This will not take any of our team's time. Let me make this very clear: We are not happy that we are back here to debate urgent COVID-19 legislation, which has been brought to this place to assist community members in the middle of a pandemic. When did we get that legislation? We got that legislation—first round—Saturday night at 9.30 p.m. That is hardly the way to take a bipartisan approach to COVID-19 in the middle of the pandemic. We have always said from the outset—and I think you will acknowledge this, Mr Speaker; I know the former Leader of the House will—that we will seek to work cooperatively with the Government at all times to pass legislation to assist the working men and women and their families who are going through a very, very difficult time. But we will not have this Parliament treated like a Liberal Party convention.

This is not a joke. We are in the middle of Australia's worst pandemic. Men and women have lost their livelihoods and small businesses have gone to the wall and we have a government whose members are only focused on their next career moves to Canberra. That is why they have not been focused on bringing this legislation to the Parliament and sharing it with the men and women of the Opposition and the crossbench and allowing us enough time to debate it, digest it and seek appropriate amendments. This is the place where we should be having a robust debate. This is not the time to be limiting speakers. This is one piece of legislation in the middle of Australia's worst pandemic. I think every single member on behalf of their community has a right to participate in debate on this critical piece of legislation—legislation that is fundamental to the way in which our communities operate.

Members on this side have a number of concerns that we will outline in our speeches. Many of them are to do with the way in which tenants and landlords have been treated and the way in which we can try to provide some certainty for people who overnight have found themselves without income, who have lost businesses or who have found themselves on the Centrelink queue, having never been there before. They are looking to this Parliament to make sure that we pass the best possible legislation. Mr Speaker, how can you honestly say that the best piece of legislation can be passed today if that legislation was not shown to men and women on this side of the Chamber until 9.30 on Saturday night? At 10.07 a.m. today they were still talking about the way in which it will be moved through this place. I do not think that is good legislation. I do not think the way that this Parliament is operating is effective. I do not think any of you opposite are acting as role models to your community.

At this time men and women in our community need to look at us and be sure that we are standing up for them. Over the past week, in the middle of a pandemic, we have seen some of the most appalling behaviour that I thought I would never see from members of this place. We have two senior Cabinet Ministers who are only interested in their next job while their own communities—some of the hardest hit people in Australia—down in the Eden-Monaro electorate have lost livelihoods, businesses and incomes and many of them have lost their lives. What we see is a government with two Ministers who are only interested in themselves. The first thing that should have happened this morning is that the Deputy Premier should have resigned. That was the first thing that this Parliament needed to hear because we have a Deputy Premier who is not up to the job. He is only interested in his next job in Canberra. What we should be doing in this place—

**Mr Mark Speakman:** Point of order—

**Mr RYAN PARK:** —is debating legislation in an appropriate way.

**Mr Mark Speakman:** This is not relevant to the suspension debate.

**The SPEAKER:** The member for Keira is linking his comments sufficiently to the matter before me. The member for Keira will continue.

**Mr RYAN PARK:** This should have been a thorough debate about a complex piece of legislation, not a debate on a piece of legislation that was handed to the Opposition at half past nine on a Saturday night and still being changed at 10.07 this morning. We are trying to make this legislation the best we can for working men and women in the community, who are going through some of the darkest and most difficult days. I reckon the least they expect is for this place to make sure we deliver the very best legislation for them. I reckon they also expect that every single person in this Chamber is worrying about their community's jobs, not their own.

**Ms Jenny Leong:** Mr Speaker—

**The SPEAKER:** If the member for Newtown wishes to seek the call, I point out that she will need to seek leave because in the normal course there is a reply from the Opposition. There is no automatic right to speak.

**Ms JENNY LEONG (Newtown) (12:15:50):** By leave: I appreciate the permission to speak. I appreciate other people may have been having closed-door conversations about how these time limits under the standing orders would be determined but it has come as a complete surprise to me. We are all elected to this place to represent our community. While we may have party negotiations going on behind the scenes in relation to our policy position, we are here to represent our individual electorates as well. I point out that we are about to put time limits on debating a piece of legislation for which amendments were still being drafted by the Government at about 11.00 a.m. today. It is now 20 past 12. I have a printed track-changes copy of the bill. Between the version that I got on Saturday night and the version that we have in front of us today, an entire section on the Residential Tenancies Act has been put into the legislation. That is a welcome insertion—don't get me wrong—but if we had the time to debate and go through the detail here, maybe we would find other glaring omissions in this legislation. So can we can come to an agreement at a time when the community wants us to come together and not play bullshit politics—excuse my unparliamentary language.

**The SPEAKER:** I ask the member to withdraw that.

**Ms JENNY LEONG:** I absolutely withdraw what I just said. My frustration at this situation is clearly showing in my language. I apologise, Mr Speaker. I withdraw the fact that I was about to swear in the Chamber; I will save that for Facebook. At a time when the community wants us to come together, the fact that in the past 24 to 48 hours some negotiations have taken place for reasonable insertions to be added to this legislation means that we should be allowing time for adequate debate in this Chamber. We know how this works. We raise matters in this Chamber, we highlight them, we keep having these conversations and then sometimes amendments are agreed to in the other place and developed and we get better laws out of it. The idea that we would limit people in this Chamber to only be able to speak for a very short period of time does not reflect our role in this Chamber.

We are elected to represent an individual electorate. By preventing individual members from being able to make a contribution to legislation, we are ignoring the fact that we are here as 93 representatives of individual communities. With the greatest respect to the member for Sydney and the member for Lake Macquarie, it is not in any way possible to justify the idea that they would have 10 minutes each because they happen to be Independents. But electorates who have elected a Labor member, a Coalition member, a Greens member or a Shooters, Fishers and Farmers Party member get less time because there is some arbitrary distinction about party political representation in this place. This Chamber represents the people who elect us in our electorates. We all deserve the right to be able to speak on behalf of our electorates on this incredibly important piece of legislation. It is going to take a few more hours. We have all had a huge break—something that The Greens did not support. We believed that if schools were open and teachers were working, then our parliamentarians should have been

working too. But the Government and the Opposition agreed and we suspended standing orders and suspended the sitting schedule. But we have not been in this place. During this pandemic we need more democracy, not less.

This legislation could be improved. We know that good people have been tiring themselves out working on it and not getting enough sleep trying to draft it in time. Right now we can collectively put our brains together to make this legislation as good as it can be for the people of New South Wales or we can try to ram it through to get it done and go back to other things. I do not think that should be our job. Our job is to be here and to take our time to go through the legislation. If that means we are here until some ridiculous hour in the morning, then so be it. Let us do what the community wants. The community wants us to work through this and come to an agreement on providing measures and protections for those who are at risk and vulnerable in our community so that we can get through this pandemic together. If we start playing politics by limiting the amount of time members, who are representing the interests of their communities, are allowed to speak on legislation, we will not be doing that.

**Mr GREG PIPER (Lake Macquarie) (12:20:40):** By leave: I stand in concert with the member for Newtown. I agree with many of her points, including the provision of time for Independent members. I appreciate in this case that the Government has been trying to apportion times but at this stage it seems to me that it was not necessarily obvious who would be here from each of the parties. The member for Newtown is right: There are 93 members who have been elected to this House and there should be equality for all, no matter what, in the provision of opportunities—other than for Ministers presenting legislation or speaking to legislation or members of the Opposition who have responsibility for a shadow position. I have concerns because there was no discussion that I am aware of with the crossbench members in relation to how that was done.

I am also mindful of the broad comments made by the member for Keira. I am concerned about the way in which the Legislative Assembly of New South Wales—the oldest Parliament in Australia, the largest State, the largest jurisdiction in Australia—has been missing in action in being able to represent its people in this process. I understand that the Government had real and legitimate concerns about the possible impact of COVID-19 on the people of New South Wales and implemented emergency provisions to deal with that. But jurisdictions around the world, whether they are Westminster jurisdictions or other legislative bodies, implemented provisions to allow for the representation of their people and to provide for accountability measures across the board—whether it was through Westminster systems with public accounts committees which were provided with information or brought to the fore in taking up some of the accountability process; whether it was through the formation of joint standing committees to provide accountability to their parliament and to their people; or whether it was other types of jurisdictions where parliaments continued to sit.

We would be one of the least accountable, least open jurisdictions in the world today. That is a real concern and it can be addressed. I appreciate we will be reinstating the parliamentary sitting schedule from 2 June. That is a good thing. Part of the provisions for the reinstatement of the sitting schedule is that it is at the Speaker's behest, if there is any public health advice against it. I would hope that if there was concern about that, the Speaker would engage with members of Parliament other than the Government—that is, the Opposition and members of the crossbench—to gauge those provisions because each and every one of us has a responsibility to our community.

Most backbenchers, maybe even Government backbenchers, are somewhat curtailed in being able to represent their communities in the way they would like because information is provided to us mainly through the media. We then provide that to our community and somehow explain what the Government's position is. That is not appropriate. We have an opportunity to correct that from this point forward. We have a new Leader of the House, whom I acknowledge. I ask that we work cooperatively together, as the member for Keira said, to address this situation. That is what the people of New South Wales would expect.

**Mr MARK SPEAKMAN (Cronulla—Attorney General, and Minister for the Prevention of Domestic Violence) (12:24:50):** In reply: Detailed particulars of these bills were supplied last Wednesday and a draft bill was provided on Saturday night. All members in this Chamber would acknowledge that the COVID-19 pandemic is the worst crisis that has faced this country since the Second World War. It is inconceivable that members have not had ample time to prioritise dealing with this pandemic and digesting those particulars—

**The SPEAKER:** The member for Canterbury will remain silent.

**Mr MARK SPEAKMAN:** —putting their constituents first and foremost and being ready to understand the legislation and debate it. The suspension of standing orders motion allocates up to four hours for debate and voting on this bill. That is ample time for all members and all blocks of members to put their case on this bill and to move amendments. Of course, there is ample time in the other place to debate amendments as well. Speaking times have been limited but that is a measured and fair response to a pandemic, where we need to get this legislation before and through the House and allow a reasonable time for debate. That is what we have done by allowing up to four hours of debate and voting.

**The SPEAKER:** The question is that the motion be agreed to. Before I call a division, I remind members that the sessional order that was passed on the last occasion about how the House handles divisions will apply to this division. For the benefit of members both in the Chamber and those who are in the precinct, the procedure will be to walk through the doors behind me and to walk out of the doors to the side of the Chamber, which obviously complies with social distancing requirements. I appoint the member for Terrigal and the member for Cootamundra as tellers for the ayes, and the member for The Entrance and the member for Campbelltown as tellers for the noes.

**Mr Ryan Park:** Do you want us to leave and come back?

**The SPEAKER:** The easiest procedure is for all members to leave the Chamber, walk through the doors, then out the side doors and then stay out of the Chamber until the division is concluded.

**The House divided.**

*[In division]*

**The SPEAKER:** I ask the Whips to take their electronic tablets and commence recording the votes now, even while the bells are still ringing, to avoid having too many people congregating outside the Chamber.

*[Later, in division]*

**The SPEAKER:** In accordance with standing orders, I will keep the division open for the next 10 minutes. I ask members to try to make their way to the Chamber as soon as possible. Pursuant to standing orders, the House has requested that the division be kept open for 10 minutes. Should there be a need, I may consider truncating that. For the moment I will allow a little bit of time. If no member comes into the House in the next few minutes I may entertain a motion to truncate it. That is the standing order.

*[Later, in division]*

**The SPEAKER:** By agreement I will truncate the time that was otherwise to be allocated for the division. I ask that the doors be closed.

Ayes .....23

Noes .....17

Majority.....6

#### AYES

Ayres, S  
Cooke, S (teller)  
Elliott, D  
Griffin, J  
Marshall, A  
Roberts, A  
Stokes, R  
Upton, G

Barilaro, J  
Crouch, A (teller)  
Evans, L  
Henskens, A  
Perrottet, D  
Smith, N  
Taylor, M  
Williams, L

Conolly, K  
Dominello, V  
Greenwich, A  
Lee, G  
Petinos, E  
Speakman, M  
Toole, P

#### NOES

Butler, R  
Cotsis, S  
Finn, J  
Lynch, P  
Minns, C  
Piper, G

Car, P  
Dalton, H  
Haylen, J  
McKay, J  
Park, R  
Warren, G (teller)

Catley, Y  
Donato, P  
Leong, J  
Mehan, D (teller)  
Parker, J

#### PAIRS

Anderson, K  
Berejiklian, G  
Bromhead, S  
Clancy, J  
Constance, A  
Coure, M  
Davies, T

Aitchison, J  
Atalla, E  
Bali, S  
Barr, C  
Chanthivong, A  
Crakanthorp, T  
Daley, M

## PAIRS

Gibbons, M  
 Gulaptis, C  
 Hancock, S  
 Hazzard, B  
 Johnsen, M  
 Kean, M  
 Lindsay, W  
 Pavey, M  
 Preston, R  
 Provest, G  
 Saunders, D  
 Sidgreaves, P  
 Sidoti, J  
 Singh, G  
 Tuckerman, W  
 Ward, G  
 Williams, R  
 Wilson, F

Dib, J  
 Doyle, T  
 Harris, D  
 Harrison, J  
 Hoenig, R  
 Hornery, S  
 Kamper, S  
 Lalich, N  
 McDermott, H  
 Mihailuk, T  
 O'Neill, M  
 Saffin, J  
 Scully, P  
 Tesch, L  
 Voltz, L  
 Washington, K  
 Watson, A  
 Zangari, G

**Motion agreed to.**

*Bills*

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

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

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

**First Reading**

**Bills 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) (12:36:50):** I move:

That these bills be now read a second time.

The last three months have been a time of unprecedented pain for members of our community. It has been the hope of our Government and of governments across the world that by everyone sacrificing something, the number of those that lose everything will be at a minimum. Even one death given to this terrible virus is too many, let alone the 97 individuals who have died across our country. New South Wales has seen the lion's share of deaths, with 44 lives lost. All of our thoughts are where they have always been during this crisis: with the families, friends and communities of those lost. But this time of suffering has been matched by the resilience of the Australian spirit, a resilience demonstrated time and again through the courage of our convictions, the strength of our community ties and our willingness and eagerness to sacrifice and do what is right.

While there have been outliers, their number has been small. By an overwhelming majority, our citizens have met the call. The comparatively low infection and death rates that our country has seen are a testament to everyone's efforts. I thank all those doing their public duty, from our brave frontline health, police and emergency services workers to our workers in grocery stores and supermarkets, who have been up at the crack of dawn each morning, to every member of the community who has done and continues to do their part by staying home and the many more who have gone unmentioned. Today on International Nurses Day, the 200th anniversary of Florence Nightingale's birth, I make special note of our nurses.

We are not through this crisis. As the Premier said last week, "Complacency is our enemy, just as much as the virus". While the decline in the rate of infection rightly means that restrictions can be relaxed, the virus has not been eradicated. We do not yet have a vaccine. The last thing we want to see are fresh outbreaks and a spike in the rate of infections. As we come through this health crisis we must deal with the hard economic times that lie ahead. It is easy to feel overwhelmed by the strife that we have already suffered and the struggles to come. But

I take strength from the unity that has characterised the Australian response to date and I am filled not with doubt but with the confidence and the certainty that we will re-emerge bruised but stronger, kinder and wiser.

The Government has made various adjustments to government processes and systems to ensure that essential services can continue to be provided while practising social distancing and reducing personal contact in adherence with NSW Health guidelines and health orders. Many of these were enabled by or implemented by the COVID-19 Legislation Amendment (Emergency Measures) Act 2020. I thank the House for its swift consideration and enactment of those measures. Over the past two months we have seen significant changes to our ways of life. As we have all adapted to these tumultuous times, the experiences of and feedback from a range of New South Wales government agencies, non-government organisations, peak bodies and other stakeholders have shown further adaptations are needed to ensure that a wider variety of services and functioning can continue to be delivered while current restrictions and social distancing practices are in place and to put our State in the best possible position for economic recovery as restrictions continue to ease.

These bills will amend 40 New South Wales Acts and four New South Wales regulations across multiple portfolios. Although New South Wales has seen significant success in flattening the curve, and we may see some restrictions lifted sooner than anticipated when the House last met, the advice from our officials is that we must maintain social distancing and continue to adapt to reduce the risk of spread. It is inevitable that as restrictions are relaxed there will be more cases of COVID-19 in our community. Restrictions that have been relaxed may be reintroduced in response to outbreaks. Some of the amendments proposed in these bills are significant. As with provisions in the recent emergency Act, most of these bills' provisions have sunset clauses and will subsequently lapse in September this year on the same date as the majority of the provisions enacted in the previous emergency Act. Time limits are included in recognition that these measures are extraordinary and are proposed in response to an unprecedented and rapidly evolving public health emergency.

I will first deal with the COVID-19 Legislation Amendment (Emergency Measures—Attorney General) Bill 2020, or "the first bill" for short, which amends Acts that I administer. The first bill amends the Court Security Act to enable court security officers to use thermal imaging scans or contactless thermometers to check a person's temperature if they are entering or are on court premises. Security officers will be able to require those individuals to answer questions about their health in relation to symptoms of COVID-19 or whether they are likely to have been at risk of exposure to COVID-19. If an individual has a temperature of greater than 38 degrees Celsius or exhibits or reports other common signs of COVID-19, the security officer may deny them entrance to court premises or require them to leave.

Where a security officer identifies that someone who is required to be in court that day is exhibiting or reporting a sign of illness, the security officer must immediately advise the court that the person has been required to leave the premises or has been refused entry. The security officer must also give the person a written notice stating that he or she was the subject of a requirement to leave the court premises or was refused entry. The person may use this notice as evidence to demonstrate that they have attempted to attend court but could not access or remain on the premises in any act, action, order, judgement or application taken in the person's absence. Where a security officer identifies a juror who has been selected for a panel is exhibiting or reporting a sign of illness, the security officer must refer the juror to the relevant judge or coroner to determine whether they should be discharged from jury duties. Individuals who have been summoned for jury service but not selected for a panel will not need to be referred to a judge or coroner.

Many people are compelled to attend court but might fear attending due to the risk of exposure to COVID-19. Introducing temperature checks and other screening questions will improve public confidence in the safety of attending court. These amendments sit within a suite of measures taken to ensure our courts are a safe place to be. Section 182 of the Criminal Procedure Act 1986 allows an accused person who has been served with a court attendance notice [CAN] to lodge a plea in writing but section 182 (4) states that the section does not apply to an accused person who has been granted or refused bail or in relation to whom bail has been dispensed with. This means that currently only defendants served with a future CAN or non-bail CAN are able to submit written pleas while those who have had bail granted refused or dispensed with must make their plea in person at the court.

The first bill will amend the Criminal Procedure Act to allow temporarily the existing written plea provisions to apply to persons about whom a bail decision has been made during the COVID-19 pandemic. Temporary removal of this exclusion will reduce the number of people required to appear physically in the Local Court to enter pleas and will allow for matters to progress without undue interpersonal contact or proximity. The amendment has a sunset period of six months from the commencement of the first emergency Act, with the ability to extend this sunset period by regulation for a total period of 12 months from the commencement of that Act. The earlier emergency Act inserted a temporary regulation-making power into the Electronic Transactions Act 2000 for altered arrangements for signature, witnessing and attestation of documents.

On 22 April the Electronic Transactions Amendment (COVID-19 Witnessing of Documents) Regulation was made enabling, amongst other things, the witnessing of documents to occur by audiovisual link [AVL]. The first bill before the House today amends the regulation-making power in section 17 of the Act to also allow for the making of regulations that modify or suspend requirements, permissions or arrangements in relation to certification, execution, production, filing, lodgement, service or witnessing of documents and imposing requirements relating to the form and content of a document and imposing requirements relating to the form and content of a document or processes for making a document and other related matters. The regulation-making power is being expanded because the restrictions on interpersonal contact during COVID-19 may impact a range of processes beyond the matters covered by the existing power in section 17. This expansion of regulation-making power is necessary to respond effectively to COVID-19 related limitations.

The Department of Communities and Justice consults relevant stakeholders to identify documents that may be appropriately executed and filed in electronic form during the COVID-19 emergency. My intention is that if Parliament has resumed its formal sitting routine once those appropriate types of documents have been identified, I will introduce a bill to Parliament proposing amendments to the substantive law rather than seek the making of a regulation under section 17. The earlier emergency Act's amendments facilitated increased use of AVLs in New South Wales court proceedings during the pandemic for accused, detainees, witnesses and legal representatives.

The first bill before the House further amends the Evidence (Audio and Audiovisual Links) Act 1998 to include a new power to direct an accused person who is not in custody to appear via AVL. This power is subject to the direction being in the interests of justice, having regard to the public health risk posed by the COVID-19 pandemic, the efficient use of court resources and any other relevant matter. The requirement that AVL facilities be available and that the party must be able to communicate with their legal representative privately will also apply. For matters excluded from the COVID-19 AVL provisions by regulation, which are currently indictable trials and fitness hearings, the court will also be given the power to direct AVL for accused not in custody. In these matters a presumption against AVL applies unless the accused consents or the court otherwise directs following the application of the same "interests of justice" test. The bill clarifies that the presumption in favour of AVL for government agency witnesses in section 5BAA of the Act continues to apply, which restores the status quo after that inadvertent change in presumption arising from the drafting of the earlier emergency Act.

Sheriff's officers assist other New South Wales agencies to fulfil their various functions, particularly in time of emergency. For example, Sheriff's officers have been helping the NSW Police Force with quarantining individuals in hotels. To assist Sheriff's officers to prevent and respond to assaults, damage to property and unlawful exit or entry to restricted premises while performing these duties, the first bill amends the Sheriff Act 2005 to grant officers temporarily to issue directions, enter rooms or quarantine facilities, arrest or detain persons for the purpose of handing them into police custody and using reasonable force to exercise the new entry, arrest and detention powers. These powers are consistent with the functions Sheriff's officers have in their civil law enforcement and court security roles. These powers will only be available in connection with premises at which a person is required to reside pursuant to an order under the Public Health Act 2010 relating to COVID-19 or other premises prescribed by the regulations.

Individuals will be given two opportunities to comply with any directions issued by Sheriff's officers. Where a person is directed to do something under these amendments and that person fails to comply, the Sheriff's officer can then give the direction a second time. At that time the Sheriff's officer must tell the person that he or she is a Sheriff's officer and the reason for the direction as well as warn them that failure to comply could be an offence. If the person does not have a reasonable excuse for not complying, they may be guilty of an offence and penalised by up to 10 penalty points. The powers will have a sunset clause consistent with those in the earlier emergency Act. The first bill makes a number of minor amendments to the Subordinate Legislation Act 1989 to propose the staged repeal of two regulations.

I now turn to the COVID-19 Legislation Amendment (Emergency Measures—Treasurer) Bill 2020 or, for short, the second bill, which amends legislation administered by the Treasurer. The second bill makes a number of amendments to the Government Sector Finance Activities 2018. It clarifies the circumstances in which the Treasurer is authorised to issue certificates confirming variations in appropriations for Commonwealth specific purpose payments. On 20 March the New South Wales Government announced that the 2020-21 budget would be deferred, consistent with the Commonwealth budget and other Australian jurisdictions. The second bill also amends the Government Sector Finance Act 2018 to allow for this deferral of the 2020-21 budget from June until no later than 31 December 2020 or a day prescribed by regulation. This allows the Government to allocate resources based on a more complete picture of the impact of COVID-19 on the State's fiscal and economic position.

To ensure agency funding is available until the budget is tabled, the second bill will amend the Act to extend the ability of the Treasurer to authorise payments from the Consolidated Fund on the lapse of appropriations made by the 2019-20 budget, subject to a cap of 75 per cent of the amount previously appropriated and, with the Governor's approval, to authorise payments out of the Consolidated Fund for exigencies of Government resulting from the COVID-19 pandemic until the 2020-21 budget is enacted. This allows the Treasurer greater flexibility to use funds received late in the financial year from the Commonwealth in the next financial year. The second bill also makes a number of amendments to the Treasurer, Minister and agency reporting deadlines to align with the deferred 2020-21 New South Wales budget.

The Government Sector Finance Act 2018 is amended to modify the annual reporting obligations of the Public Finance and Audit Act 1983, the Annual Reports (Statutory Bodies) Act 1984 and the Annual Reports (Departments) Act 1985. Specifically the bill will extend the period for departments and statutory bodies to prepare financial and annual reports for the 2019-20 reporting period, enabling agencies more time to prepare these reports as a result of the impacts of the pandemic. Where these amendments defer the legally required end date for certain reporting requirements, NSW Treasury will continue to work with the sector to deliver these requirements as soon as practicable.

The bill includes amendments to the Payroll Tax Act 2007 to provide a payroll tax exemption for additional wages that are paid to employees to satisfy the wage condition for the Commonwealth's JobKeeper scheme. "Additional wages" include wages for workers who have been stood down but are receiving a wage subsidised by the JobKeeper scheme. The full \$1,500 fortnightly wages would be exempt from payroll tax. In the case of employees who earn less than the amount of the JobKeeper payment, the extra amount paid to reach the \$1,500 wage condition will be considered additional wages and be exempt from payroll tax. This additional payroll tax relief will help people to be kept in jobs and support businesses who have signed up to the Commonwealth's JobKeeper scheme by ensuring they do not have extra out-of-pocket costs in passing on the JobKeeper payments. Many of the 38,000 businesses that pay payroll tax in New South Wales are expected to benefit from this exemption over the six months the JobKeeper scheme is scheduled to operate.

The second bill amends the Public Finance and Audit Act 1983 to enable the Treasurer flexibility in relation to tabling or publication of certain reports during the 2019-20 and 2020-21 reporting period for the New South Wales Government. These amendments provide planned relief for certain departments and statutory bodies from financial reporting requirements for the 2019-20 reporting period. This includes certain small agencies, Crown land managers, special purpose staff agencies and retained State interests. This relief will produce sector-wide time savings, which is particularly crucial in the current circumstances.

I turn now to the COVID-19 Legislation Amendment (Emergency Measures—Miscellaneous) Bill 2020, or, for short, the third bill, which includes amendments to legislation administered by other Cabinet colleagues. The third bill includes amendments to the Annual Holidays Act 1944 to permit the cashing out and taking of annual leave for employees in the local government sector at half pay or double pay, subject to conditions. Local government sector employees derive their annual leave entitlement from the Annual Holidays Act 1994, which prohibits the cashing out of annual leave except in very limited circumstances. This amendment would mean all local government sector employees would have a statutory right to cash out their annual leave subject to conditions in the regulations. The third bill will amend the Associations Incorporation Act 2009 to allow charities and not-for-profits to conduct meetings using technology and for members to vote on resolutions via post or electronic means even if their constitutions either do not allow or do not specifically provide for this.

The third bill will amend the Biodiversity Conservation Act 2016 to allow authorised officers to authorise a person whom the officer suspects on reasonable grounds has knowledge about a certain matter to answer questions about the matter using an audio link or audiovisual link. This will help ensure that investigations and interviews can be conducted during the pandemic in compliance with social distancing practices. The third bill also makes equivalent amendments to the Crown Land Management Act 2016, the Environmental Planning and Assessment Act 1979, the Fisheries Management Act 1994, the Mining Act 1992, the Protection of the Environment Operations Act 1997 and the Water Management Act 2000.

Section 9 of the Children (Community Service Orders) Act 1987 requires that before imposing a community service order, the Children's Court must be satisfied that there is community service work available, having regard to a report from a Youth Justice officer that outlines the availability and suitability of that work for a young person to do. The third bill will amend that Act to ensure that the court, where a community service order would be appropriate but for COVID-19 restrictions affecting the availability of suitable work, makes a community service order if satisfied that work will become available during the term of the order. This will allow greater flexibility for the Children's Court and will ensure that community service orders continue to be available as a sentencing option during the pandemic.



The third bill amends section 14 of that Act. Section 14 (1) requires a young person to present themselves at a nominated place to commence their community service. This generally takes place, in practice, at a Youth Justice community office. The amendment will make it clear that during the pandemic a young person may report to a Youth Justice officer via telephone or AVL for the purposes of section 14 (1). These amendments have a sunset period of six months from commencement of the earlier emergency Act, with the ability to extend this sunset period by regulation for a total period of 12 months from the commencement of that Act. The third bill amends the Children's Guardian Act 2019 to extend the operation of existing regulations made under the Adoption Act 2000, Children and Young Persons (Care and Protection) Act 1998, the Community Services (Complaints, Reviews and Monitoring) Act 1993 and the Ombudsman Act 1974 from 30 June 2020 to 1 March 2021.

The Children's Guardian Act 2019 consolidated and expanded upon the functions of the Children's Guardian, which were previously spread across several Acts and their regulations. The savings and transitional provisions of the Children's Guardian Act 2019 provide for existing regulations to continue operating until 30 June 2020, with the intention that they would be replaced before that date by a new Children's Guardian regulation. Due to current circumstances and competing priorities, key stakeholders are not currently able to engage meaningfully in such a consultation process. Extending the operation of the existing regulations until 1 March 2021 will ensure that the Children's Guardian regulation can be developed with appropriate regard given to stakeholder views.

The third bill will insert a temporary regulation-making power into the Community Land Management Act 1989, which will allow for regulations to be made to assist community land schemes to manage and fulfil their functions during the pandemic. The temporary powers will be subject to an automatic six-month sunset clause and enable the regulations to override a limited set of provisions of the Act for that limited period. This will ensure that, as necessary, provision can be made for schemes to carry out essential functions during the pandemic in a way that is compliant with public health orders and social distancing. By way of example, the powers would allow for regulations to be made to allow for meetings and voting to be conducted remotely rather than in person or for statutory time limits within which certain actions must be taken to be extended.

The third bill amends the Contract Cleaning Industry (Portable Long Service Leave Scheme) Act 2010 to remove the legislated 20 week wait period for payment of entitlements to contract cleaning workers upon leaving the industry. The measure will assist workers facing financial hardship due to COVID-19 and will apply for six months. The benefits that will be paid to the workers under the measure have already been costed in the estimate of future liabilities and can be met from within the contract cleaning industry fund. The proposal carries no additional costs. While the amendment is not retrospective, the Long Service Corporation will be able to assist those workers who have already lost their jobs to lodge a fresh claim for long service benefits in order to remove the 20 week wait time.

The third bill amends the Crimes (Administration of Sentences) Act 1999 to provide the State Parole Authority with the power to make parole orders for offenders sentenced to three years' imprisonment or less with a non-parole period in two scenarios: First, where the offender's statutory parole order has been revoked; and second, where a parole order made by the authority under this power has been revoked. The authority will exercise the power in the same way it makes parole decisions for an offender sentenced to over three years' imprisonment where a non-parole period has been set. Notably, that means that the same community safety test which requires the authority to be satisfied that releasing an offender on parole is in the interests of the safety of the community will apply for any consideration of parole under the new power. It also means that the offenders will be subject to the annual review provisions and that the authority will be able to consider parole for the offenders under circumstances that constitute manifest injustice.

Offenders who are released under the power will be subject to the standard conditions of parole as well as any conditions that the authority considers appropriate. If the authority determines that it is not in the interests of community safety to release an offender on parole, the offender will remain in custody. The amendment will have retrospective effect to validate anything done or omitted to be done by the authority under the previous assumption that the authority's power operated in this way. The Parole Legislation Amendment Act 2017, which commenced on 26 February 2018, may have unintentionally removed the authority's ability to make parole orders for those offenders. It is appropriate to ensure that the authority retains the power, particularly in light of the impact of the COVID-19 pandemic. The amendment will validate decisions only if they would have been made validly under the amendments. That will provide certainty to offenders who were granted parole following commencement of the 2017 parole reforms and prior to those amendments without compromising community safety.

The third bill amends the Electricity Supply Act 1995 to reconstitute the Energy Savings Scheme as the Energy Security Safeguard by creating a regulation-making power to establish schemes that encourage the consumption, contracting or supply of energy in particular ways. The Energy Savings Scheme supports about

1,600 jobs in the energy efficiency industry. Projects under the existing scheme are expected to deliver about \$5.6 billion in energy bill savings for households and businesses. It is of critical importance during these uncertain times to provide confidence to the energy industry and its employees and to support them to access new business opportunities on the other side of the pandemic. One of the first schemes intended to be established is a peak demand reduction scheme that supports the rollout of smart appliances, storage and equipment that helps households and businesses use or store energy at times when it is cheap. The Government will also investigate other such schemes that are consistent with the object of the safeguard, especially those that support the COVID-19 economic recovery. The regulation-making power will expire on 31 December 2021.

The third bill amends the Environmental Planning and Assessment Act 1979 to extend the dates upon which consents for development would otherwise have lapsed to at least five years from the date that consent was granted. It will help support businesses and land owners whose businesses may be shut down or who are facing difficulties in securing development finance, materials and labour during the pandemic to undertake approved developments once economic conditions have improved. Where property owners who rely on existing and continuing use rights have been forced to cease using their property, the bill also allows the use to be abandoned for up to three years, enabling businesses to recommence once the pandemic has passed. The third bill doubles the period for lodging merit appeals on development application decisions. That will extend the appeal period to 12 months for applicants and to 56 days for objectors.

The third bill introduces new provisions to the development contributions regime to encourage councils and developers to invest in critical local infrastructure and to help maintain cash flows. The amendments will allow the Minister for Planning and Public Spaces to make directions allowing local infrastructure contributions to be pooled both within and across contributions plans and specifying when contributions are to be paid by developers. The third bill will amend the Fair Trading Act 1987 to specify which pecuniary penalties in the Australian Consumer Law apply to a contravention of new sections 47A and 47B of the Fair Trading Act 1987, which are being inserted by schedule 1.1 to the Fair Trading Legislation Amendment (Reform) Act 2018.

The third bill will amend the Fair Trading Legislation Amendment (Reform) Act 2018 to prevent the automatic commencement of schedules 2.13, 4.1 and 4.2 [2] to the Fair Trading Legislation Amendment (Reform) Act 2018. The schedules insert new provisions into the Home Building Act 1989 and the Surveying and Spatial Information Act 2002 relating to the terms of authorities, licences, registrations and certificates and the periods within which the relevant authorities may be restored under those Acts and the amount of the fee that must accompany an application for the continuation of those relevant authorities. The amendments instead provide for those schedules to commence on a day or days to be appointed by proclamation to enable the registration system to be updated to facilitate the new terms.

The third bill will amend the Human Tissue Act 1983 to allow lawfully removed tissue to be used for testing, research, analysis or investigation relating to COVID-19 without written consent, if approved by the Health secretary. That will allow NSW Health to use retained blood samples for testing, research, analysis or investigation into community members' levels of antibodies to COVID-19 as necessary, where it would not be practicable to obtain donors' consent. The third bill will amend the Industrial Relations Act 1996 to introduce a time-limited regulation-making power to allow time periods relating to elections to be modified. The exercise of the regulation-making power must be with the consent of the Electoral Commissioner and in response to the public health emergency caused by COVID-19. The measure will ensure that if elections are delayed because of COVID-19, the period within which elections of officers in industrial organisations must be conducted can be extended.

The third bill amends the Interpretation Act 1987 to create a regulation-making power to enable all time periods contained in any Act to be extended, suspended or otherwise modified during the public health emergency. It also extends all existing powers to modify or waive time periods to include the power to take action on the ground that it is reasonable to do so for the purpose of responding to the public health emergency caused by the COVID-19 pandemic. Most limitation and other time periods continue to apply across all New South Wales legislation. However, if emergency and social distancing measures delay or suspend processes and procedures, the provisions will allow the Government to respond more rapidly and flexibly if it becomes difficult for action to be taken within prescribed time limits. The amendments are subject to sunset clauses. Any regulations made under the powers may be made only for the purposes of responding to the public health emergency caused by the COVID-19 pandemic. Furthermore, a regulation to modify time periods may be made only if the Parliament is not sitting and is not likely to sit within two weeks due to the COVID-19 pandemic or the response to it.

The third bill will repeal the Landlord and Tenant Regulation 2015. The third bill makes a number of amendments to the Local Government Act 1993. It will allow local councils to catch up on any shortfall in general income if they have not taken the full rate peg increase over a 10-year, rather than a two-year, period. The bill modifies the existing powers of the Minister for Local Government to cap councils' general income, so that it can

be expressed as a dollar value or based on the income from a previous year. Currently, capping orders must be expressed in percentage terms. The change will also continue beyond the pandemic period. The bill will provide that councils cannot commence debt recovery for unpaid rates or charges unless they have considered whether, first, the payment of the rate or charge could be made in instalments or by way of some other financial arrangement; secondly, the person should be referred to a financial counsellor; thirdly, mediation or alternative dispute resolution should be attempted first; and fourthly, interest on the unpaid amount should be deferred or waived. This change will be limited to the pandemic period.

The third bill will also prohibit councils from entering into new contracts for improvements to their administrative buildings during the pandemic. Emergency works can still go ahead and regulations can be made to set out exemptions to the ban. The third bill amends the Long Service Leave Act 1955 to allow for accrued long service leave to be taken over multiple periods of not less than one day during a prescribed period. Further amendments will be made to that Act to clarify that a worker will continue to accrue long service leave for the period they are stood down by their employer due to the COVID-19 pandemic. I acknowledge the Hon. Adam Searle, MLC, in the other place for raising this amendment. This will mean that during a stand-down period an employee remains employed and subject to their contract of employment where they remain ready, willing and able to perform work. If the employment relationship has not ceased, then a stand-down period will not disturb the continuous service of an employee and the period will count towards the calculation of long service leave.

The third bill amends the Mental Health Act 2007 to allow the required examinations of patients under section 27 to be conducted via AVL if necessary as a result of the pandemic but only if the examination can be carried out with sufficient skill or care to enable an opinion about the patient to be formed. The bill amends the Private Health Facilities Act 2007 to allow the Health secretary to include additional conditions on a private health facility's licence if necessary as a result of the pandemic. These additional conditions may include limiting the types of elective surgeries that can be undertaken. This may be necessary to manage resources or coordinate health services to ensure an appropriate supply of personal protective equipment for more serious cases across the entire New South Wales health system, both public and private, during this crisis.

New property industry reforms under the Property and Stock Agents Act 2002 commenced on 23 March 2020. These reforms introduced a requirement that assistant agents can only hold a certificate of registration for a maximum of four years. If they do not obtain a full agent licence by the end of this period, they are prohibited from applying for a certificate of registration again for 12 months. The third bill will amend the Act to provide that, despite this general prohibition, an application for a certificate of registration may be made if the application is made within one year after the reforms commence and the applicant previously held a certificate that expired or was cancelled within one year before the commencement of the reforms. This will ensure that people who were the equivalent of assistant agents prior to the reforms commencing but have inadvertently let their certificate lapse in the year prior to the reforms are able to transition to the new regulatory arrangements as planned.

The third bill will make a number of minor amendments to the Public Health Act 2010. Although not exclusively related to the COVID-19 pandemic, they will help enhance the way our health services can deal with pandemic situations. The third bill will amend section 62 to allow public health orders to require a person who has or who has been exposed to a category 4 or 5 medical condition, including COVID-19, to undergo testing or an examination. This will ensure that individuals' infection status can be confirmed, risks to public health can be better managed and appropriate treatment plans can be devised. Section 62 is currently subject to a statutory review, as required by section 136. Following concerns raised by the member for Sydney and stakeholders, I can reassure the House that should the proposed amendment to section 62 pass the Parliament, it will be considered as part of the review.

The third bill will amend section 98 to allow the Health secretary to approve classes of persons who can disclose information to a health record linkage organisation for the purpose of a public health register. The third bill will insert a new section 129A to require the registrar of Births, Deaths and Marriages to notify the Health secretary of all deaths, not just those relating to scheduled medical conditions, to help identify clusters of incidents that may not otherwise be readily associated. The third bill amends the Registered Clubs Act 1976 to include a time-limited regulation-making power to allow time periods relating to elections to be modified. The exercise of this regulation-making power must be with the consent of the Electoral Commissioner and in response to the public health emergency caused by COVID-19. This measure will ensure that if elections are delayed because of COVID-19, the period within which elections for the governing body of a club must be conducted can be extended.

The third bill will expand earlier temporary emergency measures under the Residential Tenancies Act 2010 to allow tenants who are in financial hardship due to COVID-19 to apply to end a fixed term agreement. The provisions allow a tenant to apply to the NSW Civil and Administrative Tribunal [NCAT] to end a fixed term agreement where a landlord has failed to engage in a rent negotiation process or where the landlord and tenant are not able to agree on new arrangements that would avoid financial hardship to the tenant. If NCAT issues a

termination order, the tenant will be required to pay two weeks' rent to the landlord as compensation for the early termination of the agreement. The third bill amends the Residential Tenancies Act 2010 with the effect that Landlord and Tenant Regulation 2015 continues to apply to prescribed premises to which the repealed Landlord and Tenant (Amendment) Act 1948 continues to apply. Section 1D of the Landlord and Tenant Act 1899 provides for the repeal of the Landlord and Tenant (Amendment) Act 1948 five years after the commencement of section 1D, which was 29 June 2015.

The third bill makes related definitional updates to the Residential Tenancies Regulation 2019. The third bill will amend the Retirement Villages Act 1989 to permit the Minister for Innovation and Better Regulation to issue orders exempting retirement villages, operators, residents or the Secretary of the NSW Department of Customer Service from certain requirements under that Act during the COVID-19 pandemic. The Act provides for the administration and operation of retirement villages. This includes rules about in-person meetings, votes conducted by written ballot at in-person meetings and various other requirements which if adhered to would be contrary to public health orders and could risk the health of residents. Alternative arrangements which may be suitable in other situations, like the use of AVL, may not be suitable due to residents' lack of access to or experience with the necessary technology.

This amendment will allow orders to be made for limited exemptions to public health order requirements or variations to the requirements of the Act, subject to conditions for the protection of residents and staff, to ensure that villages can continue to operate safely and effectively. The proposal recognises the vulnerability of citizens living in retirement villages. Offence provisions will apply to assist compliance with orders and conditions. The third bill amends the Strata Schemes Management Act 1989 to insert a temporary regulation-making power into the Act to allow regulations to be made to assist strata schemes to manage and fulfil their functions during the pandemic. The temporary power will be subject to an automatic six month sunset clause and will enable the regulations to override a limited set of provisions of the Act for that limited period. This will ensure that necessary provisions can be made for schemes to carry out essential functions during the pandemic in a way that is compliant with public health orders, such as allowing meetings and voting to be conducted remotely.

The third bill will amend the Valuation of Land Act 1916 to exempt the New South Wales Valuer General from ascertaining land values for the 1 July 2020 rating year. The exemption will provide the Valuer General with the discretion not to provide 1 July 2020 land values should restrictions due to the pandemic impact on the ability to determine land values with the required level of confidence. This exemption will allow the 1 July 2019 land value to be used for valuation and land tax legislation for the current year. This will also relieve the Valuer General of the need to provide updated valuations to the Chief Commissioner of State Revenue under section 45 of the Act. The third bill amends the Waste Avoidance and Resource Recovery Act 2001 to provide the Environment Protection Authority with an emergency exemption power during the pandemic, consistent with similar arrangements in other legislation that the EPA is responsible for regulating—for example, the Pesticides Act 1999, the Protection of the Environment Operations Act 1997 and the Radiation Control Act 1990.

The bill will commence on assent and it provides for transitional arrangements that will ensure action taken under these extraordinary powers remains valid after the sunset period. These measures will help us to continue to evolve, adapt and thrive in these extraordinary times. They will help ensure that the Government and others in the community can continue to deliver services to the community and continue to operate safely and in accordance with the advice of our health experts. I commend the bills to the House.

### Second Reading Debate

**Mr RYAN PARK (Keira) (13:18:48):** I will be brief, given the restrictions on time for the Opposition and given that a number of my colleagues want to make important contributions. I thank the Attorney General for his address. The COVID-19 Legislation Amendment (Emergency Measures—Attorney General) Bill 2020 and cognate bills contain 37 amendments across six clusters of the New South Wales Government. There is barely a part of government legislation or a policy area that the bills do not touch. That shows the extent to which COVID-19 has penetrated the lives and affected the services of people and it shows what the community across this State expect. We are going through an unprecedented period; we are facing not only a health crisis. I acknowledge that there were no new cases today, which is a great result. As each day passes, we move from a health crisis to an economic crisis. I am concerned, particularly after the removal of important payments from the Commonwealth Government after September, that we will face a very difficult period.

I thank the men and women of New South Wales who have put our State in a great position by doing the right thing—listening to the health advice, staying at home, keeping up social distancing and getting tested. By making sure they are doing all the small things, it has had a big result. In coming out of this, we call on the Government to develop a clear plan on reaching milestones and what those milestones will do to the relaxation of future lockdowns and restrictions. Several amendments put forward changes that can help us prepare for a potential second wave of this pandemic, particularly in relation to the Health portfolio. Changes to the Human

Tissue Act allow further testing, research and investigation and changes to the private health facilities ensure both public and private hospitals can respond where needed, which is something the Opposition has been pushing for.

We support interim measures but these cannot come at the expense of proper budgeting and financial insight. My colleagues in the other place the Hon. Walt Secord and the Hon. Daniel Mookhey have raised concerns today that the New South Wales Treasurer does not seem to want to provide a transparent update to the community about the economic crisis we are facing and the impact on our budget. That is absolutely critical. In a pandemic people expect transparency and accurate and timely information. It helps residents, it helps businesses, it helps our community. This is a large and complex piece of legislation; the Attorney General is right. As I said in my initial address, we would have liked to have seen this legislation a lot earlier but the reality is that we have not. My colleagues in this place will speak to a number of amendments and a number of amendments will be moved in the other place, particularly regarding support for landlords and tenants—two groups of people facing great hardship through no fault of their own.

It is absolutely critical that we ensure this legislation is the very best it can be for the men and women across the community facing a difficult time. I ask the Government to consider the amendments in the other place and to take them in the spirit they are presented to try to improve the lives of the community across the State, particularly those most vulnerable. I ask the Government to make sure it considers these amendments and that it makes clear why it objects to any amendment and to not do so on political grounds. This is an opportunity to improve this legislation for people across New South Wales.

**Ms JULIA FINN (Granville) (13:22:55):** I contribute to the COVID-19 Legislation Amendment (Emergency Measures—Miscellaneous) Bill 2020. I acknowledge that the community of New South Wales has undergone enormous strain—three years of drought, devastating bushfires and now a pandemic. The cost has been enormous. Our community has done well to reduce infections, and we need to support them. Today we need to support the one-third of New South Wales residents who live in rental accommodation and their landlords—all of them. New South Wales tenants pay the highest rent in Australia, yet the New South Wales Government is doing the least of all States to support them. Some 4.1 million people worldwide have been infected with COVID-19 and 285,000 people have died, including 97 Australians. There has been enormous economic disruption to protect our community, with over half a million Australians losing their jobs, 360,000 people seeking deferral of their mortgages and 1.2 million applying to access their superannuation early. The economic impact will be felt for years. Protecting lives comes first but we must also ensure people do not fall through the cracks.

I acknowledge that for many businesses and workers in the performing arts, travel, retail and hospitality industries this is a time of unforeseen disruption and hardship. In my community the hospitality and retail industries account for 17 per cent of employment. My area also has one of the highest levels of COVID-19 community transmission. Ramadan is usually the best and busiest time of the year for many of my local restaurants and caterers but business has totally dried up. As shadow Minister for Consumer Protection, I make some brief remarks about the relevant parts of the bill and I thank Minister Anderson for the briefing his office provided me yesterday.

These are sensible measures, some of which the Opposition has been asking for and should have been included in the previous omnibus bill. What is remarkable is what is missing, such as comprehensive support for residential tenancies. That is why Labor asked for Parliament to be recalled today. The bill contains significant and sensible changes to the way community associations, owners corporations, retirement villages and incorporated associations conduct business in keeping with COVID-19 restrictions. This includes creating regulation-making powers to implement arrangements for owners corporations and community associations to be able to meet and vote electronically as well as a number of other measures to allow for remote business. Labor has been calling for these sensible changes for some time.

The bill amends the Contract Cleaning Industry (Portable Long Service Leave Scheme) Act 2010 to remove the 20 week waiting period for payment to someone who has left the industry permanently and to remove the restriction relating to the crediting of service in the workers register in the three weeks, if required. The bill will provide a power for the Minister to grant an order for retirement villages providing a general or specific exemption from or variation to the provisions of the Act or regulations to ensure compliance with the requirement of a public health order. This has a 12 month sunset clause to expire with the associated public health order. The bill amends the Associations Incorporation Act 2009 to remove the requirement for an association's constitution to provide the use of technology to facilitate meetings and for voting to occur through a postal electronic ballot before these measures can be put in place. These are all sensible provisions. As I said previously, what is remarkable about this legislation is what is missing: adequate protections for tenants.

There is no area that requires more intervention at the moment from a customer protection perspective than the residential tenancy market. The Government's package is two tiered and confusing and has the potential to land tenants in massive debt. In the words of the Treasurer when interviewed on ABC Radio Sydney *Breakfast*,

the situation for renters is pretty messy. That is an understatement. The tenancy market is utterly bewildered by the Government's advice. No-one seems to be clear on the rules and the support given will not go anywhere close to helping tenants and landlords weather this storm. The tenancy market is huge. One-third of our State's population rents. In the Granville electorate it is 44 per cent rent. Some 37,000 people who are renting and 10,000 landlords have been short-changed by this Government. The measures within the bill to reduce break fees are a very welcome improvement. I appreciate they were included only this morning and that this is progress but they do not go far enough. Break fees should not apply in the current circumstances.

In the last sitting of Parliament the Minister was entrusted with extraordinary regulation-making powers to implement a residential tenancies package to avoid mass evictions and financial ruin for New South Wales tenants and the many mum and dad property investors who have no capacity to reduce rent. Unfortunately what we have is a half-baked package that came too late and only provided financial assistance to 16 per cent of landlords who pay land tax. It is a rare occasion that the Real Estate Institute and the Tenants Union agree on something but we saw that here. New South Wales tenants and landlords need more than just land tax relief and a package that saddles people with mountains of accrued rental debt. Some 72 per cent of landlords in New South Wales own only one investment property. It is not as though they can spread the losses across an investment portfolio if one tenant cannot pay anymore.

People are terrified. Tenants are terrified that they could become homeless or saddled with mountains of debt after this health crisis is over. Landlords are deeply concerned that they will not receive the rental income they need to pay their mortgages or put food on the table. Nothing the Government has done up until now is allaying those fears. The Tenants' Advice and Advocacy Services were inundated with 1.2 million contacts in March alone. Labor supports an eviction moratorium. We called for its immediate implementation after the National Cabinet agreed to it. But the Government still needs to end the confusion and put in place a clear framework for rent reductions and subsidies for residential tenants and landlords.

While it is essential to keep people in their homes, we need to think about the devastating long-term financial impacts for tenants and landlords. By putting off the payments, debt will continue to accumulate, leaving tenants in dire straits for years to come. We need clear incentives to reduce, not defer, rent. In the absence of Government leadership, Labor will step in to lead this debate through a number of amendments to create better protections for both residential tenants and landlords. There are four main areas that we need to address to protect renters and landlords during this crisis. Labor will move these as amendments in the Legislative Council only because of the ridiculous time frames in this place today. I outline these measures now.

Firstly, we will move that break fee terms not be enforceable during the moratorium period. It is excellent that the Government now appears to be moving to reduce the size of these break fees. But for the power imbalance to be redressed and to incentivise landlords to negotiate, there needs to be scope for them to be waived altogether. In many cases the lease break fee acts as a disincentive for a negotiated outcome, especially where the tenants have had a massive loss of income—people such as sole traders, international students and those working as casuals for less than 12 months. This amendment significantly reduces the cost of parting ways if agreement cannot be reached.

Our second amendment is to protect a tenant's bond if COVID-19 has affected them. We are really concerned that some landlords are saying, "Pay what you can now and pay the rest later," and tenants are accruing debt. We need a clear disincentive to avoid this. If the rent cannot be paid down by drawing on the bond, then it will not be paid. Currently landlords may seek to recover rent arrears by accessing some or all of the bond upon termination. Under Labor's amendment, if a tenant or household has lost income due to COVID-19, the landlord would not be entitled to claim from the rental bond for any rent owing from this period. It stands to reason that tenants facing financial hardship will not have access to substantial savings to pay down any new bond if their existing bond has been used by landlords to pay any arrears. The bond is an important pot of savings for a tenant, particularly when transferring between tenancies. By protecting it, tenants who must move will be able to access the funds from their bond to secure a new property.

The third measure Labor is proposing would provide the ability for tenants to request a fair and reasonable rent reduction at the NSW Civil and Administrative Tribunal and for the tribunal to assess and apply it. At the moment the tribunal can only evaluate if a rent increase is unreasonable. The tribunal, in determining the rent reduction to be applied, would have regard to any financial hardship experienced by the tenant or landlord, including the general financial position of each party. Importantly, this measure provides a dispute resolution pathway for those tenants who find their landlord or agent is stringing out negotiations while the tenant remains in a precarious financial position.

Finally, Labor is seeking the funding of a rental hardship package for all landlords and tenants affected by this crisis. This would be achieved by amending the definition and scope of the Property Services Statutory Interest Account and the Property Services Compensation Fund. The account and fund were set up to assist people

who are out of pocket because an agent or conveyancer has failed to account for money or other valuables held in trust and are administered under the Property and Stock Agents Act 2002. The statutory interest account contains approximately \$240 million to \$250 million. The compensation fund, which draws down on the statutory interest account, has \$9 million. The fund increases by \$20 million or so per year and very little is drawn down on the account each year because the guidelines for the use of funds are very narrow. The use of those funds is supported by the Tenants' Union of NSW and the Real Estate Institute of New South Wales.

There has never been a more appropriate time to draw down on this account. We are not asking the Government to print money or shake some magic money tree. The compensation fund exists and this is a sensible and appropriate use of that fund in extraordinary circumstances. A renter and landlord hardship fund will pay rental subsidies to landlords where a tenant is unable to meet their rental payments due to COVID-19 financial hardship. This will ensure a landlord's income stream from their property is consistent and tenants will not face significant financial hardship if the rent payments become unsustainable. This is what other States are doing. These measures will help protect the one-third of New South Wales households that rent and the many mum and dad property investors who do not have the capacity to absorb rent reductions. None of these amendments are radical. This is what stakeholders are asking for and this is what we need to do.

**Mr ALEX GREENWICH (Sydney) (13:33:00):** The COVID-19 Legislation Amendment (Emergency Measures—Attorney General) Bill, the COVID-19 Legislation Amendment (Emergency Measures—Treasurer) Bill and the COVID-19 Legislation Amendment (Emergency Measures—Miscellaneous) Bill are about stopping the spread of COVID-19, looking after the economy and ensuring the State can continue to function. Those are essential outcomes but I am concerned with the way laws are being changed without proper oversight of Parliament or the ability to fully consult with stakeholders.

The bills before the House are densely packed, with around 40 significant changes across multiple portfolios and Acts. They confer sweeping and unchecked powers on the Executive Government. We were given a summary of their provisions late last Wednesday, the draft bill over the weekend and additional provisions overnight. I thank Government Ministers and their staff for briefings on the detail of the legislation being debated. I acknowledge that these are extraordinary times, with members of Government working hard, but we must never bypass democracy. At this time basic human rights are being overridden, a large portion of the population is living on the edge and government spending is high. We need strong accountability mechanisms now more than ever and I welcome the plan to return to a more normal sitting schedule.

These bills give Ministers broad regulation-making powers across any Act to change statutory documents, certification requirements, submission obligations, the need for face-to-face meetings and due dates. There appears to be no oversight and few limitations on the powers, other than sunset clauses and some connection to the COVID-19 response. The budget can be postponed until 31 December this year and the Treasurer can continue to spend consolidated revenue without regular reporting. In comparison, fixed financial reporting is still in place for companies and corporations, whose boards would rarely delegate such a risk. We need rigour and transparency in how public money is being spent. The House could be recalled to pass the next budget. The Public Accounts Committee should hold regular public hearings and maintain oversight of spending as well as require the Government to provide it with regular financial reports. The Treasurer and the head of his department should give members regular briefings, like those given by the health department.

Extending powers of arrest to Sheriff's officers and security guards is of serious concern. I have not had the opportunity to properly consult on those provisions. Healthy democracies limit the occupations that can deny citizens' liberty. I am worried about the lack of accountability, the setting of new precedents and the lack of qualifications, especially in the case of security guards. While the Government moves to give itself sweeping powers, it is restricting the autonomy of democratically elected councils. The COVID-19 Legislation Amendment (Emergency Measures—Miscellaneous) Bill would prevent councils from carrying out capital works on their administrative buildings and chambers for two years. There is no adequate justification for this change. Any capital works can help stimulate the economy and some councils will want to bring forward works while their buildings have no workers. Furthermore, postponing upgrades in older buildings can significantly add to costs. If the Government is worried about how councils are prioritising expenditure, rather than imposing blanket bans it could introduce checks and balances, such as Office of Local Government approval for capital works beyond a certain threshold.

Ministerial powers to make orders limiting how a democratically elected council can apply different rates in its local government area are unnecessarily authoritarian and have a tenuous connection to COVID-19. There are many reasons that councils apply different rates to different business regions and they should be able to continue to determine their own rating structure. I ask for commitments around the limited use of those powers. The planning Minister will have powers to direct councils not to collect infrastructure contributions before a construction certificate is issued. Councils will have no leverage to secure funds and there are compliance risks,

including if a developer or builder goes bankrupt and where private certifiers are issuing construction certificates. This significant change could see future communities deprived of needed infrastructure, yet there has been no consultation and no sunset clause.

I am concerned that changes to public health orders to enable the testing of a person by force for a category 4 or category 5 condition will unfairly and unjustifiably impact on people with HIV, which is the only category 5 condition. Category 4 conditions cover a range of highly infectious diseases with high death rates that present serious public health risks of mass contagion, such as Middle East Respiratory Syndrome and Severe Acute Respiratory Syndrome as well as COVID-19. HIV is no longer a death sentence and its spread has been largely contained, thanks to advancements in medicine and measures to stop needle sharing and encouraging safe sex. Successful campaigns have taken a harm minimisation approach and punitive measures should be taken with caution and following extensive consultation. This amendment has not had adequate consultation and has no sunset clause. As such, the power should be limited to category 4 conditions. I understand that my successful amendment for a statutory review of certain STI-related provisions passed in 2017 will ensure that those new forced testing provisions will be reviewed. I welcome the Government's commitment to that.

Regulation-making powers introduced in the other place by non-government parties and passed without any consultation have meant that much of the Government's tenancy reforms bypassed Parliament and members have not been given the opportunity to change and improve protections. There can be no reform more important during this health crisis than housing reform. A safe and stable home is essential for social distancing and hygiene practices. We must prioritise keeping a roof over the head of those facing financial hardship at this time. My electorate has the largest proportion of renters. I am increasingly hearing from tenants whose landlords will not negotiate beyond accepting a brief deferral of rent, after which full rent is resumed with the shortfall to be reimbursed. There are no requirements for landlords to cut rent and ensure tenants do not experience housing stress, poverty or hardship. If tenants do not accept harsh conditions, they have few options because the tribunal cannot order a rent reduction and can evict tenants for rental arrears in 60 days.

I have been in ongoing discussions with the Minister's Office about how poor negotiations have left tenants with debt and no security, including cases where landlords have used threats and intimidation. I welcome the Minister's response, with new information from NSW Fair Trading published last night that ensures the tribunal will consider matters such as tenant hardship and vulnerability and public health objectives before determining eviction applications for rental arrears. This is excellent progress and I thank the Minister and his staff for responding to these serious concerns. Notwithstanding, tenants remain vulnerable because they can be evicted for no reason, including during the moratorium.

No-grounds eviction provisions give landlords an option to take retaliatory measures against tenants who do not accept their conditions. I have presented to the Minister case studies of landlords already using this provision. High vacancy rates caused by the COVID-19 crisis cannot address tenants' inherent lack of security from being bound by enforceable leases that they can no longer pay and landlords' capacity to evict them for no reason. The solution is to establish guaranteed enforceable outcomes that prevent tenants going into housing stress or incurring debt and to introduce a moratorium on no-grounds evictions where impacted tenants have tried to negotiate with landlords.

I welcome new provisions in the bill to address concerns I have raised that tenants on fixed leases that were signed before 23 March could be charged up to six weeks' rent for breaking a lease. Six weeks' rent in the inner city can be astronomical. The change will ensure that any tenant experiencing hardship who has attempted negotiations will only pay a fee of two weeks' rent if they break their lease to find a more affordable solution. The bill introduces much-needed provisions to facilitate management of residential apartments. Early on I raised concerns with the Minister for Better Regulation and Innovation about the pandemic's effect on strata communities. His office understood many of the challenges and worked hard on these changes.

Allowing owners corporations to meet and vote electronically and giving them more time to replenish funds after money has been transferred between them will go a long way to help those in buildings get through this pandemic. I remain concerned that apartment owners will suffer financial hardship and not be able to pay levies, which can be high. We will have to monitor the situation, as it presents further risks of homelessness and hardship. The COVID-19 emergency has exposed the fragility of our housing system: Rental affordability has been rapidly eroding with more people renting for longer and for a larger proportion of their income. Few rental homes in Sydney are within the means of the lowest income households.

New South Wales has a social housing waiting list of over 60,000 and a prolonged recession will put more people on that list. The Government must urgently expand social housing stock. This would stimulate the economy with thousands of new jobs. We must also increase major housing development targets to at least 15 per cent to deliver more social and affordable homes. Environmental protections have significant economic



benefits and I welcome changes to restore the Energy Savings Scheme and the Energy Security Safeguard to encourage energy efficiency and demand management.

The Committee on Environment and Planning has seen strong evidence of economic and environmental outcomes from these measures and how strong investment in renewables, clean energy and transmission will help ease energy prices. This pandemic presents major challenges and I understand the Government is working in extraordinary circumstances. I pay particular tribute to the health Minister and the Chief Medical Officer for their ongoing briefings of MPs on the health response. I will not oppose the bill; however I hope to see greater transparency, accountability and oversight of the non-health responses, including legislative changes and Government spending of public money.

**Mr CHRIS MINNS (Kogarah) (13:43:05):** I do not propose to speak for long today on this legislation. I note from the outset that the Government's restrictions on the number of speakers and a gagging order effectively in place eliminating speakers are deplorable. In his second reading speech the Attorney General said that he presides over a bill and a process that is complex and multifaceted. It stretches across multiple agencies and departments affecting the lives and livelihoods of millions of people—and the Government is allowing 60 minutes to discuss, analyse and vote on it. The Government cannot profoundly restrict the rights and liberties of millions of people, no matter how necessary, in every single aspect of their life and then deny their representatives the ability to ask questions about the implications.

I stand in support of the hundreds of thousands of public servants working across New South Wales today to keep us safe from this terrible pandemic. The selflessness of their actions is a testament to a public service that lives up to the best traditions of its weighty history. I know of nurses and allied health workers and bus drivers who have personally told me that they were concerned about their own health and that of their loved ones before attending work, and yet go to work is exactly what they did. This includes some very brave Corrections officers in tense, overcrowded New South Wales prisons. I sincerely hope the Government does not punish those who have helped us the most—the heroes of the COVID-19 pandemic—with a wage freeze. They have earned their money and our gratitude.

The Commonwealth's JobSeeker program is working. It was necessary and has fought off a crippling nationwide economic depression. The Commonwealth deserves credit for it. The economic statement by the Federal Treasurer today, in lieu of a Federal budget, is important for the country to understand the choices ahead, the magnitude of the problem and the scale of unemployment and lost economic growth. I applaud him for it. Our Treasurer on the other hand is proposing less scrutiny and less immediate financial help. His interview with Alex Smith of the *Sydney Morning Herald* was interesting. When asked what would be done to fight this unprecedented economic failure, he nominated a 24-month-old tax review into stamp duty and future financial relations with the Commonwealth.

In one breath he revealed a \$9 billion hole in revenue as well as a desire to ditch \$16 billion in revenue measures. To be replaced with what? To be paid for by whom? To be implemented when? What bill will the Treasurer send to families across New South Wales? How will he stimulate economic growth and prosperity? Gliding by and resting on the Commonwealth's emergency transfer payments and stimulus program will not work. New South Wales must do some of the heavy lifting. I make clear that we do not blame the Government or the Treasurer for this specific crisis. But on behalf of the people of New South Wales we expect the Government to be honest and transparent with the taxpayers of this State. The provisions in this legislation which allow the Government to opt out of monthly reporting of the State's finances are the opposite of what is required for the Government to gain the public's trust and ensure that we do not go backwards as a State.

Clearly a major infrastructure program for western Sydney will be required to lift demand for employment and growth in a part of Sydney that will be hit hardest with job losses, business failures and economic decline. Instead, on 30 April the Secretary of Transport for NSW was quoted in the *Sydney Morning Herald* indicating that it will be reordering priorities in major transport infrastructure. What does that mean? It has not been clarified by the transport Minister. Instead he has been running for Federal Parliament, getting a Queanbeyan farewell from the Leader of the National Party, rather than explaining which projects would be completed, where they will be built and when so that we can get people back to work in New South Wales. We need a stimulus project to lift thousands and thousands of people back to work. A so-called review into stamp duty is by no means stimulatory by any economic measure.

Three immediate ideas that the Government should be pursuing include, one, a full infrastructure plan for western Sydney, including linking the aerotropolis and the second airport by rail before the airport is built; two, bringing forward the engineering, financing and drafting work on the Government's Infrastructure NSW list of priorities so that infrastructure jobs are not only limited to construction jobs but also professionals who work in infrastructure; and, three, getting our limp overseas export agencies to begin the important process of exploring new export markets for our goods and services so that we are not simply waiting for a capricious decision from

the Chinese government that could devastate many of our export markets. We need to get moving now—not worrying about preselections or interstate tax reviews. Tell us the state of the finances and the economy. Tell us what you propose to do about it. We have one shot to get this right. Every day lost is a job lost and we cannot afford to wait.

**Mr GREG WARREN (Campbelltown) (13:49:01):** I call out the Government's conduct in bringing the COVID-19 Legislation Amendment (Emergency Measures—Attorney General) Bill 2020 and cognate bills to the House. I believe it goes to the draconian nature of the way the Government exercises itself and the element of contempt it has for the legislative process as well as for the families of New South Wales. I also draw the attention of the House to the elements of the bills that relate to local government, which are totally unnecessary in this legislation. At the end of the day, the Government has utilised the pandemic to exercise a political agenda for its own benefit, not for the benefit of families and communities of New South Wales. We need look no further to see the heart of this Government, which has the wrong agenda, than to look at the contempt it has displayed during this period.

Since coming to power this Government has showed contempt for local government. It began with the Baird Government and continues with the Berejiklian Government. Whether it is through the forcible merger of councils across the State, which tore the heart out of communities, or cost shifting hundreds of millions of dollars, the Government's contempt for local government has had a serious adverse effect on local businesses and local ratepayers as well as on the heart of democracy in every town, suburb, village and city in our great State. I draw the attention of the House to the specific details of the bills, particularly items 1 to 4 of schedule 1.19 and new sections 747AC and 747AD of item 8 in schedule 1.19 to the COVID-19 Legislation Amendment (Emergency Measures—Treasurer) Bill 2020.

These amendments have broader implications for not only council chambers and administration buildings but also libraries, art galleries, performing art centres, youth centres and visitor and tourism information centres, which are all vital and go to the very heart of the sociological wellbeing of communities across the State. The Government itself asked for shovel-ready projects. There are councils across the State that have said, "Yes, we have them; they just need to be financed." That is the whole idea of the stimulus. They did not ask for a loan with low interest so that the Government would get it back with profit. They asked for stimulus to drive local economies, sustain local jobs, create everlasting infrastructure and leave a legacy for future generations to enjoy.

The Government has not done that. Instead it has said to local councils, "Go back and gouge some money out of your local families, business and ratepayers." Local communities should not pay for the failures of this Government to provide fiscal support during this time. The Government has not provided the direction and leadership. It has not provided the appropriate stimulus through financial support. What it has done, and what these bill do, is shift the Government's responsibility to step up onto local communities that are already suffering from financial hardships and are finding it hard. Whether it is from the bushfires, drought or corona, many councils across the State continue to struggle. Many families simply will not be able to afford it. The actions the Government has taken will have a financial implication on local families, which will fall on local councils.

I very clearly acknowledge the importance of local councils and the role they play in the community. They need money to provide essential services and facilities to support their local communities. This is not their fault. This is a failure by the Government to act. In response to its failure, the Government has put the responsibilities onto the laps of local communities through their local councils. I can honestly say that those local communities will not forget this because I will make sure of it. I will remind them over and over again that this Government puts politics and its political agenda before the needs, dreams and aspirations of every man, woman and child in this State. I look forward to the Hon. Tara Moriarty moving amendments to the bills in the other place. I urge the Government and the crossbench to consider and support those changes.

**Mr JAMIE PARKER (Balmain) (13:54:45):** On behalf of The Greens I speak to the COVID-19 Legislation Amendment (Emergency Measures—Attorney General) Bill and cognate bills. I express my disappointment that we have such a ridiculously short time to address these matters. For me to address amendments to 40 different Acts and four regulations in 7½ minutes is an embarrassment. I am very disappointed that this is the first decision of the new Leader of the House. In fact, on many occasions speeches have had time limits but it has been left up to the members to work through the time within which they can speak. That needs to be recorded. I hope the situation improves.

First I will address a few of the planning matters in particular and talk through some of the issues around the pandemic, which has, of course, hit our community and healthcare sector so savagely. We have taken very strong steps to address the pandemic but there is a very long way to go. The Government should be undertaking some very important steps right now. I will address the proposals put forward by the Government but it is clear that, as other members have said, we need support and investment in our communities. The clear and obvious step that needs to be taken in the construction sector, which we know will be hit very hard, is government investment

in social housing. Projects that can be accelerated are ready to go and the Government can start right now. There is a massive shortfall in the number of public housing properties in New South Wales. Social housing is an opportunity for significant investment. It delivers incredible multiplier effects in its performance and, importantly, helps the most vulnerable in our community.

Secondly, we must ensure more support for renters, who are some of the most vulnerable members of our community. They are living month to month and week to week. The hit to their incomes means that they simply cannot pay rent. They need more clarity and certainty. In fact, a lot of landlords are also struggling. These issues need to be addressed. Finally, the other action the Government should take, rather than just praising those in the public sector, particularly the healthcare sector, is to recognise those workers' worth. That does not include threatening to cut their pay. A wages freeze essentially reduces the pay of those people. In particular I acknowledge all our nurses and midwives and their efforts to bring this matter to the attention of parliamentarians and their union, which has done a fantastic job. We should be thanking and praising them, not threatening to reduce their incomes.

I will make a few brief comments on the planning provisions and the increases in lapsing periods the Government has proposed. Whilst we recognise that the lapsing period should be increased for development consents and deferred commencements, the period of time the Government proposed is too long. We propose—and my colleagues in the other place will address this—that 12 months is sufficient rather than the two years that has been proposed. The range of provisions proposed in this bill provide for a very long period of time, which deserves discussion. I believe a 12 month period would be more in order. I thank the planning Minister's staff, who have liaised directly with me on this issue. I highlight that some of the provisions included in the bills are very positive, particularly the extension of the date and period for objections to lodge an appeal against a decision. I also note that delaying the period of time for the Subordinate Legislation Act 1989 to postpone the repeal of the Environmental Planning and Assessment Regulation 2000 by a year is very positive.

One thing that we are still not satisfied with is the timing of payments for developer contributions. Those of us who spent a lot of time on council know that at the moment developers pay section 94 contributions at the beginning of the planning process. The bill is providing that from now and into the future the Minister can determine when those payments are made. I received information about these two amendments at 11.35 this morning. I have not had time to consult with the City of Sydney Council, which is in my electorate, or the Inner West Council. After spending 12 years on council, I know that those funds are very important. Councils plan for them. Questions still need to be asked. When a development starts the funding comes in and planning can start. Some of the money from those developer contributions can be spent concurrently with the development but under this proposal the occupation certificate has to be issued first. Sometimes developments can start, they can be delayed and there is uncertainty about when funds will start coming in. Councils often use this money to plan into the future with some certainty. I am uncomfortable about it at the moment but I know there will be a lot more discussion in the other place.

The pooling of funds across plans has great merit. For those who know about local government, often situations occur where section 94 developer contributions are quarantined and councils cannot spend them because they have not reached the threshold to implement the project. The opportunity to pool funds definitely has merit. I note that bill No. 2, as the Treasurer refers to it, actually contains a lot of commonsense provisions that are sensible. Obviously the administration of those provisions will be the key issue. For example, the provision of remote pleas—how will that work? Will people be given proper legal support and advice? There are other factors such as excluding people from facilities and the new powers of arrest. The administration of those provisions will be important. My colleagues and I will make sure that we keep a close eye on those issues so the intention of these amendments is not misused.

The miscellaneous bill includes very important social distancing provisions, such as meetings are not required to be face to face. The Greens have had experience with that issue. It holds local branch meetings every six to eight weeks and gathers a couple of hundred people in a room. It is very difficult to carry out those meetings online because our constitution stipulates that members have to be in the room. I appreciate the amendments will make it a lot easier for community organisations and clubs and it will enable our party to have legitimate online meetings. I could say so much more about the bills but I cannot go through them in detail. I particularly focus on the need for us to support all of the essential frontline workers. The Greens have recently erected a 14 metre billboard in Leichhardt outlining our thanks to our frontline workers. Very simply it says to all the frontline workers, "Thank you." On that billboard are also messages from hundreds of people thanking the frontline workers in our community such as cleaners, shop assistants, truck drivers and those stacking shelves.

We should acknowledge all the frontline workers who have continued to work while many of us have stayed home. That is why the issues that I raised at the beginning of my speech are so important: stimulus; investment in housing; recognising those people who have worked hard for us; and protecting those who are most

vulnerable, particularly those in rental accommodation who are suffering because of a lack of income. Although 15 minutes is allotted for The Greens to speak I will conclude my speech. No doubt the member for Newtown will take up the remaining time allotted to us.

**Ms JO HAYLEN (Summer Hill) (14:03:16):** These are extraordinary times demanding extraordinary leadership. The COVID-19 pandemic has pushed us all to our limits and people are understandably anxious, worried for their and their loved ones' health, wellbeing and livelihoods. In this time of uncertainty people are looking to their governments to make tough decisions in the public interest. They want certainty. They want to know that hard calls are based on the best health advice and made with a view to treating people fairly and in the greater good. Parliament remains the best way to give people confidence that the decisions being made in our name are the best decisions that will get us through this. Parliament must resume regular business and give voices back to the people of this State.

The scale of the bills before us today shows just why we need our Parliament working. So too does the debate around the best way to assist those in the rental market across our State. Both renters and landlords have been pushed to the precipice by COVID-19. Unfortunately the response from the Government is a case of too little too late. Rather than show leadership—as has been the case in other States—this Liberal Government has once again sat back in the hope that the market would solve the problem—sadly, at whatever social cost. The Government has announced a six month support package for renters and landlords that commits \$440 million in land tax waivers, imposes a 60 day moratorium on residential evictions; requires landlords to negotiate rent reductions or in this case rent deferrals before the NSW Civil and Administrative Tribunal [NCAT] issues termination orders and bans blacklisting of tenants for failing to pay rent.

Some measures are very welcome and will help keep a roof over the heads of the one-third of people in New South Wales who rent their home. Unfortunately, this package must be judged more for what it does not do rather than what it does do. I am concerned the package fails to subsidise rents as occurs in similar packages announced in Victoria and Queensland. Instead rents may be merely deferred, meaning that tenants who have lost their jobs due to the pandemic are amassing extraordinary debts. We are merely pushing the problem down the road. For many there is little prospect of being able to repay these debts when they find new employment following the pandemic. The path to a rent reduction is confusing and difficult. The Government's package does not specify the process by which a negotiation for a rent reduction between a tenant and a landlord should occur.

To be eligible for land tax reductions landlords need to demonstrate that they have entered into negotiations to reduce a tenant's rent. It is unclear whether property agents are compelled to pass on requests for rent reductions. There is no compulsion for a landlord to agree to any rent reduction. To make matters worse, NCAT is unable to decide on claims around rent reductions, handing all the power in those negotiations to landlords and their agents. This is unfair and means that tenants who want to follow the Prime Minister's advice and sit down with their landlord and seek a fair rent reduction may not be able to do so. Labor firmly believes tenants should be able to request a fair and reasonable rent reduction at NCAT and is calling on the Government to make this change now.

It should also be said that for those tenants lucky enough to be able to connect with their landlords and enter into negotiations for a rent reduction, their rent continues to be payable. The debt bomb keeps ticking. And if tenants do choose to end their lease, they still face the prospect of losing thousands of dollars in break fees, effectively trapping them on the road to debts they know they cannot afford. The Government must act now to freeze all break fees during the eviction moratorium. Similarly, the Government should be acting to quarantine bonds so that tenants are able to find new premises if they are forced to move at the end of the eviction moratorium. Allowing bonds to be raided for rental debts means renters may have no options when they need to find a new home if they are evicted.

Labor is calling on the Government to prohibit landlords and agents from claiming unpaid rent from rental bonds during the moratorium period. These are sensible changes that will deliver real protections for tenants. Labor is also calling on the Government to fund a rental hardship scheme similar to those in neighbouring States. This is the most effective way for the Government to assist both renters and landlords struggling with the financial impacts of the pandemic. Labor, together with key stakeholders, is proposing a \$2,500 payment to landlords to directly subsidise rents. This proposal will directly put money into the pockets of the people who need it most: tenants and the mum and dad investors who want to do the right thing and help out their tenants during this tough period.

The Government's package fails to support those investors because it fails to cover the 84 per cent of landlords who do not pay land tax. This is an extraordinary oversight by the Government which renders its package next to useless for the vast majority of landlords and tenants. A rental hardship package has the support of the Tenant's Union and the Real Estate Institute. It gets the balance right. I have been contacted by countless tenants and landlords from across Sydney's inner west over the past few months, all calling for a better package that

responds more realistically to the scale of the financial crisis caused by the pandemic. Part of the problem is that COVID-19 has in many ways exposed the historic imbalances within our housing market. For too long the cards have been stacked against tenants by a Residential Tenancies Act that allows them to be evicted at any time for no reason at all.

One local wrote to me to explain that for years he has lived in a dilapidated rental property and has called on the landlord to do basic repairs, including dealing with mould. A month or so ago part of his ceiling collapsed. COVID-19 hit and, like many people in the inner west, he lost his job and his income. He tried to negotiate a rent reduction but the agent pushed back and said that the landlord could not be reached. Eventually he received a no-grounds eviction because he threatened to pursue the matter through the NSW Civil and Administrative Tribunal [NCAT]. That tenant tried to do the right thing by asking for basic maintenance to make his home feel safe, which was within his rights. The tenant tried to do the right thing by asking to negotiate with the landlord around a rent reduction. The tenant tried to do the right thing by exercising his right to pursue the matter through arbitration, only to be met with a blunt response available to landlords in this State of a no-grounds eviction. It is an all too common story and one that cannot be ignored any longer.

These are just some of the stories from the Summer Hill electorate. They show that we cannot ignore the situation in such a difficult time. We must get the balance right between landlords and tenants, particularly during a pandemic. I have to say that one of the few bright lights during this time has been that we are a resilient nation and that when we come together we can find solutions. We need a solution to this crisis involving landlords and tenants right now in this State. This Government has the power to provide that solution today. I ask the Government to resolve these issues and amend the bill to ensure that people are able to find secure accommodation throughout this pandemic.

**Mr ROY BUTLER (Barwon) (14:11:05):** I participate in debate on the COVID-19 Legislation Amendments (Emergency Measures—Miscellaneous) Bill 2020. Last week in the briefing note there was a clear intention to extend the Native Vegetation Act and the Biodiversity Conservation Act prosecution time frames by six months. This has massive implications for procedural fairness and prosecutions, which have had ample time prior to COVID-19 in which to take place. An extension moves the goalposts for people who already, in my opinion, were unfairly caught up in confusion between issues relating to old and new law. The Shooters, Fishers and Farmers Party [SFF] already has placed on record our opposition to the old law prosecutions.

The draft of the bill we are considering in the House shows it was prepared at 08:37 today. My colleagues in the Legislative Council will seek to amend this bill to ensure that the Native Vegetation Act 2013 and the Biodiversity Conservation Act 2016 are excluded. It appears at this stage only the Native Vegetation Act is excluded. I ask that the Attorney General in his reply confirm that it is not the intent of this bill to extend the time frame for prosecution under either the Native Vegetation Act or the Biodiversity Conservation Act.

**Mr JIHAD DIB (Lakemba) (14:12:20):** I thank the member for Barwon, who said he was going to be quick and he has been true to his word. Country folk are always true to their word. It is nice to be back in Parliament. Of course, we would like to be back more often. I think that is a sentiment I share with others. It is also good to see that everyone is in good health and spirits and hopefully that resonates across everybody's electorate. I have been inspired and amazed by the amount of work my colleagues across this entire Parliament are doing to support their local communities and I thank them very much. At the end of the day we are but the voice and the representatives of the people. So it is good to be back in Parliament and debating matters of importance. I take this opportunity to express my concern that we should be meeting more often to discuss important pieces of legislation and to make sure we tell the stories. As I have said previously, we are but storytellers.

Throughout today we will hear lots of different stories from many electorates. People are doing it tough. We have come into something that we never predicted and never knew we could plan for, yet we have managed to get through. The communities have responded very well. They have done everything they needed to do and have been sensible. But we cannot deny the impact that COVID-19 is having on families, apart from its impact on health. Families are being adversely affected by the crisis in their homes, their workplaces and their businesses. In some cases there is support but there are many cases of people falling through the cracks. Those who have fallen through the cracks are people who have casual employment, people who are non-citizens and people who are international students. They are the people who do not qualify for any major support so they fall through the cracks. People in those categories come into our electorate offices every single day and we do whatever we can to help them.

I implore the Government to find avenues of support for people who are falling through the cracks. I ask that because we are providing ways for those who are able to access support but a lot of people are missing out. A lot of people are relying on food hampers that are being produced every day. A lot of people are relying on financial support to be able to pay their bills. A lot of people are relying on some form of generosity and charity

to get them through. That leads me to seek support for amendments to the bills to include relief for renters. On 9 April I mentioned on Twitter that I left my electorate office feeling very sad. It was probably 6.30 p.m. by the time I got off the telephone. I had been talking to someone who phoned my office because he did not know where to go. The following day was a Friday. His rent was overdue; his landlord was not negotiating. He has a family of three children and he was stuck. He is a taxidriver and taxis are not operating as before. As we know, many taxi plates are being handed in at the moment. He was told by the Prime Minister, "Work it out." That is the language that was used. Working it out is good if it is possible to work things out. But in the absence of negotiations, we need leadership that tells people what to do.

This Parliament should pass legislation to provide some sort of hardship package and support for people who are struggling. New South Wales has more than two million renters. Let me also recognise that many people who own rental properties are not multimillionaires; some of them are not. The taxidriver with three kids is renting from a person who also is renting to a tenant who has five children. The hardship is being passed along the line. The gentleman I spoke to and his family have been dealt a double whammy: The taxis have stopped but the rent has continued to accrue. He has been told to negotiate but the person from whom he rents is not in a position to negotiate. The landlord does not qualify for government support: It reaches only 16 per cent of the people because of the value of the land. What happens is that somebody has to lose out.

The gentleman to whom I spoke was so worried about not paying his rent that he went without food for the family. He did that so he could pay the rent and avoid a bad record as a renter. Somebody gave him advice about accessing his superannuation. That is not the sort of advice that we should give. He should not be accessing his superannuation to pay rent. We have to find a way to support people and communities. I acknowledge the shadow Minister's amendments and the amendments that will be moved in the upper House which are intended to ensure support is provided. It is all well and good to say to people, "Work it out", but if they cannot work it out what are they to do? That is a situation in which governments must step in. That is the leadership we have to provide. That is why we are in Parliament.

I have told one story amongst thousands of stories across the entire State. This is one story of one family who is struggling and who needs government support. That is why I say that Parliament must assemble more often. We are the storytellers. Every single day people like the gentleman to whom I spoke on the phone walk into our electorate offices and say, "We need help." Believe me, that is the last thing that those people want to do. When a constituent comes into an electorate office they do so because they have nowhere else to go. What do we do? We try to help where we can. We ring community groups. If we are lucky we may have a local branch of Service NSW or a great community centre in our electorate. Like so many of my colleagues, I have used every possible contact I have in my community to organise bread, food parcels, meat—the absolute basics. But I want to know why I cannot just pick up the telephone and say, "This family is in dire straits. They cannot get any support." It is great to support people but let us find a better way to do it.

I want to give a big shout-out and acknowledgement to the non-government organisations and community groups that have stepped up every single time. They rely on the smallest of donations. If they are lucky they get some government funding but more often than not they run on the smell of an oily rag. Yet what they do is absolutely phenomenal. I am incredibly proud of the community groups in my electorate. On many occasions I have joined them to make food parcels and I will do it again tomorrow. The food has been donated from the community to support all the people who need it. As members of Parliament we have a story to tell and we have a responsibility to commit to providing support. We need to use this time in Parliament to ensure that we provide support for every single person, especially those who are falling through the cracks.

**Dr HUGH McDERMOTT (Prospect) (14:19:28):** The COVID-19 Legislation Amendment (Emergency Measures—Treasurer) Bill 2020 is an extraordinary bill, giving the State Government extremely broad regulation-making powers. Firstly I draw on the considered statement of the Commonwealth Lawyers Association on 8 April 2020, which addresses government emergency powers proposed due to the COVID-19 crisis. Governments across the Commonwealth have taken steps that have been considered necessary for health reasons. At the same time actions have been taken that raise concerns about the extent to which the rule of law is being respected. When the World Health Organization declared the COVID-19 outbreak as a pandemic on 11 March, various Commonwealth jurisdictions, including New South Wales, took extraordinary measures. All of them, to various extents, restrict freedom of movement; all of them confer additional powers on the Executive to provide directives to government agencies for security. The emergency legislation has been taken at speed and often with little or no parliamentary scrutiny or consultation with relevant stakeholders in the affected communities.

The judiciary has also been restricted in its role of review. As a result, normal due process has been subsumed in the emergency of coping and being seen to deal with the pandemic. Nevertheless, it is essential that the New South Wales Government, whilst looking after the community, maintains a high level of proportionality

and is seen to apply the principles of the rule of law. The Government must strike a balance between the rights of people and the need to protect them from COVID-19. On the one hand are the rights to freedom of speech and movement, to enjoyment of family life, to privacy and to enjoy health care and education. On the other hand the State must provide protection and security. I am concerned that the New South Wales Government is giving insufficient consideration to the importance of those principles and achieving the right balance.

In any parliamentary democracy the Executive must be scrutinised by the Parliament. The suspension of the Parliament and the limiting of speakers during today's sitting does not reflect well on the action of the State Government in restricting parliamentary democracy. The emergency legislation passed must not carry on when the emergency has passed. Those powers have a season and are unconstitutional in normal times. The politicians who find themselves as part of the Executive at this time have responsibilities and should be held personally accountable. The decisions concerning restrictions of movement and liberty must be taken against the clearest weight of scientific evidence. Confining people in their homes or anywhere else requires an extreme amount of evidence that such confinement is of benefit to them and the society where the restrictions are imposed.

Further, giving the NSW Police Force emergency powers—for example, criminalising public gatherings, implementing public health orders to impose fines and ordering people away from open spaces—requires those powers to be applied with proportionality and clarity. Sadly, the New South Wales Government has failed to provide that guidance to the NSW Police Force or to the public. Emergency legislation must address the emergency. Such emergency powers should not be seen as an opportunity to pass laws that simply shore up a government or political party. The rule of law provides for scrutiny of the acts of the Executive by the Parliament, allows informed criticism and debate without fear or stifling and allows for independence of the judiciary and the legal profession. The Executive must operate knowing that it will be held to account.

Any primary or secondary legislation relating to the COVID-19 crisis introduced by the New South Wales Government must reflect the following actions and principles: Firstly, to act proportionately; secondly, to act in a way that targets the current emergency and is not for other purposes; thirdly, to ensure that emergency powers are valid only for the time of the emergency; and finally, to take into account in all decision-making relating to the COVID-19 pandemic the necessity of abiding by, upholding and, importantly, respecting the rule of law. These are unprecedented times and I know that the Government would like to rush the bills through with minimal scrutiny. However, given the sweeping powers and the lack of scheduled sittings days, it is important that we discuss the bill in as much detail as possible. Sadly, the Government has failed to uphold the transparency of parliamentary scrutiny and has undermined the rule of law in New South Wales.

**Ms JENNY LEONG (Newtown) (14:24:38):** I make a brief contribution to debate on the COVID-19 legislation. My party colleague Jamie Parker has already spoken on it. At the outset I highlight that this legislation makes changes to a significant number of laws and is far-reaching in its scope. When one sees what is included in the legislation, it is clear where the changes are not being made and who is being left out. Renters have been significantly hard hit by the pandemic and the realities of the loss of income. A number of other vulnerable groups have faced significant risks and are at significant risk as we move forward in dealing with the pandemic. I want to put it out there that the legislation is being dealt with in a rush. I do not think that statement equates to us not agreeing that an emergency response is required but that does not mean that we cannot have a few more hours in this place to scrutinise and debate the bill adequately. It is important to continue to put that on the record.

I foreshadow that The Greens will move a significant number of amendments in the Legislative Council and two amendments in this place as they relate specifically to renters. We know that renters are doing it tough. We know that Scott Morrison said that there would be a moratorium on evictions as a result of one of the National Cabinet agreements but we also know that renters are still getting eviction notices because the way that statement was interpreted, renters in New South Wales did not get full-scale protection. The protection applied only to COVID-impacted tenants if they could prove they had lost 25 per cent of their income. If you lost 20 per cent of your income you have no protections. The amendments that The Greens will move in the Legislative Assembly, which I will talk to when I move them, will seek to provide protections to tenants across the board from retaliatory evictions and from unfair no-grounds evictions by limiting the grounds on which a tenant can be evicted.

I also wish to speak briefly about some other sections of the community that have been left out from the emergency measures. The first of those are artists and those in the creative communities, who have been hard hit by the pandemic. In many cases artists are already living with insecure incomes in insecure housing situations and with insecure finances. In addition, massive events have been cancelled, theatres have been shut and art galleries have been closed. We have seen creative activities and events having to stop. The absence of a relief package that looks specifically at support for artists, creatives and musos in our community is a huge oversight. It is very disappointing that this legislation has nothing that specifically goes to providing protections and support for artists and creatives.

Others who have been completely left out of the legislation include international students, migrants and non-citizens. If ever there was a time for measures being introduced to protect people, now should be that time for those who live in the State and country. The idea that we would make arbitrary distinctions about who gets support in the crisis and who does not based on the colour of someone's passport or the status of their visa is completely unacceptable. We know that the COVID virus does not discriminate and that it can impact anyone. The idea that certain measures would support only certain people in our community is concerning. There are tragic pictures of international students lining up for food because they have no other way of sustaining themselves. There are horrible pictures of refugees and asylum seekers being held in detention centres, at risk because they are unable to physically distance themselves from each other in the conditions they are being detained in. Yet we are seeing no support.

I will call this out in the Chamber right now: What we are seeing in the response to how these measures are being implemented is in some cases clearly discriminatory and in some cases clearly racist. We know that people in the community who are providing support—the people working in shops and on delivery bikes, stocking food in warehouses, cleaning trains—are usually from migrant backgrounds. It is hard to ignore the fact that there is a colour divide when it comes to who is providing services in our communities right now. People do not want to face or think about how the statistics highlight who is being targeted and who is at risk and the inequality in our society in this pandemic but it is true reality for so many.

I give a particular shout-out to the people from the Asian Australian Alliance, the campaign #UnityOverFear, the Chinese Australian Forum and Democracy in Colour who have been tracking these statistics. An incredible number of people have been highlighting the racism and discrimination that has occurred as a result of the pandemic. Their work continues to provide solidarity and support to those people and I thank them. I acknowledge the leadership that is provided when racism and discrimination increases in our community. If there was ever a time that we should be making decisions to protect and address the needs of everyone, it is now. One of the best ways that we can do that is by passing strong protections for renters in this State. The measures that we pass for renters do not discriminate. They exist to provide support to all tenants and/or renters in the community. We believe it is a high priority for this Parliament and will be moving amendments that relate to protections for renters in this place.

**Ms TANIA MIHAILUK (Bankstown) (14:32:05):** I speak on behalf of the Opposition on the COVID-19 Legislation Amendment (Emergency Measures—Miscellaneous) Bill 2020. I am disappointed that the debate is truncated today and know that many members in the Chamber share my disappointment. I understand that we are navigating through uncharted waters but it is imperative that the House that represents the people of New South Wales is able to properly and thoroughly deliberate legislation foreshadowing major emergency measures. This is critical legislation. We are just shy of having 40 amendments for a variety of six government clusters. It is incredibly disappointing that despite having a new Leader of the House, he is still managed by the same puppet master as was the last Leader of the House.

I turn to a few amendments that are worthy of discussion in this House. I accept that some of the measures in the amendments of the Treasurer are necessary. However, I have concerns that the Treasurer is using this opportunity to seek unnecessary discretion and is testing his duty to provide monthly media statements and reviews. The Federal Treasurer released a Federal economic statement in lieu of a Federal budget but we have nothing from the New South Wales Treasurer. The Treasurer of this State took some time announcing his half-baked stimulus package while the Federal Government's stimulus package did and will support economic recovery. It provided some necessary certainty at a time when our business community, industries and even banks were experiencing a great deal of anxiety.

The New South Wales response was a distant second. Rather than homing in on announcing his vision for New South Wales and focusing on infrastructure or jobs creation, the Treasurer instead had a brain snap and announced a new land tax. He has backed down a little from his eagerness to convert stamp duty into an extended land tax proposal. This might be because he has finally realised he does not have the numbers to get it through the caucus party room. This is not the time for cheap media stunts. It is time for genuine economic leadership that will steer New South Wales through the economic upheaval it has experienced in the past six weeks.

This Government has boasted about providing relief to tenants through a \$440 million package of land tax breaks for landlords, knowing all too well that only 16 per cent of landlords would be able to access the relief package. This just shows that the Liberal-Nationals Government will do nothing for mum and dad investors. I can say that the Treasurer does have some interest in pursuing his role, at least in part. I cannot say the same for the Deputy Premier or the Minister for Transport and Roads. At a time when they were expected to help navigate the State through a pandemic, they were instead indulging a Canberra fantasy. It is most concerning that the Manager of Opposition Business was chastised by those opposite earlier today for raising this issue in a point of order. We expect the Government to be entirely focused on navigating this State through this crisis, not on its own



self-obsessed political dreams, which have of course been a complete failure. I congratulate Morrison and McCormack for avoiding the New South Wales Liberal-Nationals disease in the Federal Parliament.

I have some pity for the Premier, who has valiantly stood up at press conferences every day. She must have been in fear of the kind of headline she was expecting the next day. Not only did she have the burden of the State's immediate future on her shoulders and Prime Minister Morrison breathing down her neck but now she has to carry the carcasses of Constance and Barilaro. It is an inward-looking and self-absorbed Government. I do not propose to go through every amendment as there is clearly no time for me to do so. Many amendments should have been debated in the House that represents the people of New South Wales but we have been told we cannot debate them. For example, the necessary tenancy amendments should have been moved, debated and voted on in this House.

I acknowledge all the nurses, doctors and other emergency personnel who are working tirelessly to keep our communities safe from coronavirus. As the member for Bankstown, I have been heartbroken by the devastating loss of jobs and the tragic impact that coronavirus is having on a local residents, businesses, schools, clubs and way of life. I have been greatly inspired by the strong community spirit and incredible dedication of those working hard for the community on the front line.

**Mr PHILIP DONATO (Orange) (14:37:40):** I make a contribution to debate on the COVID-19 Legislation Amendment (Emergency Measures—Treasurer) Bill 2020. I listened very carefully to the member for Kiera this morning and to the member for Newtown this afternoon. It is not very often that I agree with the member for Newtown but I agree it is a shame that, after the absence of Parliament in the past couple of months, the time criteria and allocation of time permitted to parties and individuals have been restricted and limited when we have been brought back to debate important, pressing and urgent legislation. I listened very carefully to what the Attorney General said in his response but this is pressing legislation of the highest priority. It needs the closest consideration in detail of the specifics of every Act that this legislation encompasses. The latest version of the legislation was delivered as late as last night. It is voluminous and has complexities contained within it. To be able to provide sufficient scope, time and opportunity to carefully go through the legislation has not been provided.

I make this as a simple observation and, as I say, I listened carefully to the members who spoke before me. We are elected to this place to do a job and we are elected as a voice for our community. Pressing and urgent legislation, important legislation, that is having a significant impact on people's rights and livelihoods must be carefully and appropriately considered. Having it rammed through in a fairly quick, haphazard manner is unprofessional, at the very least. In my view, it is also highly improper. The Government should have been able to get this legislation prepared much earlier with the resources it has at its disposal. The member for Lake Macquarie made a valid contribution earlier today when he said that the Government has the resources of the State at its disposal.

There is no reason why there should be delay, why there should be confusion, why there should be different versions and drafts and copies in getting this legislation out to members of Parliament so that it can be considered appropriately and properly. In saying that, I support my colleague the member for Barwon, who contributed earlier to this debate, on certain aspects relating to the Native Vegetation Act and the Biodiversity Act. My concern primarily surrounds part 12 of the bill titled "Special provisions for the COVID 19 pandemic", which affects the Interpretation Act 1987 No 15, inserting new sections 84 and 85. New section 85 reads:

**85 Regulation-making power to modify or suspend limitation and other statutory**

**time periods**

(1) This section applies if an Act (a *relevant Act*) provides for a period—

- (a) within which a person is authorised or required to do a thing or omit to do a thing, or
- (b) at the end of which a thing expires.

**Note.** Examples of periods for which an Act may provide include—

- (a) time limits for civil and criminal procedures and processes, including limitation periods and time limits for giving notices, lodging applications and filing documents, and
- (b) the expiry of a document at the end of a period.

Broadly speaking, the statute of limitations is one of the issues that has been raised by my colleague the member for Barwon. I also have concerns about this issue, especially in relation to the native vegetation legislation and the Biodiversity Act. The statute of limitations applies to certain offences, whether they be criminal or civil proceedings. Some criminal proceedings do not have a statute of limitations. Some reoffences, traffic offences and a whole range of other offences do have statutes of limitations that can vary from six months to two years to seven years, whatever the case may be.

In my view, the provision in the bill that allows for an extension of the statute of limitations for a further period up to 31 December this year raises some concerns insofar as it relates to the Native Vegetation Act and the Biodiversity Act. In some cases the prosecuting authority has two years to get its information and brief of evidence together, which often is not laid or filed with a tribunal or a court until the eleventh hour until the two years is almost up, whilst the person subject to a complaint or an investigation is anxious and concerned about whether or not they will be prosecuted for an alleged act.

To extend it for another period of six months or more because of the COVID crisis is disproportionately unfair, especially in relation to the native vegetation and biodiversity legislation, which are quite complex in their own right. I share my colleague's concerns in relation to procedural fairness and the denial of natural justice in relation to those two key pieces of legislation by the effect of new section 85. The member for Barwon asked the Attorney General to specifically address that issue in his speech in reply, and I hope he does. There may be an amendment by our colleagues in the upper House on that specific issue which has not been sufficiently addressed.

I listened very carefully to the member for Lakemba's contribution about certain people in our electorates falling through the cracks and I wish to touch on that issue. He is right and I am sure each and every one of us, regardless of what party we come from or what area we represent, has no doubt had direct contact with constituents in our electorates who, for whatever reason, are not eligible for any assistance or support, people who have lost their livelihoods, who have lost their jobs—a whole raft of things. One specific example I will share with the House is a story of a gentleman who fell through the cracks and he continues to fall through the cracks. It goes to some of the confusion around this issue.

This person runs an artisan stall at the local food markets where he sells produce. Those food markets have been suspended whilst the current crisis is on foot. He rents, he has lost his livelihood, he does not have any savings and he is not eligible for any support or assistance. He is at his wit's end and I was quite concerned about him. When he rang me I spent about half an hour talking to him. We had a pretty candid chat at the end of that conversation. I referred him to a few different agencies that I hope can support him. I am sure all members in this place have similar stories of people who fall through the cracks because for whatever reason they are ineligible for Federal assistance or any other financial support. We need to be conscious of that.

I have read in the newspaper about and I am cognisant of the potential wage freeze. I know it is not before the House but it is a contemporary issue for the front line of essential services—nurses, midwives, teachers, fireys, ambos, paramedics, police and Corrective Services—who would generally rely on a 2½ per cent pay rise come 1 July. Today is International Nurses Day. There is a concern in the local community and there has been some discussion in the media about it. My office has received numerous emails from nurses, midwives and other professionals. People who have been at the front line during this COVID pandemic and who have put themselves and potentially their families by association in harm's way should not have their pay frozen come 1 July.

As a former police officer, I know firsthand that the pay rise that your union or association negotiated with the government of the day made a valuable contribution to your family economy—that extra \$40, \$50 or \$100 a fortnight helps to put food on the table, helps to pay some bills, helps to put petrol in the car or helps to pay for a meal with the kids at the local hotel. We should be looking at stimulating the local economy, not trying to stifle it, especially in the regions. We should not be looking at freezing the pay of our frontline services or our essential service workers, who have done such a great job to get us in the position that we are in at the moment. I ask the Premier to take that into consideration in her negotiations with those various agencies, unions or associations.

Finally, hopefully we are experiencing a once-in-a-lifetime event. I appreciate the briefing I had last week from Minister Stokes about certain aspects. I thank him for his time. Yesterday I had a phone call from the Attorney General's staff, during which we were able to canvass some of the issues and I appreciate that. But the haphazard, shambolic way in which legislation is drafted and redrafted, with emails sent out at the eleventh hour when there has been weeks to get this correct, when the Government has the resources of the State to do its work, is inappropriate and unprofessional. If people on the street realised how things operated in this place, they would shake their heads in disbelief. They would think, "These are the people who are supposed to be making laws that affect our livelihoods and they have just done it on the run." It is completely unprofessional. I am embarrassed by it, and I am not even a member of the Government. I am embarrassed to go back to my community to explain to them how it is. I think that should be taken into account. I note that a number of amendments to the bills will be moved in the other place. Our colleagues in the other place will be considering those amendments closely.

**The SPEAKER:** The House is debating the question that these bills now be read a second time. The member for Orange made special mention of International Nurses Day and I join with the rest of the Parliament in also acknowledging International Nurses Day and thanking nurses for their contribution. Both my mother and one of my sisters worked as nurses. It is worthy for the Parliament to universally recognise the value of nurses and the great role they perform in our society.

**Mr MICHAEL DALEY (Maroubra) (14:49:58):** I will be inordinately brief. The fact is that, as other speakers have said, providing the entire Opposition with 60 minutes to address legislation such as this is unjustifiable. I begin by thanking my fellow Australians for their collective efforts and particularly the frontline workers and those in New South Wales who have had to deal with avoidable tragedies such as the *Ruby Princess* and some of the things that we have seen unfold in nursing homes. Then there is the dog and pony show that is ministers Constance and Barilaro.

We acknowledge that unprecedented times sometimes beget unprecedented legislation, which this is. This legislation and that which was passed a few weeks ago are largely necessary to get us through the COVID emergency. But not all of it is and that is why we will not support all of these provisions. There are some provisions that we simply do not support. A lot has been said in recent times about trust. It has been the character of Australians who have trusted each other and have trusted their governments that has seen Australia emerge into a good position so far, and let us hope we keep that up. That is why trust in government is crucial. Over the years we have seen particularly towards the Treasury portfolio so much cynicism due to its hiding of detail, and that has led to the erosion of trust in government. The incredible shrinking budget papers are one example.

We understand from the provisions in these bills that there is to be a delay in the presentation of the State budget. That is unavoidable. All jurisdictions across the country will find themselves in that position. Labor does not support the provision that allows the Treasurer to weasel out of having to provide half-yearly statements. We do not support the provision that allows the Treasurer to weasel out of not providing monthly statements. I do note that when the Attorney General and Leader of the House addressed these issues today in the second bill, the Treasurer's bill, he provided no justification. He merely glossed through what the bills contained. When we look at the wording it is quite clear. Part 3, clause 9 states:

**Half-yearly review for 2020**

The Treasurer may (but need not) publicly release ... the half-yearly review ...

Clause 10 states:

The Treasurer may (but need not) publicly release monthly statements ...

The explanatory memorandum is even better: Paragraph (d) enables the Treasurer to decide if and when these documents will be published. On a day when the Federal Treasurer is setting out a comprehensive economic statement in the Federal Parliament, the Treasurer in New South Wales is trying to engage in a cynical exercise to enable a provision that hides the State's true financial position. Basically it is the Treasurer saying, "Trust me". When it comes to this Treasurer we do not; he has way too much form. The Attorney General, when introducing the bills, said in his concluding remarks that he expects we will emerge in a stronger, kinder and wiser position. I am certain communities will but this Government will not—not when it enables provisions such as this. Finally, can I say on International Nurses Day, the Premier and various of her Ministers get up every day, as they should and justifiably so, to thank all of the government and frontline workers for protecting all of us. Yet there have been discussions that the wages of these workers will be frozen not only this year but perhaps indefinitely. That would be an act of unforgivable bastardry.

**Dr MARJORIE O'NEILL (Coogee) (14:54:18):** I will make a brief contribution to this important debate. I have significant concerns as to the process in which this legislation is being passed and the lack of oversight, analysis and critique that is able to be placed on these important bills in the oldest Parliament of Australia. People across the State of New South Wales from all backgrounds have been hugely impacted by the COVID-19 health crisis and the unprecedented economic crisis it has created. People are worried about meeting even the most basic of needs, trying to work out how they will keep food on their table or a roof over their heads. Forty-eight per cent of my constituents in the electorate of Coogee rent their homes. Hundreds of these people have reached out to my office for support as they struggle to keep their properties while also meeting ongoing bills and the need to put food on the table during this crisis.

All of these people are completely unsupported by the legislation the Government has brought before the House today. For every tenant unable to pay their rent, there is likely to be a landlord unable to pay their mortgage. Hundreds of landlords have also reached out to my office for support. These are just average people, mum and dad investors who are dependent on their rent to support their mortgage payments, their family and their retirement. The New South Wales Government announced a moratorium on evictions for tenants financially impacted by COVID-19 and a land tax relief package for landlords. However, it is clear that this legislation does not go nearly far enough to support people who have lost their livelihoods through no fault of their own. To date, the Government's approach to renters and landlords has been tokenistic, to say the least.

The waiving of land tax helps only 16 per cent of the wealthiest landlords. The vast majority of landlords have been left behind by this Government. What is remarkable about this legislation that has been put forward today is what is missing, that is, a comprehensive support for rental tenancies. While I welcome any and all

assistance for tenants and landlords in my electorate, this legislation needs significant amendments in order to provide the relief so badly needed by tenants and landlords. The Opposition has four amendments to the Government's bill that it is forced to put forward in the other place. They are a \$140 million rental hardship package, which will provide rental top-ups to landlords; a moratorium on lease break fees for tenants; the ability for tenants to apply directly to the NSW Civil and Administrative Tribunal for rent reduction, with a fair and reasonable reduction to be determined independently by a tribunal; and a prohibition on claiming unpaid rent from bonds during the moratorium period for households to ensure tenants have cash to pay for a bond in a new property if they need to.

None of these amendments is radical. They are sensible and overdue and other States are already providing similar hardship packages for residential tenants and landlords. I note that these amendments must be moved in the other place as part of a condition of a return to parliamentary sitting, which again is truly unprecedented and undermines the essential role of Parliament within Australia. Keeping a roof over people's heads should be the number one priority for everyone in this place during this pandemic. I stand here today on behalf of my electorate, for the renters and the landlords, to ensure that they do not lose everything at this time. These are unprecedented times.

The measures prepared by the Opposition are aimed at helping the millions affected by this catastrophe: people who are unable to pay their rent because they have lost their job; landlords who have been affected by the catastrophic hit to the rental market; and the millions of people who have to date been left behind by this Government. These are difficult times. We say on behalf of our communities that the amendments being put forward are about helping landlords relying on rental income to pay their bills and helping those tenants who have lost income and are struggling to pay their bills. I ask the Government to make these amendments and bring help to those in need.

**Ms SOPHIE COTSIS (Canterbury) (14:58:25):** During the last six weeks I, my office and volunteers have spoken to close to 5,000 households in the electorate of Canterbury. We have contacted the elderly, suburb by suburb, and have listened to their concerns. Thirty-three per cent of my constituents live in residential rental arrangements. Many of them are single parents with dependent children, young adults, temporary visa holders and casual workers. We are living in unprecedented times. This is a very difficult period for everyone. I acknowledge the hard work of all members of Parliament and representatives who, together with their community leaders, are doing what they can for their communities. In my community many people are casual workers in hospitality and they are suffering. The renters and landlords are hurting.

What we saw last week was an absolute shame. People in my community, particularly small businesses, are pulling their hair out because they are losing revenue. We understand the staged approach, which we have been encouraging in the past few weeks. Health is paramount. We acknowledge the work of all our health workers and many people, whether it is back office or front line. They have been doing a magnificent job and we thank them for it. It is a shame that no Government member is contributing to this debate and representing their community but I, 33 per cent of whose constituents live on rent, am given only two minutes to speak. It is an absolute disgrace. I think Government members, particularly the new manager of parliamentary business in this place—a learned colleague, an esteemed barrister and the Attorney General—should realise that not letting us ventilate the issues of our community is an abrogation of democracy.

**The SPEAKER:** I note that the 60 minutes allocated to the Opposition has now expired. However, the member for Lake Macquarie has up to 10 minutes to speak.

**Mr GREG PIPER (Lake Macquarie) (15:01:05):** It is quite extraordinary to be here today to contribute to debate on the extraordinary cognate bills—COVID-19 Legislation Amendment (Emergency Measures—Attorney General) Bill 2020, COVID-19 Legislation Amendment (Emergency Measures—Treasurer) Bill 2020 and COVID-19 Legislation Amendment (Emergency Measures—Miscellaneous) Bill 2020—addressing the Covid-19 pandemic emergency. I do not wish to speak on every provision because wide-ranging matters are embedded in the three bills. It is important that we as representatives of the community and the Government in particular ensure that no sector of our community is overlooked in providing a response to the health and economic impacts of the COVID-19 pandemic. There is a particular need to ensure that the most vulnerable in our community, including the homeless, low-income families, renters, and those who may suffer chronic physical illness and mental illness, are looked after. Often those issues tend to cascade; they come together and make life just that much more intolerable.

Particular provisions in the bills set out to address those issues, particularly relating to residential tenancies, which has caused a great deal of distress, financial stress and emotional stress to numerous people in my electorate. It is pushing people into the realms of what I would consider mental health problems. I am pleased that the bills have some amendments to give some protections and put some power back into the hands of low-income renters and those who are vulnerable. I will quickly speak to a couple of other matters, which may

not seem that important. In the emergency measures—miscellaneous bill, once again we see what has historically been a little bit of an easy kick: to have a go at local government. For example, in relation to expenditure on council buildings, section 747AC says in part:

From the commencement of this section ... a council must not enter a contract or agreement for the carrying out of building work involving a building used (or to be used) by the council in the exercise of its administrative or decision-making functions.

Where that comes from I do not know. I would imagine that there will be different demands on councils and that every council will be slightly different but council buildings are used by not just councillors and administrative staff but also often by members of the community. Therefore they are multipurpose. This may well be an example of somebody in their mind saying that that is wrong and taking this opportunity to make the broadbrush amendment and once again lord it over the local government. That is legislating to the lowest common denominator. I do not believe that it is good. My major concern—and I will be relatively quick here—is around the governance of New South Wales and the expectations that there will be transparency around the management of public funds. That certainly has been put in question by the provisions in the bill related to the Treasurer. Part 2 (6) of the COVID-19 Legislation Amendment (Emergency Measures—Treasurer) Bill says, in part:

**6 Payments authorised on lapse of appropriation because of delay in 2020–2021 Budget**

- (1) The Treasurer may authorise payments out of the Consolidated Fund under section 4.10 of this Act until whichever of the following occurs first—
- (a) the extended Budget presentation day,
  - (b) the enactment of the 2020–2021 annual Appropriation Act.

The community would like a lot of understanding of how the finances of the State will be managed through the pandemic. Already the Treasurer has extraordinary powers; this legislation will extend them. In doing so, the bill, as the member for Maroubra said, seeks to allow the Treasurer to set aside the need for monthly statements and a half-yearly review. Those monthly statements are possibly being set aside until 31 October 2021. I have real concern about that. As chairman of the Public Accounts Committee, I am somewhat disappointed that the Government did not from day one seek to find alternative methods of providing accountability to the members of the public. The Public Accounts Committee seems to be an obvious vehicle that already exists. By the way, it is being used in other jurisdictions around the world but not so here. That said, the Public Accounts Committee had a closed briefing some two weeks ago. I believe the best case scenario would be for it to be on the public record but not at this stage. I have had further discussions with the Treasurer's office today. I will read onto the record a short letter provided today by the Treasurer, the Hon. Dominic Perrottet, to me as chairman of the Public Accounts Committee. The letter says:

I refer to discussions between you and my office in relation to regular briefings to the Public Accounts Committee of the Legislative Assembly.

I am pleased to confirm my offer to provide the Committee with a private briefing every two months by the Secretary of the Treasury or his delegate, upon request. The precise time of briefings should be arranged between you or the Committee secretariat and the Secretary's Chief of Staff.

I will take up that request because I think it is the bare minimum that we can do to provide that oversight. The main thing is that we will reinstate the parliamentary sitting schedule on 2 June. That is the most important part of the oversight process that we can have. The Public Accounts Committee will do that. I am hoping that as we work along we improve the measures, the accountability and transparency and put the briefings on the record. This is a start but only a start. I appreciate that the Treasurer has given that concession to me as the chairman of the Public Accounts Committee. I will continue to work for more in that regard.

I acknowledge all those who have been working very hard in this space, not just the Government. The Executive has been working very hard. I acknowledge the Premier and the Minister for Health and Medical Research in a very difficult circumstance. As has been said by other members, I also acknowledge all those people on the frontline who are providing for people in New South Wales, whether it is logistics, supplying to supermarkets and ensuring that the public transport is working. On International Nurses Day today I also acknowledge nurses, including my wife and all of her colleagues, who are still out there looking after the vulnerable in our community.

**Mr MARK SPEAKMAN (Cronulla—Attorney General, and Minister for the Prevention of Domestic Violence) (15:09:20):** In reply: I thank the members representing the electorates of Kiera, Granville, Sydney, Kogarah, Campbelltown, Balmain, Summer Hill, Barwon, Lakemba, Bankstown, Orange, Maroubra, Coogee, Canterbury and Lake Macquarie for their contributions. As I said earlier, there has been no abrogation of democracy in these proceedings. We have had the potential for four hours of debate. It is unfortunate that members of the Opposition have spent a lot of their time complaining and wasting the time they had to properly engage with this bill. There has been a general lack of engagement by members of the Opposition. In the case of the

Treasury, the Treasurer has indicated that reports about the reporting of New South Wales Government financial information do not accurately reflect the Government's intent.

Under the Public Finance and Audit Act 1983, it is the law that the Government provide monthly statements sourced from a variety of agencies and they are consolidated for publication. In a worst case scenario, due to the impacts of COVID, that may not be possible. The proposed legislative changes mean that if statements cannot be produced for reasons outside of the Government's control, there will not be a technical breach of the law. But our intention is that the New South Wales Treasurer will continue to publish monthly statements as per usual practice unless there is an unavoidable delay in data being provided and adjudicated.

Some queries were raised by the member for Orange and the member for Barwon regarding the possible use of a proposed regulation-making power in proposed section 85 of the Interpretation Act 1987. The Government undertakes that no limitation period will be extended to the Biodiversity Conservation Act 2016, the Waste Avoidance and Resource Recovery Act 2001 and the Native Vegetation Act 2003 through the regulation-making power proposed for the Interpretation Act 1987. A number of amendments have been foreshadowed in the other place. I will allow Government speakers in the other place to comment on those amendments. In relation to support for lenders and tenants, there is \$440 million in tax relief for landlords and tenants as part of the \$10 billion in support for the community during the COVID pandemic. I commend the bills to the House.

**The SPEAKER:** The question is that these bills now be read a second time.

**Motion agreed to.**

**Consideration in detail requested by Ms Jenny Leong.**

#### **Consideration in Detail**

**The SPEAKER:** I remind members that the mover of the motion has five minutes in which to speak and a further speakers have five minutes in which to speak. The mover of the motion then has five minutes to speak in reply.

We are dealing with the COVID-19 Legislation Amendment (Emergency Measure—Miscellaneous) Bill. By leave, I will propose the bill in groups of clauses and schedules. The question is that clauses 1 to 3, and schedule 1 be agreed to.

**Ms JENNY LEONG (Newtown) (15:13:40):** I move The Greens amendment No. 1 on sheet c2020-44C:

No. 1      **Retaliatory evictions**

Page 31, Schedule 1.28. Insert after line 17—

**[1AA]      Sections 115A and 115B**

Insert after section 115—

#### **115A      Retaliatory evictions during COVID-19 pandemic**

- (1) This section applies if, during the relevant period, the tenant makes an application under section 115.
- (2) Despite section 115, the Tribunal must, on application by a tenant or when considering an application for a termination order or in relation to a termination notice—
  - (a) declare that a termination notice has no effect, or
  - (b) refuse to make a termination order, if it is satisfied that a termination notice given or application made by the landlord was a retaliatory notice or a retaliatory application.
- (3) The Tribunal may find that a termination notice is a retaliatory notice or that an application is a retaliatory application if it is satisfied that the landlord was wholly or partly motivated to give the notice or make the application for any of the following reasons or any other reason the Tribunal considers relevant—
  - (a) the tenant had applied or proposed to apply to the Tribunal for an order,
  - (b) the tenant had taken or proposed to take any other action to enforce a right of the tenant under the residential tenancy agreement, this Act or any other law,
  - (c) an order of the Tribunal was in force in relation to the landlord and tenant.
- (4) In this section—

*relevant period* means the period—

- (a) starting on the commencement of this section, and
- (b) ending on 26 March 2021.

**115B Limitation on no grounds termination during COVID-19 pandemic**

- (1) A landlord must not give a termination notice to a tenant under section 85 within 12 months after the Tribunal has made an order under section 115 in relation to a termination notice given by the landlord to the tenant.

Maximum penalty—20 penalty units.

- (2) A termination notice that contravenes this section has no effect.
- (3) This section applies for the relevant period.
- (4) In this section—

*relevant period* means the period—

- (a) starting on the commencement of this section, and
- (b) ending on 26 March 2021.

Earlier I circulated a draft version of my amendments on sheet c2020-44B. The amendment on sheet c2020-44C is the updated version. I speak specifically to the amendment which seeks to address retaliatory evictions during a pandemic. This amendment seeks to ensure that if a tenant makes an application under section 115 to the tribunal regarding an eviction notice, the tribunal must declare the notice has no effect or refuse to action a termination if it finds it was retaliatory. A termination is considered retaliatory if the landlord has attempted to evict the tenant because the tenant has applied for or proposed to apply for an audit at the tribunal, the tenant has taken or proposed to take any action to enforce a right based on the Residential Tenancies Act, including this emergency legislation, or based on other matters the tribunal considers relevant.

The amendment has a relevant period, recognising that the Government is not interested in permanently amending the Residential Tenancies Act. The Greens moved a similar amendment in the review of the Residential Tenancies Act but in this case we are recognising the fact that we are dealing with emergency measures. We are putting the amendment in place particularly to provide protection against retaliatory evictions up until March 2021. This amendment will put a limit on the idea of retaliatory evictions. It is an issue that a landlord can seek to evict the tenant for no reason on no grounds in New South Wales.

Today I heard from a renter in New South Wales who is not protected by the current measures the Government is putting through because they are not an impacted tenant. They have lost only a percentage of their income, not the full 25 per cent. The supports that have been put in place for renters can only be accessed if they have lost 25 per cent or more of their income. Tenants who have lost, say, 24 per cent or 20 per cent have no protection. This amendment seeks to ensure that people are not retaliated against or given a no-grounds eviction if they seek to reduce their rent. The renter who contacted me this morning had received a no-grounds eviction hours after they had submitted a request to their landlord for a rent reduction. These people are hearing on the news that they can talk to their landlords, that everyone should work together in this crisis. They ask their landlords, "I would like to apply for a rent reduction." In return they receive an eviction notice with no reason provided. We are suggesting that that is a retaliatory eviction. That person is being retaliated against because they are asking for some leeway by having their rent reduced during the pandemic.

This protection will simply ensure that this kind of retaliatory eviction, this kind of dodgy behaviour, is completely unacceptable. We would all agree that most people are treating each other well in this crisis but in these situations we are seeing some people behaving really badly. Those people need to have a mechanism and warning provided by this Parliament to say that retaliatory evictions during a pandemic are unacceptable. The idea that a tenant would exercise a right under the Residential Tenancies Act during a pandemic and then find themselves in a retaliatory eviction as a result of trying to exercise those rights is completely unacceptable.

Imagine somebody who thinks they have lost 25 per cent of their income and approaches their landlord. They have followed the Fair Trading guidelines and spreadsheets and flowcharts; they have followed all the rules. The next day they find out that they have lost only 23 per cent of their income. The landlord steps in and says, "I am sick of you trying to assert your rights. I am going to evict you anyway." We want people to be staying at home during this crisis. We want people to be able to stay in their homes. To be able to do that, people need to feel safe and secure in their homes. This amendment seeks to provide protections to all tenants in New South Wales for a limited period up to 26 March 2021.

**Ms JULIA FINN (Granville) (15:19:00):** Labor will not be opposing this amendment. Labor took both of these measures, retaliatory evictions and limits on no-grounds evictions, to the last election. The Opposition

believes these are important measures and wants to ensure particularly at the moment there are no retaliatory evictions. We do not think a couple of minutes looking at these amendments is the best way to deal with them. We do not think they are necessarily well constructed and we have not consulted widely with the industry. For that I apologise to stakeholders. However, they are important amendments and, as I noted, Labor took these important positions to the last State election. The Labor Government in Victoria has introduced a ban on no-reason evictions and requires for every eviction a long, comprehensive and well-consulted list of appropriate reasons as to why a tenant is being evicted. That is the way to do it. It is not the way to do it by landing a one-paragraph amendment in the Parliament with a few minutes' notice and then creating a regulation-making power around it. That said, I am sure Fair Trading and the Minister's office will come up with an appropriate measure to protect tenants from no-grounds evictions during the pandemic.

In the past few months we have seen real difficulties for tenants trying to negotiate a better deal with their landlords. We have also seen some tenants and landlords negotiate great agreements without any direction or support from this Government. For weeks they were operating in a vacuum. I have not made reference to any cases but I make reference now to a case of a friend of mine who is living in Dubai and owns a unit in Dulwich Hill. His three tenants are young women who all work at the airport and were stood down. He waived their rent completely in March. Because there was no advice from Fair Trading, the Minister or anybody else, he asked me what to do and what would be considered a fair and reasonable rent that they should be paying. I told him how JobKeeper would be working and to find out whether his tenants were eligible for it. They came up with a pathway forward and a reset of the rent based on what their entitlements would be under JobKeeper. That operated for weeks without any direction or support from this Government or from the Department of Fair Trading.

We have also seen the opposite extreme. We have seen people who have had to draw down on money they received as wedding gifts to pay their rent because their landlord stuffed them around or did not get back to them. The process we have seen to date has left a huge vacuum and it has been enormously stressful for tenants who genuinely fear homelessness. We do not want to see negotiations that have soured go even worse. We do not want to see retaliatory evictions such as landlords evicting tenants with no reason being given because they think they have been whingeing too much. That is why we have had a longstanding policy of opposing the no-grounds evictions in this State. It is good that this is only for a limited time but it should be considered in the long term.

Even though the bill is before the House as an emergency measure, we should have had notice about it so we could talk to stakeholders. They should have heard about it being on today's agenda before this afternoon. These are really important measures that need to be considered far more widely with a few hours' notice rather than a few minutes' notice. Labor is supporting the bill but only because this is the policy that we took to the last election and it is the right thing to do. It is also right and fair, even though we have had a very short time frame to consult with all stakeholders.

**The SPEAKER:** I have received amendments at the last minute, which is understandable in the circumstances. There are two sheets of amendments—three clauses—and we are dealing with the first of those sheets, sheet c2020-044C. There are two amendments, new sections 115A and 115B, dealing with retaliatory evictions during the COVID-19 pandemic and limitation on no-grounds termination during the COVID-19 pandemic. There is a further amendment to be debated. I point this out because at 3.30 p.m. I am obliged to put all questions to the House. The Attorney General has the call.

**Mr MARK SPEAKMAN (Cronulla—Attorney General, and Minister for the Prevention of Domestic Violence) (15:24:35):** The proposed amendment is not supported. There is already provision in section 115 of the Residential Tenancies Act to provide for discretion of the tribunal to declare a termination notice a retaliatory application in certain circumstances, namely where it is said to be in retaliation for:

- (a) the tenant had applied or proposed to apply to the Tribunal for an order,
- (b) the tenant had taken or proposed to take any other action to enforce a right of the tenant under the residential tenancy agreement, this Act or any other law,
- (c) an order of the Tribunal was in force in relation to the landlord and tenant.

That is discretionary. This amendment removes the tribunal's discretion to determine whether to declare that a termination notice has no effect or to refuse to make a termination order if it is satisfied that the landlord's termination or application was retaliatory. It is appropriate for the tribunal to retain a discretion whether to prevent a landlord terminating in the circumstances. That would mean the tribunal would have to take into account all the circumstances in the case and in other provisions of the Act relating to terminations the tribunal retains a discretion on the final orders made. We do not support a blanket prohibition on a termination within 12 months after an attempted retaliatory eviction. Such a blanket prohibition does not take into account all the circumstances, which may make the landlord's later termination reasonable.



If a tenant considers the termination to be retaliatory, they can apply to the tribunal for an order to prevent it taking place. This amendment is not appropriate in the context of emergency legislation. With recent downward pressure on market rents, there are strong incentives in the current environment for landlords to try to keep existing tenants. Since the beginning of the COVID-19 pandemic there has been an increase in new rental property listings of 15 per cent to 30 per cent as short-term rental properties are moved into the long-term rental market, young people move back in with their parents and properties that were due to be sold are withdrawn from the market are rented out instead. At the same time rents are dropping, with recent SQM Research figures showing that last month asking rents for houses in Sydney dropped by 5.7 per cent and units by 3.7 per cent. The changes that the Government is introducing today are focused on introducing immediate and temporary measures designed to support the community through the pandemic. This amendment seeks to introduce a permanent change without stakeholder consultation or detailed consideration of the impacts of this reform.

**The SPEAKER:** I will give the member for Newtown the opportunity to speak to her amendment on sheet c2020-030F. For the clarity of all members, it is a single clause in relation to new section 228E. I ask the member to keep her contribution brief.

**Ms JENNY LEONG (Newtown) (15:27:28):** By leave: I move The Greens amendment No. 1 on sheet c2020-030F:

No. 1      **Restriction on giving of termination notices**

Page 33, Schedule 1.28. Insert after line 9—

[1A]      **Section 228E**

Insert after section 228C—

**228E      Restrictions on landlords giving termination notices during the COVID-19 pandemic**

(1)      Despite any other provision of this Act, a landlord may only give a termination notice during the relevant period on a ground prescribed by the regulations.

(2)      In this section—

*relevant period* means the period—

(a)      starting on the commencement of this section, and

(b)      ending on the day that is 12 months after the *Public Health (COVID-19 Restrictions on Gathering and Movement) Order 2020* expires or is revoked.

*termination notice* has the same meaning as in section 80.

I appreciate the opportunity to speak briefly to this amendment, particularly to give reasons around the grounds under which people could be terminated from their homes and provided with an eviction notice. This amendment is very simple. It simply seeks to add a restriction on landlords giving termination notices during the COVID-19 pandemic that would allow for regulations to be set out as to what reasonable grounds would be. This amendment basically says, "It is completely reasonable for a landlord to want to give notice because they want to move back into their home", which is absolutely reasonable, or they have a family member who wants to move back into that home. But it is not reasonable to evict someone because they are not playing ball with what the landlord thinks they can demand during a pandemic, putting additional pressures on tenants. This amendment, which simply introduces regulations with some reasonable grounds, was very close to being agreed on.

A number of reasonable grounds could be provided and I strongly urge the Government to consider supporting this amendment. It provides the Minister with the regulation powers to articulate and work with stakeholders. I recognise the shadow Minister's concerns about the lack of consultation with stakeholders and I can assure her that these amendments were consulted on far and wide in the review of the Residential Tenancies Act and have been drafted in consultation with key tenant representative groups. Those groups are aware of the changes that we are making. This provision simply says that we will put into regulation reasonable grounds that we think are acceptable in this context.

Before I conclude my contribution I just wanted to place on the record the frustration that renters feel when they hear people in this place saying that we need to find a balance to protect renters and landlords. It must be very clear that those who have vested interests in investment properties do not sit outside the community. The people who are making the decision about renters' rights in New South Wales are Cabinet Ministers, who are making significant amounts of money from property investment. We have seen the scandalous situation of former Minister Harwin going to his holiday home and investment property. We have heard the same stories about Deputy Premier Barilaro. It might be of interest for people to know that Minister Marshall and Minister Lee each own four investment properties.

**The SPEAKER:** I ask the member for Newtown to conclude her speech. The member is going beyond the discretion I gave her.

**Ms JENNY LEONG:** Many other members who are making these decisions are making money from investment properties. We will continue to stand up in the interests of renters to provide them with a safe, secure and affordable place to live. It is disappointing that we are cut short from debating these reasonable amendments because this Government wants to rush these bills through the House. It is incredibly disappointing to see that the millions of renters who are struggling, who do not know how they will pay rent next week, are not protected by the impacted tenant's measures and will not be provided with any protection by these bills. I very much hope that we are back here soon having a conversation about the successful passage of the amendments through the upper House. I hope the Government will realise the need to provide protection and will recognise that it is absolutely essential to act on this simple amendment that says during a pandemic it is not fair to kick someone out of their home for no reason.

**The SPEAKER:** I will now put the questions before the House relating to the two sheets of amendments. Does the member for Newtown wish to deal with them separately?

**Ms JENNY LEONG:** Separately.

**The SPEAKER:** I will deal with them separately, as requested. The question is that The Greens amendment No. 1 on sheet C2020-044C, relating to sections 115A and 115B of the COVID-19 Legislation Amendment (Emergency Measures—Miscellaneous) Bill, be agreed to.

**The House divided.**

Ayes ..... 15  
Noes ..... 25  
Majority ..... 10

**AYES**

Car, P  
Finn, J  
Leong, J  
Minns, C  
Parker, J

Catley, Y  
Greenwich, A  
Lynch, P  
O'Neill, M  
Piper, G

Cotsis, S  
Haylen, J  
Mehan, D (teller)  
Park, R  
Warren, G (teller)

**NOES**

Ayres, S  
Conolly, K  
Dalton, H  
Elliott, D  
Henskens, A  
Perrottet, D  
Smith, N  
Taylor, M  
Williams, L

Barilaro, J  
Cooke, S (teller)  
Dominello, V  
Evans, L  
Lee, G  
Petinos, E  
Speakman, M  
Toole, P

Butler, R  
Crouch, A (teller)  
Donato, P  
Griffin, J  
Marshall, A  
Roberts, A  
Stokes, R  
Upton, G

**PAIRS**

Aitchison, J  
Atalla, E  
Bali, S  
Barr, C  
Chanthivong, A  
Crakanthorp, T  
Daley, M  
Dib, J  
Doyle, T  
Harris, D  
Harrison, J  
Hoenig, R  
Hornery, S

Hazzard, B  
Berejiklian, G  
Singh, G  
Constance, A  
Kean, M  
Ward, G  
Hancock, S  
Pavey, M  
Anderson, K  
Clancy, J  
Sidoti, J  
Williams, R  
Johnsen, M

## PAIRS

Kamper, S  
Lalich, N  
McDermott, H  
McKay, J  
Mihailuk, T  
Saffin, J  
Scully, P  
Tesch, L  
Voltz, L  
Washington, K  
Watson, A  
Zangari, G

Lindsay, W  
Sidgreaves, P  
Provest, G  
Tuckerman, W  
Coure, M  
Preston, R  
Gibbons, M  
Davies, T  
Wilson, F  
Gulaptis, C  
Saunders, D  
Bromhead, S

**Amendment negatived.**

**The SPEAKER:** I will now put the question on The Greens amendment No. 1 on sheet c2020-30F, relating to restriction on the giving of termination notices in section 228E of the COVID-19 Legislation Amendment (Emergency Measures—Miscellaneous) Bill 2020. The question is that the amendment be agreed to.

**The House divided.**

Ayes ..... 15  
Noes ..... 25  
Majority ..... 10

## AYES

Car, P  
Finn, J  
Leong, J  
Minns, C  
Parker, J

Catley, Y  
Greenwich, A  
Lynch, P  
O'Neill, M  
Piper, G

Cotsis, S  
Haylen, J  
Mehan, D (teller)  
Park, R  
Warren, G (teller)

## NOES

Ayres, S  
Conolly, K  
Dalton, H  
Elliott, D  
Henskens, A  
Perrottet, D  
Smith, N  
Taylor, M  
Williams, L

Barilaro, J  
Cooke, S (teller)  
Dominello, V  
Evans, L  
Lee, G  
Petinos, E  
Speakman, M  
Toole, P

Butler, R  
Crouch, A (teller)  
Donato, P  
Griffin, J  
Marshall, A  
Roberts, A  
Stokes, R  
Upton, G

## PAIRS

Aitchison, J  
Atalla, E  
Bali, S  
Barr, C  
Chanthivong, A  
Crakanthorp, T  
Daley, M  
Dib, J  
Doyle, T  
Harris, D  
Harrison, J  
Hoenig, R  
Hornery, S  
Kamper, S

Anderson, K  
Berejiklian, G  
Bromhead, S  
Clancy, J  
Constance, A  
Coure, M  
Davies, T  
Gibbons, M  
Gulaptis, C  
Hancock, S  
Hazzard, B  
Johnsen, M  
Kean, M  
Lindsay, W

## PAIRS

Lalich, N  
McDermott, H  
McKay, J  
Mihailuk, T  
Saffin, J  
Scully, P  
Tesch, L  
Voltz, L  
Washington, K  
Watson, A  
Zangari, G

Pavey, M  
Preston, R  
Provest, G  
Saunders, D  
Sidgreaves, P  
Sidoti, J  
Singh, G  
Tuckerman, W  
Ward, G  
Williams, R  
Wilson, F

**Amendment negatived.**

**The SPEAKER:** The question is that the COVID-19 Legislation Amendment (Emergency Measures—Miscellaneous) Bill as read be agreed to.

**Motion agreed to.****Third Reading**

**Mr MARK SPEAKMAN:** I move:

That these bills be now read a third time.

**Motion agreed to.**

**The SPEAKER:** I will now leave the chair. The House will resume at 4.00 p.m.

*Members***REPRESENTATION OF MINISTERS ABSENT DURING QUESTIONS**

**Mr MARK SPEAKMAN (Cronulla—Attorney General, and Minister for the Prevention of Domestic Violence) (16:00:00):** On behalf of Ms Gladys Berejiklian: I inform the House that:

- (1) The Deputy Premier, and Minister for Regional New South Wales, Industry and Trade will answer questions today in the absence of the Minister for Water, Property and Housing.
- (2) The Treasurer will answer questions today in the absence of the Minister for Jobs, Investment, Tourism and Western Sydney.
- (3) The Attorney General, and Minister for the Prevention of Domestic Violence will answer questions today in the absence of the:
  - (a) Minister for Police and Emergency Services; and
  - (b) Minister for Families, Communities and Disability Services.
- (4) The Minister for Customer Service will answer questions today in the absence of the Minister for Better Regulation and Innovation.
- (5) The Minister for Planning and Public Spaces will answer questions today in the absence of the:
  - (a) Minister for Energy and Environment; and
  - (b) Minister for Local Government.
- (6) The Minister for Regional Transport and Roads will answer questions today in the absence of the Minister for Transport and Roads.

*Announcements***QUESTION TIME**

**The SPEAKER:** Consistent with the earlier resolution of the House, we will now enter question time. Four questions are to be asked by the Opposition and one question is to be asked by the crossbench.

*Question Time***PUBLIC SECTOR PAY FREEZE**

**Ms JODI McKAY (Strathfield) (16:00:35):** My question is directed to the Treasurer. Some 82 frontline NSW Health workers have contracted COVID-19 during this pandemic. Today, on International Nurses Day, will the Treasurer rule out freezing their pay?

**Mr DOMINIC PERROTTET (Epping—Treasurer) (16:00:55):** I thank the Leader of the Opposition for her question and her interest in this matter. I begin my answer by acknowledging all frontline workers in the public service who have been doing fine work and who will continue to play an important role over the course of this period. Any decision that the New South Wales Government makes over this period will be focused on two things: keeping people in jobs and keeping businesses in business. Despite media reports, no decision has been made in relation to wages policy in New South Wales.

The pandemic has had far-reaching health and economic impacts on nearly every sector of the economy. New South Wales taxation revenue may decline by as much as \$3 billion in 2019-20 and \$9 billion in 2021. The New South Wales unemployment rate is expected to climb to around 10 per cent. The number of jobs has dropped 7.4 per cent between mid-March and mid-April, according to the Australian Taxation Office payroll data. As at 24 April there were 1.35 million JobSeeker recipients; New South Wales accounted for around 385,300 of those recipients. Of the 4.1 million people employed in New South Wales, 90 per cent are in the private sector. We must recognise that it is the 90 per cent of the workers in the private sector who generate the wealth that funds our government, including our wages. Every single person working in government—politicians, staffers, nurses, teachers, police, members of the Treasury—have their wages paid by the taxes of the people of the State. We serve them.

The livelihoods of these people will be impacted significantly by the economic impacts of COVID-19. Thousands of workers have been stood down, thousands have been forced to take leave. Workers have been forced to take significant pay cuts of 10 per cent, 20 per cent, 30 per cent or even 100 per cent. We have seen workers forced onto welfare for the first time, with queues outside Centrelink. Businesses have shut down and the harsh reality is that many of them will not open again. Even as we move to the recovery, many workers face an uncertain future. In many cases businesses will have to operate under restrictions. Many export markets are slowed or closed, with trade opportunities substantially disrupted. Consumer confidence will be severely impacted by people focusing on buying necessities or increasing their savings. The reality is that we are staring down the barrel of a private sector recession and the effects will be long lasting.

As former Treasury secretary Ken Henry has pointed out, the unemployment rate does not just go back to normal after a recession. There will be many people who never find another job again. We must consider the welfare of these families as we take dollars from them to spend in the public sector. The New South Wales Government has a very strong record when it comes to public sector wages policy. We have led the nation. Public servants in New South Wales have received a 2.5 per cent pay rise each and every year for the past eight years. That is higher than inflation and higher than in the private sector. It is, in fact, the highest in the nation. The average working citizen's pay has not just stayed the same, it has gone backwards. In the public sector, because of our strong budget position, we have been able to pay 2.5 per cent pay rises for public servants. For those of us in the public sector, we have the one thing that people in the private sector do not have: job security in these uncertain times. Right now our focus is on one thing: Keeping as many people in jobs—

**Ms Jodi McKay:** Point of order: I have waited for 4½ minutes. My point of order is taken under Standing Order 129. The question relates specifically to whether the Treasurer will rule out freezing the pay of nurses. It is International Nurses Day. Will the Treasurer rule it out?

**The SPEAKER:** The Treasurer is being relevant.

**Mr DOMINIC PERROTTET:** Every job matters because every job lost could be a person who does not work again. Every job matters because it puts food on the table, it pays the rent, it pays the bills and it allows men and women to provide support for their families. Any decision that we make will take into account the following factors: that our spending of taxpayer funding is fair to all people who have lost their jobs and had their pay cut and that we are all in this together. The contribution of the 90 per cent of workers in the private sector and the 10 per cent of workers in the public sector— [*Time expired.*]

**PUBLIC SECTOR PAY FREEZE**

**Ms PRUE CAR (Londonderry) (16:06:29):** My question is directed to the Premier. New South Wales teachers have worked miracles during this pandemic, helping our students continue to learn. Will the Premier rule out freezing their pay?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (16:06:50):** I acknowledge the question by the Opposition in relation to our hardworking teachers. I echo the words of the Treasurer by saying that in New South Wales we value the work by all of our frontline workers and public servants. In recent years other States, including Labor States, have chosen to either freeze or cut wages in the public service. We chose to not do that in New South Wales because of what we value. In the private sector there is a lack of wages growth but we have provided certainty for public servants in New South Wales. It is clear that our Government cares about workers first and foremost. We pride ourselves on being a government for the workers. We will continue to do that. As the Treasurer said so eloquently, what keeps us awake at night is not just the enemy of the virus, it is not just complacency around a health issue that we are dealing with, it is our workers. The people in the community who have lost their jobs, have reduced hours or are concerned about their future also keeps us awake at night.

**The SPEAKER:** Order!

**Ms GLADYS BEREJIKLIAN:** Our priority in New South Wales must be to protect jobs. That is our first and foremost priority. As an employer of around 400,000 public servants, keeping all those jobs during the pandemic is our priority. We say that unequivocally. With the greatest of respect for every single person who works for the New South Wales Government, one thing all government employees have, which 90 per cent of the community does not have, is job security.

**The SPEAKER:** Order! I will put members on calls to order if they continue to interject.

**Ms GLADYS BEREJIKLIAN:** During this time nothing is more important than job security. I acknowledge the two classes of workers the Opposition has raised questions about today. In relation to nurses, in acknowledgement of the fear and concern that a community has in relation to COVID we have stocked up on medical supplies. We have ensured accommodation for them if they choose to live away from their families.

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

**Ms GLADYS BEREJIKLIAN:** The Treasurer, with the support of the Minister for Health and Medical Research, has provided additional funding to support nurses with accommodation and parking costs. But more importantly he has put in billions of extra dollars to support our health system. In relation to teachers I say the following: We are deeply grateful.

**The SPEAKER:** I call the Leader of the Opposition to order for the first time.

**Ms GLADYS BEREJIKLIAN:** We are deeply grateful to all of our teachers, principals, students and parents, who have been very patient and tolerant during a very difficult time. That is one of the reasons that New South Wales made the decision during term one to encourage parents to keep their children learning from home.

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

**Ms GLADYS BEREJIKLIAN:** So that we could protect teachers when there was less known about—

**The SPEAKER:** I remind the Leader of the Opposition that she is on one call to order and is close to being on two calls to order.

**Ms GLADYS BEREJIKLIAN:** When there was less known about the contagiousness of the virus and what the virus was doing, we took the cautious approach of asking parents to keep their children at home until the health experts gave us conclusive advice that school communities and schools were safe environments. We ensured that teachers who were vulnerable, who had underlying medical issues or for whatever reason were concerned about being in the workplace had the option of working from home. Our first and foremost thoughts are always with our frontline workers and my team and I would not ask anybody in New South Wales to do anything we would not be prepared to do ourselves. For that reason we have used the school holidays—

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

**Ms GLADYS BEREJIKLIAN:** We have used this time to build up medical supplies so that now every public school and every school across the State has ample supplies—

**Ms Yasmin Catley:** Point of order: My point of order relates to Standing Order 129. With all due respect, I am a mum living this life so I do not need a lecture. The question is: Will the Premier rule out freezing teachers' pay?

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

**Ms GLADYS BEREJIKLIAN:** I was actually talking about teachers, if you were listening. As I said, we have made every effort—

**The SPEAKER:** Order!

**Ms GLADYS BEREJIKLIAN:** I am highlighting how much thought and care the New South Wales Government has taken to make sure that teachers are not only safe but feel safe. They remain first and foremost in our minds as all schools go back to face-to-face teaching.

**DEPUTY PREMIER**

**Ms JODI McKAY (Strathfield) (16:11:50):** My question is directed to the Deputy Premier. Some 3,000 people have lost their homes in recent bushfires and tens of thousands of people in regional New South Wales have lost their jobs as a result of the pandemic. Does the Deputy Premier think that his recent behaviour has been fitting of the role of Deputy Premier?

**Mr JOHN BARILARO (Monaro—Minister for Regional New South Wales, Industry and Trade, and Deputy Premier) (16:12:16):** I thank the Leader of the Opposition for her question. The past 12 to 18 months, if not the past two or three years, have been one of the toughest periods for rural and regional New South Wales. The ever-increasing impact of drought, not just on the farming and agriculture sector but also on the health and wellbeing of families and communities, will be one scar that will last beyond the drought. It is nice to see a bit of rain about and some green shoots. It feels like we may be in recovery. But the scar of drought will last us for a decade—a generation of kids who watch mum and dad struggle on the land, a generation of kids who will probably walk away from the land because of the impact of the drought.

Then came the bushfires and the most savage bushfire season we have seen in this State's history. Again, its impact and that scar will last forever and a day. It is a scar not just on the landscape of 5.5 million hectares of countryside that have been burnt but also on the 2,500 thousand homes and 10,000 properties that were impacted, the people who have been displaced, the communities that have been hurt and the industries that have been brought to their knees. That scar will last beyond this Parliament and into the next generation. Over the past few years one of the things I am often accused of by the Opposition is pork-barrelling and the ferocity of my fight for rural and regional New South Wales. I am very proud of the money that has been invested in rural and regional New South Wales and the services that have been delivered. When members opposite want to question my intent and focus on the regions, I say look to the facts—

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

**Mr JOHN BARILARO:** —and look to the evidence. Go and visit the regions and those communities that have seen an investment—

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

**Mr JOHN BARILARO:** —unparalleled at any time by any government in this State. That is something I am proud of. The role that I play and my responsibility for bushfire recovery and the stress, the trauma and the distress the bushfires have caused individuals and families are something that impacts me each and every day. We have seen investment in the regions to recover from fires: from the \$140 million package for industry to get back on its feet—the dairy, forestry and, of course, the fisheries industry—to the investment that we are seeing in the clean-up. Hundreds of millions of dollars are going towards the clean-up of each and every person's property. Regardless of whether they are insured or not, we are paying for the cost of cleaning their property. I update the House that on the weekend the 1,000th property was cleared. By the end of this month it will be 2,000 and by 30 June our ambitious target of having all properties cleared will be almost realised.

We accept there are also people who fall through the cracks. There is investment and innovation with the Minderoo Foundation partnership, where pod homes are put on site so that people do not have to leave their community or their family networks and can remain on their property. We are also looking to other renovations and investments. Some 8,000 people were offered emergency or temporary accommodation throughout the crisis and in the recovery we continue to see investment in the regions. That has always been my focus. Like every member in this Parliament, I do not take my job lightly.

**Ms Jodi McKay:** Point of order: My point of order relates to Standing Order 129. The Deputy Premier's focus last week was on something entirely different. The question is: Does he think his recent behaviour is fitting of the role of Deputy Premier, particularly given the tens of thousands of people who do not have a job? The people in your area and beyond who have no home—

**The SPEAKER:** I have heard enough on the point of order. The Deputy Premier will continue. The Leader of the Opposition will resume her seat.

**Mr JOHN BARILARO:** I have said clearly, judge me on my delivery of services and delivery of investment in the regions. One of the things that often annoys members opposite is the amount of money going

into the regions. When it does not suit them they want to pretend that it does not happen. When it does suit them they will call it pork-barrelling. I make no apology for the ferocity of my fight for the regions and investment. I make no apology that I come to this House and fight for the regions. I make no apology that I will fight for regional communities and regional families. That has been my focus and that has always been my focus. What will always happen is that I will never be judged by those members opposite; I will be judged by my community, whom I have always been happy to be judged by. That is why my community have returned me in three elections with an increased margin. They know that the fight that I have—

**The SPEAKER:** The member for Summer Hill will come to order.

**Mr JOHN BARILARO:** —and the fire in my belly delivers for the regions. That is my focus and that will continue to be my focus for many years to come, to the displeasure of members opposite.

**The SPEAKER:** Order! This is the fourth question. For the record, it is the final question from the Opposition and then there will be one question from the crossbench.

### COVID-19 AND RUBY PRINCESS

**Mr RYAN PARK (Keira) (16:17:20):** My question is directed to the health Minister. The *Ruby Princess* has seen 22 deaths and 850 Australian-related infections, yet the Minister has admitted that he "did not know anything about the *Ruby Princess* before it docked". Why is he letting public servants be blamed instead of doing the right thing and taking responsibility himself?

**Mr BRAD HAZZARD (Wakehurst—Minister for Health and Medical Research) (16:17:49):** I thank the member for his question. Thank you for asking about a health issue because you have had ample opportunity to ask many health questions in the past few weeks and you have not bothered. Not once have you sought to provide any constructive suggestions to support frontline staff and now what we have is juvenile high school politics.

**Ms Yasmin Catley:** Point of order—

**The SPEAKER:** This had better be good.

**Ms Yasmin Catley:** I ask that you ask the Minister to direct his comments through the Chair.

**The SPEAKER:** The Minister will direct his comments through the Chair.

**Mr BRAD HAZZARD:** It does not matter where I am looking, the words will go right to him because he is the juvenile who was actually behaving like a twit. I say this: The issue is that you clearly do not have any understanding of what has gone on and—

**Mr Ryan Park:** You can't stop a boat.

**Mr BRAD HAZZARD:** It is a ship, actually, not a boat.

**Ms Yasmin Catley:** Point of order—

**The SPEAKER:** The Minister will direct his comments through the Chair.

**Mr BRAD HAZZARD:** He interjected. Can I not respond to his interjection?

**The SPEAKER:** I will be conscious of that but another point of order was about to be taken.

**Mr BRAD HAZZARD:** There is an inquiry going on called a commission of inquiry. The commission of inquiry is doing what needs to be done to get to what actually occurred in regard to that particular ship. I say this: The health officials who worked on that were amongst the best in the country. The decisions were made by four separate public health officials, some of whom have up to 30 years' experience in making decisions on ships entering our ports. They made a decision which you think is smart to attack me on but when you do that you are actually attacking public health officials who made a public health decision—

**The SPEAKER:** Order!

**Mr BRAD HAZZARD:** —based on criteria that had been developed both by NSW Health—

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

**Mr BRAD HAZZARD:** Are you going to listen or spend your day playing juvenile politics?

**The SPEAKER:** The Minister for Health and Medical Research will direct his comments through the Chair. The member for Keira will remain silent.



**Mr BRAD HAZZARD:** Public health figures made their decision on the *Ruby Princess* on their best efforts and those efforts should be acknowledged as having been made by experts in this area. They had dealt with 63 ships.

**Ms Jodi McKay:** Point of order: My point of order is taken under Standing Order 129. This is not about the public servants at all. You deflect every single time. This is about whether the Minister will finally take responsibility. You are the Minister.

**The SPEAKER:** The Clerk will stop the clock. The question did relate to public servants as well as Health. The member will resume her seat. The Minister is in order.

**Mr BRAD HAZZARD:** I am the Minister and you will never be the leader of a government. He will be but you will not be. Public officials made a decision and they made it based on a set of criteria that have been in operation since the middle of February and have already been indicated before the commission. They also made it on the basis of criteria that had been applied from 6 March by Federal protocols. The decisions they made are not as clear cut as the shadow Minister is indicating. What I have been told by public health figures is that if they had kept the ship alongside there may have been many more hundreds of people who were infected with that virus. It is not as simple as what you say. The motto this year for International Nurses Day is "compassion, expertise and trust". I want to thank all the nurses. There are probably close to 90,000 nurses in the government and private sectors in New South Wales.

**Ms Jodi McKay:** Don't let the Treasurer cut their pay then.

**Mr BRAD HAZZARD:** Oh man, I'll tell you what, the past five months have actually been serious life-and-death issues and I have worked with frontline health staff and some of your colleagues, who have worked really hard. To come back here today and think that all you are interested in is juvenile politics really does indicate that you people are never going to be fit for government, not while you people are here. Another team is going to have come in.

Can I just say this to the nurses across the State: Thank you for all the work you do. I just spoke to Gabriella, who is one of the patients appearing on Channel 7 tonight. She has recovered from COVID. She returned with her husband from France on 16 March. She was telling me how much she valued what the nurses have done for her—in her case, through being in hospital with COVID and also in the home. She said she saw fear in the eyes of nurses but she also saw the love and compassion and she trusted them. Can I say that is the sort of thing that we all should be thinking about today as we go forth and make sure that we keep our community safe on a day when we have finally reached zero number of transmitted cases of COVID.

#### STATE ECONOMY

**Mr GREG PIPER (Lake Macquarie) (16:23:03):** My question is directed to the Premier. In order to ensure the economic recovery of New South Wales is equitable throughout the area, including the regions, will the Premier explain to the House what her Government will be doing to ensure that areas such as Lake Macquarie, Newcastle and the Hunter are not left behind?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (16:23:28):** I thank the member for Lake Macquarie for his question and acknowledge that his community experienced a cluster of cases very unexpectedly. I thank the health workers in his community who managed to support the community in controlling and reducing the spread. Having discussed that matter specifically with the Deputy Premier and other colleagues, it has guided our decision about the issues we need to look at in relation to regional New South Wales in particular, how we manage the health aspects and how we manage the economic recovery to make sure we find the right balance at the right time.

Many of our regional communities at this stage are immune from having any cases but we know that can change in an instant. I acknowledge everybody who supported those people and supported that context to make sure it did not spread. Let me assure the member for Lake Macquarie that the regions are foremost in our mind, as is supporting the most vulnerable throughout the community. A few examples I am happy to share with the House are, as members know, the JobKeeper support package, which is one of the most inspired areas of public policy I have ever seen in my public life. But it did not cover, for example, council employees. The New South Wales Treasurer, on the advice of the local government Minister, made sure we were able to extend a very generous contribution to local government so that they could keep employees on board. I know it had a disproportionate advantage for regional New South Wales because many people employed in regional communities are employed by major government institutions including local government. That ensured that we played our part in rural and regional New South Wales.

In the same vein the Deputy Premier, Minister Marshall and others were able to lobby the Treasurer to provide an extension of drought funding, which was announced on the weekend. We appreciate that even though our communities have to deal with the fear and the anxiety associated with COVID, many regional communities are also still dealing with the consequences of drought. Even for those communities who have had some rain and are emerging out of the deep drought, the supply chains are still disrupted in rural and regional communities and some communities, such as that of the member for Lake Macquarie, are impacted because the supply chains are disrupted and jobs are impacted.

Another important initiative that our Government took that has a disproportionate advantage in regional and rural New South Wales is bringing forward smaller projects to make sure we keep people employed and create new opportunities for employment. More broadly, Minister Ward recently announced a package for volunteers and for those who might be at risk of homelessness. Again, we know that people on low wages or perhaps now on no wages, in particular in the regions, are suffering. We supported non-government organisations and councils to ensure that volunteers who are able to, who might have spare time on their hands at the moment, can be engaged to support communities in that regard. There are a number of other statewide policies that we have announced that support our rural and regional communities. Please know the virus is indiscriminate. It can attack anyone, anytime, anywhere. Also the economic consequences of this pandemic are indiscriminate. We have seen entire sectors, entire communities, literally on their knees because of what is occurring.

The member for Lake Macquarie raises an issue that all of us worry about in our own electorates: We worry about the wellbeing of those we represent. I ask every member of this House, if there are examples in your communities where there are specific pockets of disadvantage that we may not have cast our attention to, please do not hesitate to let Government members know, please do not hesitate to approach Ministers. This is a time when all of us should come together to make sure we are addressing and dealing with those issues for those who are most vulnerable. The Minister for Mental Health announced a very important package to support those who may never before in their life have experienced anxiety and never before in their life felt the pressure they do now. It is an anonymous and supportive way in which people can come forward and receive that help and support.

I know this issue is important to the member for Lake Macquarie because he has raised it in this House a number of times, given his background as a mental health nurse. All of us have had to adjust our lives in ways in which we never expected to. No government is perfect, and certainly we are far from perfect, but please know that at every stage of the pandemic we have tried to make sure that we have addressed support to each area of society, to each sector, so that nobody is left behind. We know that the consequences are that some people are suffering more than others. Our aim as a government is to make sure we extend that support and reduce those barriers for people being able to have a good quality of life as all of us make our way through this protracted issue. I thank the member for his question and assure him that the question could be asked by any member of this place. We are very cognisant of the issue he raises.

**The SPEAKER:** I note for the record the ministerial arrangements that the Leader of the House advised earlier. In accordance with the earlier resolution, the House now stands adjourned until the ringing of one long bell.

*[The Speaker left the chair pursuant to resolution at 16:32. The House resumed at 14:51 on Wednesday 13 May 2020.]*

#### *Bills*

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

#### **Returned**

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

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

#### **Returned**

**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 to COVID-19 Legislation Amendment (Emergency Measures—Treasurer) Bill  
2020 in message of 13 May 2020*

- No. 1 **OPP No. 1 [c2020-048A]**  
Page 6, Schedule 1.1[6], line 22. Omit "may (but need not)". Insert instead "is to".
- No. 2 **OPP No. 2 [c2020-048A]**  
Page 6, Schedule 1.1[6], line 26. Omit "The Treasurer may (but need not)". Insert instead "Unless it is not reasonably practicable to do so, the Treasurer is to".

**Mr MARK SPEAKMAN:** I move:

That the Legislative Council amendments be agreed to.

**Motion agreed to.**

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

**Returned**

**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 to the COVID-19 Legislation Amendment (Emergency Measures—  
Miscellaneous) Bill in message of 12 May 2020*

- No. 1 **OPP No. 1 [c2020-039B]**  
Page 3, Schedule 1. Insert after line 2—
- [1A] Section 5A**  
Insert after section 5—
- 5A COVID-19 pandemic—protection of annual holiday entitlements**
- (1) The annual holidays of a worker who is stood down by an employer without pay during the prescribed period as a direct or indirect result of the COVID-19 pandemic continue to accrue while the worker is stood down during that period.
- (2) This section extends to annual holidays or annual leave under an award, agreement or contract of employment or any other Act.
- (3) In this section—
- prescribed period* means the period—
- (a) starting on 25 March 2020, and
- (b) ending on—
- (i) 26 September 2020, or
- (ii) a later day, not later than 26 March 2021, prescribed by the regulations.

**Explanatory note**

The proposed section ensures that a worker's annual leave or annual holidays continue to accrue during any period in the prescribed period (as defined in the proposed section) in which the worker is stood down without pay as a direct or indirect result of the COVID-19 pandemic.

- No. 2 **OPP No. 1 [c2020-060]**  
Page 3, Schedule 1.1, proposed section 14A(3)(b), lines 18–20. Omit all words on those lines.
- No. 3 **OPP No. 2 [c2020-060]**  
Page 3, Schedule 1.1, proposed section 14A(5), lines 26–31. Omit all words on those lines. Insert instead—
- (5) An employer and worker may agree on a worker taking a specified period of annual holiday at double pay only if, after taking the holiday, the worker will have an accrued annual holiday entitlement of not less than 4 weeks.
- No. 4 **OPP No. 1 [c2020-035C]**  
Page 14, Schedule 1.11[1], line 16. Omit "7 years". Insert instead "5 years".
- No. 5 **OPP No. 2 [c2020-035C]**

Page 15, Schedule 1.11[2], line 3. Omit "7 years". Insert instead "5 years".

No. 6 **GOVT No. 1 [c2020-062]**

Pages 15 and 16, Schedule 1.11[6], line 34 on page 15 to line 2 on page 16. Omit all words on those lines. Insert instead—

**[6] Section 7.17 Directions by Minister**

Insert at the end of section 7.17(1)(f)—

, and

(g) how money paid under this Division for different purposes in accordance with the conditions of development consents is to be pooled and applied progressively for those purposes, and

(h) the time at which a monetary contribution or levy is to be paid.

(1A) A direction under subsection (1)(h) may be given only during the prescribed period within the meaning of section 10.17.

(1B) A provision of a development consent granted before and inconsistent with a direction under subsection (1)(h) is taken to be modified so as to be consistent with the direction, but only for a contribution or levy (or a component of a contribution or levy) that has not been paid before the direction is given.

No. 7 **OPP No. 1 [c2020-037D]**

Page 20, Schedule 1.16. Insert after line 1—

**413 COVID-19 pandemic—deferral of elections**

Despite section 412 but without limiting the operation of that section, the Industrial Registrar may, on application by a State organisation, defer an election for an office of the organisation for a period of up to 12 months if the Electoral Commission is unable to conduct the election because of the COVID-19 pandemic.

No. 8 **SFF No. 1 [c2020-054]**

Page 21, line 16, "election.". Omit those words. Insert instead—

election, or

(c) a period under the *Biodiversity Conservation Act 2016*.

No. 9 **GRNS No. 1 [c2020-049A]**

Page 24, Schedule 1.19[1], lines 13 and 14. Omit all words on those lines.

No. 10 **GRNS No. 2 [c2020-049A]**

Page 24, Schedule 1.19[4], lines 28 and 29. Omit all words on those lines.

No. 11 **GRNS No. 3 [c2020-049A]**

Page 25, Schedule 1.19[8], proposed section 747AC, lines 17–26. Omit all words on those lines.

No. 12 **GRNS No. 4 [c2020-049A]**

Page 25, Schedule 1.19[8], proposed section 747AD, lines 27–33. Omit all words on those lines.

No. 13 **OPP No. 1 [c2020-042C]**

Page 28, Schedule 1.24. Insert after line 43—

**[1] Section 232**

Insert after section 231—

**232 Use of Property Services Compensation Fund to assist residential landlords and tenants suffering hardship**

(1) Parliament recommends that this Act be amended to allow the Secretary to establish a scheme to provide financial assistance from money held in the Property Services Compensation Fund to landlords who are suffering financial hardship caused directly or indirectly by the COVID-19 pandemic, being a scheme that provides for the following—

(a) the landlord demonstrating that a tenant—

(i) has suffered a loss of income of 25% or more, and

(ii) has less than \$5,000 in savings, and

(iii) is paying more than 30% of the tenant's income in rent to the landlord,

- (b) a maximum payment of \$2,500 per landlord per tenancy is available to a landlord,
- (c) the landlord being required to reduce the tenant's rent by the amount of any payment under the scheme.

(2) Terms used in this section that are not defined in this Act have the same meanings as they have in the *Residential Tenancies Act 2010*.

No. 14 **OPP No. 1 [c2020-055]**

Page 33, Schedule 1.28, lines 7–9. Omit all the words on those lines. Insert instead—

- (5) If the Tribunal makes the termination order, the Tribunal may also order the impacted tenant pay compensation to the landlord of an amount of not more than 2 weeks rent.

No. 15 **PHON No. 10 [sheet 23]**

Schedule 1.32, lines 35–43 on page 36 and lines 1–12 on page 37. Omit all words on those lines.

No. 16 **GRNS No. 1 [c2020-031B as amended]**

Page 38, Schedule 1. Insert after line 43—

**1.35 Workers Compensation Act 1987 No 70**

**[1] Section 19B**

Insert after section 19A—

**19B Presumptions relating to certain employment in relation to COVID-19**

- (1) If a worker, during a time when the worker is engaged in prescribed employment, contracts the disease COVID-19 (also known as Novel Coronavirus 2019), then for the purposes of this Act, it is presumed (unless the contrary is established)—
  - (a) that the disease was contracted by the worker in the course of the employment, and
  - (b) the employment—
    - (i) in the case of a person to whom clause 25 of Part 19H of Schedule 6 applies—was a substantial contributing factor to contracting the disease, or
    - (ii) in any other case—was the main contributing factor to contracting the disease.
- (2) A worker is taken to have contracted COVID-19 for the purposes of this Act if the result of a medical test—
  - (a) that complies with requirements prescribed by the regulations in relation to the disease, and
  - (b) that was carried out for the purpose of determining if the worker has contracted the disease, is a result prescribed by the regulations in respect of the disease.
- (3) A worker is taken to have contracted COVID-19 for the purposes of this Act if the worker is classified by a medical practitioner as having COVID-19, having satisfied the epidemiological or clinical criteria (or both) prescribed by the regulations for the purpose of making that classification.
- (4) For the purposes of this Act, the date of the injury in relation to COVID-19 is the date of whichever of the following occurs first—
  - (a) the worker is diagnosed by a medical practitioner as having COVID-19 following a prescribed test result, as referred to in subsection (2),
  - (b) the worker is classified by a medical practitioner as having COVID-19, as referred to in subsection (3),
  - (c) the worker dies as a result of COVID-19.
- (5) For the purposes of this Act, it is presumed (unless the contrary is established) that a worker the subject of a presumption under subsection (1) is incapable of work as a result of COVID-19 for the period starting on the date of the injury and ending (unless sooner ended by the death of the worker)—
  - (a) on a date established in accordance with the regulations, or
  - (b) if no regulations are made under paragraph (a)—on a date that is 7 days after the date on which a medical practitioner certifies that the worker no longer has the disease.

- (6) This section applies to a casual worker in prescribed employment only if the worker has performed casual work in the employment on 1 or more of the 21 days preceding the date of the injury.
- (7) The regulations may make provision for or with respect to any matter relating to the application of this Act to or in respect of workers who have or are suspected of having COVID-19.
- (8) In particular, the regulations may make provision for or with respect to the following matters—
  - (a) the modification of the provisions of this Act in their application to or in respect of workers who have COVID-19,
  - (b) (without limitation) the application of the Act to workers who suffer permanent impairment as a result of COVID-19,
  - (c) the use of employers' claims histories relating to COVID-19-related claims in calculating premiums payable under the Act,
  - (d) the sharing of the financial risk arising out of COVID-19 between all insurers under the Act, including through the imposition and enforcement of risk equalisation arrangements for that purpose,
  - (e) (without limiting clause 1 of Part 20 of Schedule 6) transitional provisions for or with respect to claims relating to confirmed or cases of COVID-19 arising before the commencement of this section.
- (9) In this section—
 

***prescribed employment*** means employment in any of the following—

  - (a) the retail industry (other than businesses providing only on-line retail),
  - (b) the health care sector, including ambulance officers and public health employees,
  - (c) disability and aged care facilities,
  - (d) educational institutions, including pre-schools, schools and tertiary institutions (other than establishments providing only on-line teaching services),
  - (e) police and emergency services (including fire brigades and rural fire services),
  - (f) refuges, halfway houses and homeless shelters,
  - (g) passenger transport services,
  - (h) libraries,
  - (i) courts and tribunals,
  - (j) correctional centres and detention centres,
  - (k) restaurants, clubs and hotels,
  - (l) the construction industry,
  - (m) places of public entertainment or instruction (including cinemas, museums, galleries, cultural institutions and casinos),
  - (n) the cleaning industry,
  - (o) any other type of employment prescribed by the regulations for the purposes of this definition.

[2] **Schedule 6 Savings, transitional and other provisions**

Insert before Part 20, with appropriate Part numbering—

**Part Provisions consequent on enactment of COVID-19 Legislation Amendment (Emergency Measures—Miscellaneous) Act 2020**

**1 Definition**

In this Part—

***amending Act*** means the *COVID-19 Legislation Amendment (Emergency Measures—Miscellaneous) Act 2020*.

**2 Application of amendments**

- (1) The amendments made to this Act by the amending Act extend to a worker who has confirmed COVID-19 before the commencement of the amending Act and, in that

case, subclause (3) applies in substitution for section 19B(2) and (3) (as inserted by the amending Act) and references to those subsections in section 19B are taken to be modified accordingly.

- (2) Subclause (3) also applies in substitution for section 19B(2) and (3) (with necessary modifications to section 19B) until such time as regulations are made under those subsections.
- (3) For the purposes of this Act, a worker is taken to have contracted COVID-19 if the worker is determined to have the disease on the basis of medical opinion.

#### **Explanatory note**

Item [1] of the proposed amendments establishes presumptive rights to compensation under the *Workers Compensation Act 1987* in respect of the disease COVID-19 for workers in certain prescribed employment that involves an elevated risk of exposure to COVID-19.

Item [2] of the proposed amendments inserts consequential provisions of a savings or transitional nature.

**Mr MARK SPEAKMAN:** I move:

That the Legislative Council amendments be agreed to.

**Motion agreed to.**

#### *Documents*

### **INDEPENDENT COMMISSION AGAINST CORRUPTION**

#### **Reports**

**The SPEAKER:** In accordance with section 78 of the Independent Commission Against Corruption Act 1988, I announce receipt of the report of the Independent Commission Against Corruption entitled *The need for a new independent funding model for the ICAC*, dated May 2020. I order that the report be printed.

#### *Announcements*

### **DIVISION PAIRING ARRANGEMENTS**

**The SPEAKER:** I have received a request from a member via the Opposition Leader of the House that the *Hansard* state the reason for the large number of pairings in divisions on Tuesday and on the previous sitting day. A significant number of members would have liked to be in the Chamber and have their vote recorded, but they were not permitted to do so during the current coronavirus crisis. The need for social distancing must be respected in all places, including Parliament House. The reason for members' absences will be recorded in *Hansard*. It should not be seen as a negative reflection on any member who has been unable to attend the Chamber to vote in divisions during this crisis. I hope that sufficiently reflects the concern that the member raised.

#### *Community Recognition Statements*

### **LILLIAN CASTOR**

**Mr PHILIP DONATO (Orange)**—I wish to recognise Miss Lillian Castor of Orange. Lillian has been recognised for the dedication she has shown to her profession as a midwife, and for always going above and beyond what is required of her and her fellow midwives. Lillian, a Clinical Midwifery Specialist, is one of 47 midwives working at the Orange Health Service, and her exemplary work resulted in recently being awarded Midwife of the Year at the Orange Hospital in celebration of International Day of the Midwife. Lillian was recognised for helping women through high-risk pregnancies, families experiencing social disadvantage, and focusing on creating better futures for women and babies. Lillian's commitment to working with women and children has continued from her former work at the Aboriginal Medical Service and now as a midwife where she has found satisfaction in working with vulnerable people from the community. A midwife for almost five years, Lillian was, and remains, drawn to this specialised field of nursing out of her love for babies and children, the reward of being part of the pregnancy journey with mothers in her care, and witnessing the special gift of birth and the care of both mother and child that follows. Congratulations Lillian.

### **FORMER RFS CAPTAIN RON FARRELL**

**Mr JONATHAN O'DEA (Davidson)**—Ron Farrell resided in Anglicare's Newmarch House until he became Australia's 72nd victim of COVID-19, a few weeks short of his 95th birthday. Ron Farrell was the Captain of Forestville (now Davidson) brigade for 6 years, from the Brigade's inception in 1948 until 1954. He was one of the pioneering members who helped establish the bushfire fighting movement on the Northern Beaches. Ron's family were synonymous with the early days of the Forestville brigade. His brother, Gordon, was Captain between 1961 and 1963 and the Farrell family donated the Brigades' first tanker, "The Essex". After a devastating and deadly fire season, it has been heart-breaking to witness Covid-19 take even more lives. These consecutive crises

have reminded local communities about their importance in our social fabric, something Ron Farrell was profoundly aware of when helping to establish Forestville RFS Brigade. My condolences to Ron's family, and may he rest in peace.

#### **NORMAN CHARLES 'NOB' HILL 1924 – 2020**

**Dr MARJORIE O'NEILL (Coogee)**—Norman Charles 'Nob' Hill a 75 Year Long Service Member and last of the Coogee Surf Lifesaving Club's [CSLSC] WW11 Servicemen, passed away on Saturday 28 March 2020. Born on 23 April 1924 Norm lived in Coogee and Randwick most of his life. Schooled at Coogee Public and Randwick High where he captained cricket and rugby teams. He played grade for Randwick Rugby and later was on the board of Directors of the Randwick Rugby Football Club. Norm was accepted into the RAAF at 18, training as a wireless operator and air gunner. He flew Avro Anson planes out of Scotland, patrolling for German U Boats, and later joined Bomber Commands 467 Squadron and the Lancaster Bombers. Norm served as Gear Steward, VC and then Club Captain of CSLSC. A foundation member of the Penguins Winter Swimming Club and, with Rupert Mudge, formed the Coogee Minnows. Awarded the 1907 Foundation Medal for contribution to the Club. A proud Australian who served both the CSLSC and Country with honour. The Eastern Suburbs is a far richer place for having you Norm. A good man, greatly respected, one of nature's gentlemen. May you rest in peace.

#### **JACK MUNDEY**

**Mr RON HOENIG (Heffron)**—I wish to acknowledge the sad passing of Jack Munday, that great environmental activist, who as Secretary of the Builders Labourers Federation had a significant impact and lasting legacy on Eastlakes, in my electorate. In the 1970s Rosebery Racecourse was to be redeveloped into a garden suburb. Instead of houses, three storey walk-ups were springing up like weeds, thanks to the support of the Mayor and Deputy Mayor of Botany Council, both local real estate agents. Residents approached Jack Munday for support and in November 1971 the Builders Labourers Federation placed a "Green Ban" on the site. The ban was successful, as the Mayor and Deputy Mayor were not re-elected at the 1974 council elections and in that year an agreement was reached between the developer and Botany Council that the land would become an official park, now called "Eastlakes Reserve". Eastlakes would not be Eastlakes without Eastlakes Reserve. The Eastlakes community will forever be in debt to the courage and determination of Jack Munday. With Jack's passing it is time for Bayside Council to rename Eastlakes Reserve in Jack's name to honour the contribution that only Jack could have made to the Eastlakes community. Vale Jack Munday.

#### **ALBERT COLLINS 104TH BIRTHDAY**

**Ms TANIA MIHAILUK (Bankstown)**—I was honoured to recently visit my good friend, Mr Albert (Bert) Collins, at his Bankstown residence, to wish him a very happy 104th birthday and celebrate this most special occasion. Born on 11 March 1916, Bert enlisted in the Australian Army on 5 August 1940 and served his country with distinction and honour before being discharged from duty on 1 December 1945. Bert is now the oldest ANZAC veteran in Bankstown and continues to be involved in ANZAC Day commemorations each year. For over 70 years, Bert has been an active member of the RSL, spending the last 58 years in the Bankstown Sub-Branch, and to this day Bert remains closely associated with the armed forces and the local veteran community. Bert continues to be a long-standing and active member of the NSW Labor Party Condell Park Branch as a member of, and over the years has played a vital role in raising issues that are important to the local community as well as himself. Bert is warmly regarded and highly respected, not only by his family and friends, but the wider community, and I congratulate Bert on achieving this wonderful and impressive milestone.

#### **CENTRAL COAST AND COVID-19 RESPONSE**

**Ms LIESL TESCH (Gosford)**—Words cannot express the gratitude that I extend to every single essential worker who has kept our Central Coast community safe. The pure essence of your contribution is appreciated at a profound level. Thanks to every front-line health worker, who made the preparations - physically & intellectually - and took on the risk of caring for our COVID patients. Thanks to our supermarkets teams, who made rapid adjustments to accommodate the (sometimes absurd) needs of our community. To our pharmacies, fruit & veg suppliers, hairdressers, florists, bakers, butchers, cafes, clubs, takeaways, bus/taxi/ferry/community transport & truck drivers, everyone at our train stations, journalists, cleaners across the Coast and so many more - we really appreciate you! A squillion thanks and incredible gratitude to all of the teachers in our community. Your continued professional commitment to education in the rollercoasters that has been the provision of education to students of NSW is appreciated. And a massive gratitude shout-out (& a dash of sanity!) to all parents & care-givers supporting online learning. Also mega-thanks to all of you who made the huge adjustments to work at home to keep our community safe. Well done Central Coast!



**FRANK FINCH OAM OF KYOGLE**

**Ms JANELLE SAFFIN (Lismore)**—I was honoured to be among the capacity crowd who farewelled the late Frederick Bradley 'Frank' Finch OAM at the Kyogle Memorial Hall on Friday March 13 2020. Frank, 93, was a highly experienced and decorated seaman who served with the US Army Small Ships during World War Two. Frank was loved by his large family, including his son and my dear friend Wayne Finch, and by his second family – his comrades in the Maritime Union of Australia. A man who saw much of the world, Frank was a humanitarian and a pacifist who championed the cause of the underdog. Frank had a larrikin sense of humour; his coffin even had a porthole, 'so he could keep an eye on proceedings'. He established a world-class maritime museum at his home 'in Fairymount so green', which became something of a tourist attraction. Frank Finch published several books about his life experiences and wrote poetry. From one of his favourite poems, *Dreaming of Peace*:

I dream of where the big ships go, and where I used to be. Many memories fill my mind, of countries where war came, those ravaged lands across the seas, humanity's great shame.

**CHRISSY MCGUINNESS**

**Ms SONIA HORNER (Wallsend)**—Our local champion, Chrissy McGuinness has been rewarded for her efforts by receiving the Camp Quality Gillard Volunteer of the Year Award. The award was established in 2011 and named after former Camp Quality Board member, Dick Gillard. It acknowledges a volunteer in each state who has gone above and beyond to dedicate their time and energy to bringing smiles to the faces of Australian kids impacted by cancer. Chrissy has been volunteering with Camp Quality for 15 years, and during that time she has shown that enthusiasm, dedication, compassion and a sense of humour make a fantastic and valued volunteer. Chrissy spends countless hours making sure children, families and volunteers feel supported before, during, and after camps, and is involved in running FUNraising events. During most camps, Chrissy is a medical volunteer and her day job is a paediatric nurse, caring for children with cancer at the John Hunter Children's Hospital. On behalf of the Wallsend electorate, thank you and congratulations Chrissy, for your contribution to our community, and to all our local volunteers who make a difference.

**NSW GOVERNMENT COMMUNITY SERVICE AWARD**

**Ms ELANI PETINOS (Miranda)**—I acknowledge Peter Carrigan of Oyster Bay who is the deserving recipient of a NSW Government Community Service Award. As the Menai SES Unit Commander, Peter has demonstrated his selfless and steadfast dedication to our community, leading a team that is on call 24 hours a day, 365 days a year, to assist those in need following extreme weather events. Peter coordinates weekly meetings and training opportunities to ensure that the volunteers he leads are skilled to assist in a variety of situations. During his term as Unit Commander, Peter has worked as part of a team to deliver the Menai SES Unit's refurbished headquarters. Peter has held various roles in the NSW SES since he joined in 2009, and has been awarded the NSW SES 5 and 10 Year Long Service Awards as well as a NSW SES Commissioner's Certificate of Appreciation. For ten years, he has been instrumental in recovery efforts following many natural disasters, most recently in bushfire affected areas and in our very own community following the January supercell storm. On behalf of our community, I thank Peter for his years of dedication and service.

**BRUMBY AIRCRAFT PROTECTING LOCALS**

**Ms STEPH COOKE (Cootamundra)**—I bring attention to the innovative efforts of Cowra business, Brumby Aircraft. The company has been manufacturing perspex screens to help protect workers on the frontline during the COVID-19 pandemic. The company usually manufactures aircraft but has thought outside the box and are now providing protection screens for businesses throughout Cowra and surrounds and as far as Canberra. Brumby Aircraft Managing Director Paul Goard, said his wife Natalie came up with the idea and posted it on Facebook with amazing feedback from the community. The transition from aircraft screens to protection screens has been a natural process for the business. It is so important during this time of economic turmoil that businesses can adjust their usual business practices to stay afloat and keep employees in the work force and Brumby Aircraft has successfully achieved that. Well done to Brumby Aircraft for their forward thinking innovation and for providing the community with perspex protection screens to help stop the spread of COVID-19.

**TRIBUTE TO JOHN BENYON OAM**

**Mr RAY WILLIAMS (Castle Hill)**—It is with my deepest sympathies that I announce the passing of Hills local Mr John Benyon OAM. For many decades John was a stalwart of the Kenthurst community, whose tireless dedication towards improving the amenities of the local area was felt by all. Some of John's most notable achievements include the conversion of the local scout hall into a men's shed; Benyon's Bump, the school crossing helping children safely across Kenthurst Road; the establishment of the Monument of Remembrance and initiating the well-attended Anzac Day Ceremony; the Australia Day flag raising ceremony at the John Benyon Park, which

deservedly bares his namesake; and initiating upgrades to the Park, expanding the playground, picnic area and basketball court. For the past 16 years John was available each Saturday to organise week-end objectives for persons serving weekend detention, with help from the Department of Corrective Services, who assisted John with his constant maintenance of the local heritage listed Literary Institute Buildings, Kenthurst swimming pool and Local Park. John was a tireless campaigner for his local area, who was an endearing example of the community spirit that defines the Hills. He will be well-remembered and sorely missed by all.

#### **INNER WEST RESPONSE TO COVID-19**

**Ms JO HAYLEN (Summer Hill)**—The resilient and generous inner west community has risen to the challenge of Covid-19: Residents have flocked to get tested for the virus; neighbours have built street pantries or looked out for elderly neighbours; and community organisations have stepped up to make sure nobody gets left behind. Volunteers from Boomerang Bags Inner West have been sewing masks out of recycled fabric for front line workers, while Reverse Garbage has been making personal protective equipment out of recycled materials. With the help of Socceroo Craig Foster, The Addison Road Food Pantry has provided tens of thousands of people with nourishing food and essential supplies to organisations working in at-risk communities. From home cooked meals to advice about how to navigate rent negotiations with your landlord, the Inner West Mutual Aid online community has helped people band together and support one another through this crisis. Off-line, volunteers letter-boxed thousands of homes to help vulnerable people find help. It's clear we'll get through Covid-19 by working together and thanks to the generosity of residents and organisations like these, I know we'll be a stronger and more compassionate community on the other side.

#### **JACK MUNDEY**

**Mr JAMIE PARKER (Balmain)**—Today I recognise Jack Munday, a legendary environmentalist and a friend. Jack led the Builders Labourers Federation and the green bans campaign which saved the Rocks, Kelly's Bush, Centennial Park, Woolloomooloo and many other parts of Sydney. His work transformed the way we view development and planning and started the Green movement as we know it today. He was a champion for working people, the environment and for Sydney. I always appreciated Jack's advice and counsel and was immeasurably proud to receive his endorsement when I stood as the candidate for the seat of Balmain. Our thoughts are with Judy and his family during this difficult time. Vale Jack Munday.

#### **LYNNE GRAHAM CAREVAN WAGGA WAGGA**

**Dr JOE McGIRR (Wagga Wagga)**—When Carevan Wagga lost a significant percentage of its volunteer base and was unable to operate from its venues, due to COVID-19 restrictions, project coordinator Lynne Graham said things were starting to look dire. The charity had been sharing meals with dignity since February 2019, helping vulnerable residents feel connected, valued and included. Prior to COVID-19, the 70-volunteer strong service was providing free meals to more than 150 residents at its Ashmont, Tolland, South Wagga and Koorinal sites each week. But Lynne Graham said the Public Health Orders had limited its ability to operate from these sometimes-crowded buildings. However, she did not lose hope. I would like to offer my congratulations to this inspirational Wagga Wagga woman, who was rightly named the city's 2020 Citizen of the Year. Transitioning the charity from a travelling community kitchen to a meal delivery service, Carevan volunteers – including council workers and local chefs - now work three days a week to cook up to 200 meals, package them in take-away containers and send them off to providers and community hubs. Lynne credited Wagga Wagga's businesses, organisations, charities and council for the ability to keep helping residents in need.

#### **NEWTOWN BLESSING BOX**

**Ms JENNY LEONG (Newtown)**—The Newtown Blessing Box is a gender neutral community street pantry located in Newtown. The Blessing Box came about when Maureen Lee noticed the effect that support services who had to close as a result of Covid-19 restrictions had on people who used those services to access food and other goods. Maureen and housemates, Michelle Gomes and Joyce Akinpe opened a streetside community pantry and found an old cupboard in a nearby lane which they installed at the end of their driveway with a few items from their pantry. Newtown Blessing Box is now a well-known community feature, full of non-perishable goods, sanitary products, toilet paper and local restaurant vouchers. Messages of support are plastered across the doors from people who are donating and people who are taking the goods. The blessing box is used by people who have lost their job or income, migrants and asylum seekers, and people who are sleeping rough. Thank you to the incredible locals who started the Newtown Blessing Box, to those in the community who are donating goods - and to those who have been inspired to start their own blessing boxes in other neighbourhoods, including Marrickville and Tempe.

### FRONTLINE WORKERS

**Mr ALEX GREENWICH (Sydney)**—On behalf of the Sydney Electorate, I record thanks for the vital role that frontline workers have been playing through the COVID-19 pandemic. Health workers have been grappling with a new disease and a virus we don't yet understand, and doing a remarkable job informing, educating, investigating and testing. Thanks to the St Vincent's, Sydney and RPA hospitals and COVID clinic staff, paramedics and GPs who have been working to save lives and keep people well. We have outstanding people helping vulnerable people in aged care, homelessness and other crisis services. Police and council rangers are working in difficult circumstances, and we rely on their discretion to balance community safety with protecting civil rights and fairness. I also record thanks to those who have been keeping the shops, services, transport and schools running as best we can. We must recognise the cleaners, admin and support staff who keep everything running. Thanks to the effective information from Service NSW officers during this time of distress, anxiety and rapidly changing situation. This crisis has brought out the best in people and shows that frontline workers are everywhere and we all depend on each other.

### FAIRFIELD COMMUNITY SPIRIT

**Mr GUY ZANGARI (Fairfield)**—Since the COVID-19 pandemic begun, communities have been diligently fighting against all manner of adversities. I would like to shine the light on two local legends who helped make a difference by brightening the lives of those around them when circumstances were most dire. I would like to commend Attilio Labbozzetta, owner of Gigino who showed a tremendous gesture of appreciation for our local healthcare workers at Fairfield Hospital by donating a variety of delicious and fresh meals as a means to say thank you and to show their support. The broader Fairfield community remains fortunate for the kindness and generosity displayed by Roy Marando of Marando Real Estate South West who put the effort into packing and distributing hampers to the elderly and most vulnerable individuals throughout our community who remained isolated and unable to procure the supplies they required. On behalf of the Fairfield electorate, I would like to commend and thank Attilio Labbozzetta, Roy Marando and their teams for their kindness and generosity which served as a beautiful reminder that we must continue to support and look after one another, especially during our darkest hours. Thank you Attilio and Roy!

### POLICE AND EMERGENCY SERVICES IN THE ELECTORATE OF PROSPECT

**Dr HUGH McDERMOTT (Prospect)**—I would like to thank the dedicated members of the NSW Police Force, Fire and Rescue NSW, NSW Rural Fire Service and NSW Ambulance and other first responders who have continued to work through this pandemic, serving our community. This crisis is a reminder of the sacrifice and dedication of our first responders, they consistently put others before themselves, risking their lives so that we can all remain safe. At the end of March, as the dangers of COVID-19 were becoming clear I met with local police officers and spoke with them about the pandemic. They were aware of the risks, but they were determined to keep helping our community through these times. It is no small thing to become a first responder. They undertake the training knowing that they will be called to some of the worst scenes and moments imaginable, but they do it anyway. As our police, firefighters and paramedics face a new danger they have continued to put their communities first. I thank them for their service. Stay safe.

### JOY DAVEY OAM

**Mr STEPHEN BROMHEAD (Myall Lakes)**—I inform the house that Taree Quotarian, Joy Davey OAM has had a tree planted in her honour in Fotheringham Park Taree along with a plaque. The 'Tree of Joy' as it is known is in recognition and deep appreciation for her life-long service and dedication to the local community, which has been bestowed on her by Quota International of Taree. Mrs Davey now aged 94 has had 52 years of nursing having graduated in 1946 with a double certificate specialising in midwifery. Joy has lived in the Manning her entire life. Quota's Club President, Nancy Boyling has described Joy as a community champion, with a bottomless reservoir of love, patience and energy. I thank Joy for her ongoing dedicated service to her community and wish her a happy and healthy future.

### NEW INTERCITY FLEET

**Mr LEE EVANS (Heathcote)**—I recently had the opportunity to see firsthand the New Intercity Fleet trains, which will replace the ageing V-sets. Testing is progressing with the first two trains now travelling on the network using their own power. This is a major milestone because when the trains first arrived, on track-testing involved using locomotive to haul the carriages. More of these new trains will be on the network in the coming months to test all the train systems including Automatic Train protection, passenger door systems, passenger information, CCTV, ride comfort as well as the maximum speed of 160kph. The new trains will service customers on the South Coast, as well as the Central Coast, Newcastle and Blue Mountains. They will also feature the latest technology and more amenities for customers, including comfortable two-by-two seating, charging points for

mobile devices, as well as storage for luggage and bicycles. It was fantastic to be given a close-up look at the new trains with the Minister for Transport and I look forward to the new trains serving customers in my electorate later this year.

#### **VALE GARY "RIPPER" RADFORD OAM**

**Mr ROY BUTLER (Barwon)**—Sadly, Broken Hill farewellled local icon, Gary "Ripper" Radford OAM on Anzac Day, 2020. Gary, a well-respected and successful businessman played an integral part in Broken Hill's mining, pastoral, transport and earthmoving sector. Gary was widely respected in the Broken Hill community and throughout the Far West. In 1986, Gary was awarded the Order of Australia Medal for his service to the community and in 2011 was inducted into the Shell Rimula Wall of Fame and was presented with the prestigious Icon of the Industry Award. Gary worked tirelessly for the Broken Hill community. Volunteering and generously donating to many causes and community groups such as Legacy, St Patrick's Race Club and Lifeline. Gary later became a Patron for both Lifeline and the St Patricks Race Club. In 1997, Gary was awarded the Des Griffith Award in recognition of his outstanding contribution to Lifeline Broken Hill. I extend my sincere condolences to Gary's family. He will be missed by many.

#### **ANNIKA KORSGAARD – HELP OUR COMMUNITY!**

**Ms TAMARA SMITH (Ballina)**—I acknowledge Annika Korsgaard, for creating the not - for -profit service HELP! This service was initially set up as a collective of volunteers dedicated to assisting the elderly who were required to quarantine or self-isolate during the COVID-19 pandemic. HELP! Has now extended their service to assist other at-risk members of our community, in particular people with disabilities or those who live alone and don't have any assistance. HELP! Provides support to these people with non-contact services which include shopping and free home delivery, mail collection and post office runs, medications collected and home delivered, friendly phone calls for people who are isolated and want connection. This is such a key service for our community in this challenging time. I commend the work and service of Annika and her team of volunteers to roll out this incredible service. To ensure the basic needs are being met of our more vulnerable groups of the community is so important and demonstrates how we will all get through this pandemic together by helping each other.

#### **INTERNATIONAL NURSES DAY**

**Ms JENNY AITCHISON (Maitland)**—I give thanks to the tens of thousands of NSW nurses, and countless others around the globe, who work so hard to keep us, our loved ones and our communities healthy. At no time has the phrase: "Nurses. We can't live without them" been more appropriate. Globally, nurses now stand in support of millions of COVID-19 patients, guiding them to recovery or, tragically, remaining by their sides as they draw their last breaths. There is nothing to celebrate during this Novel Coronavirus pandemic but I am grateful for the fact that, the world over, nurses are finally being widely hailed as the frontline heroes we know they are. The world finally sees, and acknowledges, their contributions and their sacrifices, and it is fitting that this visibility and appreciation coincides with the Year of the Nurse and Midwife. It is my hope that this new-found gratitude towards nurses and midwives outlives the calendar year and survives the pandemic. We must continue to give thanks to our frontline health workers, and ensure their contribution is recognised in every way. Thank you, nurses.

#### **NEWCASTLE'S FRONTLINE WORKERS**

**Mr TIM CRAKANTHORP (Newcastle)**—I pay tribute to Newcastle's frontline workers who, in the face of uncertainty and change, have stepped up to continue to serve our community. Our health workers have taken the stress of COVID-19 in their stride. From nurses to pathologists to administrators, every day you have gone to work and put yourself in the firing line of this virus to look after us. Our educators have shown themselves to be creative and flexible. They've learned new technologies, adapted their lesson plans and have gone above and beyond to make sure students stay engaged in their learning. Those who provide care have not wavered. Whether they have been caring for our youngest, our eldest or our vulnerable in between, their dedication to keeping these people safe has not gone unnoticed. Then there are those who have kept the wheels of daily life ticking, often in the background. The supermarket shelf stacker, the bus driver, the office cleaner – to name just a few, have quietly carried on with their work each day, doing the best that they can in difficult circumstances. Thank you.

#### **MESSAGE TO MY COMMUNITY ON COVID-19**

**Ms GABRIELLE UPTON (Vaucluse)**—I'm very proud of my local community and how we have contributed to the fight against COVID-19. Despite my electorate being a NSW hotspot, we've continued to do the right thing to protect and support each other through these challenging times. I've also seen our great efforts through our local organisations and businesses who have extended a helping hand to those in need. During the last month with COVID-19 at its peak we've had a number of community events – ANZAC Day, Israel's

Independence Day, Russian Victory Day – to name a few. Ever resilient, we've found ways to keep the community spirit alive through online events and socially-distanced commemorations. I want to thank our local frontline workers for their courage and the sacrifices they have made for us. Thank you to our doctors, nurses and healthcare workers, our policemen and women, our aged-care workers, our teachers and childcare workers and of course our truck, train, ferry and bus drivers and supermarket and small business staff for supporting us with vital services during this difficult time. It has been very challenging, but there's no doubt we will get through this and be stronger and better together.

#### **AUSTRALIAN JORDANIAN COMMUNITY ASSOCIATION**

**Mr PAUL LYNCH (Liverpool)**—I recognise the Australia Jordanian Community Association which conducted a ceremony at Chester Hill on 14 March in honour of Australian Jordanian Graduates, particularly those who completed the HSC in 2019. This was the third time this annual event has been held. As well as celebrating the achievements of graduates, a number of community awards were also presented. Present at the awards was the Ambassador of Jordan to Australia – his Excellency Dr Ali Krishan. Also speaking at the gathering was the President of the Australian Jordanian Community Association Mohammed Alqadi. Sponsorship was also provided by Qatar Airways. Academic achievement is often celebrated in migrant communities in areas such as the one I represent. It is a very concrete realisation of the promise of multicultural Australia. Graduates such as those celebrated at this event will make a positive contribution to the Jordanian community but also to the broader community. We are all the beneficiaries of their success. I would like to congratulate all the graduates who were recognised and congratulate the Australian Jordanian Community Association for their initiative in holding this event.

#### **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 NESA allows the talent of the next generation of designers in NSW to be celebrated. Congratulations to Rocco Laria on this incredible achievement.

#### **ST GEORGE COMMUNITY COVID-19 RESPONSE**

**Mr CHRIS MINNS (Kogarah)**—I am so pleased to see the people of Kogarah come together, to support each other through the COVID-19 pandemic. At St George Hospital our frontline workers have continued to treat patients, knowing the high infection rates among health workers overseas. Staff of St George Private have offered help to ease the burden on our public hospitals. Community organisations have been everywhere, delivering meals, comfort and odd roll of toilet paper to people isolated in their homes. Thanks to the work of our amazing volunteers, our community is safer and happier. While the doors of places of faith and worship have been shut, congregations have opened their hearts and tended to the needs of people of all faiths. Teachers have been miraculous, taking students from the classroom to home learning in a matter of days. They continue to return to the classroom despite the health risk to themselves and their families. When others were defying social distancing rules, the St George community showed how it's done, and what it means to put the needs of your neighbour ahead of your own. I am confident that together, the people of St George will beat this pandemic.

#### **COMMUNITY EFFORTS**

**Mr JIHAD DIB (Lakemba)**—I extend my gratitude to community organisations in my local electorate who have supported seniors, students and families in need during these difficult times. The electorate of Lakemba brings together a multitude of cultures, faiths and life stories and each one compliments the other. Special thanks to Canterbury City Community Lakemba Centre, Mountaha's Helping Hand, Maronites on a Mission, Lebanese Muslim Association, National Zakat Foundation, Muslim Women's Association, Lighthouse Community Support and Charity for Life for organising the packing and distribution of hundreds of food packages to seniors, families and international students. Thank you to Riverwood Community Centre for providing a walk-in health and wellbeing clinic to provide COVID-19 testing and flu vaccinations and to Meals on Wheels for preparing warm meals for seniors. Finally, a special thanks to Human Appeal International who distributed hygiene supplies to local police stations and government office during a time when supplies were hard to come by. And for distributing hundreds of food packages to the vulnerable in our local community, I thank you immensely. I am privileged to be part of a community who gives selflessly, works tirelessly and comes together equally to spread the message of hope and peace.

**The House adjourned, pursuant to resolution, at 14:54 until  
Tuesday 2 June 2020 at 12:00, unless otherwise advised in accordance with Sessional Order 47A.**