



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Seventh Parliament  
First Session**

**Wednesday, 21 October 2020**

Authorised by the Parliament of New South Wales



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# LEGISLATIVE ASSEMBLY

**Wednesday, 21 October 2020**

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

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

## *Bills*

### **HEALTH LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2020**

#### **Returned**

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

### **STRONGER COMMUNITIES LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2020**

#### **Returned**

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

## *Committees*

### **JOINT SELECT COMMITTEE ON COERCIVE CONTROL**

#### **Establishment and Membership**

**Mr MARK SPEAKMAN (Cronulla—Attorney General, and Minister for the Prevention of Domestic Violence) (09:30:22):** By leave: I move:

That:

- (1) A joint select committee, to be known as the Joint Select Committee on Coercive Control be appointed.
- (2) The committee inquire and report on coercive control in domestic relationships.
- (3) The committee, in undertaking (2), will:
  - (a) have regard to the discussion paper entitled *Coercive Control* issued by the Government on 13 October 2020;
  - (b) answer the questions posed in the discussion paper;
  - (c) have regard to any matters the committee considers relevant; and
  - (d) make such recommendations as the committee considers appropriate.
- (4) The committee will consult with key stakeholders as required.
- (5) The committee to consist of:
  - (a) five members of the Legislative Assembly, namely Mr Justin Clancy, MP; Ms Trish Doyle, MP; Mr Peter Sidgreaves, MP; Ms Steph Cooke, MP; and Ms Anna Watson, MP; and
  - (b) three members of the Legislative Council, namely the Hon. Natalie Ward, MLC, (Chair); the Hon. Abigail Boyd, MLC; and the Hon. Rod Roberts, MLC.
- (6) The committee report by 30 June 2021.
- (7) A message be sent to the Legislative Council requesting the Legislative Council agree to the resolution, and to fix a time and place for the first meeting.

**Motion agreed to.**

## *Notices*

### **PRESENTATION**

*[During the giving of notices of motions]*

**The SPEAKER:** I note that the giving of a notice of motion by the member for Auburn was far longer than 30 seconds.



*Bills***LOCAL LAND SERVICES AMENDMENT (MISCELLANEOUS) BILL 2020****Second Reading Debate**

**Debate resumed from 14 October 2020.**

**Ms JENNY AITCHISON (Maitland) (09:48:01):** I lead for the Labor Opposition in debate on the Local Land Services Amendment (Miscellaneous) Bill. At the outset I thank all of the many stakeholders who have spoken to me about this bill. There are too many to name but I give special thanks to James Jackson, Peter Arkle, Nicholas Savage, Annabel Johnson and Bronwyn Petrie from NSW Farmers; Nick Kamper from the Australian Workers' Union [AWU]; Bluey Menon, Alison Rudman and Anthony Hack from the Construction, Forestry, Maritime, Mining and Energy Union [CFMMEU]; Linda Scott from Local Government NSW; Chris Gambian from the Nature Conservation Council; Rachel Walmsley and Cerin Loane from the Environmental Defenders Office and others who have spoken to Christine Boyd in my office or to my colleagues, including Maree McCaskill from Timber NSW who I know has been in very helpful dialogue with the shadow Minister for Resources, Mr Paul Scully. I have appreciated and really valued their feedback over many months.

I thank my colleagues the Hon. Adam Searle, shadow Minister for Planning and Better Living, the North Coast, Climate Change and Energy, Industrial Relations and Leader of the Opposition in the other place; Kate Washington, shadow Minister for Environment and Heritage and Rural Health, who is present in the Chamber today; Paul Scully, shadow Minister for Natural Resources; the Hon. Mick Veitch, shadow Minister for Rural Affairs, Industry and Trade, Rural Roads and Western NSW; and, Janelle Saffin, member for Lismore, who is impacted by this. I thank the Hon. Mick Veitch and the Hon. Penny Sharpe for the work they have done on this bill. The five key shadow Ministers who are involved and whose portfolios are impacted by this bill came together to discuss the issues. Under the leadership of Jodi McKay that is how the Labor Opposition works.

This bill has serious impacts for our environment and it has serious impacts for people living and working on the land, so we wanted to get it right and come to a position that would help everyone to see the issues within this bill. The Government bill decouples the Local Land Services Act and the Environmental Planning and Assessment Act to carve out agriculture and private native forestry operations from the development processes of local councils and place it within the Government's land management framework. Labor has been speaking with the stakeholders, unions from primary industries, including farmers and the private native forestry industry, on these issues for months. We understand their frustrations and their concerns with where we are now and where this Government is. We know that by and large the vast majority of farmers are good environmentalists. They are at the forefront of managing our land for the future and conserving our biodiversity. No-one knows their land as well as a farmer does.

Farmers have worked the land for tens of thousands of years to clothe and feed people: It is what humans do. We are hunters and we are gatherers, but we have also been farmers for a long time. Farming methods, scale and operations have changed during that time. Sometimes in response to improvements in technology, increasing productivity, changes in climatic conditions, our understanding of the science of how things grow, and more recently biodiversity, conservation and the environment have played an increasing important role. Farmers are intrinsically linked to the fate of our environment. Fundamentally, biodiversity must be protected to provide environmental and economic benefits to all in our community. Farmers must be treated as partners in that. When we have a large number of diverse plant species our agricultural industry thrives. When we have great diversity of food crops and other biological resources, such as medicinal plants used for pharmaceutical drugs, our agricultural industry thrives.

Likewise, greater species diversity ensures sustainability for all life through a greater range of animal breeding stocks and reservoir populations in case of disease outbreak. A diverse and healthy ecosystem better withstands and recovers from human-induced and natural disasters—and have we not had a lot of those recently? Farmers have suffered four years of drought, ongoing in some parts of the State, a year of catastrophic fires and floods, and now COVID-19. They have been fighting on the front line, protecting their own land and that of their neighbours, whether that be public or private land, to save habitat. Farmers are often the first to see the terrible devastating impact of fires on our native wildlife and habitat. As with farming, private native forestry is an important primary industry. It is an important part of the New South Wales forestry estate and a key driver of jobs in the region.

Labor has an aspiration to grow our forestry estate and to manage it in a way that achieves the multiple objectives of environmental improvement, climate change mitigation through sequestration and jobs. As with farming, the timber industry has also had an incredibly difficult year throughout New South Wales. It is people who manage forests, both private and public, who also stood shoulder to shoulder with firefighters to protect our

forests, to protect equipment and assets, and to protect people and the environment—just as the farmers did. We thank them for their efforts. Responsible private native foresters are just as committed to protecting threatened species and improving the environment as many involved in the environmental movement. The jobs created and sustained by a responsible, sustainable, strong, safe and well-regulated timber industry are very important to regional communities.

Those jobs extend beyond people involved in logging alone to those in forest management, harvesting, transport, processing and manufacturing. There are inconsistencies across jurisdictions in the way that private native forestry can be regulated, as the Minister pointed out in his second reading speech. Labor is inclined to support increasing the approval period from 15 years to 30 years. Some people may wonder why such a change is required. It is required because it simultaneously provides certainty for landholders, but it also better aligns with the time for native hardwood forests to regenerate, removing the perverse incentives for harvesting forests before they reach their environmental or commercial maturity. Allowing trees to meet their environmental maturity maximises the carbon sequestered in the tree, while providing for access based on the 30-year time horizon carbon credits schemes domestically and internationally.

Labor is also inclined to support a greater role for the Minister responsible for forest industries in private native forestry codes of practice so that the entire forestry estate is better integrated for the purpose of management. However, we felt that this could have been dealt with separately. Forestry has an important role to play into the future. Private native forestry generally would be better served by improvements to the legislative and regulatory framework introduced around forestry rather than specifically in this bill. The detrimental parts outweigh the positive concerning the management and oversight of forestry in the bill. It stems from a political decision to include these requirements in the bill as a political fix rather than introduce a bill to improve government policy.

Stakeholders in the forestry industry say, yet again, that they have been left out of the consultation process. They are concerned about the way in which this Government continues to use them and farmers as talking horses for political arguments between the Liberals and The Nationals on Macquarie Street. The conversation should be about jobs in the regions, yet this Government has failed to effectively consult with workers in the regions who are relying on them to get the balance right. That can only be achieved through true consultation, respect and understanding—not by standing in your ideological corners and having a hissy fit. This bill follows an explosive argument within the Government regarding the operation of State Environmental Planning Policy [SEPP] No. 44, koala habitat protection, which led to the Deputy Premier of this State taking leave for a month after he was outed as an advocate for developers and bringing the Coalition to the brink of collapse.

The bill highlights the complexity of this Government's legislative land management framework and consequent failure to provide a workable system of environmental protections and land management, as well as its failure to undertake key reviews promised in previous debates concerning this legislation. It has failed to ensure accurate data about the impact of the legislation and to work with all stakeholders to ensure environmentally sustainable outcomes in primary industries. Most importantly, this bill is about how the Government is trying to sort out its own internal conflicts to wrest back control of the mess that is their land conservation and management framework. It is portrayed that this debate was precipitated by recent public stoushes in the Coalition that began in March this year regarding the SEPP, but the issue goes back further.

It is now nearly four years since this Government repealed the Threatened Species Conservation Act, the Nature Conservation Trust Act, the provisions relating to animals and plants in the National Parks and Wildlife Act and the Native Vegetation Act, and replaced them with the introduction of the Biodiversity Conservation Act and the cognate amendments to the Local Land Services Act. These reforms were touted as introducing a one-stop shop that would stop the war between the environment movement and primary producers. The then Minister for the Environment, Minister Speakman, said it would modernise and transform the way that biodiversity is valued and conserved in New South Wales. The then Minister for Primary Industries, the Hon. Niall Blair, said the package would bring down the curtain on two decades of government-designed-and-fuelled antagonism between the farming sector and the environment movement.

Minister Blair blamed previous Labor governments for perpetrating a political narrative so divisive and destructive that it remains deeply entrenched today. Wrongly, inappropriately and erroneously it pits the city against the country, production against protection and natural resource sterilisation against sustainable use and development. These simplistic take it or leave it political propositions belie more complex, dynamic and interdependent realities. That sounds a lot like what has been happening in the Coalition lately. The former Minister for Primary Industries said that he toured regional New South Wales extensively for 18 months before the reforms to consult broadly on them with the people they would impact on. He said he sat around kitchen tables and stood in paddocks with farmers from one end of the State to the other and heard the same message. Who has Minister Marshall been consulting with? Has it just been those in the farming community? From what is before

us, it is more likely that those within his party have been more important to his deliberations than those within agriculture or primary industries.

The other statement that Minister Blair made when reporting on the consultations was that agriculture and the environment are not opposed; they are co-dependent. He promised that the legislation that was introduced into this place four years ago would turn the paradigm on its head. He said that farmers would finally be recognised as a critical missing part of the solution to address biodiversity decline rather than demonised as the problem. Yet the Government has been doing exactly that with this SEPP for the past six months. It has created division and a lot of uncertainty. This week I looked back at some of the issues that Labor warned about in regard to the implementation of that legislation and where we are now.

We raised a number of key points after consulting with many groups, including farmers. I know some of them have come to fruition in the current debate, and indeed have been raised with me on a regular basis by farmers and others in primary industries in their complaints about the Government's handling of the Land Management Framework. One key issue from the perspective of primary industries is the lack of public participation in the process. When the legislation was passed, Labor warned that decisions and instruments based on it would not be invalid even if the consultation processes were not followed. We learned that public consultation might be based on summary documents and that issues raised in submissions may be summarised by proponents instead of considered directly by decision-makers.

I have heard numerous complaints about that from many farmers during my 15 months in this role. They have told me time and again that they have not been listened to by this Government. They have complained about the way the planning instruments, which affect their everyday lives and work on farms, were brought into action without any consultative processes, and in some cases without any legislative oversight by the Parliament. One of the primary concerns raised to me by NSW Farmers and other stakeholders is that the SEPP was introduced with little alignment with the consultation draft. Similarly, the Government's Right to Farm Bill 2019 ignored the years of consultation on land-use conflicts and did nothing to resolve them. NSW Farmers were not consulted prior to the introduction of the Government's coal seam gas bill earlier this year.

The Government likes to hold farmers up and say it is their champion, but when it comes to having the hard conversations with them it tends to go a little quiet. We are here today not because of the months of strong lobbying of this Government by NSW Farmers and Timber NSW, but because the Minister for Agriculture is trying to resolve the ongoing toxic feud between the Deputy Premier, the Minister for Planning and Public Spaces and the Minister for Energy and Environment. We are here because last week in this Parliament the Shooters, Fishers and Farmers Party introduced another bill to try to achieve an outcome. We are here because last month the Deputy Premier brought the Coalition—and indeed the Westminster system of government in this State—to the brink of dissolution by threatening to hold ministerial offices from the crossbench and effectively to take their bat and ball and not go home but, rather, sit on the sidelines and get their big, fat ministerial salaries.

Judging from the conversations we have had with actual stakeholders—the farmers and the private native forestry operators—this is not necessarily the legislation they wanted. They have been angered by the Government's constant focus on its own divisions instead of the deep and serious challenges that farmers face—four years of drought, floods, catastrophic bushfires and now COVID. This whole bill is about healing the deep division in the Coalition; it is not about helping farmers or private native forestry workers to navigate the environmental planning processes. I have spoken to stakeholders and warned them that, despite claims to the contrary, the Government cannot ever meet the lofty claims of the former Ministers for primary industries and the environment nor even the Minister for Agriculture and Western New South Wales, who gave the second reading speech on this bill last week, because they have proved themselves incapable of having a respectful and civilised discussion—even with each other.

Just last week we had the environment Minister make the biodiversity assessment method order, which was published in the *Government Gazette* today. This is part of the biodiversity offsets scheme. Where was the big consultation on that? Again, these issues are parts of the whole picture. There are so many moving parts that it is hard for people who are just trying to farm the land or who are just trying to undertake private native forestry operations to keep abreast of what the Government is doing. There is no plan and no coherent strategy. The Government is just trying to resolve its own deep rifts. It even introduced the bill with minimal consultation. Yet again, Minister Marshall does what he always does with legislation: He just drops it in the House and does not even offer a briefing to my staff. I do thank his chief of staff, Jackson Busse, and ministerial adviser Alex Hall for the help they gave us when we requested briefings, but I was disappointed to hear that the Minister had not consulted with environment groups. How can you have concurrence and consultation if you are not listening to everyone involved? What of the brave new world that was promised where agriculture and environment would go forward together in partnership and concurrence?

Another issue that plagues this Government and its Land Management Framework is that there is a constant under-resourcing of Local Land Services as an agency of government. I can understand the frustration of farmers when they have to deal with councils, Local Land Services and so many different government agencies. The bill will place the management of rural regulated lands within Local Land Services, where there is supposed to be concurrency between the Minister for Energy and Environment and the Minister for Agriculture and Western New South Wales, but we have seen how that works out. While it sounds good in theory, there must be sufficient resourcing to ensure compliance, monitoring and enforcement, and this has never been the case since the legislation was passed.

The Minister for Agriculture and Western New South Wales is a lazy Minister. He never completed the native vegetation mapping. The Government was supposed to have a three-year regulatory review, which has not yet happened. Four years on, it is still lurching wildly between ideological positions that fail to provide certainty and reduce sovereign risk for agriculture and primary industries. All the while, koalas and native species are evermore threatened with extinction. I call on the Government to provide funding for Local Land Services. Back up farmers with some action and funding instead of just empty promises. Farmers need more education on the Land Management Framework. Why does everything have to be user pays? Farmers need to have those native vegetation maps finalised. They need assistance to survey koala habitat. They want better data collection of the effectiveness of—

**Mr Adam Marshall:** You want the maps enforced? Oh gosh. There it is. Thank you.

**Ms JENNY AITCHISON:** Are you finished, Minister?

**Mr Adam Marshall:** You are finished.

**The DEPUTY SPEAKER:** Order!

**Mr Adam Marshall:** I do not think all of your members are thinking the same as what you are saying.

**Ms JENNY AITCHISON:** This is how you operate, isn't it, Minister?

**The DEPUTY SPEAKER:** The Minister will come to order.

**Ms JENNY AITCHISON:** Thank you, Madam Deputy Speaker. It is nice to have some courtesy in the House. Better data collection is required to look at the effectiveness of the framework. We are in a situation where the Government's review of the effectiveness of the legislation is 12 months overdue and it is saying that it will have another fiddle with the rules. At the end of the day, the Government has to stop playing with the rules. It has to actually get on the field and go with it. It has to actually assess the impact of what it does. It cannot just keep changing things and making them up as it goes along.

Most importantly, I call on the Government to increase the level of expertise in the best practice of environment, conservation and land management within Local Land Services so it has the resources and help that farmers need to do their job. Another issue I raise, which the Labor Party raised four years ago when it warned of the danger of replacing 3½ Acts with one supposedly coherent Act and scheme, is that the responsibilities would be carved up into the Local Land Services Act, the Environmental Planning and Assessment Act, the new Biodiversity Conservation Act and associated regulations, steps and codes. As someone who owned and operated a business in a highly regulated industry for 20 years before I came to this place, I have much sympathy for farmers who are trying to navigate complex and multilayered legislative frameworks.

I have always maintained that one or two Acts is not necessarily better than four, particularly when they are laid out in such a way that allows for no coherent means of interpreting their objects, much less operating within them. One main concern that farmers have expressed to me about the SEPP is that when undertaking normal agricultural practices—such as rebuilding fences after bushfires or managing weeds—they have had to submit a development application to council. This happens to farmers in the electorate of Ballina, yet the koala plan of management [KPoM] will be grandfathered in that area, so I am not sure how that issue will be resolved.

Approximately 870 hectares of farmland is caught up in environmental zones which was previously designated as RU1 to RU6 land. The administration of these Acts and codes has meant that farmers have felt that they have had to jump into and out of different planning systems which do not fully understand their needs. Is this not the whole nub of the right to farm issue—the conflict between agriculture and development in peri-urban, regional and rural areas because councils do not always understand the needs of farmers? I understand why they are sometimes reluctant. Over the past six or more years in my electorate of Maitland, farmers have often complained about increased development and the impact that it has on farming operations. They have cited rising floodwater levels due to increased housing, as well as a lack of ability to undertake agriculture because of the encroachment of nearby housing developments. These have often been approved under the mantle of State significance yet have not gone to local council for consideration. In the current environment, farmers have to go

to council to ask to replace fences that were burnt in the fires or remove invasive weeds from their properties. I have spoken to farmers who have looked at the legislation and they have told me that it still does not resolve that problem for them.

Our farmers and private native forestry operators whose operations extend over multiple local government areas have been forced to negotiate development applications with a number of local councils for the same activity in the same location because of local government boundaries. Farmers have complained about excessive planning controls on bespoke boutique farming operations, which some local councils treat as major farming operations. That means the councils set arbitrary rules that might, for example, apply to 20,000 chickens rather than 200. Farmers complain about the impact on their properties by absentee landlords who fail to manage pests and weeds, as well as government owners who do the same. There is a failure of local and State government to address these issues. Farmers are constantly having to navigate complex legislative channels to undertake normal agricultural and primary industry activities.

We know that many local councils are not resourced to manage the conservation of threatened species. Of all the local government areas in the State, just five have koala plans of management. They are Ballina, Coffs Harbour, Kempsey, Lismore and Port Stephens. The Government has told me that local government is concerned about having to deal with farmers and it does not want to do it anymore. That is interesting, because if the Minister has that view then he should have spoken to Linda Scott from Local Government NSW and asked for her input on this legislation as the president of the peak local government body in the State. I am sure that she would have had a lot to say about the legislation, including how the Bellingen Shire Council koala plan of management was rejected by the Department of Planning, Industry, and Environment meaning that it now cannot be grandfathered. This is a fix.

While previous KPOMs focused on breeding females, future KPOMs are more likely to focus on core koala habitat designation, as well as ensuring that koalas on farms and in private native forests meet the threshold for protection under the threatened species component of the Local Land Services Act 2013, because we know that is not currently the case. Again, some areas are grandfathered yet others are not. The Government continues to apply different rules to different areas depending on what its mates want. So where does that leave farmers and foresters? Is this an admission that this whole framework is a furphy and that under this Government, regardless of which Act you are governed by, you will always be second to developers?

Councils are political organisations, so a council making a decision is not always a guarantee of a win for the environment. We know of areas in the Government's current arrangement, even in the koala SEPP, where even Federal intervention is failing to stop development in key koala habitat. In Port Stephens, the Government has sold key koala habitat. It was extremely weak on protecting koalas from development, and councils are not sufficiently resourced to stand up to the State Government. In many cases, they are legislatively constrained and sometimes cannot even afford KPOMs.

One thing that has been suggested to the Government—which it has not taken on because it does not listen to either the environment movement or councils—is assisting local government areas with koalas with mapping. During this Government's term, dodgy deals with developers have been part and parcel of the way that it does business. It is not a problem if members on the opposite side of the Chamber make a commission from development deals with the Government. That is what they were doing until yesterday, when we changed the legislation. In recent weeks we have heard that the only representation that the Deputy Premier made regarding the koala SEPP to the Minister for Planning and Public Spaces had been on behalf of a developer. We have a significant trust issue, and that is why NSW Labor cannot support the bill in its current form.

Even if we accept the notion that the Government does not intend to roll back protections for koalas in key habitat areas and will offer more clarity for farmers to allow them to operate as they always have, we do not trust that that is all the bill intends to mandate. We have listened and engaged in constructive dialogue regarding unintended consequences for stakeholders. We also very much understand the issues for private native forestry and farmers in relation to the way that they continue their operations. They have explained that when they see maps which have no relationship to or understanding of their land, which they know intimately, they lose faith in the entire instrument. That is an understandable response. But we know that there is another stakeholder lurking behind this legislation. We are concerned about the incentives that might be in the bill for developers to use primary production as a veil for clearing in preparation for development. That is why we examined the loose definition of when land can be rezoned. When we look at the legislation, and in light of conversations we have had with Parliamentary Counsel, it is difficult to see how the Government would fairly rezone land.

We do not trust the Government and we know that it is always thinking of ways to help its mates in the development industry. When I raised this with the Minister's office, they told me that normally the developers buy the land and then they clear it. Yet we know that is not always the case. We want the stated intention of the bill to be aligned with its execution. We have heard of too many cases at ICAC where this Government got far too close

to its friends in the development industry. We want to make sure that there is no back door for developers, because this Government cannot be trusted. Something as vital as the protection of agricultural production and biodiversity on our land needs clear rules. Yet again, the legislation does not achieve that; it just causes more confusion through mixed messages.

Good environmental land management frameworks, where the rules are clear and enforced, can work with farmers and rural workers to ensure that those living and working with our irreplaceable natural resources have productive land that has maintained its biodiversity for the next generation. Opposition members have consistently stood against the degradation of protections for the environment by this Government. Over the past 10 years we have watched as it has whittled away protections for the environment, not just from a legislative perspective but also in terms of the resources that it continues to fail to allocate to ensure effective and environmentally sustainable land management. This Government is always rushing to pass ever-changing reforms. It never looks back at their impacts before it moves on to the next. These reforms change at the whim of each Minister based on their personal relationships with other Ministers. They fail to meet the standards of coherence, transparency, clarity and the dual role of protecting the environment and jobs that they themselves have set.

It is time that this Government decoupled itself from developers. It is time it worked with the environmental movement, farmers and forestry to protect our threatened species—such as koalas—but, most of all, to protect jobs in our rural and regional communities. I reserve the right for Opposition members to move amendments on the legislation, because we are very concerned about where it is going. While we have sympathy for farmers, foresters and people in rural areas who are concerned about their jobs, we know that the bill is not set up for them.

**Mr PAUL TOOLE (Bathurst—Minister for Regional Transport and Roads) (10:19:19):** I speak in support of the Local Land Services Amendment (Miscellaneous) Bill 2020. The Local Land Services [LLS] Act is a critical piece of legislation for farmers in this State. I cannot believe the shadow Minister for Primary Industries has the hide to come into this place again and attack farmers across New South Wales. As the son of a farmer, with farming families right across this State, for someone to come into this place and say that she stands up for farmers once again clearly shows that she does not talk to them, she does not engage with them and she does not listen to their needs. The shadow Minister for Primary Industries has said that she gets behind the farmers on these issues. This is the same shadow Minister who voted against a right to farm bill that was brought to this House. So you can talk a big game about standing up for our farmers and representing our rural community but you vote against the right to farm legislation, you vote against this bill, which is clearly standing up for our farmers and again you forget—

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

**The DEPUTY SPEAKER:** Order! The member for Bathurst will resume his seat.

**Ms Kate Washington:** I ask that the Minister return to the leave of the bill that is before the House today. He is very far from that right now.

**The DEPUTY SPEAKER:** The Minister is being relevant to the bill before the House. He has made reference to other bills, as the shadow Minister also did. The Minister has the call.

**Mr PAUL TOOLE:** You can come here and say you have sympathy for the farming community across this State. But it is hypocrisy to make a community recognition statement in this House last week saying that James Jackson is a great president, a great farmer—

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

**Mr PAUL TOOLE:** —when what you did again today was vote against a bill that is standing up for our farmers. Stop saying one thing and then doing the complete opposite.

**The DEPUTY SPEAKER:** Order! The member for Bathurst will resume his seat.

**Ms Jenny Aitchison:** Madam Speaker, please ask the Minister to address his comments through the Chair and respect the rules of the Chamber, even if he is not respecting others.

**The DEPUTY SPEAKER:** I remind the Minister to direct his remarks through the Chair, but I think he was broadly doing that.

**Mr PAUL TOOLE:** A community recognition statement was made in this House last week talking about the good work that James Jackson does as the president of the NSW Farmers Association, and I totally agree with that, but I also know from having discussions with the CEO of NSW Farmers, Peter Arkle, that the association supports the measures that have been undertaken by this Government in bringing this bill to this House. So again for the shadow Minister for Primary Industries to turn her back on the farmers across this State clearly shows that she is not a shadow Minister for Primary Industries. She is far from that. She has completely not represented the

views of our farmers across this State. It is disappointing but again it is predictable that the shadow Minister has come into this place. There is no doubt we can talk about reforms to the forestry industry but it has been this Government that has led the reforms. This is a \$2.4 billion—

**Ms Kate Washington:** Where's the review?

**Mr PAUL TOOLE:** I can tell you right now as the former forestry Minister who was ensuring that we had a sustainable forestry industry in this State, a \$2.4 billion sector that has jobs in our regional communities that is actually critical—

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

**Ms Jenny Aitchison:** But he is speaking to me, Madam Speaker. It is very hard.

**The DEPUTY SPEAKER:** The member for Maitland keeps interjecting, so it is not surprising that the Minister is directing his comments to her.

**Mr PAUL TOOLE:** We will continue to get the right balance. This will see some of the biggest reforms to regulation of the agricultural sector in the past decade that have been driven by this Government, reforms that have been proudly driven by The Nationals to support our farmers. The LLS Act set up the framework for local decision-making to drive weed and pest control; it set up the agency to support farmers to make the best decisions for both profitability and sustainability; and, critically, it houses the land management framework, a clear set of rules on how farmers can manage the native vegetation on their land to drive both productivity and better biodiversity outcomes.

Let us not forget where we have been on this issue. Previously we have seen the way those opposite treated those in our farming sector on the issue of native vegetation. That is why in 2011 those opposite were marched out—the Native Vegetation Act and the State Environmental Planning Policy [SEPP] No. 46 were like a big stick on our farmers. They did not recognise them as environmentalists and did not recognise the work that they do. What this Government has done is put in Local Land Services and acknowledge the value of the State's farming sector. What those opposite did was have deliberately divisive policies that insinuated that our farmers were doing nothing more than destroying the environment—policies that created a perception that good farming outcomes and good environmental outcomes were mutually exclusive. On this side of the House we know they are not. We know farmers are some of our best environmental stewards.

**The DEPUTY SPEAKER:** Order! I cannot hear the Minister.

**Mr PAUL TOOLE:** The member for Maitland says one thing when she is speaking and the opposite when someone else is, so it is hypocrisy again from her. We know that by working hand in glove with farmers, not against them, that the Government will drive the best outcomes for biodiversity on private land. We also know that, as with any business, farmers need a clear set of rules to operate within. Our farmers face enough uncertainty each day. They have had the impacts of droughts, bushfires, floods and, of course, volatile commodity markets. We must ensure they have certainty about the rules they need to operate on their land. That is why this bill is important.

The bill ensures that the Local Land Services Act continues to be the principal piece of legislation on rural regulated land. It ensures farmers can work within a clear and consistent set of rules designed specifically for farming and not get tangled up in planning instruments ill equipped to deal with the complexities of actively managed farm land. It also ensures significant land use change such as major development will still trigger a need for a development application and approvals as is entirely appropriate. The bottom line is that it ensures our farmers have the certainty they need to get on with the job of day-to-day farming and to make long-term investment decisions. We know this is something farmers were worried about in relation to the koala SEPP. I acknowledge the planning Minister, Rob Stokes, for listening to their concerns and working to help us find a solution that would protect koalas, protect koala habitat and protect farmers' rights.

The bill also strengthens the framework for private native forestry. Private native forestry [PNF] is a key ingredient in the State's sustainable timber supply mix. It offers farmers a revenue stream and supports jobs in regional communities. In 2018 in my time as the forestry Minister we moved responsibility for managing approvals and providing advice on PNF to LLS in a bid to enhance its role as a one-stop shop for farmers on land management. This bill ensures Local Land Services truly is that one-stop shop, addressing the issue whereby landholders needed to seek a second and often duplicate approval for PNF from councils, where they were sometimes faced with inconsistent rules for that PNF activity across local government area boundaries.

The bill will also lengthen PNF plan approvals from 15 years to 30 years, aligning plan lengths with native hardwood regeneration periods and ensuring farmers are incentivised to manage their forests for the long term. This bill is the culmination of a lot of hard work by those in this House, from the Deputy Premier, John Barilaro,

to the agriculture Minister, Adam Marshall, and every member of our Nationals team who has made sure that their voice has been heard on this issue. This bill is fundamentally about ensuring farmers have certainty and are operating within a robust land management framework that is purpose built for farming, a framework that includes strong protections for all threatened species, including koalas, and that incentivises farmers to actively manage their land for better biodiversity outcomes.

**The DEPUTY SPEAKER:** Order! The conversations across the Chamber will cease. The Minister has the call.

**Mr PAUL TOOLE:** As NSW Farmers president, James Jackson, noted last week, it is a framework that provides a modern, fit-for-purpose system that balances agricultural development and conservation on farms. We know NSW Farmers was worried about the potential for this framework of rules to be muddled by planning instruments like the koala SEPP and I thank the association for working closely with the Government to ensure we protect koalas, protect koala habitat and protect farmers' rights. I commend the bill to the House.

**Ms KATE WASHINGTON (Port Stephens) (10:29:18):** I contribute to debate on the Local Land Services Amendment (Miscellaneous) Bill 2020 in my role as shadow Minister for Environment and as the member for Port Stephens, home to an endangered population of koalas. I thank the shadow Minister for Primary Industries and member for Maitland for her extensive consultation and ability to contact stakeholders in a meaningful, respectful way so that the Opposition is able to form a view on this legislation in a consultative, transparent and considered way. Following the Government's attempts this morning to rewrite history I think it is important to set the record straight about why we are here and what the bill does.

The bill is before the House today because the Deputy Premier had a dummy spit. He virtually broke the Government by announcing The Nationals would sit on the crossbench. What had the Liberal Party done that was so heinous, so bad that would warrant The Nationals destabilising the Government? The Liberal Party had tried to slightly increase protections for koalas. The Premier supposedly stared down the attack from her Deputy Premier. She stood firm for the sake of koalas, we were told. As I recall she appeared on the front page of the newspapers receiving praise and being applauded for standing up to the bad behaviour of her Deputy Premier. She was even congratulated for maintaining protections for koalas. What we are witnessing today is the biggest backdown in koala protection in the history of this State. This bill is the Premier's backdown to the bad behaviour of John Barilaro and his Nationals and it is a betrayal of the people of New South Wales. The people of New South Wales care about koalas. They want koalas to survive. They are tired of the relentless destruction of our natural environment that is allowed by this Government's weak environmental laws that today are being weakened even further by this bill.

This sorry saga has shown us that the Liberal-Nationals Coalition is a partnership without any credibility that continually fails the environment and the people of New South Wales. This bill gives effect to a dirty deal done by the Liberals and Nationals to keep the Government together; to keep them in power and to guarantee the continuation of their ministerial salaries and taxpayer funded chauffeurs while the environment collapses around them. It is a purely political fix which fails to fix anything. Politically they still all hate each other and the destabilising dummy spits will continue. All members know what happens when bad behaviour gets rewarded—it happens again and again. Environmentally it is a failure because core koala habitat will continue to be cleared and koalas will continue on their path towards extinction. It is a failure for the farmers. They are the people closest to the land. They rely on a healthy environment too and, yes, they also care about koalas. Yet they are being used by The Nationals as a Trojan horse to protect their interests in property developers. To tarnish mum and dad farmers with being responsible for the changes today does them an immense disservice.

This grand compromise does not benefit anyone other than Liberal and Nationals MPs and their developer mates. Let us look at what led to the dummy spit and why we are all here today—the Koala Habitat Protection State Environmental Planning Policy [SEPP]. Despite the cheap campaign of mistruths led by The Nationals, the koala SEPP did not prohibit the clearing of any land; it merely set out a process. In truth, it was a slight strengthening of a previous planning instrument. The koala SEPP came into effect in March this year after public consultation began in 2016. It was not until August this year that the Deputy Premier called a press conference, sunk the Coalition and demanded that the Government's already weak koala protections were weakened even further. This is despite the Deputy Premier being in the Cabinet room the entire time—

**Mr Michael Johnsen:** Point of order: I ask that the member be directed to come back to the leave of the bill.

**TEMPORARY SPEAKER (Mr Lee Evans):** The member for Port Stephens is speaking to the bill. I ask her to remain relevant to the leave of the bill.



**Ms KATE WASHINGTON:** The member for Upper Hunter wanted to prevent me from continuing to speak about koalas and the koala SEPP because apparently that is beyond the leave of this bill, which is a joke. The koala SEPP came into effect in March this year after consultation began in 2016. The Deputy Premier was at the meetings when these provisions were approved. It took until August to say anything, and of course he did it through the media. He called for changes to be reversed and that is exactly what he got. Many people may not realise that this issue is in addition to the bill that is before us today. The koala SEPP has already been changed; it has already been weakened. It was weakened on Friday night under the cover of darkness whilst those opposite were all covered in corruption. It is not a law that needed to come to this place. Those changes have already been made. The Deputy Premier achieved his goals on Friday last week.

This bill goes even further. Let me explain exactly what is happening today. We need to go back to 2016 when the Liberal-Nationals Government wiped out all of Labor's environmental protection laws. It then replaced them with its own land clearing laws—this Local Land Services Act and the Biodiversity Conversation Act. At that time the then Minister for Environment, Mr Mark Speakman, promised in this House that it would:

... slow down, to arrest and then to reverse the long-term decline of biodiversity and maintain a healthy, productive and resilient environment ...

The Labor Party strongly opposed those changes then and it continues to strongly oppose them, and for good reason. Before they were introduced the Government was warned by scientists and environment groups that the changes would pave the way to broadscale land clearing. The member for Upper Hunter continually laughs at scientists and ignores them. Predictably, because this is what the Government was told would happen, it is exactly what happened. Last year the Government's Natural Resources Commission revealed that land clearing had increased by 1,300 per cent; not double, not triple, but a 13-fold increase in the rate of land clearing in New South Wales, courtesy of this Government.

During the same time we had the worst drought on record. Bushfires burnt almost the entire east coast with tragic losses to wildlife, koalas and their habitat. Our environment is under strain like never before. The recent parliamentary inquiry into koalas found that koalas will become extinct before 2050 unless urgent action is taken to preserve their habitat. Despite all of this—the impact of the Liberal-Nationals Government land clearing laws, the horrors of last summer and all of the science—the bill before the House today has the intention of further weakening the Government's already destructive land clearing laws that have been proved to have failed. These are laws that the then Minister for Environment, Mr Mark Speakman, said would be reviewed after three years but they have not been reviewed.

That is the shameful thing about this debacle. The Liberals have caved in to the lies of The Nationals and their compromised position was not only to weaken the koala SEPP but also to allow even more land clearing, courtesy of the bill before the House today. Only a Liberal Government riven with division could start off trying to protect koala habitat and end up increasing allowable land clearing. Yet that is exactly what this bill does. It expands the scope of allowable land clearing to include environmentally zoned lands, E2, E3 and E4 zones. Members should think about that for a second. This Government is extending its destructive land clearing laws to include parcels of land that have been zoned E2, environmental conservation, E3, environmental management, and E4, environmental living. That has never been done before. This bill has been written by a group of people who seriously believe that land clearing should have no limits—a group of people called The Nationals who think that a 1,300 per cent increase in land clearing in New South Wales is not enough; a group of people who say that koalas want to thrive but they have never voted to protect or preserve koala habitat.

Are these the people we trust with our iconic species as they move towards extinction? Of course not. Yet they are the victors in this fight. The Premier has given in to the rebels. The mutiny has succeeded. Will the Minister for Energy and Environment, Mr Matt Kean, speak on the bill today? Will the Minister for Planning and Public Spaces, Mr Rob Stokes, speak on the bill today? The Premier has completely capitulated to The Nationals, its big dummy spit and its lies and mistruths when it comes to the koala SEPP. Will the Premier speak on the bill today and justify how the Government, under her leadership, will allow increased land clearing on top of what we have already seen—something that we can least afford? Koalas in New South Wales will be worse off under the bill and The Nationals are celebrating that as a success. I see the smiles and smirks from the members opposite, ignoring the science and the environmentalists, as they always do, not backing up the farmers but backing up their developer mates. It is sickening to watch. Tragically, our wildlife and future generations will pay the price of this heartless, inept and reckless Government. Labor wholeheartedly opposes the bill.

**Mr MICHAEL JOHNSEN (Upper Hunter) (10:39:30):** I support the Government's Local Land Services Amendment (Miscellaneous) Bill 2020, introduced by my colleague the agriculture Minister. This is a critical piece of legislation because it delivers certainty that government can support agriculture in New South Wales. Agriculture is an uncertain business, even when a farmer is doing everything right. In the past few years farmers have been impacted by the worst drought in history, an international pandemic and economic headwinds.

Despite that, agriculture continues to be worth nearly \$12 billion to this State and at its peak it would be worth closer to \$18 billion, and this figure is growing all the time.

Without question, our farmers are some of the best in the world. They are the most adept at incorporating new technology, are constantly innovating in the face of adversity and are increasingly diversifying their operations to incorporate new strategies as well as deliver the food and fibre that we need as a State to thrive. But farmers also keep pace with consumer desires, which is a very important aspect of agriculture. New South Wales has a reputation for being one of the best markets in the world for sustainably produced goods. Farmers are a group that tend to operate their farming businesses quietly. While the tyranny of distance and the fact that society now has fewer people with farming connections, by and large the reason we do not hear from farmers outside of droughts and floods is because they are busy getting on with the job. Farming is one of the most important and all-encompassing jobs that a person can do. It is a lifestyle and a calling. Farmers have to be all things at once: project managers, accountants and indeed international news watchers. In the field they are the chief executive officer and the operations officer day in and day out.

As a government we must ensure that we do everything in our power to support our farmers and provide the confidence and certainty they need to invest in their businesses for the long term, and this bill will help achieve that. The bill will support our agricultural sector by addressing the inconsistent interaction of the planning system with the land management framework established under part 5A of the Local Land Services Act. The inconsistent and often disproportionate impact that the planning system can have on the application of the land management framework is imposing and places an increasingly unreasonable regulatory burden on our farmers. When we take a step back from this place we can see that the bill is nothing more than legislative common sense. Planning is important because it helps the State and other levels of government decide where we need people to live, what services they need and what that community will look like in the long term.

Not a single word I have mentioned above has any relevance to primary production and farming. Using the planning system to regulate farming is the wrong tool for the wrong job. It is like using a banana to level a footpath: it simply will not work. Using the wrong tool for the job wastes time and misapplying the planning system on farming is wasting farmers' time. Farmers know how to manage their land and after years of hard work by this Government they know that Local Land Services is a one-stop shop where they can go to for advice and for help on how to navigate the regulatory environment for farming. The planning system is the wrong tool because farmers have no knowledge of how it works and it simply was not designed for their agricultural industries.

Furthermore, the planning system is not designed to cope with the active management and agricultural developments. It is designed for permanent land use change matters that involve questions such as how will 10,000 houses be built here? Not questions of how does this farmer manage their fencing and grazing in an ecologically sustainable way? The systems are deliberately designed to be separate. The bill moved by the agriculture Minister makes sure that this delineation continues. The bill is more than just legislation; the Government is keeping its deal with farmers. Farming is not done in the regulatory dark. In fact, farming in New South Wales is highly codified. I thank the Government for brokering that arrangement after years of devastating regulatory attacks by those opposite on our farming community.

Farmers are well tuned to what they have to do when farming in the modern era. Be it biosecurity, animal husbandry or land management, farmers are on the front foot of issues and understand the legislative framework, including significant penalties that are in place should they breach those obligations. We put this framework in place to be part of a broader social contract with farmers. They will farm in a modern, ecologically sustainable way. They farm according to the triple bottom-line approach. They accept that they cannot think of their farm solely as their own; that their farms are part of the broader tapestry of the State's biodiversity. Part of that is accepting a more regulated farming environment. Our part of the deal is to ensure that we are not capturing them in a complex web of red tape that makes it impossible to know what to do or who to go to for help.

The Government is obliged to ensure that farmers stick to the law but equally it is obliged to make sure that the law is the right law and applies to the activity in question. The land management framework established under part 5A of the Local Land Services Act is a key piece of legislation that regulates the management of native vegetation on rural agricultural land in New South Wales and we must ensure that it remains that way. The amendments to the Local Land Services Act before the House protect both farmers and koalas. For quite a number of months farmers have contacted me or my office, indicating they are extremely concerned about the planning system and that it is taking away their opportunities and framework within which they need to operate and that it would become way too difficult to do business. It is already very difficult for them to do business.

Farmers cannot control the number one driving force that results in the success of their particular enterprise, which is the weather. Given that we know they cannot control the weather, let us do everything we possibly can from a regulatory and legislative framework to set up a structure to give our farmers the best possible opportunity

to survive and grow. We must ensure that we have a thriving and strong environment in our State's biodiversity so that flora and fauna can survive and so we all prosper. I commend the bill to the House.

**Mr PHILIP DONATO (Orange) (10:47:39):** On behalf of the Shooters Fishers and Farmers Party I support the intent of the Local Land Services Amendment (Miscellaneous) Bill 2020. It is no surprise to us that shortly after my colleague in the Legislative Council the Hon. Mark Banasiak introduced his Local Land Services (Land Management and Forestry) Bill that The Nationals released its own. In true form, the bill before us is a watered-down version of the bill introduced by the Hon. Mark Banasiak. The Shooters, Fishers and Farmers Party want to protect koalas but the individual property rights of farmers and landholders need to be strongly considered and balanced in this issue. Farmers and regional communities have been subject to drought, bushfires and COVID-19 and being burdened by excessive red tape in relation to those issues has caused quite a deal of anxiety amongst many communities.

The bill needs some work. Thankfully, this Government has a Minister who is prepared to work with the Shooters, Fishers and Farmers Party. However, I would like to know how the Minister for Water, Property and Housing, the member for Oxley, can back her colleague on the bill when lines have been drawn through her electorate where the current koala State environmental planning policy [SEPP] will apply. Equally, how does the member for Coffs Harbour feel about his electorate remaining under the SEPP? The member for Coffs Harbour was very vocal in his opposition to the koala SEPP, and rightfully so. Areas of the central business district of Coffs Harbour were mapped as core koala habitat, as well as a stadium. It is absurd.

In the bill before the House, Coffs Harbour—as well as Kempsey, Ballina, Lismore and Port Stephens—will be grandfathered into the SEPP and subject to its application. Five electorates will be subject to different statutory rules. However, the bill leaves the back door open for all environmental planning policies to walk through and step in where the koala SEPP will no longer apply. The bill deals directly with the koala SEPP, which is only one of the environmental planning instruments [EPIs] used to lock up private land. The Nationals could have made it broader; the party could have dealt with all the EPIs while it was at it, but it did not. As I said, its negotiation skills need some work, but I am encouraged to hear from my party colleagues in the other place that negotiations with the Minister are well underway. Given that is the case, we will support the bill—subject to amendments that I foreshadow will be made in the other place to improve it. I commend the bill to the House.

**Mr CHRISTOPHER GULAPTIS (Clarence) (10:50:36):** I speak in support of the Government's Local Land Services Amendment (Miscellaneous) Bill 2020 moved by my colleague the agriculture Minister. I say from the outset that I am very proud to stand and speak to the bill because I believe in the farmers in my electorate. I believe they do the right thing. I believe in the contribution they make in creating employment, in boosting our local economy and in sustaining regional communities right across New South Wales. Quite frankly, I would be surprised if any member in this House would vote against the bill and not stand up for our farmers in regional New South Wales. Only a little while ago we were holding fundraisers for these same farmers, buying bales of hay. Now when they need our support we have Opposition members turning their backs on them.

**Mr Nathaniel Smith:** Shame!

**Mr CHRISTOPHER GULAPTIS:** It is a shame that they do not recognise the value of farming in regional New South Wales. They do not recognise the value of farming to regional communities in New South Wales. The bill is an important step in supporting the Land Management Framework and ensuring it is a legislative environment that is fit for purpose and is also futureproofed to support farmers and the environment. We rely on our farmers for the food and fibre that sustain us, and they need our support more than ever after enduring the worst drought in living memory.

The Land Management Framework was introduced in August 2017 in response to the findings of the 2014 Independent Biodiversity Legislation Review Panel. Key to the intent of the Land Management Framework was the desire to make rules and regulations governing the management of native vegetation on agricultural land simpler and clearer for landholders to navigate. While part 5A of the Local Land Services Act 2013 has helped to achieve this, the inconsistent application of the planning system to the Land Management Framework has created considerable complexity and continues to be a source of frustration for our farmers. This Government is committed to simplifying these processes and reducing unnecessary regulatory burden. Farmers, along with all members of our community, deserve to benefit from this commitment.

The bill will help ensure that the Local Land Services [LLS] Act continues to give farmers certainty and security to invest in the long term, while ensuring permanent land-use change caused by urban development is, as appropriate, managed by the planning system. The Government is introducing this bill to ensure that our farmers remain productive and their communities can prosper. It will help ensure that there is a simple and consistent approach to regulating land management across New South Wales. Our farmers do not need any further

impositions creating obstacles in their daily routine. It is tough enough on the land without adding another layer of bureaucracy.

Since the Land Management Framework commenced in August 2017, key elements of the reform and its underpinning legislation have been refined and amended to ensure that the framework continues to support agricultural productivity while protecting important environmental assets. Rural landholders experience an unreasonable regulatory burden in navigating both the land management and planning frameworks when undertaking simple farming practices, such as maintaining fence lines, or building a machinery shed, stockyard or even a driveway access. That is simply not good enough. Landholders need those processes to be simple, easy and efficient—especially as we plan a road map out of this global pandemic depression. We need our landholders and farmers to be as productive as possible to kickstart our economy and to sustain our regional communities.

The amendments will ensure that the State Environmental Planning Policy (Koala Habitat Protection) 2019 remains focused solely on managing the permanent impact of land-use change brought about by urban development without duplicating the strong protections for threatened species and their habitat in the Local Land Services Act. Clearly this is not about developers; it is about protecting farmers and ensuring that they can conduct their daily, routine work without any added impositions or obstacles. The Land Management Framework already protects all threatened species, not just koalas. They are all protected equally without bias or neglect, because farmers and the regulatory framework that supports them understand farming as a part of the whole biodiversity picture—not just focusing on one species, no matter how cute that species might be.

There is a misconception that farmers are responsible for the decline of our koalas. I do not know any farmer who wakes up in the morning and decides to do some clearing to rid himself of those pesky koalas. Farmers are very proud to have this iconic species on their properties. They love to show them to their kids and grandkids, and they have done this for the past 200 years. Permanent conservation of areas of high biodiversity value is already in place, with the establishment of set-asides in perpetuity for key components of the land management code that include consideration of landscape connectivity for threatened species. There are also harvest exclusions zones around threatened species and prohibitions on harvesting in rainforest or old-growth forest areas. The timber industry has some longstanding protocols to protect our native fauna species. Quite frankly, it did such a great job in our State forests that they were declared national parks, because they were managed well and had a thriving biodiversity.

Provisions to ensure activities that are likely to harm threatened species cannot occur are combined with one of the toughest penalty regimes in the nation, with penalties of up to \$1.65 million or two years' imprisonment for harming a threatened species. These are important existing protections that remain in place and will not be impacted by the bill. Secondly, the bill will ensure that routine agricultural activities on existing agricultural land will not be impacted by the advent or introduction of planning instruments such as environmental zones. The bill will ensure that rural landholders whose land contains an environmental zone are able to access the allowable activities established under schedule 5A to the LLS Act. Use of the more invasive native vegetation management options under the land management code will continue to be prohibited in these areas.

This reflects an appropriate balance between supporting existing agricultural activities and protecting those areas that require a greater level of environmental protection. This is about consistency and simplicity for the State's farmers. It is a well-balanced outcome both for farmers and for the environment. The current inconsistent arrangements mean that similar types of land requiring additional environmental protection are treated differently under the Land Management Framework, causing a considerable barrier to agricultural productivity for little or no environmental benefit. This bill provides a well-balanced outcome for the environment and for our farmers.

The proposed amendments provide a long-term solution to ensuring consistency in the treatment of agricultural land requiring additional environmental protection. Existing protections under the Biodiversity Conservation Act 2016 will continue to regulate impacts to threatened species and communities. The bill will improve the administration of the Local Land Services Act and reduce the regulatory burden on landholders. Furthermore, the proposed amendments will also help ensure that primary production is regulated consistently and fairly in New South Wales and will reduce red tape, making it easier for the agricultural sector to do business. These measures will help ensure that New South Wales primary producers have the certainty and confidence to undertake long-term investment in their farms and forests for the benefit of rural and regional communities. I support the bill and I commend the Minister for bringing it to the House. I ask that every member of this House in considering this bill thinks long and hard about whether they actually support farmers and regional communities. I urge them to support the bill.

**Ms JO HAYLEN (Summer Hill) (10:59:49):** The Local Land Services Amendment (Miscellaneous) Bill 2020 purports to streamline the processes by which farmers and forestry managers conduct normal agricultural processes or allowable activities by decoupling the Local Land Services Act and the State Environmental Planning and Assessment Act. In effect, it will remove the application of the State Environmental

Planning Policy (Koala Habitat Protection) 2019, which is known as the koala SEPP, from certain agricultural and forestry lands and allow for native vegetation clearing in some circumstances without the need for permission and other legislation. On the whole this legislation represents another concerning change in the policy of koala protections from the Liberal Government.

The difference between the policies of the Labor Opposition and the Government on land clearing and koala protection could not be more stark. Labor has long fought this Government on its appalling record and approach to land clearing and to biodiversity protection. Labor understands the value of protecting our unique and iconic native species but, unlike the Government, we also understand what it takes to do so: stopping habitat destruction, reversing the tragic loss of our native forest and facing head-on the many threats caused by climate change. In just 30 years koalas will be extinct in the wild in New South Wales. Unless we act, our kids and grandkids will never know the delight of chancing upon a koala in the wild. Their encounters will be limited to zoo enclosures or, worse still, to the pages of history books. Without doubt they will look back at the history of the koala and see this political era in New South Wales as a turning point and they will ask us: When the Government had the chance to say enough is enough, did it act to ensure the strongest protections possible, or did it continue to deal away the future of our native species for the political benefits of the National Party or to line the pockets of property developers?

In June this year the parliamentary inquiry into koala populations and habitat clearly outlined the risks to our koalas across New South Wales. The inquiry found that current estimates of a mere 36,000 koalas living in New South Wales could be outdated and unreliable and, for comparison, some studies put the total koala populations across Australia at the time of European arrival at 10 million koalas. Up to 5,000 koalas perished in New South Wales alone during the bushfires with many more facing long roads to recovery from dehydration, burns, and other injuries and infections. The area of koala habitat on public land lost in the summer bushfires ranges anywhere from between 24 per cent to 81 per cent and a more recent report has shown that almost three-quarters of the key habitat earmarked for koala protection by the Berejiklian Government burnt. Importantly, the inquiry also found that the fragmentation of koala habitat poses the most serious threat to koala populations, that the approvals of koala plans of management by local councils have been too slow, and that they need to be approved quickly and transparently.

The report makes for bleak reading and builds on what we already know about the extinction crisis we face across our country. We are seeing signs of ecosystem collapse in our oceans and our skies, and on our land. We have the highest rate of mammal extinction in the world, with the United Nations listing the biggest causes of that as feral animals, climate change, pollution, and changes in our land and sea use. In 200 years we have already lost 60 plant species and 50 animal species and reports suggest that over 1,800 more plant and animal species are at risk of extinction across our continent if we do not act urgently. New South Wales koalas should not be one of them. The Labor Opposition has a long and proud record about biodiversity protection. When last in government here in New South Wales Labor implemented the Native Vegetation Act and the Threatened Species Act. Those Acts contributed to reducing broadscale land clearing by 88 per cent from 80,000 hectares to 1,000 hectares per year. Those laws resulted in an estimated 53,000 fewer animal deaths each year and aided Australia to meet its international carbon emission reductions.

Labor added over three million hectares to our conservation network, bringing the national parks and reserves estate to 6.8 million hectares—an area that is larger than Tasmania. In 2016 Labor opposed Premier Mike Baird's reckless decision to axe Labor's legislation and to relax land clearing laws. We proudly joined hundreds of New South Wales residents across the Parliament and across this State to fight against those laws and we did that with good cause. A 2018 report showed that 60,800 hectares of vegetation was cleared in 2018, which was an increase from 58,000 the year before and almost double the average of 38,800 between 2009 and 2017. In the same year Australia was declared one of the top 10 nations for deforestation in the world and was the only developed nation on the list. Estimates suggest three million hectares of untouched forest will be bulldozed in eastern Australia in the next 10 years alone. Land clearing devastates our ecology, and impacts the health of our rivers and riparian zones, contributing to erosion and exacerbating climate change and weather events such as extreme droughts that we are now experiencing. Of course land clearing directly impacts plant life, our animals and koalas. The report of the National Parks Association of New South Wales states:

Most of the remaining high quality koala habitat lies in state forests and on private land where ongoing clearing of native vegetation and intense, industrialised logging is leading to the removal of vital food and habitat trees. If nothing is done to protect and reconnect koala habitat, population declines will continue unabated and extinction seems inevitable.

It seems that some members of the Government agree. The Minister for Planning and Public Spaces recently said:

The fact is you can't save the koala and remove koala habitat at the same time.

Yet allowing for the removal of koala habitat is exactly what this legislation will do. The Environmental Defenders Office [EDO] also has raised significant concerns that the proposed "allowable activity land" will undermine

E zones and means, in effect, that clearing can go ahead on land deemed to be environmentally sensitive. Under current legislation clearing on those lands can go ahead: It just requires proper authorisation. The EDO explains that the bill "freezes in time" the identification of koala habitat in those local government areas that are not already designated category 2 regulated land. Koala habitat also will be prevented from being designated category 2 sensitive regulated land. In effect, the EDO fears that this is just further deregulation of land clearing in koala habitat.

The EDO also is concerned that the bill limits the planning instruments requiring consent for land clearing, broadens the defences as to why landowners might clear land in regulated rural areas and pre-empt the three-year review of the land management framework and the review of the private native forests framework. The EDO notes that the policy settings underpinning the bill are inconsistent with the original recommendations of the Independent Biodiversity legislation Review Panel which argued that the laws must:

1. **Level the playing field for agricultural development and land management activities by ...**

- (d) treating all forms of development in a consistent and fair way, by integrating the assessment and approval of all forms of agricultural development that involve clearing of native vegetation into *the Environmental Planning and Assessment Act 1979*

The last thing that this Government seems to have on its mind is consistent assessment of all forms of development. [*Extension of time*]

As I said, the last thing this Government has on its mind is the fair and consistent assessment of all forms of development because this bill is just another ploy to help its developer mates. What we need to do is remember what really happened here. About a month ago the Deputy Premier and the National Party started a war with the Premier and the Liberals about koalas. It escalated pretty quickly indeed and before we knew it the Deputy Premier was having a pretty big temper tantrum underneath the tree of truth out the back. For so many in the community, for so many people watching, that chest beating was pretty extreme, even for the National Party, but despite all of the Deputy Premier's bluster about how many farmers had contacted him about the koala SEPP, it was of course discovered that the only complaint that the Deputy Premier raised with the planning Minister was from property developer Jeff McCloy. Then it was revealed that the member for Myall Lakes had also made representations on behalf of a property developer and a Coalition donor.

To her credit, the Premier responded very strongly. She was rightly applauded for standing up to the bullies in the National Party. Both the Premier and the planning Minister, Rob Stokes, threatened to go it alone, govern without The Nationals—apparently the scones were already being baked at Government House. This was a serious thing. Despite all her bravado, once again the Premier, her planning Minister and the environment Minister have caved, not just to the threats and temper tantrums of the National Party but also to the interests of their developer mates, because what have we learned in the last week? We have learned that it is not just the National Party that jumps when developers call. We have learned about the improper influence that developers have had, and may still have, on members of the Liberal Party in this Parliament.

The Liberals should be ashamed of supporting this bill today because it is nothing but a pathetic compromise to patch back together their coalition. It shows that their rhetoric about saving koalas means absolutely nothing. They do not act in the public interest and they do not act in the interests of the environment of our great State or in the interests of saving our great flora and fauna; they act in political self-interest. They act in the interest of their property developer mates. The environment Minister has said a lot about koalas. He said a lot about not only saving them but also increasing their populations. This bill will not do that. This bill will kill more koalas. As the planning Minister said, you cannot save koalas if you are bulldozing their habitat. The people of New South Wales will see through this; they will not stand to lose more koalas because the Liberals and The Nationals are looking after their property developer mates.

I have been contacted by many, many residents over the past month and they have a very simple message. They want to see koalas protected. That means an end to this Government's obsession with land clearing, it means an end to the open door policy it has with developers and it means an end to the ridiculous pandering of the National Party when it comes to our natural environment and to the iconic species that live within it. Enough is enough. People will see through this pathetic compromise and this bill that only panders to the interests of property developers, not protecting our natural environment and the koalas in New South Wales. This bill must be rejected.

**Mr DUGALD SAUNDERS (Dubbo) (11:13:00):** What a delight it is to be here. We have heard some rubbish in this House in recent times, including today. Land management and farmers actually go hand in hand, so I completely reject the assertion from a couple of speakers on the opposite side that there is no way of joining together. Farmers are the best land managers. Farmers know what trees are important to koalas, and that is an important thing to know. Farmers are not there to destroy trees that house koalas—they love koalas. Who doesn't?

**Ms Jo Haylen:** I wasn't accusing farmers.

**Mr DUGALD SAUNDERS:** It sounds like there is an accusation about anyone who wants to clear any tree, be it a cypress pine, which is one of the best known koala habitats around, or a camphor laurel. Vegetation that is clearly weed and not koala habitat being cleared by farmers is nothing to do with developers, it is about land management, and that is what this bill is about. We do not want to see a return to the bad old days of the Native Vegetation Act, and that is partly what I want to talk about today. I commend my colleague the Minister for Agriculture and Western New South Wales, who has done a lot of hard work to achieve what is a balanced outcome. That is what this is about: a balanced outcome.

As the Minister said in his second reading speech, the amendments in the Local Land Services Amendment (Miscellaneous) Bill 2020 are part of his commitment to make sure that we continue our reform process that ensures that we strike a balance, and we can have a balance. Conservation and farming, biodiversity and economic benefit can all work together. The land management framework does not see these concepts as mutually exclusive. As a modern framework it sees all of these things as interrelated, as they should be. The framework also recognises that land under management is far better served by having that management than the old lock it and leave it approach that we have seen before. Unfortunately, it seems that there are still people that are wedded to the idea of lock it and leave it and try to use anything and everything to go back to the bad old days when farmers were the enemy and the only land that was of use to New South Wales was land left to fallow under an avalanche of weeds and pests. That is exactly what we have seen and what we need to avoid for the future.

The Local Land Services Act that this bill amends was a breakthrough for the entire State, not just for farmers. As part of its introduction with the Biodiversity Conservation Act, it repealed the old Native Vegetation Act which was a disaster for this State. It led to particularly poor outcomes for everyone and it poisoned farmers' and conservationists' trust in Government. Any eroding of the Local Land Services Act is a step back towards those bad old days. Anyone who supports the weakening of the Local Land Services Act may as well put their hand on their heart and tell farmers right across this State that they want to return to the dark days of the Native Vegetation Act.

That Act saw our farmers, the custodians of over half the land mass of this State, as public enemy number one. It was designed to rob them of any property rights through a vicious cycle of semantic legal jargon and plenty of red tape. It caused absolute headaches. Farmers could only clear some of their land if the clearing could be shown to be beneficial, but the operational reality was that any clearing was deemed anti-environmental—the clearing of weeds, woody weeds, whatever it was—trapping the farmer in a never-ending cycle. Rather than attach conditions to any active management and actively preserve high value areas while expanding farming in often degraded areas, the Native Vegetation Act just wanted to lock it up and leave it.

The old standards also held farmers to an impossibly high standard that even developers were not being held to. In contrast, the standards we have before this House today hold both sides to account and achieve the balance that we need to protect species and enable farmers. Anyone who cannot see that is being belligerent with their absence of knowledge. Let us look at developers, who have been talked about a bit today. The bill brought by the Minister does not alleviate the requirements of the State environmental planning policy [SEPP] from developers at all. The expanded tree lists, the lower thresholds for habitat and the updated approach remain untouched and fully applicable to those that are undertaking developments that require a development application.

The bill supports the science around koalas while strengthening the framework for farmers who have already got protection for threatened species embedded in legislation. Both sides win here because each tool, whether it is a planning tool or a land management tool, is actually correctly focusing on where the risk caused by an activity lies. Habitat fragmentation by peri-urban expansion is a key threat for koalas. The SEPP addresses that. Habitat preservation through planned farming on private land is a key outcome for land management. The Local Land Services Act addresses that. Decoupling the two concepts means that each works more effectively for what was actually designed to be done. Having one part of government regulation undermine the other does not improve either; it weakens both, and it sets us on a slippery slide to the bad old days that I mentioned when everyone lost—the environment lost, farmers lost, the entire State of New South Wales lost.

This amendment bill strengthens the framework and maintains the balance that was hard fought for by the Government. It was also explicitly recommended by an independent biodiversity panel that reviewed the framework and found that it was failing. Not strengthening the framework when presented with that sort of evidence is basically an express endorsement of the previous system, which would be a mistake. Any time a Government does not take an opportunity to improve is a failing, and it is one of the worst failings a government can have. What we are presented with today is an opportunity to improve, so let us do that. Let us improve together. I commend the bill to the House.

**Ms TAMARA SMITH (Ballina) (11:19:13):** I contribute on behalf of The Greens to debate on the Local Land Services Amendment (Miscellaneous) Bill 2020. It is such a shame to see what I regard as the most ideological bill I have seen during the six years I have been in this place before the Parliament. It is a perfect

example of the term "un-logic", which has been described around the world. It is not ignorance or stupidity; it is reason distorted by suspicion and misinformation. It is an Orwellian state of mind that arranges itself around convenient fictions and ignores established facts. This bill is the perfect example of un-logic, of science being sidelined and replaced by negotiation and politics. It is a tragic day. Our iconic koalas are headed towards extinction and that is what is at stake.

The Greens do not support the intent and timing of this bill. It has been introduced following a well-publicised dispute within the Coalition about the operation of the State Environmental Planning Policy (Koala Habitat Protection) 2019 despite consultation on an explanation of intended effects for a revised SEPP and despite the koala SEPP already having been in operation for a number of months. The policy settings underpinning the bill are inconsistent with so many recommendations by scientists and environmentalists who, by the way, Minister Marshall has not consulted with. That there was no consultation with experts, with science, should be the biggest red flag. It is, once again, the death of science with The Nationals. It is inconsistent with recommendations made by the Audit Office of New South Wales and the Natural Resources Commission. Neither of those organisations are left-wing think tanks. It is also inconsistent with the New South Wales upper House inquiry, which was scathing in its review, and the recommendations that were made by the independent Biodiversity Legislation Review Panel.

Before the 2019-20 fires, northern New South Wales koalas had declined by 50 per cent over 20 years. They were predicted to become extinct by 2050. The fires burnt nearly 400,000 hectares, which ecologists estimate is nearly 30 per cent of likely koala habitat. Nearly 200,000 hectares suffered significant canopy loss. We saw that in my community—it was devastating. Most koalas on the firegrounds died. The Berejiklian Government has introduced this bill to remove most of the protections on private lands. The Minister's second reading speech said it all. This was described in the first four sentences as a "negotiation". Scientific advice and science-based evidence tells us that avoiding the extinction of a species will not be easy or politically convenient, but that truth is what should have guided this bill. It did not.

The Minister stated that it came down to "negotiations between The Nationals and the Liberal Party in this Government, between me, the Deputy Premier, the Acting Deputy Premier, the Minister for Planning and Public Spaces, Rob Stokes" and the Premier. It was pitched as a negotiation. How does that marry with the scientific evidence on how to avoid the extinction of a species? It has no bearing. I am tired of hearing The Nationals talk about being there for farmers, because during the drought we heard a heck of a lot of rhetoric and we saw loans being offered to put people further into debt. Farmers in my community constantly spoke to me about getting further behind and said that The Nationals were not offering them game-changing rescue from the drought. If The Nationals were serious about helping farmers and saving koalas, why would they not make sure that there was financial assistance for any property owner trying to navigate complex legal matters? Why is that not on the table? Why is it not on the table to create a commission to support farmers to negotiate environmental protections so that they can do the right thing?

I work very closely with the canegrowers and the farmers on the plateau. I have not had one single farmer reach out to my office and say to me that they are concerned about the koala SEPP. I spoke to the member for Clarence and I was persuaded that the maps needed work, but how the heck did we go from maps needing work to this? It is a very sad day. Minister Marshall did not consult environment stakeholders, and that says it all. This bill will stop core koala habitat identified in draft and future council koala plans of management from being included as sensitive regulated land and that is hard for my council to understand. Presently, Ballina Shire Council has a koala plan of management. Presumably, there will be stronger protections. Byron Shire Council has been waiting to have its koala plan of management signed off by the Government. What is happening there? We will certainly be moving amendments to include Byron Shire Council as having a current koala plan of management.

**Mr Adam Marshall:** They don't have one.

**Ms TAMARA SMITH:** I note the Minister's interjection. They have got an application in but they have not had it approved because of his department. The bill allows up to 6,000 hectares of core koala habitat identified as sensitive regulated land in the Ballina, Coffs Harbour, Kempsey, Lismore and Port Stephens local government areas to remain, though it removes 900 hectares of core koala habitat identified in the Bellingen local government area. It stops councils being able to include core koala habitat in environmental protection zones. The Nationals guy that loves to be out and about on the North Coast cannot pretend to be an environmentalist on that one when he says in the other place that these zones will not apply. It creates the concept of allowable activity land, which is land that at some time has been rezoned from rural zoning to environmental zoning and it permits clearing for allowable activities without approval in these E zones.

This bill prevents local environment plans from requiring development consent for private native forestry and pre-empts the outcomes of some significant government reviews. It pre-empts the three-year review of the land management framework. We urge the Government to hold off on these amendments until it completes and



publicly releases the findings of the three-year review that it committed to. Why is it backtracking on the review that it committed to in terms of land management frameworks? The bill pre-empts the outcomes of the private native forestry review. I could speak for an entire day about people who have engaged in private native forestry and been absolutely duped by the Government. The bill proposes significant changes to the framework, including preventing local environment plans from requiring development consent for private native forestry and doubling the duration from 15 years to 30 years. These are significant changes and should not be implemented until the outcomes of the review are finalised.

Again, where is the science? These changes do not relate to the stated reason for the bill—the interaction between the land clearing rules under the Local Land Services Act and the koala SEPP. It is a dog's breakfast. On the North Coast, 60 per cent of high-quality koala habitat occurs on private land. And guess what? Koalas and loggers like the same trees. This bill spells a death sentence for New South Wales koalas. But members do not need to take my word for it. The findings of the Audit Office, the Natural Resources Commission and an upper House parliamentary inquiry have highlighted the regulatory failure of the land management framework.

I give a shout-out to the tireless environmentalists and ecologists in my area who have campaigned and worked to save koalas. They are local koala heroes. I acknowledge Maria Matthes, who single-handedly rescued so many koalas after the fires, and all of the team at the World Wildlife Fund, who recently bought an infrared camera for the Ballina koala rescue team. It will make a difference every day to the koalas in our area. I thank Linda Sparrow from Bangalow Koalas, who is working with farmers and private landowners to plant millions of trees over the next five years. The Northern Rivers Wildlife Hospital board plans to open a wildlife hospital on the North Coast. Friends of the Koala are tireless in their efforts and the Environmental Defenders Office and the Nature Conservation Council also deserve mention. We agree that farmers are the perfect custodians. They do not need this; the Government needs this. Government members are virtue signalling and it is failing. The Greens will move amendments to this bill in the other place. This is a dark day. It is the death of science and the triumph of ideology. It is negotiation as opposed to saving a species threatened with extinction.

**Mr STEPHEN BROMHEAD (Myall Lakes) (11:29:27):** I speak in support of the Government's Local Land Services Amendment Bill 2020 introduced by the Minister for Agriculture and Western New South Wales. In particular, I will talk about why parts 5A and 5B of the land management framework are important to farmers. In no small part, the prosperity and productivity of our State depends on the security and certainty of its primary producers. The Government recognises that and will continue to introduce reforms that ensure the primary producers of New South Wales can invest in the long term. We started this process in 2016 when we introduced the land management framework. This was an historic day for the State. Finally we had a solution for farmers and the environment after years of upheaval and negative discourse about the farmers of New South Wales. Most of them rarely, if ever, engage in any form of clearing activities and most spend their lives breaking their backs to ensure their properties are as healthy as they can be to provide the food and fibre that our State needs.

Simple and longstanding farming practices, such as clearing a fence, should not be subject to duplicative and complex planning approvals. We already know how to build a fence in an ecologically sustainable way. It is already outlined in law in schedule 5A to the Local Land Services Act. If that is already tested, codified and well understood, why would we transition it to a regulatory environment that does not even envision, let alone spell out, how that basic farming work should be done? Landholders need us to make those processes simple, easy and efficient. That is what the bill achieves by decoupling the koala State environmental planning policy [SEPP] from parts 5A and 5B of the framework. The bill will help ensure that primary producers and production are regulated consistently and fairly in New South Wales. Developers will stay under the SEPP and are not decoupled.

The land management framework has four key aims: the improvement and expansion of agriculture in New South Wales in an ecologically sustainable way; the offsetting of biodiversity impacts for those who cannot undertake site-specific offsets through a market-based system; a risk-based approach for identifying, regulating and protecting native plants and animals as part of an active land management; and direct conservation outcomes on private property through government investment and in-perpetuity biodiversity offsets. It is a robust framework that has balance and mutual consideration at its core. Farming is considered in the context of the environment, and vice versa. Agriculture is considered in the context of what is good for the community, again, while also factoring in the environment. That is the same right we extend to peri-urban communities when they want to expand and plan for the future. We cannot afford to have agriculture eroded by inadvertent impacts or, indeed, a desire to control the regions as some sort of personal backyard of the city where the bush becomes a large green offset.

The land management framework is modern in the sense that it focuses on outcomes-based policy calibrations, and not a set-and-forget mentality that punishes farmers and regional New South Wales. The amendments will help deliver Government commitments by reducing red tape for primary and secondary agricultural producers, and by helping to ensure that primary production is regulated consistently and fairly in

New South Wales. The measures will help to ensure that New South Wales primary producers have the certainty and confidence to undertake long-term investment in their farms and forests for the benefit of rural and regional communities. They will ensure we continue to produce the food and fibre that is so vital to our resilience and recovery in challenging economic times.

I heard other speakers talk of several things. The member for Summer Hill, I think, referred to a developer letter. She failed to mention that there were numerous other letters, including from dairy farmers, beef farmers, the timber industry and others. They were all produced. It is interesting that if a constituent writes to me to say we need more public consultation and attaches a submission from the surveyors association, or some group like that, and I send it to the Minister asking whether he could consider and advise on the matter, it somehow becomes lobbying. What a joke. When parts of our community are excluded from seeing their local member and having that local member make representations on their behalf—

**The ASSISTANT SPEAKER:** Members will come to order. The member for Myall Lakes will be heard in silence

**Mr STEPHEN BROMHEAD:** Members also spoke about the impact on koalas. The way to look after koalas is through practical, on-the-ground programs. If you think about it, the biggest killer of koalas is chlamydia. Look at the science—Opposition members talk about science. What has the Government done? First, we have set up a sanctuary in the Tweed Heads electorate where we are vaccinating koalas against chlamydia, which is the biggest killer of koalas on the North Coast. We introduced that program last year to protect koalas, with the help of scientists. The second thing we have done is increase funding for the Port Macquarie Koala Hospital to help our injured koalas. Thirdly, we established another koala sanctuary in Port Stephens with a koala hospital to help koalas further down the North Coast. We have also allocated \$7 million funding to Gunnedah and the largest disease-free population of koalas in Australia. They are the practical things that the Government is doing.

The parliamentary inquiry reported that there are about 14,000 to 15,000 koalas left in New South Wales. We want to double that population through practical, on-the-ground programs like those I have mentioned. We are also looking at other programs like funding for owners who have core koala habitat on their property so they can become protectors on their property. At Devil Ark in Barrington Tops, near my electorate, Tasmanian devils and spotted quolls are being bred for the future. We could consider establishing a koala ark, where koalas are looked after genetically and a breeding program is put in place. All those programs—partnering with property owners and giving them the opportunity to get funding for the habitat on their property, the vaccination program, and having koala hospitals and sanctuaries—are practical, on-the-ground initiatives that will help save koalas and double their population over the next few decades.

This is an outstanding bill. It is something that farmers—who provide the food and fibre that Sydney relies on—want. They want to be able to partner with the Government and communities to provide on-the-ground programs for the survival of koalas. The bill must be supported by the Opposition. If those opposite support farmers and regional communities, they will get on board. The last thing farmers and regional communities want is two or three layers of regulation that cause total inertia and nothing happens. One problem with more and more vegetation being locked up and not maintained is that we get wildfires like we had last summer. That is the problem with simply saying the answer is more vegetation. Those opposite do not want to maintain it. When you talk to the scientists—

**The ASSISTANT SPEAKER:** Members will come to order.

**Mr STEPHEN BROMHEAD:** If you read the Bushfire Inquiry report and listen to the scientists out of Portugal, you discover that the most important thing to do with eucalypt vegetation is maintain it. You have to consider whether it is maintained mechanically or with cold fires or cultural burns during the off-season. That is the only way you can protect forests and protect the koalas who live in the forests. I commend the bill to the House.

**Ms JENNY LEONG (Newtown) (11:39:23):** I make a brief contribution to debate on the Local Land Services Amendment (Miscellaneous) Bill 2020. I endorse and offer my support to the member for Ballina, who understands all too well what it means for people in regional communities to be ignored by The Nationals. She also understands what it means for people in those communities to finally be listened to by a strong member who understands their needs but also recognises that people statewide care about the need to protect koalas. Ever since the last known living Tasmanian tiger died in a zoo in 1936, we have looked back on this moment as a tragedy. This beautiful and iconic species was declared extinct 59 days after it was granted official protection. But it is not enough for us to feel sad about a tragedy that happened several generations ago. Our responsibility is to now prevent that same fate from happening under our watch to one of our most famous and most loved animals—the koala.

Koalas in New South Wales will likely be extinct within 30 years unless we act to protect them. Before the catastrophic 2019-2020 bushfires, koalas were in trouble. Land clearing and loss of habitat has meant that populations have been in serious decline for many years. During the fires nearly all koalas in firegrounds perished—an estimated 5,000. Without major intervention, the koala will almost certainly become extinct. We must preserve every remaining koala habitat in our State. The Government should incentivise farmers so that they are paid more to protect trees on their land instead of clearing them. It should also overhaul the failed Biodiversity Offsets Scheme, which allows core koala habitat to be cleared.

The Greens welcome the Government's announcement of the Great Koala National Park on the beautiful mid North Coast of New South Wales. Much of the area has been untouched by the fires and has a large, healthy and growing koala population. It remains under threat from logging, so it has never been more important to protect this area. However, the announcement has been undermined by the Forestry Corporation of NSW continuing to log koala habitat on the mid North Coast. It is not just people in New South, and Australians more broadly, who love koalas. The entire world is urging us to save them. They are in our children's books and tourism brochures, and are part of our collective story.

We all know the feelings that koalas elicit when young people see them up close. That includes my daughter, who recently visited them and asked with excitement and enthusiasm about what they eat and how they interact with each other. Protecting koalas means protecting our forests and natural habitats for all threatened species, but these areas have been hammered by the ferocious fires. It is fantastic to hear the State and Federal governments saying that they will do whatever it takes to protect our koalas and their habitats, but it is clear that they lack the courage, political will and long-sighted future focus to turn these words into action.

The Greens do not support the bill. Ms Cate Faehrmann, my colleague in the other place who chaired the inquiry into koalas, said that the bill is a massive step back. As the member for Ballina explained, the fact that we are seeing the bill brought before the House as a negotiation between a Coalition Government at war with itself, instead of being based on the science of preventing koala extinction, is outrageous. This is not just a step backwards but a completely unacceptable way of protecting our native species and their habitats. The policy settings that underpin the bill are inconsistent with recommendations made by the Audit Office of New South Wales, the Natural Resources Commission and the New South Wales upper House inquiry, as well as the original recommendations made by the Independent Biodiversity Legislation Review Panel. The bill also pre-emptes the outcomes of the Government's reviews currently in progress.

It is important to acknowledge that the members speaking on the bill are from the National Party. I have not seen a single Liberal member of the Cabinet support the bill. I have not heard a contribution from the Premier. I have not heard a contribution from the Minister for Planning and Public Spaces. I have not heard any contributions from Liberal members on the bill. There is clearly no agreement around how to put the bill forward. It is not in the interests of koalas. It is not in the interests of the community. It is in the interests of holding together the very tenuous relationship between the Liberal Party and the National Party. Because if it was not, and if it was a good bill that the Government supported, then Liberal members would be speaking on it. Yet not a single one has done so.

**The ASSISTANT SPEAKER:** The member for Newtown will return to the leave of the bill. Order! I will start calling members to order if they continue interjecting.

**Ms JENNY LEONG:** In his second reading speech, the Minister referred to the bill as a negotiation between The Nationals and the Liberals. So I thought that the purpose of the bill was to demonstrate that there could be a negotiation between them. Incredible work has been done by environmentalists and ecologists, and by people who are standing up for animal welfare and animal rights. I acknowledge the incredible work of the Environmental Defenders Office in raising serious concerns about the bill. I recognise all of their staff because these are difficult times in which the Government, to hold onto its own power, is prioritising internal relationships over the protection of our precious koalas. I end on this: I know that members opposite think that I do not know about this issue because I am from Newtown, where there are no koalas. Well, guess what? We are here to act in the interests of the entire community of New South Wales.

**The ASSISTANT SPEAKER:** The member for Newtown will be heard in silence.

**Ms JENNY LEONG:** I do not say that because they do not live in the city they cannot come to our restaurants and bars, they cannot have an opinion on our roads or buses or they should not come near our airport. I do not say that because all members represent the New South Wales community as a whole. Next time they want to fly somewhere, to drive down King Street or to go to a bar in the city—

**Mr Jamie Parker:** Don't use Sydney airport. They do not deserve it.

**Ms JENNY LEONG:** They do not deserve it. That is what is missing in this whole discussion.

**The ASSISTANT SPEAKER:** The member for Newtown will return to the leave of the bill. The member for Balmain will be silent.

**Ms JENNY LEONG:** We are here to represent our communities in the interests of the whole State. It is very clear that the National Party has lost its way when it comes to being part of a government that is supposed to govern for the whole State. We are seeing its members serving their own self-interest to maintain political power, with all the trappings that being part of a Coalition Government brings. It is a disgrace and it needs to be called out. Not just people in the bush care about the extinction of koalas, people in the inner city care about it too—as do people in China, Japan, Hong Kong, Europe and around the globe. But this bill means that extinction in 2050 is a harsh reality. We have failed because The Nationals are more interested in holding on to their ministerial portfolios, cars and the trappings of office than they are in protecting the most valuable species in our society—the koala.

**Mr JOHN BARILARO (Monaro—Minister for Regional New South Wales, Industry and Trade, and Deputy Premier) (11:48:44):** I make a small contribution to debate on the Local Land Services Act 2013 and the amendments that have been proposed. There is a lot to be said about what has occurred with regard to protecting koala habitat and, of course, supporting regional communities. There is also much to be said about the historic balance being struck between reducing the red tape that farmers, who produce the food and fibre that we all rely on, must adhere to and the protection of private native forestry [PNF]. In doing so we have found a balance to make sure that across the board we are not here to support developers or urbanisation. When we look at the possibility of the extinction of koalas we find that it is not about farming practice, private native forestry or even forestry; it is about urbanisation, wild pests and pest animals that are destroying habitat and killing koalas.

We have found a balance in being able to protect the property rights and the rights of farmers to continue to do what they do best and to make sure that those with private native forests on their property also have the opportunity to boost regional and local communities when it comes to employment and the economy. These are sectors that are important to regional and rural New South Wales. It is not The Nationals that are anti-koala, although the message pursued here this morning has been that The Nationals do not care about koalas. Again, those koala habitats and koala populations are predominantly in rural and regional New South Wales. Under this Government—and even through some of my funds—I know the amount of money that has gone into a number of koala hospitals and koala areas and into supporting koalas.

I know that people such as the member for Tweed are passionate about what happens with koalas in regional and rural New South Wales. We must learn from the mistakes and the errors that have been made in the past. The urbanisation of Sydney has seen a lot of destruction of habitat across the board, not just for koalas, as the city has grown, busting at its seams. We have all recognised that. But at the same time we can learn from that and find a balanced approach. It does not mean we stifle the opportunities for regional and rural New South Wales. It allows us to learn and make sure we put balanced protections in place.

The State environmental planning policy [SEPP] puts in place protections for koala habitat from urbanisation and from big property developers but it does not and it should not impact on those farmers who have always done the right thing. The Nationals are more than happy to bring forward policy to this House to bring back stewardship payments to landholders to protect and invest in koala habitat. We would be more than happy to do that. We would love to see tens of millions of dollars of investment go towards protecting our koalas. We do not want to be the Government, the party or the elected members who see that impact, or our koalas continue to deteriorate. Another contributor to the debate touched on the fires of the 1920s, the destruction of habitat and the impact that had on the koala population. We have seen that devastation across the board again with the recent fires, but those fires are a message to us all that the way we manage our parks and lands is important.

I acknowledge the acting leader of The Nationals, Paul Toole, along with the agriculture Minister, Adam Marshall, who over the past 4½ weeks while I was away were able to find a balance in line with what we wanted as a party—that is, protection for our farmers, protection around private native forestry and, most importantly, protection of koala habitats. The balance is historic and we believe it will start to turn the tide. There is more to be done. There is no question that there is more to be done in relation to the future protection of koalas and koala populations. Of course, habitat is a big part of that, but that is on all of us; it is not just on one part of this State and it is not just the responsibility of landholders and farmers, as I touched on earlier. It has never been solely an issue for farmers.

Farmers are the best conservationists in the way in which they manage their lands, their environment and their farming practices. Many of our farmers are considered best practice farmers globally because that sector is not subsidised and there are no tariffs. These honest farmers are doing the right thing, investing in their property and always looking at ways to make sure they are custodians of those lands for generations to come. That is why we have generations of farmers—third, fourth, fifth, sixth and seventh generation farmers. If they destroy their land and the environment they would not be able to continue to farm. That is why I have confidence in this

arrangement with Local Land Services decoupling land management for farmers and, of course, decoupling private native forestry, which will give us balance right across the board.

A lot has been said in the public domain about the SEPP, which in itself is an opportunity to make sure that we protect habitat but do not burden those who have done it tough. Our farmers have gone through three or four years of some of the worst droughts on record. Our farmers have also endured the worst fires on record and in some parts of the State they have also endured floods. Add in COVID and the pressures of regional and rural New South Wales are significant. So let us not punish and add more red and green tape for those who are feeding this nation. Through export, because of our clean credentials and great farming practices, our food and fibre are also in high demand. We have found the balance but we cannot punish those who are doing it tough.

I am confident going forward. This Government and the relevant Minister should be bringing forward more policy, programs and funding to continue to protect koalas, including, as I said earlier, stewardship payments to landholders. The Government did that through the Biodiversity Conservation Trust when it repealed the Native Vegetation Act and it can do it again when it comes to koala habitat. Regional communities are always ready to stand tall and take responsibility for their environment; that is why we live where we live. We choose to live in the regions because we love our environment. We love the landscape and we have an obligation to protect it. That is why we choose to live in regional and rural New South Wales and we know the responsibility we have.

This is not Sydney versus the regions; this is about New South Wales playing its part in relation to koala habitat right across the nation. What is before us today provides a balance in relation to koala habitat. Decoupling land management for farmers and private native forests has also allowed us to find that historic balance. I congratulate everybody who has been working on this; it has not come about in the past few weeks. This has not come about as a last-minute compromise decision; these amendments have been on the table from as far back as October last year, with many Ministers from both sides—Liberals and Nationals—at the table working through the detail. What we have landed today is work that has been done over time. We are always told, "Let's look at the science and the facts." Well, guess what? The science backs what we have done. The facts are there, clear for all to see. What we have found is a great balance. Today is historic. I congratulate everybody. It ends the debate in relation to the SEPP issue and it allows us to get on with protecting farmers, protecting our private native foresters and, of course, protecting koalas.

**Mr ALEX GREENWICH (Sydney) (11:56:36):** The Local Land Services Amendment (Miscellaneous) Bill comes at a time when our natural environment has become so fragile that biodiversity, climate, water, air, soil and food are all at risk. The koala's plight is central to this fragility, with its survival dependent on the conservation of the natural environment. Before the Black Summer bushfires, in New South Wales the koala was already listed as vulnerable and even then conservation groups believed its status should have been upgraded. The bushfires killed at least 5,000 koalas and destroyed and fragmented much of their habitat.

A recent parliamentary inquiry found that without serious intervention koalas in this State could become extinct as soon as 2050. Yet the clearing of koala habitat for development, agriculture, mining and forestry has continued at a rapid business-as-usual pace. This is putting not just the koala at risk of extinction but also at least a thousand other animal and plant species. Saving the koala from extinction and averting a looming environmental catastrophe should be front and centre of any land management reform but this bill instead weakens koala and native bush protections and gives priority to politics.

A clear objective of the bill is to facilitate excessive clearing of native vegetation without interference from koala conservation goals. Oversight for clearing privately-owned land will be scaled back in regions previously identified as needing protection. Clearing could already occur in these regions but it needed authorisation. Any new koala habitat in rural areas identified under the new koala State environmental planning policy [SEPP] will not be mapped as category 2 regulated land and therefore not subject to any protections under the SEPP. Clearing native vegetation subject to a native forestry plan will no longer require council approval. These are significant changes that remove much-needed checks and balances in the management of rural land and koala habitat. Koala protection is not the area where this State should focus an agenda to cut red tape. The Bellingen Shire Council has been undertaking mapping of vital koala habitat in its region but this is yet to be approved by the planning department, meaning these areas will no longer come under the modest protections of the SEPP. I hope work can be done to change that. We urgently need to recognise the finding and implement the recommendations of the Audit Office of New South Wales, the Natural Resources Commission and the upper House Planning and Environment Committee to save the koala. There is strong consensus that the key to saving this much-loved species is to protect its habitat through increased native vegetation management, oversight and enforcement. The koala SEPP, which commenced in March, is neither groundbreaking nor adequate to save the koala. It merely updated how habitat is defined. It is disappointing to see this important matter used for pointscoreing. Winding back protections to koala habitat at a time when their plight is in peril is shameful and will have serious ramifications for generations. I oppose the bill.

**Mrs MELINDA PAVEY (Oxley—Minister for Water, Property and Housing) (12:00:09):** It is with pride that I support the Local Land Services Amendment (Miscellaneous) Bill 2020. At the outset I declare an absolute love and passion for koalas, and for the population to grow, thrive and be healthy. I saw my first koala at Phillip Island. My grandfather lived at Cowes in Victoria and it was exciting to see many koalas beside the road when I was a very young girl. I have not seen koalas in the national park at Noosa for a couple of years, but there is nothing more exciting than seeing koalas in the bush. I have heard koalas many times in Port Macquarie, especially during the mating season. They are very noisy. I would love to learn and explore more about counting our koalas.

Professor Brad Law is a scientist who has done incredible work counting koalas across our landscapes. The most exciting thing about some of his preliminary work is that koalas mostly love to live in State forests. That is where a lot of their population is. Why is that? Because in State forests there are young, fresh trees. Imagine if you had a choice between an old lettuce or a fresh, young lettuce, you are going to choose the fresh, young lettuce. Koalas do the same by choosing young trees. That evidence and science has been borne out post-the fires. The Australia National University has been conducting research on how koalas have thrived post-the fires eating the fresh growth from burnt trees, which is full of nutrients, enabling them to put on a lot of weight. As the Deputy Premier pointed out, the greatest threat to koalas is wildfire, wild dogs and cars. That is what we have to focus our work on. I acknowledge in the Chamber today the work that the member for Tweed, Mr Geoff Provest, is doing, particularly with the koala sanctuary at Currumbin on the Gold Coast. Chlamydia is another major threat.

I make these points today as a very proud member representing the electorate of Oxley. I notice the member for Coffs Harbour is in the House. We share a border around the old Pine Creek State Forest. I have incredible volunteers and workers in my community of Repton who keep the koalas safe from wild dogs and ensure that they feed in information about what the numbers are like. That is the type of work that happens within our communities. This bill ensures that farmers who feed our communities and do great and incredible environmental work are not stopped from conducting their normal activities, expanding their operations and doing what they do well, by having to have a \$30,000 koala study to continue conducting their farm work. It surprises me that the shadow Minister for Primary Industries is not supporting the bill and that the Labor Party is not supporting farmers.

I should not be surprised, because the other very big part of this conversation is our timber industry. I love koalas, but I also love orangutans. Orangutans are the more vulnerable species because of the forestry practices throughout South-East Asia. If one goes into Bunnings or any hardware store it will be hardwood from South-East Asia that dominates the aisles, not sustainable forest industry production that happens in this country and on the North Coast of New South Wales. People from Newtown give us lectures about how to manage forests when we have the strongest and most sustainable environmental laws in the world to ensure that we protect our native species, but also we have a product that is recyclable and does all the right things. What would members prefer? I prefer a hardwood floor to a cement floor. This high-pitched, inner-city debate that denies country people the opportunity to do what they do well is a shame. It is a policy failure and that is why we are supporting the bill, supporting our communities and our farmers. In the detail of the bill five local government areas are mentioned, including Kempsey, that have a koala plan of management for their coastal areas. That koala plan of management will still be recognised as part of the bill.

**Mr Jamie Parker:** What about Port Macquarie?

**Mrs MELINDA PAVEY:** If you want to ask questions about Port Macquarie ask the member for Port Macquarie. It is important to acknowledge that I have been advised by the Minister for Agriculture that through an oversight within the Department of Planning, a koala plan of management that was written in 2015 for the Bellingen shire has not been included. I acknowledge the work of the former mayor, Mark Troy, in developing the koala plan of management for the coastal areas of the Bellingen shire. I have been assured by the Minister for Agriculture that an amendment will be made in the upper House to include the Bellingen shire koala plan of management. I thank the Minister for making that clear.

Farmers are good people. They do good work feeding and clothing us, not only in Australia: 70 per cent of what they produce is exported. My communities, my councils, my region, the Bellinger Valley, the Nambucca Valley, the Macleay Valley and the Hastings Valley contribute enormously to the success of our State and nation, particularly our farmers, and they want to continue to farm. This bill gives them certainty and pride in what they do. I also support growth in the koala population based on science and evidence, and ensure that we protect and support our communities, not tear them apart as the Labor Party would like to do.

**Mr JAMIE PARKER (Balmain) (12:07:42):** I address the Local Land Services Amendment (Miscellaneous) Bill 2020. From the outset I express my concern about the bill and that this so-called compromise is a significant overreach and will open up New South Wales to more land clearing that will have very significant effects on koala populations in particular. There has been some discussion about the bill being the result of a compromise. It has been discussed publicly and in the House today. I am particularly worried that we have not

heard anything from the other Ministers involved in this matter, the Minister for Planning and Public Spaces, the Minister for Energy and Environment and the Premier. We want to know what their view is and why they have agreed to a compromise that is so significantly negative, in particular for koala populations.

I note the Minister said that the koala plans of management would be intact and also mentioned Bellingen. But what about places such as Port Macquarie that have important koala habitats? It does not have an approved koala plan of management in place. Core koala habitat cannot be protected from private native forestry or "allowable agricultural activities". What is the view of the Koala Hospital in Port Macquarie and that community that does not have a range of protections where other communities do? I think the heart of the imbalance in this legislation is that some communities have approved koala plans of management with one level of protections but other areas, for a range of legitimate reasons, do not have one and cannot gain that protection. That is a very concerning aspect of this bill. It not only is a step backwards for koala protection but also removes many other critical environmental protections on private land. It winds back existing environmental protections and expressly prohibits the protection of any further core koala habitat from threats such as logging and land clearing on private land.

Members have talked about cognitive dissonance: We want to support increased land clearing and reduce protections on core koala habitat but we think koala populations can increase exponentially. Various reports have been produced not by partisan organisations but organisations with significant credibility that have spent a significant amount of time addressing this issue. For example, the National Resources Commission review of the land management framework conducted in early 2019 found that land clearing rates have increased 13-fold from an annual average of 2,700 hectares per year under the old laws to 37,745 under the new laws, and biodiversity in nine out of 11 regions is now at risk. How can people say they are the best stewards of land, they are fantastic and great, when laws that have been introduced have led to a 13-fold increase in land clearing? How is that equivalent to the claims of protecting land?

We know farmers do incredibly important work, and we support them in that work. But the balance seems to be out of whack when we see such a significant and dramatic change in land clearing. The 2019 review by the Audit Office concluded that the new land management framework may not be responding adequately to environmental risks, whilst permitting landholders to improve agricultural activities. It identified significant delays in compliance and enforcement activity to address unlawful clearing. Even when unlawful and non-compliant land clearing takes place, following it up and ensuring compliance and enforcement is incredibly weak and under-supported. One can see why The Greens are very concerned about steps that further weaken controls when we know that compliance and enforcement is significantly delayed and its ability to capture those negative behaviours is poor.

The bill seeks to decouple the rules for farmers despite the recommendation of the Independent Biodiversity Legislation Review Panel to "level the playing field for agricultural development and land management activities" by "treating all forms of development in a consistent and fair way by integrating the assessment and approval of all forms of agricultural development that involve the clearing of native vegetation into the Environmental Planning and Assessment Act 1979." We are seeing different approaches treated in different ways, and that kind of inconsistency and contradiction leads to poor public policy outcomes and is a challenge to all who want to see consistency in the planning and development framework.

I highlight the Environmental Defenders Office [EDO] that has issued a very detailed briefing note, which I encourage members to read. It expresses concern about the intent and timing of the bill, the specific changes proposed by the bill, and of course the amendments to the koala State environmental planning policy [SEPP] and the final koala habitat protection guideline. The timing of the bill is obviously incredibly surprising because it pre-empts the three-year review of the land management framework. That review has been really thorough, rigorous, involved and detailed. When introducing the land management framework in State Parliament then Minister for the Environment Mark Speakman said that, in addition to the standard five-yearly reviews required by the legislation "this Government will also conduct a review of the new laws, supporting policies, programs and funding within three years of implementation".

Part 5A of the Local Land Services Act LLS Act has been in operation for three years. The Government should hold off on any amendments until it completes and publicly releases the findings of the three-year review that it has committed to. We understand work has been done on that, but if it has not the Minister should explain the situation. We also know that the bill pre-empts the outcome of the private native forestry [PNF] review. It proposes a significant change to the PNF framework, including preventing local environmental plans from requiring development consent for PNF and a doubling of the duration allowed for PNF plans from 15 to 30 years. These are significant changes and should not be implemented until the outcomes of the PNF review are finalised.

I highlight the policy brief of the EDO, which goes into significant detail that I do not have time to address in the few minutes remaining to me. My specific concern is that the proposed allowable activity land will

undermine E zones. It introduces a new concept of allowable activity land being land that has been rezoned from rural zoning to environmental zoning. There are subsequent amendments to operationalise this new concept and, in particular, allowable activities that can be carried out without any approval or other authority will be able to be carried out on both rural regulated land, as is currently the case, and this new allowable activity land. It expands the range of land on which allowable activities can be carried out by providing that allowable activities can be carried out in certain E zones.

E zones are intended to provide protection for land that is substantially identified as warranting protection due to its environmental values. Clearing should not be allowed to go ahead in these zones unchecked. We note that E zones do not prohibit clearing from occurring; rather, any clearing will need to be appropriately authorised. That is a significant concern that everyone who recognises the important role of E zones should consider. Questions have been raised that I trust the Minister will address in his reply or will be addressed in the other place. I refer to those matters briefly and ask that they be addressed. The proposed change is not restricted in its application. For example, it does not provide a time frame in which rezoning is to have occurred. So will historical rezoning—for example, prior to the commencement of the framework—trigger the "allowable activity land" definition?

It is also unclear whether the primary production use that triggers the "allowable activity land" definition has to be an existing use under the previous rural zoning that is continued or whether it can be a permitted new use. It is also unclear as to what is meant by "timber-getting for commercial purposes" in the changes proposed in new section 60D as this term is not defined. The term should be clearly defined and it should not extend to private native forestry, as this is regulated separately under part 5B of the LLS Act. I ask the Minister to address some of those definitional issues in his reply.

In closing, I highlight that this updated koala SEPP was years in the making but now all that hard work has been scrapped in order to come to some kind of hobbled-together arrangement between The Nationals and the Liberal Party, with powerful lobby groups who are looking to support their own interests obviously having a very significant say. We know that koalas are at risk of extinction before 2050. Saying that you want to double the population while not addressing one of the core issues, which this bill makes worse, are mere words. We know the existing protections are not enough, and we ask the Government to seriously reconsider this bill and consider supporting amendments that will be moved in the upper House.

**Mr GURMESH SINGH (Coffs Harbour) (12:17:41):** I support the Government's Local Land Services Amendment (Miscellaneous) Bill 2020 introduced by my colleague the Minister for Agriculture and Western New South Wales. Specifically, the bill proposes five areas of reform to support private native forestry. First, the amendments ensure that the State Environmental Planning Policy (Koala Habitat Protection) 2019 remains focused solely on managing the permanent impact of land use change brought about by urban sprawl without duplicating the strong protections for threatened species and their habitat in the Local Land Services [LLS] Act.

It is worth noting that the private native forestry framework includes strong protections for threatened species and their habitat on agricultural lands, including pre-planning and assessment, including consideration of threatened species records before approving private native forestry plans; harvest exclusions zones around threatened species and prohibitions on harvesting in rainforest or old-growth forest areas; and provisions that ensure activities that are likely to harm threatened species cannot occur, coupled with one of the toughest penalty regimes in the nation with penalties of up to \$1.65 million or two years imprisonment for harming a threatened species. These are important existing protections that remain in place and will not be impacted by the bill. The second amendment that the bill proposes is to ensure existing approved areas of core koala habitat under the previous State Environmental Planning Policy No. 44—Koala Habitat Protection continue to be protected.

Third, the bill removes the dual consent requirements for private native forestry plans to ensure that Local Land Services is truly a one-stop shop for landholders and removes the requirement for a landholder to obtain both a private native forestry plan, and a separate and often duplicative approval from some local councils. At present, a landholder could meet all the requirements to obtain a private native forestry approval with Local Land Services, but still have to obtain a separate and inconsistently administered approval from a local council. Perversely, some local government areas require development consent for forestry on land zoned for primary production, while more intensive land uses like extensive agriculture are permitted without consent. This reform will fulfil a key commitment by this Government under the *NSW Forestry Industry Roadmap* to develop a modern and simple regulatory framework for private native forestry. Critically, this amendment will help deliver recommendation No. 7 of the Independent Biodiversity Panel's final report, which recommended that timber harvesting on private land not be regulated as a form of land use change.

The fourth area of reform is to increase private native forestry plan approval periods from 15 years to 30 years. This reform serves two important purposes. Firstly, it provides farmers with the certainty and security to invest in long-term forest management. Secondly, it helps harmonise private native forestry [PNF] plan



approvals with native hardwood regeneration periods. The 15-year plans encourage landholders to invest in long-term forest management and properly integrate private native forestry into their long-term farm business plan. This amendment will also remove the perverse incentive for farmers to harvest before their forests reach environmental and commercial maturity.

Fifth, the amendments will sensibly and prudently provide the Minister administering the Forestry Act 2012—the Minister with a broad interest and responsibility in our forestry industry—a role in making the Private Native Forestry Codes of Practice. This recognises the importance of private native forestry in contributing to the New South Wales timber industry. The environment Minister's role remains unchanged in the proposed bill, and in preparing PNF codes the agriculture Minister will still be required to make provisions for biodiversity conservation, prevention of water pollution, threatened species populations and ecological communities. In making Private Native Forestry Codes of Practice, the Minister for Agriculture will still be required to ensure that PNF is conducted in accordance with the principles of ecologically sustainable forest management. This reflects an appropriate balance between ensuring existing agricultural activities are supported and protecting those areas that may require a greater level of environmental protection.

The bill will improve the administration of the Local Land Services Act 2013 and reduce the regulatory burden on landholders. Furthermore, the proposed amendments will also help ensure that primary production is regulated consistently and fairly in New South Wales and will reduce the red tape, making it easier for the agricultural and forestry sectors to do business. Government action is essential to reduce regulatory burden and simplify the interaction between areas requiring additional environmental protection on rural lands. There are currently inconsistencies in the treatment of such areas on rural agricultural land, which places an unreasonable regulatory burden on some rural landholders. Uncertainty affects the confidence of farmers and the forestry sector, their willingness to invest—with a negative flow-on effect on unemployment in rural and regional areas—and can be detrimental to the growth of rural and regional economies across New South Wales.

The bill will simplify interactions between the private native forestry framework and the planning system to reduce the regulatory burden on industry, allowing it to focus more time to produce the timber products here in New South Wales. The amendments proposed in the bill will enable Local Land Services to make greatest use of currently available tools, technologies and processes to support its operations and the services it provides to landholders. The need for Government action is clear: to update the underpinning legislation of the Local Land Services Act to ensure it remains fit for purpose to facilitate primary production while still protecting our most important environmental assets. These measures will help ensure that New South Wales primary producers have the certainty and confidence to undertake long-term investment in their farms and forests, for the benefit of rural and regional communities.

The bill has attracted a lot of comment and criticism from many people. This morning I was called on radio to respond to comments made by a Greens MLC who spun—I will not say "complete lies"; they were half-truths that finished with, essentially, garbage. I will read some of those comments to the House. The member stated that pretty much everything the powerful timber, developer and farming lobbies asked for was delivered. However, the SEPP still applies to developers; The Greens MLC should have known that. What we have done is decouple regular farming activities and private native forestry to be regulated by laws that have existed now—is it three years?

**Mr Adam Marshall:** Four years.

**Mr GURMESH SINGH:** Four years. This extraordinary thought that we are going to see a huge increase in land clearing because of this SEPP ignores the fact that all this amendment is doing is continuing with the rules that we currently have. Yesterday morning in that radio interview there was also a complete disregard for how PNF actually works, mentioning numbers such as 400,000 hectares under PNF and insinuating that those 400,000 hectares were likely to be cleared tomorrow if the bill were to be passed. [*Quorum called for.*]

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

**The ASSISTANT SPEAKER:** A quorum has been established. The member for Coffs Harbour has the call.

**Ms Kate Washington:** It was the only way we could get the Liberals into the House!

**The ASSISTANT SPEAKER:** Order!

**Mr GURMESH SINGH:** I thank the shadow agriculture spokesperson for showing such a keen interest in this debate and bringing me a bigger crowd. Thank you.

**Ms Kate Washington:** All those members are leaving now.

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

**Mr GURMESH SINGH:** What the commentary around the bill comes down to is that there are people from the city who think that food is grown in the supermarket. They think that they can turn up to a Woolworths or a Coles and that the food just appears there magically. Farmers in Australia have done such a fantastic job over the past three or four decades to ensure that we have never run out of food in this country. We have not had breadlines like the Soviet mates of those people have. We have done a really good job of feeding this nation, yet we have had farmers in this country doing it pretty tough over the past couple of years with the drought. Last year at around this time there were bushfires. People very generously dug deep and bought things to help out people on the land. It is disappointing that the very same people who spoke in this House about how much they support farmers have indicated today that they will not be supporting farmers by voting in favour of the bill. That is very disappointing. To some extent I expect that from The Greens, but I am disappointed that Labor also has chosen to take that path.

Earlier the member for Balmain referred to overreach and how that will lead to more land clearing. He said that core koala habitats will not be protected and that that will prohibit further habitat protections. Nothing could be further from the truth. The Local Land Services Act has those protections built in. Nothing changes for allowable activities in E zones. This bill will not change what can and cannot be done and what is being done now will remain. The Government is merely asking for the koala SEPP to be decoupled from agriculture and private native forestry so that Australia can have sustainable farms. If this bill is passed it will be a great win for everybody—farmers, koalas and koala habitats—and at the end of the day the bill will protect our agricultural industry. The Government is trying to remove red tape. The Government does not want to add more red tape and create more and more bureaucracy. People need to get on with the job of feeding this country's people.

As someone who has worked in the agricultural sector I can say that food production gets harder every year because there is more and more red tape, some of which is imposed by government and some of which is imposed by customers. Farming is becoming more and more difficult because sometimes there is a product oversupply and prices begin to fall. Farmers have to deal with drought, cyclones and floods. If it was up to The Greens, they probably would not want farming anymore in this country. I have never heard The Greens articulate their agricultural policy. If The Greens agricultural policy is to get food products from overseas, that is not an agricultural policy. If The Greens forestry policy is to get forestry products from overseas, that is also hardly a policy.

The Greens must come to the Government with a policy that actually works to protect industry, jobs and the environment instead of envisaging agricultural policy from one angle only and to hell with the consequences. The difference between being in opposition and being in government is that a government must think of the consequences. The Greens, which is a protest party that hopefully always will be in opposition, make outlandish demands. I hope they respond truthfully, unlike the responses they gave on the radio yesterday morning.

**Mr GREG PIPER (Lake Macquarie) (12:32:19):** At the outset I note and appreciate that the Minister responsible for the Local Land Services Amendment (Miscellaneous) Bill 2020 is present in the Chamber. I also acknowledge the return to the Chamber of the Deputy Premier and note his participation in debate on this important bill. Of course, members understand that the Deputy Premier was absent owing to personal circumstances. There has been a lot of discussion about the rift over koala protection legislation among members of the Liberal-Nationals Coalition. Setting all that aside, I always wished the Deputy Premier well and it is excellent that he contributed to debate on the bill today.

However, from listening to the debate one would think that opposing the bill is equivalent to being anti-farmer. That is just not the case. I do not believe that is the case on the part of the Opposition, The Greens and other members of the crossbench—in fact on the part of any of the people who have raised valid concerns about this legislation. I point out to the Minister and other members of the Government that what we all want is for koalas populations to be viable and to be able to survive in the wild in perpetuity not only in New South Wales but across Australia. Everybody knows that farming is a tough occupation and that farmers do not need ill-considered and unnecessary burdens. But I make the point strongly that opposing this bill does not make someone anti-farmer. Opposition to the bill acknowledges the sins of the past. While the State has excellent farmers, we all know that massive mistakes have been made by individuals, corporations and certain regulatory process that has allowed bad things to happen.

If past mismanagement had not occurred, there would not be as great an impact on broadacre farming, the environment in western New South Wales, water security and biodiversity as currently exists. It is simply not fair to say that farmers know how to farm and we should let everything else go. I acknowledge that probably the majority of farmers are good farmers, but it is a shame we are not debating legislation that will do more to aid in the recovery of the State's koala population or to restore the devastating loss of koala habitat that has occurred in recent decades, as well as during the past year's bushfires. It is also a shame that we are not debating legislation

that will restore and protect our native forests but instead argue about how we manage what already has been logged. I also acknowledge that balancing competing interests is a complicated issue. I note the comments made by the Minister for Water, Property and Housing and member for Oxley about logging, the use of native hardwoods and the alternative of using imported timber from South-East Asia. However, in South-East Asia it is absolutely true to say that timber is being ripped out in enormous quantities with severe adverse impacts upon the native species, such as orangutans.

The production of cement also is hugely damaging to the environment. The point I make is that there are many factors and points of view that need to be taken into account when debating legislation on complex issues. However, one thing is clear: We could be doing a lot more to improve management of native forests and native species and we have a long way to go before we can be satisfied we have done enough. I acknowledge the aspirational goal of the Minister for Energy and Environment to double the State's koala population by 2050. I note it is not a goal of government policy. With all due respect, this legislation will not achieve that aim. In fact, the argument has been advanced that this bill will be neutral in its effect on koala populations in New South Wales. But some people believe it will be detrimental.

For the sake of argument, let us take at face value that the effect of this bill will be neutral. Maintaining the status quo when koala populations have been so devastated by urban expansion and broadacre clearing is not what we need right now. I find it difficult to reconcile the fact that only eight or nine months ago the world's eyes were on New South Wales as we struggled to extinguish the biggest bushfires in living memory. The fires claimed the lives of millions, if not billions, of native animals; yet today we are considering new legislation that the Minister describes as only maintaining the status quo and going only some way towards arresting the slide of koalas towards extinction.

As I hope I have made clear, the bill traverses the path of complex matters. I note the assurance by the Minister for Agriculture and Western New South Wales that the Government is pursuing other legislative reforms that better aim to protect koalas and increase koala habitat, but this amending bill is perhaps a better indication of the Government's immediate priorities. The bill appears to be more about mending the very well-publicised rift between the Coalition partners over the koala SEPP. I am still not sure who actually wins. This bill may go some way towards cutting some red tape for farmers and may restore some credibility to the Coalition in relation to this issue; however, in my opinion the bill does very little to help with the decline in the koala population in New South Wales. Over the 2019-20 summer we witnessed the devastating bushfires that resulted in a 50 per cent decline in koala populations in the Northern Rivers. The fires burned more than 322,000 hectares of native forests that in all likelihood was koala habitat. Sadly, it appears to many people in the community that sealing fractures in the Coalition and reducing red tape for farmers takes priority over doing something substantial about the catastrophic loss of koalas and koala habitat.

I cannot accept that we are debating this bill before we see the outcome of the Government's inquiry into this issue, which is currently underway by the upper House. Furthermore, this bill is inconsistent with recommendations made by the State's Independent Biodiversity Review Panel, the Natural Resources Commission and the Audit Office of New South Wales. We speak here today about using the best possible science, so then why are we ignoring these expert bodies? [*Extension of time*]

In 2019 a review of the land management framework by the Natural Resources Commission found that land clearing rates in New South Wales had increased by 13 times the amount cleared under the old laws—from an average of 2,703 hectares annually to 37,745 hectares annually under the new laws. Doesn't that raise a red flag? Further, the review reported that biodiversity in nine out of the 11 regions studied were now regarded as "at risk". The 2019 review by the Audit Office of New South Wales expressed similar concerns about environmental risks. The review said that not enough was being done to address unlawful land clearing. Doesn't that raise another red flag? Yet here we are, making it easier to clear land instead of focusing on the environmental disaster that is staring us in the face.

All of these reviews have another common denominator, which is that private land plays a vital role in protecting and indeed rebuilding koala habitat. I accept there are benefits in separating or decoupling various controls over private native forestry [PNF] plans, and I accept that there needs to be clearer rules for farmers and owners of agricultural land. I also accept that someone who wants to repair a fence should not be required to jump through legal hoops to do so. But one look at schedule 5 to the Act shows many "low-impact activities" that, in my opinion, are not necessarily low risk at all. Clearing a tract of native forest to build a new machinery shed is not, in my view, necessarily always a low-impact development. Yes, there needs to be a balance between agricultural purposes and activities such as logging and the demands of maintaining a working, healthy environment. Clearly, we have not been getting that balance right, and I am not sure that we are now.

Private native forestry plans already cover 467,000 hectares on the North Coast alone. Timber harvesting has already been approved on more than 200 properties where PNFs are in place. Also on the North Coast,

45 per cent of land currently controlled by a PNF was burnt in last summer's bushfires. That is not good for anyone: not for farmers, and certainly not for the koalas and other endangered native wildlife. Since 1995, SEPP 44 has required local councils to prepare koala plans of management [KPoMs]. Many have done so and I acknowledge that some of them are recognised in this bill—including Port Stephens, to the north of my electorate. Bellingen is an area I know quite well and I was surprised to hear that its KPoM was not recognised by the bill in the same way as those of Port Stephens, Lismore, Kempsey, Coffs Harbour and Ballina.

I would appreciate the Minister addressing this matter, as I had been given the understanding that Bellingen would be included with the five other local government areas with KPoMs if, indeed, it had been completed. From my discussions with the Minister and his staff, and with the staff of the planning Minister, I understand that may well occur. Otherwise, the exclusion does not stand to reason. We already know that koala populations in this State, along with a host of other native fauna and flora, are declining rapidly in number. We already know that the koala is well on its way to extinction. We talk a lot about getting the balance right on these issues, but at this point the balance is not right. We need something better than a status quo approach to fixing this problem, and we need it very soon. At the very least, we should wait for the results of the current inquiry, add them to the numerous reviews that have already given us the same answers on koala populations and habitat, and act. For those reasons I cannot support the bill at this time.

**Debate interrupted.**

#### *Committees*

### **LEGISLATION REVIEW COMMITTEE**

#### **Reports**

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

**Mrs LESLIE WILLIAMS (Port Macquarie) (12:44:22):** On behalf of the Legislation Review Committee, I address the House on *Legislation Review Digest No. 22* for this Parliament, tabled on 20 October. In this digest the committee examined the five bills introduced in the last sitting week. The committee also considered two statutory instruments and commented on both. I will draw the Parliament's attention to some of the issues raised. The object of the Road Transport Legislation Amendment Bill 2020 is to make miscellaneous amendments to the Road Transport Act 2013 and related legislation following a statutory review of the Act. In reviewing the bill, the committee noted that it contains amendments to increase the statute of limitations for proceedings for certain offences. For example, the bill seeks to insert a new section 202 into the Road Transport Act to extend from six months to two years the period within which proceedings may be brought for certain offences under that Act.

The committee identified that in extending the limitation periods, the bill may expose a person to a penalty for conduct for which a prosecution would not otherwise be possible. However, the committee noted from the bill's second reading speech that Transport for NSW has had difficulty completing investigations for serious and complex matters within a six-month time frame, and that the amendments are intended to provide adequate time frames. Further, the committee noted from the second reading speech that the increased statute of limitations aligns with provisions contained in legislation similar to the Road Transport Act. The committee also considered that a time period of two years is still quite modest. In the circumstances, the committee made no further comment.

I turn to another bill considered by the committee: the Local Government Amendment (Pecuniary Interests Disclosure) Bill 2020. This is a private member's bill which requires councillors, delegates and designated persons to publish their pecuniary interest disclosures—if required under a relevant code of conduct—on council's website. A person is a delegate if a function of council has been delegated to them under section 377 of the Local Government Act 1993, while a designated person may include a general manager of council, a person occupying a senior staff position in council, or a person of a class prescribed by the regulations. The committee identified that requiring the pecuniary interest disclosures of certain individuals, particularly council staff or other persons prescribed by the regulations, may impact on their right to privacy. However, the committee noted further that publication is only necessary if the relevant code of conduct requires that individual to make a pecuniary interest disclosure.

That said, the Model Code of Conduct published by the Office of Local Government in 2020 may also require the disclosure of certain interests of a wide range of relatives, provided that the relevant person is aware of the interest and it is not remote or insignificant. Notwithstanding this, the committee noted that the right to privacy must be balanced against the public interest in ensuring that the pecuniary interests of decision-makers or those who may make recommendations to councillors about planning decisions, such as senior council staff, are transparent. This may help promote information access, prevent conflicts of interest and maintain public confidence in local planning processes. The committee also noted that the second reading speech for the bill stated

that the bill has been introduced in circumstances where some councils do not appear to comply with the guidelines issued by the Information Commissioner under the Government Information (Public Access) Act 2009, which require publication of disclosures on the council's website. In the circumstances, the committee made no further comment.

I turn to a statutory instrument dealt with in the digest: the Crimes (Administration of Sentences) Amendment (X-Ray Scanning) Regulation 2020. The regulation amends the Crimes (Administration of Sentences) Regulation 2014 regarding the control of visits to correctional centres. It provides that an authorised officer can require a visitor to submit to scanning by means of an X-ray scanning device. The regulation also provides that an authorised officer may refuse to allow a person to visit a correctional centre if the person fails to comply with a requirement to submit to X-ray scanning. The committee noted that by including these new measures, the regulation expanded the powers of correctional officers and may impact on a person's right to privacy. However, the committee also noted that the regulation is made under the Crimes (Administration of Sentences) Act 1999, the objects of which are to ensure that offenders held in custody are supervised in a safe, secure and humane manner, to provide for their rehabilitation, and to ensure the safety of the persons who have custody of such offenders. The power to require a visitor to submit to X-ray scanning may assist authorised officers to identify and manage possible persons or items that may pose a threat to safety and security within a correctional centre. In the circumstances, the committee considered this power to be reasonable and made no further comment.

In closing, I thank all committee members for their valuable input and, in particular, acting chair Trevor Khan from the other place for taking on that position in the absence of chair Felicity Wilson. I also thank committee staff for their extensive work in the preparation of the digest. I know I speak for all committee members in especially acknowledging committee manager Elspeth Dyer and thanking her for her work for the Legislation Review Committee. We have very much appreciated her incredible insight and knowledge, as well as her ongoing professionalism. On behalf of the committee I wish Elspeth the very best in her new role. I commend the digest to the House.

**Mr DAVID MEHAN (The Entrance) (12:49:41):** I contribute to debate on *Legislation Review Digest No. 22/57*, dated 20 October 2020. The Legislation Review Committee considered five bills and two statutory instruments and commented on all of them. I encourage members to refer to the digest during debate on the bills in the House today. The committee had cause to resolve to write to the Premier in relation to a report on an inquiry into the operation of the Legislation Review Act 1987. Keen watchers of the committee's work will remember that on 22 November 2018 the committee tabled its report and inquiry into the operation of the Legislation Review Act. The report contained recommendations for the Government. Given the timing of the report, the Parliament had expired before the Government had an opportunity to respond. Subsequently, on 20 August 2019, the committee resolved to endorse the recommendations of that report and write again to the Government and seek its response. I seek leave to incorporate in *Hansard* a copy of a letter from Felicity Wilson, MP, chair of the Legislation Review Committee, to the Premier regarding recommendations contained in report No. 1/56, dated 21 August 2019.

**Leave granted.**

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21 August 2019

The Hon Gladys Berejiklian MP  
Premier  
52 Martin Place  
Sydney NSW 2000

Dear Premier

**Legislation Review Committee Report No.1/56 -  
Inquiry into the Operation of the Legislation Review Act 1987**

I refer to the above report of the Legislation Review Committee in the 56th Parliament, tabled on 22 November 2018 and to your recent letter asking whether the current Committee endorses the recommendations contained in the report.

At a meeting held yesterday, the current Committee resolved to endorse the finding and four recommendations contained in the report, and to seek the Government response to recommendations 2 to 4.

For convenience, I have attached a copy of the original request for a Government response dated 22 November 2018, which includes a schedule of recommendations contained in the report, and a schedule of recommendations relevant to your portfolio. The full report is also available on the Committee's [webpage](#).

Yours sincerely

Felicity Wilson MP  
Chair

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22 November 2018

The Hon, Gladys Berejiklian MP  
Premier  
52 Martin Place  
SYDNEY NSW 2000

By email: [admin@premier.nsw.gov.au](mailto:admin@premier.nsw.gov.au)

Dear Premier

**Report No. 1/56 of the Legislation Review Committee - Inquiry into the operation of the Legislation Review Act 1987**

Reference is made to Standing Order 303A of the Legislative Assembly, which requires that I refer to the relevant Ministers any report of a Committee that recommends that action be taken by the Government. The Standing Order states that there be a report to the House on what action, if any, the Government proposes to take in relation to each recommendation of the Committee. This response must be made within six months of the report being tabled.

I therefore draw your attention to the report of the Legislation Review Committee, entitled *Inquiry into the operation of the Legislation Review Act 1987*, dated November 2018 together with a schedule listing all of the report's recommendations in Attachment A. You will also find in Attachment B all of the recommendations that are relevant to your portfolio. The full report is available on the Committee's webpage at [www.parliament.nsw.gov.au/legislationreview](http://www.parliament.nsw.gov.au/legislationreview)

As the Report was tabled on 22 November 2018, please note that a response is due by 22 May 2019.

Yours sincerely

Helen Minnican  
Clerk of the Legislative Assembly

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**ATTACHMENT A**

Inquiry into the operation of the *Legislation Review Act 1987*

Complete Schedule of Recommendations

**Recommendation 1**

The Committee recommends that the Houses give consideration to amending their respective Standing Orders to require the Member with carriage of a bill to address any matters identified by the Legislation Review Committee during debate on the bill.

**Recommendation 2**

The Committee recommends, in the event Recommendation 1 is not adopted by the Houses, that the NSW Government implement a practice of requiring Ministers with carriage of a bill to address any matters identified by the Legislation Review Committee during debate on the bill.

**Recommendation 3**

The Committee recommends that, for bills where the Houses determine to proceed without the five day adjournment period, the NSW Government implement a practice of outlining in the Second Reading Speech the bill's impact on personal rights and liberties with reference to the rights and liberties determined by the Committee.

**Recommendation 4**

The Committee recommends that the NSW Government consider amending the Legislation Review Act 1987 to establish a joint Committee to examine subordinate legislation, taking into account the recent practice of the NSW Legislative Council Regulation Committee.

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**ATTACHMENT B**

Inquiry into the operation of the *Legislation Review Act 1987*

Schedule of Recommendations relevant to the Premier

**Recommendation 2**

The Committee recommends, in the event Recommendation 1 is not adopted by the Houses, that the NSW Government implement a practice of requiring Ministers with carriage of a bill to address any matters identified by the Legislation Review Committee during debate on the bill.

**Recommendation 3**

The Committee recommends that, for bills where the Houses determine to proceed without the five day adjournment period, the NSW Government implement a practice of outlining in the Second Reading Speech the bill's impact on personal rights and liberties with reference to the rights and liberties determined by the Committee.

**Recommendation 4**

The Committee recommends that the NSW Government consider amending the Legislation Review Act 1987 to establish a joint Committee to examine subordinate legislation, taking into account the recent practice of the NSW Legislative Council Regulation Committee.

The committee met this week on 20 October. At that point it had not received a response from the Government. I appreciate the Premier is a busy person and it is her portfolio. The committee resolved to write again to the Premier seeking a response to that report and inquiry into the Legislation Review Act. Simple recommendations were made that could improve the scrutiny of legislation and it would be great to have that put into operation. We look forward to a response from the Premier on that matter. That concludes my comments on the report. I thank my fellow committee members; we work well together. I acknowledge the work of the staff that support us and echo the acting chair's comments in relation to Elspeth Dyer. We wish her all the best. She has performed a wonderful job in her time with the committee. I commend the digest to the House.

**Report noted.**

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

*Business of the House*

**SUSPENSION OF STANDING AND SESSIONAL ORDERS: QUESTION TIME**

**Mr RYAN PARK:** I seek leave to move a motion to suspend standing and sessional orders to change the duration of question time for today's and tomorrow's sittings.

**Leave not granted.**

*Question Time*

**DARYL MAGUIRE, FORMER MEMBER FOR WAGGA WAGGA**

**Ms JODI McKAY (Strathfield) (14:17:33):** Before I begin, I welcome back the Deputy Premier. It is good to have him back in the Chamber. My question is directed to the Premier. Daryl Maguire complained to the Premier about the Greater Sydney Commission and she took it over. Daryl Maguire complained about Rob Stokes and the Premier stripped him of the Planning portfolio. Daryl Maguire complained about the Premier's department head and she sacked him. Why was Daryl Maguire running the Government?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:17:53):** Before I address that question, I also welcome back the Deputy Premier. It is lovely to have him back. The whole House in acclamation welcomes him. The question by the Leader of the Opposition is consistent with some of her questions put yesterday. It is plainly offensive. What I will say is that every time our Government makes a decision, it is in the interest of the people of this State. That is first and foremost. Whether it is dealing with COVID or natural disasters or challenges we have had with drought in the bush, we always put people first and that is the difference.

**THE HON. GLADYS BEREJIKLIAN**

**Mr CLAYTON BARR (Cessnock) (14:18:52):** Mr Speaker—

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

**Mr CLAYTON BARR:** It is good to see you, Barra. My question is directed to the Premier. The Premier's former chief of staff told ICAC that if she knew Mr Maguire had an interest in United World Enterprises, or UWE, she would have reported it to ICAC. Given that the Premier knew that Mr Maguire had an interest and that they had offered him a job after politics, why did she not report it to ICAC?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:19:13):** This issue has been raised numerous times and I say the same thing: Every decision our Government has taken is for the people of this great State. Every time there is an issue of concern of course action is taken. I say this to those opposite: Let those who have to do the job of looking at these matters do their job and let us be the good Government that we are.

**THE HON. GLADYS BEREJIKLIAN**

**Ms PRUE CAR (Londonderry) (14:19:51):** My question is directed to the Premier. The Premier's office was instructing all ministerial staff to report any concerns they had about Daryl Maguire at the same time that the Premier was hiding what she knew from ICAC. Why were even junior political staffers held to a higher standard than the Premier?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:20:14):** I will reiterate what I have said on a number of occasions. Every day that I have been in my job, every day that I have served the public of this State, the public comes first in the highest levels of integrity and accountability.

**Mr Michael Daley:** Point of order—

**Ms GLADYS BEREJIKLIAN:** I have finished my answer.

**The SPEAKER:** The Premier has completed her answer. The member for Maroubra will resume his seat. I call the member for Maroubra to order for the second time.

#### THE HON. GLADYS BEREJIKLIAN

**Ms YASMIN CATLEY (Swansea) (14:20:50):** I also welcome back the Deputy Premier. It is good to see him and I hope he is well. My question is directed to the Premier. Given Daryl Maguire's conduct has raised alarm bells for the Deputy Premier, two planning Ministers, the Premier's chief of staff, ministerial staff and senior public servants, why did it not raise alarm bells for the Premier?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:21:16):** I appreciate the repetitive questions asked by those opposite, and I say this—

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

**Ms GLADYS BEREJIKLIAN:** If you have faith in the integrity agencies, let them do their job. I also say this: I am incredibly proud of every single public servant and colleague who have made sure that only people who do the right thing get their way.

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

#### RACISM

**Ms JENNY LEONG (Newtown) (14:21:58):** My question is directed to the Premier. Given the need for leadership when it comes to stopping the increase in anti-Chinese racism, will the Premier join me in condemning Senator Abetz for questioning the loyalty of witnesses while they were giving evidence at a recent Senate inquiry and reassure the Chinese-Australian community in New South Wales that no member of her Government will engage in such behaviour?

**Ms GLADYS BEREJIKLIAN (Willoughby—Premier) (14:22:29):** I thank the member for Newtown for her question. I have to confess that I am not across what that Senator said in that particular hearing. I will say the following: Racism of any description has no place in Australia. It is actually anti-Australian to demonstrate racism of any description. Proudly, back in 1996 or 1997 when I was the president of the Young Liberal movement, I was the first person of any political organisation to come out and condemn One Nation for its anti-Chinese rhetoric and its anti-Chinese words. I actually organised a rally against racism and at the time it was regarded as controversial, but I felt strongly about it.

To this day, I thank Minister Ruddock who stood by me and actually turned up, even though it was not an official party position of any major political organisation. I use that as a demonstration of my commitment to Australians of Chinese heritage. They have made an enormous and outstanding contribution to our State and our nation. Racism of any description has no place. We all know in this world that tragedy and worse occurs with words. It starts with words and then violence escalates. I commend the member for Newtown for raising this issue and on behalf of my Government, and on behalf of the Liberals and Nationals, I assert our support for Australians of Chinese heritage. I note their contribution and say that we will always continue to support and welcome them.

#### *Petitions*

#### PETITIONS

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

#### Planning and Development

Petition calling on the Government to close the rezoning review loophole that allows developers to circumvent local councils and to change local zoning rules directly with the Department of Planning, received from **Mr Michael Daley**.

#### Social Housing

Petition urging the Government to build 5,000 new social housing dwellings every year for the next 10 years to reduce homelessness and housing stress in New South Wales, received from **Mr Alex Greenwich**.



**The SPEAKER:** I set down debate on the petitions as orders of the day for a future day.

*Business of the House*

**SUSPENSION OF STANDING AND SESSIONAL ORDERS: GENERAL BUSINESS**

**Mr MARK SPEAKMAN (Cronulla—Attorney General, and Minister for the Prevention of Domestic Violence) (14:25:26):** I move:

That standing and sessional orders be suspended to provide:

- (1) That general business notice of motion (general notice) No. 1250 [Armenia and Azerbaijan Conflict], standing in the name of the member for Prospect, have precedence on Thursday 22 October 2020.
- (2) For the following speaking limits:
  - (a) mover—7 minutes;
  - (b) two Government members—7 minutes each;
  - (c) one Opposition member—7 minutes; and
  - (d) mover in reply—4 minutes.

I note that this is a slight variation on the suspension motion that was circulated to the member for Keira and crossbenchers earlier in the day in that it now provides for two speakers for the Government and two for the Opposition rather than one each. The Government is pleased to provide its full support in according the member for Prospect's motion of precedence.

**Ms JENNY LEONG (Newtown) (14:26:19):** By leave: I put on the record concern regarding the limiting of contributions to notice of motion debates from crossbench members on private members' day. I appreciate that there is agreement between the Government and the Opposition in relation to this matter, but there are nine members of the crossbench and it is a dangerous and disturbing precedent to have such notices of motion on private members' day brought forward by the Government and agreed to by the Opposition. We have long memories in relation to silencing any crossbench members from being able to participate in proceedings.

I am happy to be corrected by the Leader of the House, but I as understand it that motion just referred to a number of Opposition members and does not refer to any crossbench members being able to participate in this debate. Given that it is private members' day, and given that we got out of the habit of reordering notices of motion for this purpose, I would be concerned if this started a precedent whereby an agreement between the Government and the Opposition reordered notices of motion on private members' day to silence the crossbench, on what is our day to raise issues which are important to our communities.

**Mr MARK SPEAKMAN (Cronulla—Attorney General, and Minister for the Prevention of Domestic Violence) (14:27:33):** By leave: I am surprised by the expression of concern from the member for Newtown. This notice of motion is brought by the member for Prospect, which the Government supports. I circulated the suspension at 11.59 a.m. to members of the crossbench. No member of the crossbench has contacted me asking for speaking time. This is a one-off motion brought by the member for Prospect and does not establish any precedent to silence the member for Newtown, or any other member. No member of the crossbench asked to either speak on this motion or seek a variation of the proposed suspension.

**Ms JENNY LEONG (Newtown) (14:28:19):** By leave: I put on the record concerns around the precedent of removing any crossbench participation as a general principle if the numbers in the House align.

**Mr MARK SPEAKMAN (Cronulla—Attorney General, and Minister for the Prevention of Domestic Violence) (14:28:41):** By leave: If any member of the crossbench wishes to speak on the motion, I would imagine that the Government and the member for Prospect's positions would be that they would be given time.

**The SPEAKER:** I have been reasonably liberal in allowing an exchange across the House, because it addresses an important principle. In the absence of a proposed amendment or request from the crossbench, it will be taken as a statement. I note that the motion was listed as number four on the order for tomorrow. But that is not so much the issue. The issue is crossbench participation. So in the interests of harmony, I will say that the point has been made. The question is that the motion be agreed to.

**Motion agreed to.**

*Petitions***RESPONSES TO PETITIONS**

**The CLERK:** I announce that the following Ministers have lodged responses to paper petitions signed by more than 500 persons:

The Hon. Paul Toole—Regional Seniors Travel Card Program—lodged 16 September 2020 (Ms Sonia Hornery)

The Hon. Paul Toole—Jervis Bay Road Flyover—lodged 15 September 2020 (Ms Yasmin Catley)

**The CLERK:** I announce that the following Minister has lodged a response to an electronic petition signed by more than 500 persons:

The Hon. Andrew Constance—Sydney Metropolitan Region 8 Bus Route—lodged 15 September 2020 (Mr Chris Minns)

*Bills***HEALTH LEGISLATION (MISCELLANEOUS AMENDMENTS) BILL 2020****Consideration in Detail****Consideration of the Legislative Council's amendments.***Schedule of amendments referred to in message of 20 October 2020***No 1 SFF No. 1 [c2020-183B]**

Page 2, clause 2. Insert after line 9—

(4) Schedule 9.1A commences, or is taken to have commenced, on 1 November 2020.

**No 2 OPP No. 1 [c2020-182C]**

Page 2, clause 2. Insert after line 9—

(4) Schedule 9.2A commences, or is taken to have commenced, on 1 November 2020.

**No 3 SFF No. 2 [c2020-183B]**

Page 25, Schedule 9. Insert after line 6—

**9.1A Gas and Electricity (Consumer Safety) Act 2017 No 15****[1] Section 4 Definitions**

Omit paragraph (c) from the definition of *medical facility* in section 4(1).

**[2] Section 4(1), definition of 'medical gas installation'**

Insert 'in a medical facility' after 'lines'.

**No 4 OPP No. 2 [c2020-182C]**

Page 25, Schedule 9. Insert after line 12—

**9.2A Home Building Act 1989 No 147****[1] Section 15A Unqualified mechanical services and medical gas work**

Insert after section 15A(6)—

(6A) This section does not apply to a person who is a registered medical practitioner or a registered nurse who is commissioning, testing, verifying or witnessing a medical gas installation in the course of carrying out the person's functions as a registered medical practitioner or a registered nurse.

**[2] Section 15B Unqualified medical gasfitting work**

Insert after section 15B(6)—

(6A) This section does not apply to a person who is a registered medical practitioner or a registered nurse who is commissioning, testing, verifying or witnessing a medical gas installation in the course of carrying out the person's functions as a registered medical practitioner or a registered nurse.

**[3] Section 15C Unqualified medical gas technician work**

Insert after section 15C(5)—

(5A) This section does not apply to a person who is a registered medical practitioner or a registered nurse who is commissioning, testing, verifying or witnessing a medical gas installation in the

course of carrying out the person's functions as a registered medical practitioner or a registered nurse.

**[4] Section 33E Additional requirements for obtaining endorsed contractor licenses and supervisor and tradesperson certificates relating to mechanical services and medical gas work**

Omit 'A supervisor or tradesperson certificate must not be issued, and a contractor licence must not be endorsed to show that it is the equivalent to a supervisor certificate,' from section 33E(1).

Insert instead 'A tradesperson certificate must not be issued'.

**[5] Section 33E(1A)**

Insert after section 33E(1)—

- (1A) A supervisor certificate must not be issued, and a contractor licence must not be endorsed to show that it is the equivalent to a supervisor certificate, that authorises its holder to do (and to supervise) mechanical services and medical gas work unless the Secretary is satisfied that the applicant—
  - (a) has successfully completed the VET qualification Certificate IV in Plumbing, and
  - (b) has successfully completed the following units of competency in the Construction, Plumbing and Services Training Package—
    - (i) Install medical gas pipeline systems,
    - (ii) Carry out WHS requirements, and
  - (c) has not less than 2 years of experience in mechanical services and medical gas work after the completion of that qualification.

**[6] Section 33F Additional requirements for obtaining endorsed contractor licenses and supervisor and tradesperson certificates relating to medical gasfitting work**

Omit 'A supervisor or tradesperson certificate must not be issued, and a contractor licence must not be endorsed to show that it is the equivalent to a supervisor certificate,' from section 33F(1).

Insert instead 'A tradesperson certificate must not be issued'.

**[7] Section 33F(1A)**

Insert after section 33F(1)—

- (1A) A supervisor certificate must not be issued, and a contractor licence must not be endorsed to show that it is the equivalent to a supervisor certificate, that authorises its holder to do (and to supervise) medical gasfitting work unless the Secretary is satisfied that the applicant—
  - (a) has successfully completed one of the following VET qualifications—
    - (i) Certificate IV in Plumbing,
    - (ii) Certificate IV in Gas Fitting, and
  - (b) has successfully completed the following units of competency in the Construction, Plumbing and Services Training Package—
    - (i) Install medical gas pipeline systems,
    - (ii) Carry out WHS requirements, and
  - (c) has not less than 2 years of experience in medical gasfitting work after the completion of that qualification.

**[8] Section 33G Additional requirements for obtaining endorsed contractor licenses and supervisor and tradesperson certificates relating to medical gas technician work**

Omit 'A supervisor or tradesperson certificate must not be issued, and a contractor licence must not be endorsed to show that it is the equivalent to a supervisor certificate,' from section 33G(1).

Insert instead 'A tradesperson certificate must not be issued'.

**[9] Section 33G(1A)**

Insert after section 33G(1)—

- (1A) A supervisor certificate must not be issued, and a contractor licence must not be endorsed to show that it is the equivalent to a supervisor certificate, that authorises its holder to do (and to supervise) medical gas technician work unless the Secretary is satisfied that the applicant—
  - (a) has successfully completed one of the following VET qualifications—
    - (i) Certificate IV in Plumbing,

- (ii) Certificate IV in Gas Fitting,
- (iii) Certificate IV in Engineering, and
- (b) has successfully completed the following units of competency in the Construction, Plumbing and Services Training Package—
  - (i) Install medical gas pipeline systems,
  - (ii) Carry out WHS requirements, and
- (c) has not less than 2 years of experience in medical gas technician work after the completion of that qualification.

**Mr BRAD HAZZARD (Wakehurst—Minister for Health and Medical Research) (14:30:47):** I move:

That the Legislative Council's amendments be agreed to.

The amendments to the Health Legislation (Miscellaneous Amendments) Bill 2020 were proposed by Opposition members in the Legislative Council yesterday. They were revisions to amendments to the Gas Legislation Amendment (Medical Gas Systems) Bill 2020, previously put forward by the Opposition. The medical gas reforms are due to commence on 1 November 2020. The amendments to the bill revised the medical gas reforms to ensure that veterinary hospitals were not included; ensure that medical practitioners and registered nurses were not inappropriately captured; and to make some clarifications regarding the level of qualifications required for working unsupervised, or when supervising others. All of the amendments are sensible and accepted. They are supported by the Government for the reasons articulated in the other place by the Hon. Natasha Maclaren-Jones, MLC, Parliamentary Secretary for Health. I commend the amendments to the House.

**The SPEAKER:** The question is that the Legislative Council amendments be agreed to.

**Motion agreed to.**

## **LOCAL LAND SERVICES AMENDMENT (MISCELLANEOUS) BILL 2020**

### **Second Reading Debate**

**Debate resumed from an earlier hour.**

**Mr KEVIN ANDERSON (Tamworth—Minister for Better Regulation and Innovation) (14:33:03):**

I make a contribution in support to debate on the Local Land Services Amendment (Miscellaneous) Bill 2020. I thank the Minister for Agriculture and Western New South Wales for his work to pull the bill together. I also acknowledge the collaborative work that has been done across the Government to land on a position where there are now existing robust protections for threatened species and their habitat in the private native forestry [PNF] network. These protections include measures to ensure that any harm caused by breaching the protections afforded by the private native forestry network are accompanied by penalties or imprisonment. We need to ensure that we look at the decoupling of agriculture and private native forestry with regard to the State environmental planning policy [SEPP] to allow farmers to do what they do best—earn a living from their land. They own the land and they are the custodians of that particular piece of country which, in some cases, they have owned for generations. Like their forefathers, they toil the land to provide food and fibre for Australia, and indeed the world.

Details of the Local Land Services Amendment (Miscellaneous) Amendment Bill 2020 have been widely canvassed by other contributors to the debate so I will not go into the details in depth. But I was a little disappointed with the member for Lake Macquarie, who seemed to suggest that this bill had some hidden agenda, or he was trying to send a clear message about the unrest between the Liberals and The Nationals. There are times when one needs to stand up and the voices need to be heard. On this occasion we on this side believed this was an area that needed further clarification, particularly in relation to the SEPP. Those clarifications were brought to the table, the discussions were continued and, as many have already articulated, we now have a very balanced position with this bill.

It is absurd to suggest anything other than our deep commitment to the agricultural industries in rural and regional New South Wales and the sustainable land management that our farmers undertake on a day-to-day basis. Those Johnny-come-latelies all of a sudden think it is a chic thing to do to care for koalas and they want to be the great protectors of the koala. Many of those opposites have probably never in their life seen a koala in the wild. I draw my deep knowledge of koala habitat from Gunnedah. Gunnedah, in my electorate, is the koala capital of the world and it is where for many years restoration and protection of koala habitat has happened on a daily basis. It is not a fad, as those opposites suddenly seem to think it is great and Australian to get in behind the koala. On a daily basis, week on week, year on year, decade on decade, we look to protect and restore koala habitat at every opportunity and we have evidence of that.

The koala corridors that are planted in and around Gunnedah are rows of trees that allow koalas to traverse different areas of their natural habitat. In addition to that the blinky drinkers have been provided to koalas during the worst drought on record. Given the recent rain, for the first time in three years farmers in the Gunnedah Basin are about to start a harvest. That puts food on the table and keeps a roof over their heads and they are rejoicing. But those same people during the worst periods of drought, when they were at their lowest ebb, were still looking after the environment and still looking at sustainable land management.

They did not think, on a whim, "Oh, that might be a fun thing to do." This is what they do on a day-to-day basis. They are planting trees for a koala habitat, planting trees for a koala corridor, making sure that existing feed habitat trees are among those corridor trees and making sure there are blinky drinkers—little containers with water that local and urban Landcare groups checked consistently to ensure there was water for those koalas. That is what our people do on a daily basis. It is not because suddenly koalas are in the headlines and we need to try to get a few runs on the board. Our farmers are the best land managers and the best conservationists. When it comes to sustainable land management it is what they do on a daily basis.

In relation to what we do on a daily basis looking out for the protection and restoration of koala habitat, the areas in which they live, breathe and play, for example, in Gunnedah recently \$7 million was granted to the Gunnedah Shire Council to build an education and health centre for koalas. After all, Gunnedah is the koala capital of the world. That was done well before it became a headline act for those who suddenly think koalas are important. We have been doing it day in and day out, as I said. As well as the blinky drinkers, the koala corridors and the koala hospital and education centre, a lot of work is also going on to think about what happens on a much broader scale, not just in and around Gunnedah.

When I think about what we have been doing across the State I realise it is not about land clearing. It goes to the heart of the Labor Party and the inner-city Greens who think this is all about land clearing when it is quite the opposite. In fact, we are replanting and regrowing, as I have mentioned, with the koala corridors. The main problem that came out of the past eight to 12 months in relation to the koala population being decimated was not about those in regional New South Wales, particularly in the New England north-west, who have been going out and land clearing as those opposite are wont to say; it is about the bushfires. It is about those horrific, deadly bushfires that occurred on the North Coast, on the South Coast and in other parts of regional New South Wales. That was the issue that wiped out a lot of the koala population. So we will continue to do what we do best: protect our flora, protect our fauna and continue to be sustainable land managers in regional New South Wales. Again, it is absurd to think that we are doing anything apart from restoring and protecting koala habitat. It is in our DNA. It is what we do day to day and we do it because we know it is right, not because we think it is a headline.

**Ms LIESL TESCH (Gosford) (14:41:17):** I speak in debate on the Local Land Services Amendment (Miscellaneous) Bill 2020 and thank the shadow Minister for Primary Industries and the shadow Minister for Natural Resources who are present in the House today. I also thank our shadow Minister for planning in the other place, our shadow Minister for the environment and the member for Lismore, who have been doing a lot of consultation on this legislation, looking after stakeholders across New South Wales and their concerns for the environment of this State.

After the unprecedented devastation of the 2019-20 bushfires, people would have thought even the Liberal Party might join us in the twenty-first century and acknowledge the need to care about protecting the unique wildlife and environment of New South Wales—an important tourist attraction in the future as the State reopens. Then The Nationals had their public tantrum and we were right back to normal programming, prioritising dollars and developers over communities and the environment of the State that those opposite are supposed to govern. This bill is a death sentence for koalas. Any reasonable protections they have previously had would be completely eroded by this greedy and reckless legislation.

This bill will mean that land classified as the environmental zone, or E zone, will now have certain allowable activities that can enable land clearing without the approval process that was previously required. E zones are intended to provide protection to land that is suitably identified as warranting this protection due to its important environmental value. Clearing should not be allowed to go ahead unchecked in these zones. Maintaining national parks and State forests is not enough to save our koala population and we know that. We need to protect koalas throughout New South Wales even when they are in habitats that come across into private land.

Another alarming feature that has been incorporated into this bill is the attempt to destroy even the most minor sources of transparency in this sector. This is a disgrace. Once again the Government is showing that it will do anything to avoid any shred of accountability. Instead of keeping crucial information about koala habitat online where it can be accessed by people across New South Wales the Government is placing physical copies in a departmental building in Sydney. That is an absolute disgrace and it belongs in the Dark Ages. The koala State

environmental planning policy states the maps adopted by this policy are to be deposited at the head office of the Department of Planning, Industry and Environment and made available for public access.

I do not know about you, Mr Speaker, but when I try to get public access to anything it is very difficult and I do not want to be traipsing to Sydney to look into the bowels of an office to find out the areas that need or need not be protected. Apparently the Liberal-Nationals Government thinks that a physical map in Sydney is easier for public access than a PDF that is available on every computer across the State, when what it is really doing is trying to hide the damage it is causing to our environment. If this Government were as environmentally friendly as the member for Hornsby loves to proclaim to any newspaper that will listen, it would not have to hide these maps in the basement of a government department in the CBD. This is a huge step backwards in access and transparency. The only map that is still in operation under the amendments is the site investigation area for koala plans of management map, which identifies land in a koala plan of management developed by a local council. This has been made available online prior to the recent amendments. There is no justification for the decision to no longer make this map available online.

Next in a long list of problems with the bill is that it only wants to protect koalas in a handful of local government areas. Previously, koala habitats have had to be designated as category 2 land, which affords them a level of regulation and protection when clearing. Under the bill only habitat in Ballina, Coffs Harbour, Kempsey, Lismore or Port Stephens will be mandatorily classified as category 2. Does the Government only care about koalas in those areas, or does it care about koalas in my electorate? I commend the work of Jake Cassar, an activist in our community who has invested his own money to have cameras installed at night to spot koalas across the Gosford electorate. I agree that we should protect koalas in Ballina, Coffs Harbour, Kempsey, Lismore and Port Stephens but we also need to protect koalas across the State.

The bill will require habitat to be recognised as category 2 only if it is subject to a plan of management approved and enforced on or before 6 October 2020. Just like this Government, the Minister has frozen this bill in time. Meanwhile, land clearing, bushfires and climate change will continue to ravage the habitat of one of New South Wales' most precious and unique species. Our most recent bushfires destroyed roughly a third of koala habitat. Now the Government is clearly determined to destroy the other two-thirds. We already knew that the Government does not care about anything other than money. So let me frame the bill in the language of dollars and cents. According to a report by the Government, wildlife and nature-based tourism accounted for \$21.3 billion of spending from 31.1 million visitors in 2018. It breaks my heart. After the bushfires I spoke of the story of the Lorax. I say once again: If we destroy our bush and the wildlife living in it, we will destroy our future. We will definitely destroy our tourism industry and, with it, dozens of regional communities and the livelihoods of more than 180,000 people who work in the tourism industry.

I point out the great work done by the Pearl Beach arboretum in securing funding to support koalas in our community. According to the Government we are not even on the map to protect koalas. The unique and vast bushland and native animals of Australia are a driving force of our identity and our tourism industry. We cannot afford to threaten these flora and fauna with the constant squeeze of land clearing and bushfires. Labor has consulted widely across New South Wales with members of this sector. We know the important role that people in this sector play across our great State. Yet this Government and its developer mates, who are driving this legislation, lack the consultation and accountability, and that has been going on since 2017. Combining 3½ Acts into one bill does not create a solution.

The Government does not realise the impact on forestry when it changed the timing from 30 to 15 years harvest. In my simple geography class I reckon kids would understand that means trees are being harvested much younger, forcing the changing shape of our forests. Shareholders have been very patient with the Government yet they have been let down. There have been promises to farmers and the timber industry and they have been let down. I agree with the member for Lake Macquarie: this is a backdown by the Premier. She managed to get credit after telling The Nationals where to go. Far from standing up to The Nationals, she is now letting down the whole of New South Wales and letting developers rule the roost at the expense of our native habitat and wildlife and the future of the natural spaces across this State.

**Dr JOE McGIRR (Wagga Wagga) (14:49:00):** I make a small contribution to debate on the Local Land Services Amendment (Miscellaneous) Bill 2020. I understand the aim of the bill is essentially to decouple the State Environmental Planning Policy [SEPP] No. 44—Koala Habitat Protection from the land management framework and ensure that rural land is overseen and regulated through the Land Management (Native Vegetation) Code, overseen by Local Land Services [LLS]. I understand this was a genuinely recognised unintended consequence of the State environmental planning policy put in place earlier this year, the intention of which was to address protection of habitat in non-rural areas.

I state at the outset that I recognise the protection of the koala is critical. I support the State environmental planning policy and I look forward to the Government's response to ongoing inquiries. The SEPP is a first step to

hold numbers as they are and more action is needed. I look forward to hearing what will be the Government's action in that regard. I also recognise the importance of protections for farmers and their land management. It is critical that we work with rural and regional communities as we implement any reforms. Government should be done with people; it should not be something that is done to people. Farmers know how to look after their land. We should work with them when we implement reforms.

The land management framework is the mechanism for this and it has quite specific and stringent requirements about habitat replacement. Allowable activity land in the amendment bill relates to the farming land that has previously been rezoned from rural use to environment zones. The changes will allow farmers in these areas to access the limited suite of allowable activities under the Land Management Code. Presently under the requirements farmers in these E zones potentially need development applications from councils to construct new fences. This can be difficult. We do not need to add to farmers' difficulties, especially in the wake of the bushfires and drought.

Nevertheless, I am concerned that the latest science, the new restrictions in the SEPP, should still apply under the LLS legislation proposed. I seek an assurance from the Minister in his reply that the new science will apply under the Land Management Code and Private Native Forestry Codes of Practice. The additional tree species and the koala habitat definitions should apply. I note these codes require the concurrence of the Minister for Environment, which would be a further reassurance. I believe that the system and funding under the Biodiversity Conservation Trust should be improved so that farmers have the support that they need to seamlessly implement where possible improvements to their land to protect the environment. I am puzzled that this could not have been worked out before now. Generally discussions on the SEPP have been going on for more than a year in the bureaucracy and in Cabinet. I believe people have been genuinely disappointed in the public blow-up that preceded this legislation. Good government requires robust discussion but it also requires transparency and constructive and cooperative discussion unmarred by the theatre of politics.

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Agriculture and Western New South Wales) (14:52:21):** In reply: I thank all members who have contributed to the debate on the Local Land Services Amendment (Miscellaneous) Bill 2020. It has been robust and, dare I say, enlivening. I acknowledge the speakers from the Government: the Minister for Regional Transport and Roads, and member for Bathurst, Paul Toole; the member for Upper Hunter, Michael Johnsen; the member for Clarence; the member for Myall Lakes; the Deputy Premier, and member for Monaro, John Barilaro; the Minister for Water, Property and Housing, and member for Oxley, Melinda Pavey; the member for Coffs Harbour; and the Minister for Better Regulation and Innovation, and member for Tamworth. I also acknowledge all of the non-government members for their thoughtful contributions to the bill: the shadow Minister for Primary Industries, and member for Maitland, and the members representing the electorates of Port Stephens, Summer Hill, Orange, Ballina, Newtown, Sydney, Balmain, Lake Macquarie, Gosford and Wagga Wagga.

I turn to the topic that I struggled to wrap my head around listening to the debate. It is the Opposition's opposition to the bill—at least I think it was opposing the bill because at various stages the member for Maitland and other members were speaking in favour of some components of the bill. I am not sure whether they have read the bill or understood what they were saying. Speaker after speaker stated the failures of the bill were the reason they were not supporting it, but what stumped me in particular was that some of the supposed flaws or issues in the bill that were outlined were addressed by the very content of the bill. Some of the examples used to argue against the bill are the very things that will be solved if the bill is enacted into law. That caused me to question whether there is a detailed understanding of what is before the House. I acknowledge that the land management framework, the land management code and the private native forestry [PNF] codes are nuanced. They are complex because these issues of managing the needs of productive agriculture and private native forestry and environmental considerations, particularly around threatened species, are nuanced. It is not a binary argument or one that some in this debate have sought to put it—that is, if one is a pro-farmer one is anti-koala or if one is pro-koala one is anti-farmer.

This bill seeks to ensure that both interests are protected—that is, the farmer's right to undertake routine agricultural activity is preserved without any unintended consequences of the implementation of the SEPP and, at the same time, to allow those increased and rigorous protections for koala and koala habitat to have effect across the State through the introduction of the new State environmental planning policy. I am very concerned whether this faux opposition to this bill from the Opposition is actually the genuine position of the Labor Party. Not only is this the second time that Labor will be attempting to vote down a pro-farming piece of legislation, which is shocking in and of itself but also—

**Ms Jenny Aitchison:** Why don't you come to the House with a bill that is actually correct and does not have to be amended before you start?

**Mr ADAM MARSHALL:** When will you come with your right to farm bill, of which you gave notice in October last year? I have not seen anything. You never presented anything and it lapsed. You could not even get it through your own shadow Cabinet. You got rolled by the member for Port Stephens. You get rolled every time. You may as well get rid of the shadow agriculture portfolio because you do not believe in it. You don't believe in it at all.

**The SPEAKER:** I allowed the Minister to reply to the interjection. I ask the Minister to concentrate his comments on the reply and I ask the shadow Minister to refrain from interjecting.

**Mr ADAM MARSHALL:** This position would potentially put the Opposition at odds with how its workers' organisation representatives, as well as farming representative bodies, feel about this bill. It is a sort of a weird sense of political déjà vu. Last time the Opposition voted to oppose the right to farm bill because the unions did not like it very unfairly, as they put it, pitting farmers against unions—when, in fact, they are often two sides of exactly the same coin. The Opposition is also voting against this bill, despite the fact that working-class unions that represent forestry and farming workers support it.

We have heard a lot about all of the representative groups but not once from those opposite did I hear any mention of the position of the Construction, Forestry, Maritime Mining and Energy Union or the Australian Workers' Union in relation to this bill. They represent the workers in forestry and farming industries. We all know why Opposition members did not raise it. Once again we not only have on the record proof that those opposite do not support farmers and farming interests but also we have potentially a shadow agriculture spokesperson who is at odds with her own party in response to this bill.

A vote to oppose this bill is not just a vote to betray the best interests of farmers and the environment; it will also go against the very great voices that built the Labor movement in rural and regional New South Wales—names like Jack Renshaw and Bill McCarthy. We are talking about absolute titans of the Labor movement when the Labor movement actually listened to the voices of country people. Being vaguely supportive of some parts of this bill at the beginning of a speech whilst still voting it down does not pass the test of reason for opposition. I question whether it is genuine or faux opposition to appeal to the interests of the member for Port Stephens or other such people.

It is extraordinary also in this debate that not only did the member for Maitland, backed up by the member for Summer Hill, speak in defence of the now repealed Native Vegetation Act 2003—which a year-long review process found was causing a decline in biodiversity in New South Wales—but she also spoke in favour of having the Native Vegetation Regulatory Map introduced. I am not talking about SEPP maps but the Native Vegetation Regulatory Map, which was proven to not be able to tell the difference between a shrub, a tree, a plantation, a house or a set of goalposts on a rugby league field—or rugby union for the benefit of the member for Myall Lakes, for whom "league" is a bad word. That mapping tool is not accurate, which is why those maps have never been used. It was an astonishing admission. It is now on the record that if those opposite were on this side of the House not only would we go back to the Native Vegetation Act 2003 but we would also have regulatory mapping, which has been disproven not just in the context of the land management framework but also in the context of the State environmental planning policy.

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

**Mr ADAM MARSHALL:** The reality is that that has been acknowledged by the Minister for Planning and Public Spaces, the Hon. Rob Stokes, and I pay enormous credit to him for that.

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

**Mr ADAM MARSHALL:** The reality is, as we know on this side of the House, the reintroduction of the Native Vegetation Act 2003 would absolutely crush agriculture in this State. We have heard today for the very first time on the record that that is exactly what those opposite will do.

**The SPEAKER:** Order! The member for Port Stephens has disregarded my calls to order. I call the member for Port Stephens to order for the third time.

**Mr Paul Toole:** It is a kick in the gut.

**Mr ADAM MARSHALL:** It is a kick in the gut. If farmers want the Native Vegetation Act 2003 back on the statute books in New South Wales, they now know to vote for those opposite because today they have said that they will reintroduce it. Not only will farmers not forget but we will make sure no-one in this State forgets about that. I turn now to some of the substantive issues raised by all members in relation to specific divisions set out in the Local Land Services Act. Some of that opposition is simply based on misunderstandings and I will give those opposite the opportunity to change their position before the final vote.



First, the SEPP is not weakened by this bill, contrary to what the member for Port Stephens said. In fact, as the member for Wagga Wagga correctly stated, it will be implemented wholly as the Minister for Planning and Public Spaces seeks to implement it. It remains an updated and scientifically based instrument that expands the number of koala feed trees, the definitions and it imposes new standards on any developer right across the State. The bill rescopes the Local Land Services Act and the SEPP which is, by its nature, a planning instrument where it is designed to apply to developments. That is permanent land use change, as is regulated by the Environment Planning and Assessment Act 1979. The SEPP and the new guidelines are on the planning website right now. They contain new, far stricter conditions for developers.

The bill holds developers to a much higher standard. It brings them up to the standards that we expect of farmers who are subject to a regulatory environment that both codifies their operations and subjects them to penalties under both the Local Land Services Act and the Biodiversity Conservation Act, which I will talk a little bit more about later. Further, the old approved koala plans of management [KPoMs], have been grandfathered in this bill. That means, as I have already said publicly, the preservation of the status quo for both koalas and farmers in that regard. The member for Ballina raised the issue of a Ballina KPoM. The advice that I have received from the Department of Planning is that the Ballina KPoM has not yet been approved, which is why it is not grandfathered in this bill.

The inclusion of Bellingen will be addressed in the other place. The member for Oxley should be thanked by the Bellingen community for her advocacy on their behalf. I also thank the member for Lake Macquarie for his sincere discussions on this matter. I also draw the House's attention to the comments made by the member for Maitland about all the "moving parts" and the confusion that is caused by the bill. To paraphrase, she said that farmers just want to get on with farming. With respect, that is exactly what this bill does. That is exactly what it is all about.

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

**Mr ADAM MARSHALL:** The provisions in the bill clear up the unintended red and green tape and confusion that occur when the planning system and farming regulations intersect. Those members opposite still do not get that you have got a land management framework that has built into it clear and rigorous environmental protections for all threatened species—not just koalas, but all threatened species. Then you try and overlay that with the planning system, which is designed to regulate land use change rather than routine agricultural activity. Decoupling the SEPP from the Local Land Services Act 2013 means there is no risk of the LLS Act being deactivated unnecessarily or in an unintentional way. This is contained in schedule 1 [10] to the bill, which I do not think those members opposite actually read.

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

**Mr ADAM MARSHALL:** Section 60P of the LLS Act is a clumsy section that creates exemptions to an exemption. The bill would quite simply address the thousand words levelled at me last time by the member for Maitland during debate on the Right to Farm Bill 2019 regarding concerns about the planning system impacting agriculture. That is exactly what the bill before the House does: It addresses the intersection of the planning system across routine agricultural activity. We are creating more consistency for farmers—and, indeed, councils—when it comes to how farmers are managed when their land, or part of it, is subject to environmental zones.

The environmental zone, or E zone, issue is one that kept coming up in the debate on the bill. A lot of members raised it and I would like to take the House through the issue right now. It was said many times in the debate that farmers will be able to clear land in E zones. To be clear, that is not true. There is no code-based clearing allowed in E zones now and there will be no code-based clearing allowed in E zones if this bill passes the Parliament. It just is not allowed to occur, period. This bill does not enable that—not in any way.

Despite the rhetoric from those members opposite, they were not able to point to a single section of the bill that actually allowed that practice, because it does not. If those members look at schedule 1 [2] to the bill—bookended by defences at schedules 1 [7], 1 [8], 1 [9] and 1 [11] to the bill—we are extending the reach of the allowable activities only, which is contained in section 60Q of the LLS Act for farmers in E zones, and not code-based clearing. As the member for Wagga Wagga correctly stated, it is the limited suite of allowable activities. Ironically, this resolves the issue that the member for Maitland raised about the farmer in Ballina shire needing a development application—

**Ms Jenny Aitchison:** The issue your Government created.

**Mr ADAM MARSHALL:** Well, it was your example.

**The SPEAKER:** The member for Maitland will cease interjecting. I call the member for Maitland to order for the second time.

**Mr Paul Toole:** No wonder the briefings are a waste of time.

**Mr ADAM MARSHALL:** I am glad the Minister raises this, because the example the member for Maitland raised about the farmer in the Ballina shire needing a development application actually came from the briefing my office gave her!

**Ms Jenny Aitchison:** No, it didn't. I heard it before that, Adam.

**Mr ADAM MARSHALL:** It did! It came from the briefing my office gave her. It was an example of why we need this bill in place, so that that farmer in Ballina shire does not need to lodge a development application with council to replace a boundary fence that was damaged. That is part of the limited suite of allowable activities: allowing a farmer to rebuild a boundary fence on their property. If we did not make this change, we could face a situation where a farmer could not replace their boundary fence on their property if it actually had an E zone put over the top of it through a KPOM created under the new SEPP. That is what we are doing by decoupling the LLS Act from any impact from the SEPP. That is the important distinction. Yes, a limited suite of allowable activities will be allowed, but not code-based clearing as was stated again and again during this debate by a cavalcade of members opposite. They would know that if they had actually read the bill. It is there in black and white. It just means farmers can keep on farming—

**Ms Jenny Aitchison:** It was a bit hard. Which version do you want us to read: the one you are putting today or the one you amend next week?

**Mr ADAM MARSHALL:** No-one is listening to you. Whether it is E2, E3 or E4 zones, there will be no code-based clearing. I do not know how many times I have to say that. It just means that farmers will not need to lodge a development application with their local council to undertake those routine activities. That is not only good for farmers, but I do not know of any regional councils that want to have to chew up more time in their planning departments dealing with routine activities like fences when they have got things they need to be concentrating on. I also clarify that the bill does not stop any E zone being created by any council under the standard local environmental plan [LEP] instrument, either. It does not undermine E zone requirements or impact E zones that do not capture rural regulated land, because this bill is about the LLS Act. It is not changing anything in the planning Act—not a single thing. Again I state that there is absolutely no code-based clearing allowed.

The member for Balmain asked the question about what "timber for construction" means in the bill. It means using timber off your land that you own to construct something such as a fence. It does not happen very often, but some farmers fell timber on their own farms to construct fence posts for boundary or internal fencing. That provision is there to make sure that practice is allowed to continue—not because it is something new, but because that is allowed right now. The bill ensures it will continue to be allowed. That is an important fact about this bill: It is not about giving farmers the ability to do anything more than they can legitimately and lawfully do right now. It is about ensuring that those legitimate and lawful activities are able to continue and are not taken away unintentionally by the implementation of the SEPP.

I turn to the private native forestry provisions of the bill. The decoupling provisions in the E zones are ostensibly supported by those members opposite—that was certainly the indication given by the member for Maitland. The science of the SEPP remains unchanged: more trees and expanded habitat definitions. Again, members cannot just say, "We support the private native forestry bits but we are basically going to rubbish the rest." It just makes no sense whatsoever. There were also statements made by members in the debate that Local Land Services [LLS] needs more funding and there is a need for more compliance. I make this quite clear: LLS has over 1,200 staff on the ground in rural and regional New South Wales. Year on year we have increased the number of staff that LLS has. Why? Because the extension work that they do on farm is absolutely crucial to helping farmers in so many ways, particularly in drought.

However, LLS does not do compliance. I am assuming that the Opposition does not believe LLS does compliance. Perhaps it was just a mistake, and I will accept it as such. But just to be clear: Local Land Services does not do compliance work. That is not its function. Under the land management framework and private native forestry framework, the compliance activities are provided by different agencies within the New South Wales Government: the Department of Environment, Energy and Science for the land management framework; and, as the member for Wollongong would know, in the private native forestry space the Environment Protection Agency is the regulator and compliance people.

Local Land Services does not do compliance for good reason. It would certainly be a conflict to have the people who hand out the approvals also policing the approvals. That is why it is separated. It was separated under the land management framework and that separation will continue—this bill does not change that whatsoever. If members have any concerns about there not being enough compliance action taken I suggest that they take that up with the appropriate Minister, because it has got nothing to do with the bill before the House today. Members

should not conflate the compliance roles with this bill. As the member for Ballina so elegantly put it, to do so would be "un-logic", which is a new term I did not know about until today. I think it would be "un-logical" to conflate those two issues in this debate.

As for the subject raised about consultation and the three-year review, it is underway right now. Opposition members know this, because they were briefed about it last Friday. There were seven or eight Opposition members on that call. If they have not all had collective amnesia they will know that is actually happening. The Private Native Forestry Codes of Practice have been publicly consulted on for a number of months and will be ticked off very shortly by both myself and the Minister for Energy and Environment. That should give the member for Wagga Wagga some assurance regarding the issue he raised, because there is concurrence required in the creation of those new codes between myself and the Minister for Energy and Environment. If members are concerned that I might not be objective when it comes to these things, the Minister for Energy and Environment certainly has to sign off on those matters as well. It is not just the sole decision of the Minister administering the Act.

During debate the matter of developers was raised over and over again. For over 20 minutes I dealt in detail with this issue during my second reading speech. I make very clear that the changes that will be made as part of a SEPP and this bill together make it even tougher for developers—not easier and not the same, but tougher—because they will be totally subjected to the requirements of the new SEPP. Anyone who lodges a development application will be subject to the new higher standards. A SEPP is not needed to control clearing on a farm. Land clearing without authorisation is already illegal. Both the SEPP and the amended Local Land Services Act will protect koalas and koala habitat. The SEPP seeks to protect koala habitat from urban sprawl and the Local Land Services Act does not just protect koalas but all threatened species and their habitat in New South Wales.

Under the Biodiversity Conservation Act offenders can be sent to jail for two years for harming a koala or its habitat under the land management framework or may face a fine of \$1.65 million, or both. The penalties are the toughest of any jurisdiction in this country. The penalties are at a much higher threshold than any SEPP could deliver. I will also address the concerns expressed by the member for Wagga Wagga and the member for Lake Macquarie. I will deal in detail with how the protections I have mentioned will work and the environmental robustness of allowable activities. I will deal with the protections briefly and quickly. There are rigorous protections for threatened species and their habitats, and they apply not just to koalas and koala habitat but to all threatened species under the land management framework.

The protections include pre-checks of existing threatened species and ecological communities on and around the proposed area using New South Wales and Commonwealth Government threatened species records, which will be updated in accordance with the new SEPP. The on-ground verifications by LLS officers will be done by physically inspecting farms to support avoiding and mitigating impacts of the proposed activity prior to an authorisation, including informing landholders of potential threatened species impacts. Specific restrictions on divisions of code-authorising impacts on threatened ecological communities not being met will result in authorisation being denied. The protections also include provisions to ensure that activities likely to harm threatened species or their habitat cannot occur, coupled with the tough penalties in the Biodiversity Conservation Act that I assured the House of.

We capture koala habitat through offsets as well as far more expansive biodiversity specifications and will utilise the tree list as part of the private native forestry [PNF] retrenchment requirements. The 123 tree species will be built into the PNF codes to ensure that retention requirements for trees are met. The member for Wollongong knows exactly what I am talking about. At the moment the retention requirements for tree species are less than envisaged by the bill and the bill will actually pick up the full 123 tree species. The provisions of the SEPP will be carried across into the new PNF framework and landholders will not be able to obtain approval unless they adhere to the upscaled retention requirements. Hopefully, that will give some comfort to the member for Wagga Wagga.

The framework is specifically designed to support the balance of primary production and environmental protection within the broader reform package and includes record investment by this Government in biodiversity conservation, including, for example, \$100 million for the Saving our Species program. Allowable activities under part 5B of the Local Land Services Act 2013 are routine agriculture management activities that are not new. This is the only time in the land management space I will give credit to the Opposition, but it is something that discredits the arguments Opposition members advanced today. I think two Opposition members were critical, but I am unable to remember who they are. If I recall correctly, the member for Gosford criticised allowable activities. I point out that allowable activities have existed since 2003 and were introduced by a Labor government. The member for Wyong is nodding in agreement.

This Government is merely carrying those allowable activities through to this reform legislation. If Labor members want to attack allowable activities, they should attack the environmentally friendly Government that introduced them—their Government. Since a Labor government introduced them, they must be okay—unless

Opposition members have something different to tell me. This Government has carried through allowable activities into the land management framework reforms and into the bill. The bill is neutral. It does not confer upon farmers any greater rights than currently exist; nor does it wind back koala protections. The bill maintains the current balance that was unintentionally tipped by the much larger and much more expansive SEPP relating to agriculture.

As the planning Minister stated publicly, he did not support the SEPP impacting on agriculture. In relation to the constant referral by Opposition members to reports by other groups, I point out that the Audit Office of New South Wales, the Natural Resources Commission and the upper House parliamentary inquiry all reached conclusions before the release of the final SEPP guidelines and before the potential impact of the SEPP on primary producers was understood. Furthermore, the bill does not in any way move the goalposts for farmers. It merely supports and enshrines the current framework and ensures that it continues to exist to regulate rural regulated land as it was designed to do.

Finally, two members who participated in the debate mentioned the issue of zoning. Zoning is not controlled by the Local Land Services Act. Zoning occurs under the standard local environmental plan [LEP] instrument, which is the Environmental Planning and Assessment Act 1979. I regret that I cannot recall the members who mentioned zoning but I respectfully point out that they are referring to the wrong Act. This legislation amends the Local and Services Act. If those members wish to talk about land zoning they should introduce a private member's bill to amend the Environmental Planning and Assessment Act. It is funny how much confusion is caused when people do not know what government instrument to look at. The purpose of this bill is to make things simpler and easier.

Under the LLS Act, land clearing cannot be undertaken as backdoor property development. Any attempts to do so will fail. To clear land under the LLS Act, a landholder is required to undertake offsets at a minimum ratio of one to two and a maximum of one to four. Landholders cannot clear-fell a paddock for development under the LLS Act because it is strictly prohibited. The LLS Act is about balancing the environment and productive activities. Anyone who wants to undertake land clearing will not be able to do that because permission will not be granted and the land will never, ever be able to be cleared. It simply is not permitted under the law as it exists today and as it will be if the bill passes.

**Ms Kate Washington:** So why does the bill have to be passed?

**Mr ADAM MARSHALL:** Again Opposition members interject. They should read the bill. They do not even understand the current laws of the State. If Opposition members contend that a developer can undertake land clearing, they fail to understand the provisions of the existing law—let alone the provisions of this very small bill. I urge Opposition members to read the bill. Land clearing is just not possible. As I said, the bill simply creates a beautiful balance of instruments while protecting koalas and farmers. On that note, in concluding my speech I thank the team in my office—my chief of staff, Jackson Busse, and Alex Hall—who have done a brilliant job. I thank the Deputy Premier and his office.

I thank Minister Toole and his office, particularly his chief of staff, Sally White, when he was Acting Deputy Premier. I also thank Minister Stokes and staff of his office—Katie Stevenson and Tom Loomes—Minister Kean and the Premier's office. They all contributed to formulating the bill and to producing beautifully balanced legislation that ensures farmers are protected. Again, we see in this State that a farmer's right to farm is enshrined and strengthened in New South Wales law.

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

**The House divided.**

Ayes .....50  
Noes .....40  
Majority.....10

#### AYES

Anderson, K  
Ayres, S  
Barilaro, J  
Berejiklian, G  
Bromhead, S  
Butler, R  
Clancy, J  
Conolly, K

Evans, L  
Gibbons, M  
Griffin, J  
Gulaptis, C  
Hancock, S  
Hazzard, B  
Henskens, A  
Johnsen, M

Provest, G  
Roberts, A  
Saunders, D  
Sidgreaves, P  
Sidoti, J  
Singh, G  
Smith, N  
Speakman, M

## AYES

Constance, A  
Cooke, S (teller)  
Coure, M  
Crouch, A (teller)  
Dalton, H  
Davies, T  
Dominello, V  
Donato, P  
Elliott, D

Kean, M  
Lee, G  
Lindsay, W  
Marshall, A  
McGirr, J  
Pavey, M  
Perrottet, D  
Petinos, E  
Preston, R

Stokes, R  
Taylor, M  
Toole, P  
Tuckerman, W  
Upton, G  
Ward, G  
Williams, L  
Williams, R

## NOES

Aitchison, J  
Atalla, E  
Bali, S  
Barr, C  
Car, P  
Catley, Y  
Chanthivong, A  
Cotsis, S  
Crakanthorp, T  
Daley, M  
Dib, J  
Doyle, T  
Finn, J  
Greenwich, A

Harris, D  
Harrison, J  
Haylen, J  
Hoenig, R  
Hornery, S  
Kamper, S  
Lalich, N  
Leong, J  
Lynch, P  
McDermott, H  
McKay, J  
Mehan, D (teller)  
Minns, C

O'Neill, M  
Park, R  
Parker, J  
Piper, G  
Saffin, J  
Scully, P  
Smith, T  
Tesch, L  
Voltz, L  
Warren, G  
Washington, K  
Watson, A (teller)  
Zangari, G

## PAIRS

Wilson, F

Mihailuk, T

**Motion agreed to.**

**Third Reading**

**Mr ADAM MARSHALL:** I move:

That this bill be now read a third time.

**Motion agreed to.**

**ROAD TRANSPORT LEGISLATION AMENDMENT BILL 2020****Second Reading Debate**

**Debate resumed from 15 October 2020.**

**Mr CHRIS MINNS (Kogarah) (15:31:43):** I lead for the Opposition on the Road Transport Legislation Amendment Bill 2020. The Opposition does not intend to oppose the bill but we do have an amendment, which we have circulated with the Clerks. The bill proposes amendments to the Road Transport Act 2013, Driving Instructors Act 1992 and Photo Card Act 2005 and some consequential amendments to the Fines Act 1996. The bill follows a review of road legislation, a report of which has been tabled. I am sure it was a must-read report. I know that the Minister for Regional Transport and Roads read it cover to cover and I am sure he will give us a run-down in his contribution to the second reading debate. Some components of the bill did not form part of the statutory review but have been included "in the interests of streamlining processes and improving road safety", to quote the second reading speech.

The amendments to road legislation that were recommended include, firstly, increasing from six months to two years the period within which proceedings for certain offences must be commenced in order to allow enough time for comprehensive investigations to take place. The Opposition believes that is a reasonable addition to the legislation. Secondly, the bill will require Transport for NSW, when cancelling or suspending a driver licence for certain speeding offences or for alcohol- or other drug-related driving offences, to take into account any previous period of suspension. Again, the Opposition believes that is a reasonable amendment to the

legislation. Thirdly, the bill will enable Transport for NSW to suspend the registration of a registrable vehicle if the registered operator of that vehicle has committed the offence of failing to nominate the driver of a vehicle who committed a camera-recorded offence—complicated but, again, eminently sensible. Fourthly, the bill will enable Transport for NSW to use and release information contained in the photo card register for purposes related to digital photo cards.

Amendments to road legislation that have been drafted outside the review include, firstly, creating a statutory rule-making power in the Act to manage offensive or discriminatory images or slogans displayed on a vehicle; and, secondly, expanding the current vehicle sanctions scheme to enable police to impound a motor vehicle or confiscate the numberplates of a company-registered vehicle used to commit certain serious driving offences, including high-range speeding. This amendment will ensure that people driving company vehicles who commit serious breaches of the traffic laws will be held accountable for using said vehicle to commit reckless driving behaviour. Thirdly, the bill will amend the Act to increase penalties for companies that fail to nominate or correctly identify drivers for camera-detected offences. Fourthly, the bill will mandate the need for the responsible person of a vehicle to provide both the driver licence number and date of birth of the offender. Fifthly, the bill will allow the Commissioner of Police to suspend a foreign driver licence holder who is caught speeding by more than 30 kilometres per hour or who has been issued with penalty notices for offences for which the total demerit point value is 13 or more.

Lastly, the bill will remove the requirement for the Commissioner of Police to inquire into the character of applicants for driving instructor licences as this duplicates the process as the instructors would have already completed a Working With Children Check. The Government sees that as a duplication of checks. That does seem reasonable. The bill contains amendments relating to camera-detected offences, including where these are nominated to corporations by the person who is said to have breached the mobile phone traffic regulations. As members would be aware, these have been the subject of an Opposition campaign. We have related amendments that we will move when the bill is dealt with in detail.

**Mr PAUL TOOLE (Bathurst—Minister for Regional Transport and Roads) (15:36:06):** I support the Road Transport Legislation Amendment Bill 2020, which will make a number of amendments to road transport legislation that will improve road safety, customer outcomes and simplify and modernise the Road Transport Act 2013. The bill amends the Act as part of the statutory review process. Other proposed changes, separate to the review process, that are considered necessary and prudent are also included within this bill for efficiency and practicality. The Act is the primary legislation regulating road transport in New South Wales and a number of New South Wales government agencies are dependent on the provisions of the Act to deliver a range of outcomes for the people of New South Wales, including road safety, law enforcement and customer service.

The Government is currently embarking on unprecedented investment in the State's road network and this amendment will support this investment by improving road safety outcomes, facilitating new technologies and innovation and improving the customer experience for the people of New South Wales. I will touch on some of that investment. A huge amount of investment is going on in regional New South Wales. I know when I travel throughout our communities that people are very happy with the investment they are seeing from this Government. I will start with the Fixing Local Roads program—a \$500 million program and a commitment by this Government prior to the last election. This year we rolled out the first round of that program, which will enable councils to repair, maintain and seal roads of importance in their local areas.

We often talk about big projects but it is not always the big projects that get the headlines that will make the biggest difference in a local community. Local roads and projects are critical to those communities. That is what will keep people safe travelling to and from home, going to work, going shopping or going to a doctor's appointment. That program is supported by the Federal Government with funding of \$191 million, which will turbocharge the Fixing Local Roads program in communities in regional areas. In the first round we saw 258 projects delivered at a cost of \$250 million. In the next couple of weeks we will open the next round to applications and we look forward to seeing those applications put forward for shovel-ready projects. Projects such as these are critical. These projects will create jobs and economic activity on the ground by supporting contractors and subcontractors. We are pleased with the investment, improvements and roadworks that we are seeing. It will make it safer and more reliable for the people using those roads for the journeys they undertake.

In the past few months we have had the pleasure of announcing a number of major milestones for two very important projects in the State—the upgrade of the Princes Highway and the Great Western Highway. In September we opened a 34-kilometre section of the Pacific Highway which saw a dual carriage motorway to bypass the northern New South Wales towns of Woodburn, Broadwater and Wardell. We are now close to completing the largest road infrastructure project in this country. It will see the Pacific Highway duplicated. This road is a \$15 billion investment and a project that has been going for over two decades. It will make journey times faster and safer for people travelling on the Pacific Highway and visiting many of those towns. Last week I had

the opportunity to visit the Blue Mountains where it was announced that the Government is looking at two tunnels as the preferred options for upgrading the Great Western Highway through Blackheath.

I caught up with members of the Blackheath community. There were members of the business chamber and members of the community who were pleased with the Government's decision to take a number of the options off the table and consider the tunnels option. It is important because the project is complex. The heritage and the character of Blackheath village must be protected and the impact on the environment considered. Presently, we are asking the community for feedback on the two tunnel options under Blackheath. These options will ensure there is minimal impact on property, improve safety, improve congestion through the village and provide alternative routes for emergency services through that area.

We are also powering ahead on our \$145 million project to totally seal both the Silver City and Cobb highways. We have less than 100 kilometres to go on each project. I am pleased to say there is more to come. We have the \$500 million Fixing Country Bridges program. In the coming months we will be announcing the first round of recipients of funding for that program. This program will upgrade the State's network of ageing timber bridges and provide councils with much-needed support to improve their road networks. Some of these timber bridges are close to 100 years old and we have 1,800 of them throughout the State. This Government is supporting that investment in regional communities. This is just a taste of some of the things that we have been doing over the past few months and some of the things that we have planned over the coming months. We are making sure that the investments that are taking place are occurring in the right place in New South Wales.

Regional areas have done it tough with drought, bushfires and now the pandemic. This investment is critical to our regions. The crux of this is the investment into our roads network to support jobs and economies in regional communities. I am proud to stand here today as the Minister for Regional Transport and Roads. There are a couple of other issues I will raise in relation to this bill. The bill amends the Act to clarify how first or second and subsequent offending should be determined to ensure that repeat offenders are sentenced accordingly, and to allow a court to consider offences committed in other jurisdictions as equivalent offences for the purposes of the operation of the section.

The bill also increases the statute of limitations for proceedings for certain serious offences under road transport law from six months to two years to allow Transport for NSW sufficient time to investigate and prosecute complex road transport matters, particularly those involving driver licensing and vehicle registration fraud. The bill will also provide for Transport for NSW to commence proceedings for offences under road transport legislation in its own name, which will provide clarity to courts and defendants that Transport for NSW is the party prosecuting the offence. The bill will also amend the Act to permit Transport for NSW to apply a registration sanction if discriminatory and offensive advertising is not removed from a vehicle.

The bill also makes several important changes to strengthen road safety outcomes. These changes include: allowing police to impound a motor vehicle or confiscate the numberplates of a company-registered vehicle used in the commission of certain serious driving offences; enabling police to issue a roadside notice of suspension; and withdrawing driving privileges from an overseas driver caught speeding by more than 30 kilometres an hour or where that driver has incurred multiple penalty notices for offences in their name that total 13 or more demerit points.

Another important change that the bill makes is to increase the maximum penalty that a court may impose for a corporation that fails to nominate or correctly identify a driver responsible for a camera-detected offence from \$11,000 to \$22,000, and to mandate that driver licence details and date of birth must be supplied when nominating a person as being responsible for a camera-detected or parking offence. An amendment to the Photo Card Act is also being made to permit Transport for NSW to release information for the issue, use or verification of a digital photo card, which is aligned to similar provisions in the Act with respect to the release of information associated with the issue, use or verification of a digital driver licence.

Lastly, the bill makes a number of consequential amendments to the Fines Act to align with the changes to the Road Transport Act relating to the nomination provisions for camera-recorded and parking offences. In conclusion, the changes in the amendment are necessary and will deliver benefits to New South Wales communities that are aligned to the strategic priorities of this Government. They will improve road safety outcomes, facilitate new technologies and innovation, and improve the customer experience for the people of New South Wales. I commend the bill to the House.

**Mr RON HOENIG (Heffron) (15:46:35):** I speak in debate on the Road and Transport Legislation Amendment Bill 2020 and specifically draw the attention of members to schedule 1 [37], which creates a provision for offensive or discriminatory material displayed on a vehicle. The bill is a product of a statutory review and makes a number of eminently sensible amendments. However, there are some provisions that are outside the

statutory review process. When Parliament, at the invitation of the Minister, slips matters into bills outside that process, these matters do not get sufficient scrutiny and can have considerable unintended consequences.

Schedule 1 [37] proposes to empower the Minister to make a statutory rule providing "for the suspension and cancellation of the registration of a registrable vehicle on the grounds of displaying offensive or discriminatory material". It might be a matter of common sense as to what someone might find discriminatory, but what constitutes something as being offensive is subjective. It is unusual that such a subjective test is inserted in a regulatory power because it is normally a matter for Parliament, and not a statutory body, to make determinations of that nature.

When I looked at the second reading speech to try to determine what sort of conduct the Minister is seeking to address with this power, I could not find one example. All it says is that other jurisdictions have already taken action to stamp out offensive advertising on motor vehicles. I think most members would agree with that sentiment based on some of the offensive vehicles we have seen on the road. The amendment is designed to get consistency across the Commonwealth, but it is a regulatory power. I might find it offensive if I am driving along the roads of southern Sydney and I see a sign telling me that I should vote for Mark Coure as distinct from some other eminent candidate that is being endorsed by the Labor Party. We might know—or we might think we know—what is discriminatory. Certainly there should be power—there is ample power already—to take action against people who are displaying discriminatory slogans, but what constitutes an offensive slogan is in the eye of the beholder and can become a free speech issue.

There are people who actually believe that the system of government in the People's Republic of China is preferable to our own democratic system. That view is attracting the attention of national security agencies, but I certainly do not believe this and I wish to avoid the execution of a Federal search warrant. People are entitled in this country to be able to exercise freedom of speech even though I might passionately disagree with them. Is that offensive? It certainly would be offensive to some as experience has shown us. I caution the Government imposing this sort of regulatory power which will enable a person to cancel the registration of a vehicle because they deem something displayed on the vehicle to be offensive. There might be a whole range of issues that people might find offensive which would enable them to assert their viewpoint. While I might have told the House about an extreme example or a comical example, with my reference to the member for Oatley, schedule 1 [37] means that if a bureaucrat decides to cancel someone's registration because they find a slogan offensive certain things flow on from that. The ability to get that vehicle registered or employ a mechanism to enable outside intervention or an appellate process is strictly limited.

I mentioned to a Government member in the lift a short while ago that I find the door of his Parliament office offensive, as he has asserted his support for Donald Trump. A range of ridiculous examples fit within that definition. Generally speaking, if Parliament creates an offence of offensive behaviour—an offence that was repealed in the 1970s and reintroduced by the Coalition Government after the defeat of the Unsworth Government—ultimately whether or not something is offensive is a judicial determination. It becomes a free speech issue if bureaucrats in Transport for NSW are deciding what is offensive and are cancelling people's registration because they saw a sign on a traffic camera that they did not like. Where are the checks and balances for that sort of judgement? They do not exist.

If the Minister wants to put this sort of regulatory power in a bill, common courtesy requires that he gives examples of the sorts of offensive slogans that he is seeking parliamentary authority to control, and not just make a bland statement that it is happening elsewhere. That is why there is usually a statutory review process and why these sorts of positions are examined after detailed consultation before they turn up in Parliament. It is to ensure that unintended consequences can at least be vetted. At the very least, the Government should ensure that members of Parliament have some understanding of the nature of the signage that it hopes to control.

**Ms ELENi PETINOS (Miranda) (15:54:40):** I make a contribution to debate on the Road Transport Legislation Amendment Bill 2020. The bill makes a number of amendments to road transport legislation to improve road safety, strengthen compliance and enforcement provisions, enhance customer service, and modernise and simplify the legislation to ensure that it remains fit for purpose. It makes a series of amendments to the Road Transport Act 2013 to implement the recommendations from the recent statutory review of the Act. A number of other amendments are also proposed which, although identified outside of the review process, have been included in the bill for efficiency and timeliness.

The Act is the primary legislation regulating road transport in New South Wales. It provides the framework for driver licensing and vehicle registration, as well as safety and traffic management, and the compliance and enforcement powers for the regulatory frameworks. By way of background, section 280 of the Act requires that the Minister conducts a review to determine whether the objects of the Act remain valid and that the terms remain appropriate for securing those objectives. To ensure that the community had an opportunity to comment on the review of the Act, a discussion paper was publicly released in September 2019. A total of 12 submissions were



received. Transport for NSW then held targeted consultation meetings with key government agencies that had provided a submission, including representatives from the Department of Communities and Justice, to examine and agree upon the scope of the amendments.

The feedback received from the public consultation process concluded that the Act's objectives remain valid, as they continue to prioritise road safety and transport efficiency and maintain nationally consistent practices in relation to driver licensing and vehicle registration. However, the statutory review identified a number of amendments considered necessary to further improve road safety outcomes, strengthen compliance and enforcement provisions, enhance the customer service experience, and simplify and modernise the Act. The bill seeks to make an amendment to section 9 of the Act to clarify how first, second or subsequent offending is to be determined, and to provide for the recognition of equivalent interstate offences to be included as part of this determination.

Section 9 of the Act underpins the operation of the penalty regime that is applied for driver licence disqualification periods, imprisonment and mandatory alcohol interlock orders. On the advice of the NSW Police Force and the Chief Magistrate's office, an amendment is proposed to remove ambiguity regarding the current operation of this provision, and to further clarify how first, second or subsequent offending should be determined to ensure that repeat offenders are accordingly sentenced. This proposed amendment will clarify that any reoffending period should be measured from the date of the offending conduct, rather than the date of conviction to determine sentencing.

In addition, similar offences to those in New South Wales in other Australian jurisdictions may also be considered as equivalent when making this determination. The amendment will provide discretionary decision-making powers for courts to allow magistrates to consider whether or not a similar offence in another jurisdiction, like driving whilst disqualified, should be determined an equivalent offence. This will simplify the determination of appropriate penalties as they will be based on a sequence of events. Furthermore, if reoffending does occur in other States and Territories, then those offences that are similar, if not the same, to serious New South Wales offences will be taken into consideration by the courts when determining penalties.

A series of amendments is also proposed to improve the capability of Transport for NSW as a regulator. Firstly, it is intended to increase the statute of limitations for proceedings for certain serious offences from six months to two years. This will provide Transport for NSW sufficient time to investigate complex cases and commence enforcement proceedings. Offences under the Act where the two-year limit will apply include those involving fraudulent activity in relation to applications for a driver licence or vehicle registration and serious driving offences under the Act involving death or injury.

The current six-month limitation period will continue to apply to all other offences under the Act and its regulations other than for camera-detected offences, which will have a 12-month statute of limitation to allow for the nomination process to be undertaken. Secondly, the bill will also include an amendment to clarify the policy intent in relation to the application of demerit points for novice drivers. The amendment will ensure that demerit points incurred by a novice driver that have been used to apply a licence sanction cannot be counted towards any subsequent sanction if that licence sanction is successfully appealed in court.

It is also proposed to amend section 59 of the Act to clarify that when Transport for NSW imposes a licence sanction under this provision, it is required to take into account any period of roadside suspension that may have been served under a police-imposed suspension for the same matter. This change will align with section 206B of the Act, which requires a court to take into account any period of roadside suspension when determining a disqualification period for an offender. To support the Tell Government Once priority, it is recommended that section 57 be amended to allow Transport for NSW to release a photograph to other government agencies with the consent of the customer for the purposes of issuing other licences, such as firearms, security and maritime licences. It will also allow NSW Fair Trading to issue tattoo parlour licences. Finally, it is proposed to amend or appeal the relevant sections within division 3 of paragraph 7.3 of the Act that deal with the manner in which penalty notices are issued as these provisions are significantly covered in the Fines Act 1996. These changes will improve the operational functionality of the Act by removing duplicative and redundant provisions.

I turn now to additional amendments proposed to road transport legislation identified outside the statutory review process. The first amendment will create a statutory rule-making power in the Act to manage offensive injury or slogans displayed on a vehicle. This will allow Transport for NSW to impose a registration sanction on the vehicle when the offensive material is not removed. The amendment will align New South Wales laws with other jurisdictions that have already taken action to stamp out offensive advertising on motor vehicles. To improve the integrity of databases maintained by Transport for NSW, it also proposes to create a power to allow the body to use information held on these databases to update customer information for the purposes of exercising its functions, including its maritime functions. This will deliver customer benefits as it will eliminate the need for a customer to provide the same information to Transport for NSW on multiple occasions.

An amendment to strengthen the existing penalties in relation to companies that fail to nominate or correctly identify drivers for camera-detected offences is also proposed. Statistics provided by Revenue NSW indicate that during the 2019-20 financial year there were around 7,000 occasions where a company did not nominate the driver responsible for a camera-detected offence committed in their company-registered vehicle. This means that there were around 7,000 instances of drivers who committed speeding, red light or other camera-detected offences and were not identified. As a result, they could not be held accountable for their driving behaviour through the application of demerit points or a licence sanction.

This Government will not tolerate such blatant disregard for the law by some corporations, which presents a significant road safety risk to the community. Therefore, it has proposed to amend the Act to increase the maximum court fine for offences for a company that fails to nominate or supply information required to identify a driver who commits a camera-detected offence from 100 penalty units—equal to \$11,000—to 200 penalty units—equal to \$22,000. It is also proposed to amend the vehicle registration regulation to allow Transport for NSW to immediately commence registration suspension action against companies that fail to nominate these drivers. It is also proposed to amend both the Road Transport Act and the Fines Act to mandate the need for the registered operator of a vehicle to provide both the driver licence number and date of birth of the offender at the time of nomination, to improve the ability to identify drivers nominated for camera-detected and parking offences.

Over the past five years, there have been a total of 2,408 casualty crashes in New South Wales involving overseas licence holders, including 36 fatalities and 574 serious injuries. To improve the management of overseas drivers on New South Wales roads it is proposed to amend the Act to allow police to issue a notice to an overseas driver, withdrawing their visiting driver privileges at the roadside when they are caught speeding by more than 30 kilometres per hour, or when they have multiple outstanding penalties recorded in their name for offences totalling 13 or more demerit points.

In the case of an overseas driver who is caught speeding by more than 30 kilometres over the limit, their visiting driver privileges will be withdrawn for three months. An overseas driver who has multiple outstanding penalty notices recorded in their name for offences totalling 13 or more demerit points may have their driving privileges withdrawn for a period of 14 days. Police will also submit a question of fitness report to Transport for NSW to consider further action if they form the view that this action is warranted in the interests of public safety. In closing, the bill proposes a significant number of amendments that will reinforce and validate the objects of the Act, improve customer and road safety outcomes for the people of New South Wales, and simplify and modernise the Act. I commend the bill to the House.

**Ms TAMARA SMITH (Ballina) (16:04:55):** On behalf of The Greens I contribute to debate on the Road Transport Legislation Amendment Bill 2020, which The Greens support. I will first focus on the very welcome changes with regard to offensive slogans and images on vehicles. In 2017 former Greens MLC Mehreen Faruqi, now an Australian Senator, introduced a private member's bill to align New South Wales legislation with that of other jurisdictions and impose sanctions on vehicles that display obscene and most often misogynistic and sexist slogans and images of women. At the time the Government said we did not need that legislation, but we are very glad the Government has come to a different understanding now. Shortly I will read onto the record messages from a number of constituents in my area, including the mayor of Ballina, who reached out to us because they had no ability to stop one particular company from displaying those misogynistic messages that were offensive for everyone but particularly for women and children.

The bill proposes amendments to the Road Transport Act 2013, the Driving Instructors Act 1992, the Photo Card Act 2005 and the Fines Act 1996. The Greens support those amendments with regard to fines, particularly those for corporations for camera-detected offences. We also think public safety will be enhanced by most of these amendments. We welcome the increase in the statute of limitations for camera-detected offences. We also want to see other serious driving offences receive the same treatment. The bill also amends the Act to clarify how Transport for NSW manages the application of demerit points of new drivers and we think that makes sense. Under the amendments, Transport for NSW is required to maintain a demerit points register.

This amendment will clarify the demerit points incurred by a novice driver and make sure they cannot be used in the application of a subsequent administrative licence sanction against that driver following an appeal in the Local Court. The amendment seems to redress that imbalance. It will clarify the policy intent to ensure that drivers who choose to appeal a licence sanction in the courts are treated equally, regardless of the appeal result. We welcome other miscellaneous items such as simplifying tattoo parlour licences. I know the tattoo businesses in my electorate will welcome that.

A proposed amendment that was identified outside of the statutory review process was to create a statutory rule-making power in the Act to manage offensive imagery or slogans displayed on a vehicle. This will allow Transport for NSW to impose a registration sanction on the vehicle when the offensive material is not removed. As I have said, this amendment will align New South Wales laws with that of other jurisdictions that have already

taken action to stamp out offensive advertising on motor vehicles. I have referred to the introduction of the private member's bill by Dr Mehreen Faruqi. I also acknowledge the work of our transport spokesperson, Ms Abigail Boyd. People in the Ballina electorate who have advocated on this issue consider it a very positive change in the law. Di Campbell, former president of the Bangalow Country Women's Association, wrote to me and said:

There is no place for slogans which promote sexism, racism and violence against women. Driving behind them with children must be extremely difficult for parents to explain. Many have slogans which are ever so sexist and thoroughly demeaning to women.

Charmaine Atkinson from Mullumbimby wrote to me and said:

I am disgusted that such slogans can be allowed on any vehicle &—

she names a company—

should be prosecuted for obscenity on their vehicles. Please bring this to the attention of the NSW Parliament to amend the Road Transport Act 2013 to cancel the registration of any vehicle displaying such offensive words.

Dot MacDonald said:

As a woman, I find the comments simply disgraceful. I am not a wowserish type person, and I can assure you, that I know no person, male or female, who find anything remotely funny about some of the slogans [that we are seeing]. I am currently travelling in Europe and have shown friends here the slogans, and they are truly appalled that they are allowed. Do you have any idea of the number of women who suffer from sexual abuse in Australia?

So this was something found quite shocking to people both in the State and internationally. Paul McCarthy, who campaigned very strongly in Byron Bay, wrote to me and said:

Can you please help a poor old grandfather who is trying to clean up his town of Byron Bay. All he wants to do is to be able to walk down the street with his granddaughters and not read signs using obscenities.

Beth Hansen from Lennox Head wrote to me and said:

I was left feeling sick and revolted when I saw the message on a ... van driving around Ballina near a popular children's playground. I've got grandchildren, I can imagine anyone with children who was following van and the questions that might be asked. It's absolutely not wanted on our streets.

The mayor of Ballina, David Wright, also wrote to me and said:

We all accept that the public display of language that is offensive, derogatory and degrading, particularly to women, is inappropriate and any assistance you can provide in addressing these concerns would be appreciated.

I note that many people have written to me over the years about this. Whilst we have heard in detail how other amendments in the bill will increase safety for drivers, I particularly thank the Government for seeing reason on this issue. I disagree with the member who in their contribution referred to civil liberties and freedom of speech. I do not think there is any place in any public forum for behaviour that incites hatred and violence towards women, and nor do I think anyone in this House thinks that. That is exactly what the slogans we have seen on vans in my area are. They incite violence towards women and are utterly unacceptable. The Greens think the Minister has got it right on that particular issue and we support the bill.

**Ms MELANIE GIBBONS (Holsworthy) (16:12:53):** I support the Road Transport Legislation Amendment Bill 2020. I thank the Minister for Transport and Roads for introducing it to the House. The objective of the bill is to make miscellaneous changes to the Road and Transport Act 2013, the Driving Instructors Act 1992, the Photo Card Act 2005 and the Fines Act 1996. All the proposed amendments will work to improve road safety, allow for a more effective customer experience and increase the efficiency of the regulatory status of Transport for NSW. A statutory review of the existing Act found that its objectives still remain valid and the policy meets the community's needs. However, the review found that these proposed amendments are necessary to reduce red tape and streamline processes set out in the Act.

Section 9 of the Act establishes the criteria for determining whether an offence is a first, second or subsequent offence. The operation of the penalty regime is also included under section 9, but it overlooks what is applied to driver licence disqualification periods, imprisonment and mandatory alcohol orders. Combined with advice from the Chief Magistrate's office and the police, a proposed amendment was established to remove the uncertainty concerning the current provisions to clarify how first, second or subsequent offending should be determined to ensure that repeat offenders are sentenced appropriately. The proposed amendment will make it clear that the reoffending period is measured from the date that the offence took place, rather than the date of conviction. Currently, the date of conviction is used during sentencing. Similar natured offences provided for in other jurisdictions within Australia can also be considered as equal offences when determining the sentencing decision. This will provide discretionary decision-making powers for courts. It will permit magistrates to take into consideration whether or not a similar offence in another jurisdiction should be considered an equivalent offence.

The Act provides a number of amendments that will strengthen current compliance and enforcement requirements to support Transport for NSW as a regulator. One of these amendments includes increasing the

statute of limitations for proceedings for limited and specific offences from six months to two years. Under the existing Act, proceedings for a breach must have commenced before six months after the date on which the offence was committed. Previously, completing an investigation for serious and challenging matters within the six-month time frame has proven difficult for Transport for NSW. Currently, there is an exemption of a 12-month period for camera-detected offences, to allow for time taken to conduct an investigation and gather evidence to launch a case. Increasing the statute of limitations will bring the Act into line with provisions included in similar legislation.

Further to this, another proposed amendment will enable Transport for NSW to be an entity to prosecute a person in its own right. This will become consistent with practices used by other government agencies that have comparable enforcement responsibilities. The proposed amendment includes a provision to authorise Transport for NSW to commence proceedings for certain offences under the legislation. The existing legislation does not include a specific party to commence such proceedings. This will ensure that the department has more power as a regulator. The Act will simplify how Transport for NSW manages the application of demerit points to novice drivers. Currently, the Act requires Transport for NSW to maintain a demerit points register. The proposed amendment will clarify that demerit points acquired by a novice driver cannot be used in the application of a successive administrative licence sanction against that driver, following an appeal in the Local Court. This will ensure that drivers who opt to appeal a licence sanction in the courts are treated equally, irrespective of the appeal outcome. Further to this, a proposed amendment will require the courts to consider any period of roadside suspension when determining a disqualification period for an offender.

Section 271 of the Act will also be amended to remove the requirement to publish decisions to waive fees for services in the Government Gazette. At the moment, any decision made by Transport for NSW to waive fees is published on the Service NSW and Transport for NSW websites. Generally, this is where customers go to access information relating to these matters. This amendment will allow customers to quickly and easily access information when decisions are made to relax certain fees, such as in times of a natural disaster. I now discuss the proposed amendments that have been determined outside of the review. These amendments have been included to ensure effectiveness. The first amendment creates a statutory rule-making power to govern offensive imagery or slogans displayed on vehicles. This amendment will enable Transport for NSW to impose a registration sanction on the driver and vehicle if offensive material is not removed. This corresponds with similar jurisdictions to effectively eliminate derogatory and offensive material that is displayed on cars.

Another proposed amendment under the Act will ensure the integrity of information that is obtained by Transport for NSW. This amendment will create a power to permit Transport for NSW to access and use information held in databases to update customer information for the purpose of exercising its functions. This will remove the need for customers to continue to provide the same information to Transport for NSW multiple times, in turn creating a better experience for customers. The proposed amendment to expand the current vehicle sanction scheme will allow police to seize a motor vehicle or confiscate the numberplates of a company registered vehicle used to commit serious driving offences. This ensures that anyone driving company vehicles who commits serious offences will be held responsible and accountable for using a vehicle to commit reckless driving behaviour.

This is a welcome amendment, as Revenue NSW last year recorded about 7,000 occasions when a company did not put forward the driver responsible for a camera-detected offence in a company registered vehicle. These drivers could therefore not be held responsible and accountable for their offence. As a result of this, the proposed amendment will increase the amount of court fines for offences for a company that fails to nominate or give correct information of the identity of a driver who commits a camera-detected offence from 100 penalty units to 200, and from \$11,000 to \$22,000. Further to this, proposed amendments to the vehicle registration regulation will allow Transport for NSW to immediately suspend registration against companies that do not choose to nominate these drivers.

Sadly, I note that there have been a total of 2,408 casualty crashes involving overseas driver licence holders over the past five years. These include 36 fatalities and 574 serious injuries. There is a proposed amendment in the bill to improve the management of overseas drivers in New South Wales. This includes giving the police power to issue a notice to an overseas driver withdrawing their visiting driver privileges at the roadside for three months when found speeding more than 30 kilometres over the speed limit. In the event that an overseas driver has any unpaid penalty notices that are recorded under their name for offences that total 13 or more demerit points, the amendment will provide that driving privileges may be withdrawn for a period of 14 days.

The Driving Instructors Act 1992 will also undergo amendments that will remove the requirement for police to conduct an interview and to provide a report to Transport for NSW. This procedure replicates the process for obtaining a Working With Children Check, which is currently a mandatory requirement under the Driving Instructors Act. This amendment will simplify processes and remove the administrative burden placed upon police and for customers who wish to apply for a driver instructor's licence. However, it ensures that appropriate checks are still in place as part of the driver instructor process. The proposed amendments in the bill provide necessary

updates and changes that will benefit both Transport for NSW and the drivers of New South Wales. The changes increase customer experience, give Transport for NSW more responsibility as a governing body and aim to improve road safety. I have some knowledge of overseas driver licence holders. People I know have had overseas drivers in their homes and have been left with the bill resulting from fines. It is frustrating knowing that those people feel that they can get away with driving as they wish, making it unsafe for the good, well-behaved citizens on our local roads. I commend the bill to the House.

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Roads) (16:22:13):** In reply: I thank members from both sides of the House who made a contribution to the debate on the Road Transport Legislation Amendment Bill 2020. Everyone comes to this debate with the intention to save lives and look after our community. I particularly acknowledge and thank the shadow Minister. The amendments are made to the Road Transport Act and the statutory review process with the ultimate aim to improve the operation of the Act, strengthen the existing compliance and enforcement provisions and ultimately improve life for customers across the State.

Most members would agree that the Act's statutory review and the additional items that have been incorporated into the review process before the Parliament are eminently sensible. I will not go back over the provisions, but I particularly acknowledge the contributions by the member for Kogarah and the member for Heffron. I address the issues that were raised by the member for Heffron about what might define offensive comments and the subjective nature of that. Ad Standards is probably the best organisation to assess that. It provides advice to governments across the Commonwealth as to what constitutes offensive. I would never walk into this place and give some examples of that.

There is no doubt everybody in this place has driven on a highway and seen a Wicked campervan with something very inappropriate on it. I single out Wicked because we have seen material on them that is just beyond the pale. We should leave it to the experts to advise what is appropriate in that regard. A degree of common sense must be applied in relation to what is offensive material, and Standards Australia is probably the best place to start. I also acknowledge the contribution of the member for Ballina, who, probably better than anyone, particularly given her part of the world, is in tune with some of the offensive examples that we have all seen and reported on over the years. I know the member for Kogarah has foreshadowed an amendment that he will move today. Before he does so, I acknowledge and support the intent of what he is doing. Ultimately bringing as much accountability to corporations as we can to try to resolve the lack of nomination of drivers is something that we all aspire to. The fact that there are 7,000 examples every year of corporations failing to nominate a driver who should be subjected to the appropriate loss of points is important.

There are two elements. First of all, we need to take the time to have a look at any potential unintended consequence of the amendment between this bill going from this place to the upper House. There is no doubt that Labor can seek to amend the bill in the other place. I simply challenge the amendment in terms of any unintended consequences. Second, and this is something I want to check legally, revenue sits in other legislation under the responsibility of another Minister. We will no doubt come to that when the member for Kogarah moves his amendment for debate at the consideration in detail stage. Again, I acknowledge the intention of the Labor Party in trying to get a good outcome for the bill, which is eminently sensible given that we are all trying to save lives. I commend the bill to the House.

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

**Motion agreed to.**

**Consideration in detail requested by Mr Chris Minns.**

#### **Consideration in Detail**

**The DEPUTY SPEAKER:** By leave, I shall propose the bill in one group of clauses and schedules. The question is that clauses 1 and 2, and schedules 1 and 2 be agreed to.

**Mr CHRIS MINNS (Kogarah) (16:26:32):** I move Opposition amendment No. 1 on sheet c2020-185B:

No. 1 **Reports about offences committed by corporations**

Page 9, Schedule 1. Insert after line 18—

[36A] **Section 279A**

Insert after section 279-

**279A Reports on offences of registered operators that are corporations**

(1) As soon as reasonably practicable after 30 June and 31 December in each year, Transport for NSW is to—

- (a) prepare a report on the enforcement, during the 6 -month period, of camera recorded offences against registered operators that are corporations, and
- (b) provide the report to the Minister.
- (2) The report is to include the following information for the 6 – month period—
  - (a) the number of penalty notices issued to corporations for a camera recorded offence, categorised by each particular offence,
  - (b) the number of offences against section 188(1) alleged to have been committed by corporations, whether dealt with by penalty notice or by court attendance notice, the number of times the registration of a registrable vehicle was suspended because the registered operator of the vehicle was a corporation that committed an offence under section 188(1).
- (3) The report is to be tabled in each House of Parliament as soon as reasonably practicable after the report is provided to the Minister.
- (4) In this section—

*camera recorded offence* has the same meaning as in Part 7.3, Division 2.

This is a commonsense amendment to the Road Transport Legislation Amendment Bill 2020 that deals with a report to the Parliament in relation to nominated drivers who have committed an offence, or who have been found to have committed an offence, nominating a corporation to cop the fine. We have concerns about the administration of the program, which does not impose an onerous obligation on the New South Wales Government. We are concerned that a loophole in the law enables a driver to assign this offence to a corporation. When the corporation pays the fine, the State receives five times the fine but no points are recorded against the licence of any driver. From the bottom line point of view, the Government would like the fine revenue but, as has been driven into the Opposition repeatedly, part of road safety legislation is the impact on a driver's licence and the loss of points, and that incentive is being widely used.

Data from Revenue NSW shows that since the program was initiated on 1 March, 69,000 drivers have been fined for using a mobile phone, which raised \$31 million and is a dramatic increase on former fines in this category. It is concerning that 5,164 drivers have used this corporation designation which, since 1 March, has raised \$8.9 million out of the \$31 million. The Opposition proposes in this amendment that the Government report to Parliament on a six-monthly basis so that the Parliament is informed of the extent of this corporation loophole, for want of a better word, so that it can be monitored and appropriate legislative remedies can be ventilated in this Parliament via parliamentary report.

Most recent figures show that a high proportion of drivers are using the loophole, that is, 1,715 drivers or 12 per cent of the total number of people who were fined for using mobile phones in July and 1,100 drivers or 19 per cent of the number of people who were fined for using mobile phones in August. As a result, those drivers received no loss of points even though clearly they admitted liability or guilt that they had broken the law. Transport for NSW stated that it has powers to enforce closure of the loophole, including withdrawing a vehicle's registration and the government measures in the bill to increase court-imposed fines that apply to a corporation. However, the effectiveness of that enforcement is unclear to the Opposition in this House as we vote on this amendment.

The risk is that the use of this loophole is continuing and thus far we are unaware of the Government's efforts to exercise the increased leverage it has on corporations through these other measures. We think it is reasonable. I note that the Minister has engaged constructively with my colleague the Hon. John Graham in the Legislative Council on this and that it may well be the case that an agreement can be made there and the amendment will be adopted. I look forward to watching the progress of the bill when it is received in the Legislative Council.

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Roads) (16:31:49):** I make it clear that although the Government may not accept this amendment in the Legislative Assembly, it does not mean that it will not give it due consideration in the Legislative Council. I acknowledge the member for Kogarah for moving this amendment. We absolutely share the aspiration to make corporations more accountable in nominating a driver who has committed an offence. That is one of the reasons why we are doubling the penalty from \$11,000 to \$22,000. I think it is fair to say that we want to financially incentivise corporations to absolutely do the right thing and nominate the driver and also ensure that drivers are not able to game the system, avoid losing points and therefore avoid being taken off the road.

As the member for Kogarah rightly identified, Transport for NSW has the ability to impound a corporate vehicle. I reiterate that one of the key things about the amendment that the Government wants to consider is whether the behaviour of corporations will change if they know that their name will be listed and reported publicly

in the Parliament. In the next 24 hours or so before the bill is debated in the Legislative Council, I want to make sure that we look at any unintended consequence of the amendment and do whatever is necessary to get it passed in the Legislative Council.

I also want to make sure that this amendment sits within the appropriate Act. I do not have responsibility for revenue generated through fines; that responsibility sits with the Minister responsible for Revenue NSW. Therefore, it might be more appropriate for any amendment of this nature to sit within a different bill, which will be assessed legally between the Chambers as the bill flows through. I absolutely acknowledge our intent in sharing the same goal and aspiration as those opposite to introduce greater accountability to try to change the culture. I think most people would agree that it is rotten that people can hide behind a corporate entity to avoid a penalty and accountability for their driving. I reserve the Government's assessment of this amendment, but I acknowledge its intention.

**The ASSISTANT SPEAKER:** The question is that Opposition amendment No. 1 on sheet c2020-185B be agreed to.

**The House divided.**

Ayes .....42  
Noes .....46  
Majority.....4

#### AYES

Aitchison, J	Finn, J	Minns, C
Atalla, E	Greenwich, A	O'Neill, M
Bali, S	Harris, D	Park, R
Barr, C	Harrison, J	Parker, J
Butler, R	Haylen, J	Piper, G
Catley, Y	Hoenig, R	Saffin, J
Chanthivong, A	Hornery, S	Scully, P
Cotsis, S	Kamper, S	Smith, T
Crakanthorp, T	Lalich, N	Tesch, L
Daley, M	Leong, J	Voltz, L
Dalton, H	Lynch, P	Warren, G
Dib, J	McDermott, H	Washington, K
Donato, P	McKay, J	Watson, A (teller)
Doyle, T	Mehan, D (teller)	Zangari, G

#### NOES

Anderson, K	Gulaptis, C	Provest, G
Ayres, S	Hancock, S	Roberts, A
Barilaro, J	Hazzard, B	Saunders, D
Berejiklian, G	Henskens, A	Sidgreaves, P
Bromhead, S	Johnsen, M	Sidoti, J
Clancy, J	Kean, M	Singh, G
Conolly, K	Lee, G	Smith, N
Constance, A	Lindsay, W	Speakman, M
Cooke, S (teller)	Marshall, A	Stokes, R
Crouch, A (teller)	McGirr, J	Taylor, M
Davies, T	O'Dea, J	Toole, P
Dominello, V	Pavey, M	Tuckerman, W
Elliott, D	Perrottet, D	Upton, G
Evans, L	Petinos, E	Ward, G
Gibbons, M	Preston, R	Williams, L
Griffin, J		

#### PAIRS

Car, P	Williams, R
Mihailuk, T	Wilson, F

**Amendment negatived.**

**The ASSISTANT SPEAKER:** The question is that clauses 1 and 2, and schedules 1 and 2 be agreed to.

**Clauses 1 and 2, and schedules 1 and 2 agreed to.**

### **Third Reading**

**Mr ANDREW CONSTANCE:** I move:

That this bill be now read a third time.

**Motion agreed to.**

## **COMMUNITY LAND DEVELOPMENT BILL 2020**

## **COMMUNITY LAND MANAGEMENT BILL 2020**

### **Second Reading Debate**

**Debate resumed from 23 September 2020.**

**Ms YASMIN CATLEY (Swansea) (16:47:56):** I lead for the Opposition in debate on the Community Land Management Bill 2020 and the Community Land Development Bill 2020. At the outset I advise the House that the Opposition will support the legislation. This legislation has been the subject of consultation for a number of years. Members will recall that it was considered when the Strata Schemes Management Act 1996 was reviewed in 2011 and subsequently repealed in 2015. These bills will go a long way towards bringing the legislation into line with the Strata Schemes Management Act 2015. The legislation is very much welcomed by people in the community land development and management sector and by people who have sought up-to-date legislation for quite some time.

I will deal first with the Community Land Management Bill 2020. This bill duplicates reforms in the Strata Schemes Management Act 2015, except for provisions that reflect the difference of community title. The bill will effect key changes to the manner in which community land operates. The changes include improvement in transparency and accountability of management agents. This legislation is welcomed by association managers who, for example, are required to disclose commissions and agency agreements that have a maximum term of three years only. If a member of an association cannot vote or appoint a proxy to vote during the appointment, they are nevertheless obliged to disclose any pecuniary interest. The initiatives are sound and will strengthen the legislation. In addition, the bill will simplify dispute resolution mechanisms within the scheme, including reducing the burden on the tribunal. That is a great initiative and it is appreciated by the tribunal and residents alike. Nothing is more burdensome than having to attend tribunal hearings, particularly in relation to matters in dispute concerning community land management arrangements.

The bill will reduce red tape by simplifying procedures and by providing much greater flexibility for associations to be democratically managed. Those changes are a key feature of the legislation. Significant matters raised by stakeholders include by-laws relating to the management and administration, control, use or enjoyment of the lots in an association scheme or indeed the association property. By-laws cannot be harsh, which is very pleasing for the broader community who live in community land management schemes, and are not to be unconscionable or oppressive. Clause 135 provides that the association property rights by-laws must not be made or changed without the written consent of each person who is entitled by that by-law to use the restricted property. All these very sensible changes are welcomed by those who live in community land management properties.

Part 9 of the bill also makes changes relating to insurance. A property damage insurance policy must cover the building's structure, if damaged but not destroyed, to be rebuilt or replaced under the policy with the cost of services incidental to rebuilding also being covered by the insurance policy. Associations are required every five years to obtain valuations of buildings that are required to be insured. The bill also deals with simplifying disputes. A community association may establish voluntary processes for dealing with disputes, which will fast track the resolution of disputes.

As I have already indicated, the goal of this reform is to hopefully keep people out of the tribunal. Parties to a dispute cannot be legally represented at mediation unless all parties consent to legal representation. Hopefully, this reform will create a much better environment for residents of community land title properties. The bill introduces offences and penalties. Clause 216 provides that an interested person may take proceedings for the rectification or condition of part of the building if that condition affects or is likely to affect the shelter provided to that part or any other part of the building or its site. As I have already said, the Labor Opposition is very pleased to support all the initiatives presented in the bill.



The Community Land Development Bill 2020 simplifies community development processes and aligns the community laws with the strata laws in the Strata Schemes Development Act 2015. The key changes that the bill focuses on are aligning the development contract provisions with the Strata law; removing unnecessary barriers and red tape, just as is done with the Community Land Management Bill; giving associations greater flexibility to deal with association property, including the disposal and purchase of some properties within the community land development that was not possible in the past, so that is a good initiative; and allowing tiered schemes to simplify their structure by amalgamating neighbourhood and precinct schemes with the parent community scheme.

The Owners Corporation Network [OCN]—one of the key stakeholders for this group—provided some information to the Labor Opposition. It is pleasing to note that that organisation has told the Opposition that proposed provisions in the Community Land Development Bill make it easier for community associations to make dealings, with a number of matters now requiring special resolutions as opposed to unanimous resolutions. This change has been pushed by the OCN and other stakeholders for quite some time, so it is a very good initiative. The Minister, who is in the Chamber, has worked extremely cooperatively with all stakeholders and I know that they are very pleased with the work that the Minister has done.

They have also advised Labor that both of these bills appear to achieve the objectives of aligning with provisions of strata legislation. As I outlined at the beginning, that was one of the key objectives for this legislation, which purports to introduce clearer processes for dealing with disputes, broader tenant participation in meetings, which we always want to see more of, a simpler approval process—we talked about the cutting of red tape—and approval processes for association property dealings. There is no doubt that those living in community land development situations find these bills very pleasing and are very pleased that they have come to the Parliament. The Minister and his staff have briefed the Opposition on the bills with courtesy and in extreme detail. Again, I acknowledge that the Minister is in the Chamber. Labor is very pleased to support the bills and I commend them to the House.

**Debate interrupted.**

#### *Public Interest Debate*

### **TRANSGENDER AND GENDER DIVERSE COMMUNITIES**

**Mr ALEX GREENWICH (Sydney) (16:57:58):** I move:

That this House:

- (1) Notes the contribution made to New South Wales from the trans and gender diverse communities.
- (2) Commends leading organisations supporting the trans and gender diverse communities including The Gender Centre, ACON, the Inner City Legal Centre, Twenty10, Trans Pride Australia and Equality Australia.
- (3) Notes the national sports codes trans and gender diverse inclusion measures.
- (4) Notes the disproportionately high discrimination, and health, mental health and economic impacts experienced by the trans and gender diverse communities, especially during the COVID-19 pandemic.
- (5) Notes the importance of ongoing funding support for organisations and health and welfare services supporting the trans and gender diverse communities.
- (6) Calls for the trans and gender diverse communities to be treated with dignity, fairness, respect and equality.

The Parliament of New South Wales has long worked together when it comes to matters of equality for LGBTIQ communities. We got behind marriage equality, apologised to the 78ers, removed past homosexual convictions and worked through tensions with police and we continue to support the Sydney Gay and Lesbian Mardi Gras. There is still a long way to go and we urgently need to focus on the trans and gender diverse communities, whose basic health and welfare are overlooked and who are regularly subject to discrimination, stigma, isolation and exclusion. Trans and gender diverse communities have been under increased attack lately, including in this Parliament where their very right to exist is the subject of discussion.

"Trans", "transgender" and "gender diverse" are catch-all terms for people who see their gender as different to the sex assigned to them at birth. They include people who are non-binary, meaning they do not identify as wholly male or female. The World Health Organization recognises that being transgender is not a mental illness; however, it shares concerns that discrimination and ignorance of trans and gender diverse people can hinder their access to health care, social protection and employment, which impacts on their mental health. There are estimates that around 0.7 per cent of the New South Wales population is transgender, although it is likely to be more. They are our friends, family, co-workers and acquaintances. Their transgender status is their business but their dignity, fairness, respect and equality and their access to services and opportunities should be a priority for us in this Parliament. Trans and gender diverse people experience significantly high rates of discrimination, harassment,

bullying and stigma and report high levels of isolation and rejection. Suicide rates are alarmingly high. People who are transgender face battles every day in ways that most of us cannot imagine just to access employment, education, services and health care.

For many trans and gender diverse people, the COVID-19 pandemic has increased already high rates of social isolation. Lack of access to documentation that reflects their true sex or gender creates incredible barriers in their lives. Transgender people are regularly forced to reveal their very personal transition experience when, for example, they apply for a job or need to provide a birth certificate. That is because in New South Wales a transgender person can only update the sex on their birth certificate if they have a sex affirmation procedure. This out-of-date requirement does not reflect the reality of the vast majority of transgender people who transition without surgery. Sex affirmation procedures have health risks and long-term consequences, such as sterilisation, and are not appropriate for everyone. The cost and recovery time can make procedures unattainable for many. Hormone treatment has now become a far more common treatment for transitioning sex, though this intervention is unnecessary for some. Most other States and Territories and, indeed, the Commonwealth have removed these archaic obligations. New South Wales should finally give trans and gender diverse people the security of a registered record to help them engage with employment, health and life like everyone else.

Transgender people face alarming barriers in health care in terms of access to gender-affirming care and access to general health services. There are disturbing reports of humiliation of transgender people in the healthcare sector. Last year a La Trobe University study found that 14 per cent of transgender people had been verbally harassed in a healthcare setting. Transgender people can find it difficult to find a supportive and understanding general practitioner and often have to educate doctors because they have not been trained in transgender health care. Examples include failure to provide a cervix screen. They are often refused basic gender-affirming care. Despite the massive improvement to quality of life, most gender-affirming treatment is not covered by the public health system and transgender people are often forced to see specialists unnecessarily. Gendered billing categories still exist in health care, including Medicare billing codes.

Despite the many barriers transgender people face, they continue to provide vital contributions to the community. Leading organisations such as The Gender Centre, ACON, the Inner City Legal Centre, Twenty10, Trans Pride Australia and Equality Australia provide vital support and advice to transgender people attempting to navigate the healthcare sector, employment, education or the justice system, and also advocate for law reform. They work with families to help them support their transgender loved ones. Representatives of these organisations are watching this debate from the Jubilee Room here at Parliament House. The organisations have helped me understand the challenges of people who are transgender so that I can better advocate for my community. They save lives and help people reach their best potential in work, education and the wider community. But they are at capacity and cannot meet demand for services. These organisations need increased and guaranteed ongoing funding.

I inform the House of a world-first resource developed by ACON empowering trans and gender diverse people with information and the capability to advocate for themselves. TransHub is a digital platform for trans and gender diverse people and their allies and health providers, providing easy access to information about social, medical and legal affirmation, as well as health and support resources. I encourage members to refer their trans and gender diverse constituents and their families to this great resource, and to the resources and supports and services provided by the Gender Centre and Trans Pride Australia. The trans and gender diverse communities need support from people in this place. We should look to the leadership shown by eight peak sporting bodies who recently committed to developing a trans and gender diverse inclusion framework for their sports. Sport can bring immense social, health and mental health benefits, making greater inclusion of trans and gender diverse people so important. *[By leave, extension of time]*

We in this place have a responsibility to ensure that everyone has access to health, services, education and employment, and can fulfil their potential in the community. We also have the responsibility to protect them from attack for being who they are. I call on the House to make support and reform for trans and gender diverse communities a priority and to work together towards equality, dignity and respect. I commend the motion.

**Mr ANDREW CONSTANCE (Bega—Minister for Transport and Roads) (17:05:41):** I thank the member for Sydney for his ongoing leadership in fighting discrimination across the community and, in particular, his incredible lifelong commitment to stamp out discrimination against trans and gender diverse communities. When I saw that this motion was before the House today it gave me an opportunity to reflect on an individual that I met in my electorate of Bega. The issue that was raised as part of that representation was a clear discrepancy in the way in which documentation was required to be produced between applying for a passport at a national level versus the requirements to obtain documentation for births, deaths and marriages. This has not been fixed and I will continue to impress on my colleagues that it must be fixed.

In 2014 the self-identification process was introduced at a national level by the Abbott Government versus what is currently required at a State level in terms of surgical requirement to gain access to documentation, which is discrimination that should be rectified. The process should be absolutely consistent and something that should continue to be examined and advocated. I do not think anybody in this Parliament would argue otherwise—and they should not be in this place if they do—that discrimination is an appalling and fundamental breach of human rights. We will have to work hard to stamp out the challenges besetting people across not just the Sydney community but also more broadly across New South Wales. We all have an obligation in this regard and we all must ensure that people are given every opportunity.

I hate to use the word "tolerance". It is a word that should never be used to describe the fundamental need to make sure that we break down discrimination barriers, particularly for trans and gender diverse community. There is no doubt that there are incredible families doing incredible things across this State who need to be recognised and celebrated, not made to feel, as many people do, the pain, hurt, mental health pressures and financial pressures that discrimination brings. I worry, because in more recent times I have seen and received reports about basic and fundamental leadership principles, which should be provided by the public services across agencies, being used politically. Government departments and Ministers who have responsibility for those departments need to make sure that an inclusive policy is the norm. At the end of the day we should be aiming to not have these policies because it should just be life; it should be the norm.

I am pleased to support the motion. I noted the joy of the member for Sydney when it was announced yesterday that the Sydney Harbour Bridge will be made available for WorldPride in 2023. I think the last time the bridge was closed was in 2008 when Kristina Keneally closed it for World Youth Day. We get to close the bridge every 15 years and I note that the member for Summer Hill has a very big smile on her face as I say that. It is the least that this city should be doing for what will be a significant global event. In essence, it reinforces the need and the obligation that we all have on a daily basis to make sure that discrimination does not harm anybody regardless of gender or background. Thank you, Alex, for moving this motion today. I am very pleased to support it.

**Ms JO HAYLEN (Summer Hill) (17:10:47):** I am delighted to speak to the public interest debate brought by the member for Sydney, who has been a tireless advocate for the LGBTIQ+ community. I know he shares a deep conviction with many across the Parliament to improve the rights of transgender and gender diverse people in New South Wales. On behalf of the New South Wales Labor Opposition, I warmly thank him for bringing this motion to the House and offer our support. I represent a diverse and inclusive community that prides itself on being a welcoming, safe place for people who identify as transgender, gender diverse or non-binary. In our community, and across New South Wales, gender diverse people are loved and valued. I speak directly to you now and say that we in the Labor Party acknowledge your contribution to our community and we stand with you.

We also know there is so much more work to be done. Trans, gender diverse and non-binary people continue to face stigma, discrimination, violence and marginalisation. Studies show they are four times more likely to be diagnosed with depression, one in six will experience violence and seven in 10 will face some form of discrimination. That has a real cost. Up to half of all transgender and gender diverse people will attempt suicide in their lifetimes. They have also experienced additional risk during the pandemic. The sense of isolation and mental health pressures felt by many throughout the lockdown have been especially acute for many trans and gender diverse people, including those living in less than loving households. The lockdown complicated the process of accessing hormones and other medical services, and the subsequent recession continues to disproportionately impact vulnerable groups.

Thankfully, extraordinary community groups have been there to ensure no-one is left behind. I acknowledge the leadership, commitment and care of groups including The Gender Centre, ACON, the Inner City Legal Centre, Twenty10, Trans Pride Australia and Equality Australia. In fact, today ACON launched its trans COVID care program designed to provide social and health resources, as well as some financial resources, including shopping vouchers, to support the community through this difficult year. These organisations do critical work, often in difficult circumstances. There can be no doubt that they change lives and save lives. Other organisations are also stepping up to support their trans and gender diverse members, including Rainbow Families NSW, which recently worked with Jac Tomlins to develop a guide to support trans and gender diverse parents.

Our sporting fields have also become safer and more inclusive. Last year Support Australia partnered with the Human Rights Commission and a coalition of sports to develop guidelines for the inclusion of trans and gender diverse people in sport. This month Pride in Sport reports that eight peak sporting bodies have signed up: the AFL, Cricket Australia, Hockey Australia, Netball Australia, Rugby Australia and the NRL. As well as improving the wellbeing and health of trans and gender diverse people by encouraging participation in elite and community sport, these measures will increase visibility of trans and gender diverse athletes. That sends a powerful message to young people in the community that they are part of the Australian story and every facet of Australian life.

Community organisations cannot do this work alone, and we have a responsibility as legislators to make sure that they are properly funded and to update laws to reflect the lives of people in the community. Currently, New South Wales law requires that trans and gender diverse people undergo a sex affirmation procedure before being able to change the recorded sex on their birth certificate. It is important to recognise that not all people want to undergo such a procedure and that the current requirement is unnecessary, outdated and cruel. It must change.

ACON's *Blueprint for Improving the Health and Wellbeing of the Trans and Gender Diverse Community* spells out a series of priorities that this Parliament has a responsibility to work towards. Those priorities are: clear and easy pathways for accessing gender-affirming care; affordable and accessible gender-affirming health care; an inclusive and knowledgeable health sector that responds to the needs of the trans and gender diverse communities; reform around identification processes and documentation; ensuring respectful workplaces and education settings; and fostering a vibrant, resourced trans and gender diverse community advocating for its own needs and priorities.

We must prioritise services that allow trans and gender diverse people in our community to live with dignity and to thrive. We must ensure trans and gender diverse members of our community are treated fairly on the sports field, at work, at school and in all aspects of life. We must treat trans and gender diverse people with the respect they deserve as equals and that includes resisting attacks which represent the worst forms of discrimination and transphobia, especially when they come from within this Parliament. Together we can make sure that New South Wales is the safest and most inclusive place in the world for transgender and gender diverse people to live.

**Ms JENNY LEONG (Newtown) (17:16:04):** My name is Jenny Leong and I use the pronouns "she" and "her". I thank the member for Sydney for introducing this motion to the House. The Greens proudly and wholeheartedly supports this extremely important public interest debate. I acknowledge the contribution from the Minister for Transport and Roads on behalf of the Government. It is nice to see the Liberal-National Government putting the "trans" into Transport for NSW. It is wonderful that representatives from the trans organisations are listening to this debate and I welcome them to the New South Wales Parliament. I want them to know that they are always welcome here.

I make a special shout out to The Gender Centre, which has been on the front line helping trans, gender diverse and gender-exploring folks in New South Wales for 37 years. The centre provides 75 per cent to 80 per cent of all welfare and community support services, and 80 per cent of the crucial free counselling and psychological support for trans and gender diverse communities in New South Wales. The Gender Centre is an incredible organisation that does an incredible amount of work. It saves the New South Wales Government a lot of money by providing direct support to young people, particularly those at risk of homelessness, instead of the State having to pay for out-of-home care. Its work ensures that those young people are supported.

Right now services like The Gender Centre are going it alone and doing it very tough. They are really working hard to support disadvantaged members in our community and those struggling in rural and remote communities. It is well past time that trans lives are given the funds and investment they deserve. I also acknowledge the incredible work of ACON, the Inner City Legal Centre, Twenty10, Trans Pride Australia and Equality Australia in supporting and advocating for trans and gender diverse folks in New South Wales.

On conservative estimates, about 48,000 trans people live in New South Wales, yet they are often disregarded in health strategies, services and programs delivered across the State. Meanwhile, in the context of widespread stigma, discrimination and marginalisation, research suggests that trans and gender diverse people are much more at risk when it comes to serious health and mental health outcomes. That is not okay. It cannot be ignored anymore. To the trans and gender diverse and the non-binary folks in our communities I say: We see you, we hear you and we will do everything in our power to turn those statistics and health outcomes around.

Right now these communities are under attack and some of those attacks are coming from people inside this building. Whether it be in the form of proposed legislation, notices of motion, talkback radio or sensationalist television commentary, trans and gender diverse lives are being aggressively targeted and trans experiences are being discounted and erased. As we chanted last week when marching down Oxford Street with Community Action for Rainbow Rights, "When trans rights are under attack, what do we do? Stand up. Fight back." We cannot be silent or weak on this issue. We cannot let the bullying go on unchallenged. Vilification and discrimination is damaging, dangerous, has real world impacts and is a matter of life and death.

The motion makes it clear that trans and gender diverse people are welcome in our parliaments, schools, universities, workplaces, on our sporting fields and in our venues because they are an integral and valued part of our community. They deserve to live free from fear, discrimination, vilification and attack. It is unacceptable and unconscionable that some people in this building, and others in high profile positions here and around the globe, feel they can use their influence to undermine the rights of trans and gender diverse people. As the member for Newtown I will continue to stand up against transphobia and bigotry in all its forms, and as the sex, sexuality,

gender and gender identity spokesperson for The Greens, I give our commitment that we will continue to work for properly funded trans and gender diverse services for research, advocacy and health programs.

The Greens will also continue to work to remove provisions in the Births, Deaths and Marriages Registration Act that blatantly ignore trans and gender diverse rights and experiences, and for a whole-of-government approach to stamp out transphobic bullying and discrimination in schools, workplaces and service provisions in New South Wales. Finally, in the interests of everyone in the community, I will continue to work to overhaul the Anti-Discrimination Act in this State to properly protect trans and gender diverse communities from discrimination. It is absolutely crucial that we are here today offering support. To the bullies and the people who wish to attack the trans community I say: We will continue to stand up and speak out against your aggressive bullying tactics.

**Ms LIESL TESCH (Gosford) (17:21:13):** I commend the great contribution made to New South Wales by the trans and gender diverse communities. Early on in my role as the member for Gosford, Katherine Cummings, a book lover, sailor and award-winning author from Tascott visited me in my office. Katherine was 52 years old when she transitioned to a woman; she is now 85. I really enjoyed reading Katherine's book *The Life and Loves of a Transgendered Lesbian Librarian*. Katherine is an activist for transgender people and she has inspired me to do more and to be more than a polite cup of tea for the gender diverse community. I thank the member for Sydney and the people who are watching in the Jubilee Room for pushing this Parliament to continue to be friends and to grow our family of friends.

I fell in love with Glitta Supernova and Juan Lamas when they first visited my office to talk about the Coastal Twist, a festival that is now embedded in my community. We are all devo that the Coastal Twist was cancelled for 2020, but I invite everybody watching at home to join us next year. Last year 7,000 people came to a safe place to celebrate love, inclusion, equality and visibility for all people. The festival made a positive and long-lasting impression on lots of people across our community. I am really happy to be opening the Coastal Twist "Shopfront" Photo Exhibition as a replacement during COVID. There are only 344 days until next year's event, so bring it on.

I commend Rainbow Labor, which has worked alongside the Labor movement for a long time and pushed us to be inclusive and fair in this Parliament, and my colleague the Hon. Penny Sharpe for the voice that she brings to that role. With 11 per cent of Aussies—27 million people—having a diverse sexual orientation, sex or gender identity, 44 per cent of LGBTIQ+ people are hiding their sexuality or gender in public, and with 80 per cent of bullying involving LGBTIQ+ young people at school, it is time for greater government investment and policy commitment to support our trans and gender diverse communities.

In a recent Business NSW COVID-19 report, young people of generation Z identified their top three issues as feeling isolated and unsafe, wanting to do good and embracing diversity and multiple fluid identities. Let us hope that this gains traction with the Government's decision-makers so that they invest in recognising, celebrating and supporting our diverse communities across New South Wales starting right now. We are in a pandemic and we hear them. I acknowledge those who are watching in the Jubilee Room and thank them for their work. I acknowledge ACON, The Gender Centre, the Inner City Legal Centre, Twenty10, Trans Pride Australia and Equality Australia for the work they do for members in communities across New South Wales, including Lisa.

I have a card for Lisa in my folder that I wrote yesterday morning not knowing that this public interest debate would be before the Parliament. She rang our office to speak of the discrimination she experienced as a woman trying to get a fridge from The Salvation Army. It was devastating to listen to her, but it was great to know that I had the Coastal Twist community to rally round and support her. I have invited her to come to an event very soon. Lisa should not have to ring up her MP because of gender discrimination. The community should be educated, supportive and inclusive. Discrimination, isolation and economic exclusion are not okay.

I emphasise the importance of ongoing funding support so that health and welfare service organisations can receive the education they need to ensure fair and equitable support. I thank the very small paediatric endocrine unit in Newcastle that supports my community. The two doctors who run it are doing an absolutely champion job. I emphasise the importance of getting gender-affirming health care and education into our GP surgeries. I also note the bottleneck in psychological service provision, and I support those supporting our young people in transition. The books for psychiatry are closed. Where is the access and the voice for those people who need support? Kids on the Central Coast have nowhere to be heard. We need psychiatrists and psychologists provided by the Government so that those services are affordable and accessible to our community.

I thank parents and friends for the support that they provide, and I thank the services for the work they do supporting those who are transitioning. You have got friends in this place. Finally, I thank Daniel Kowalski—an absolutely fantastic athlete—for the work that he did to get both Olympians and Paralympians marching together

in 2016. That show of unity put pressure on sporting groups like Basketball Australia and Australian Sailing, who I continue to lobby to create further inclusion across the country.

**Mr ALEX GREENWICH (Sydney) (17:26:29):** In reply: I deeply thank all members who spoke on this motion. It is wonderful to have such strong support from Government, Opposition and crossbench members. This is critically important to trans and gender diverse communities who continue to do it tough, and who often see more attacks from this place than the strong, affirming support that they have seen today. I am grateful for that. This motion falls on International Pronouns Day. The member for Newtown started her speech with her pronouns. My pronouns are "he" and "him". It is important to start every meeting by advising of the correct pronouns because it prevents misgendering and it creates an inclusive environment. It is something that we can all do.

I thank the Minister for Transport and Roads for his wonderful and genuine words. I look forward to working with him and all members on reforms that, as he described them, would remove the barriers to people obtaining a birth certificate that accurately reflects their sex or gender identity. I also thank him for allowing the bridge to be used during WorldPride Sydney 2023. We hope that we can do it in a safe way. If we can, it will be a very exciting event. I also thank the member for Summer Hill for her ongoing support for the LGBTIQ community and for her contribution to the debate on this motion. It is always great to work with her on these issues. Of course, the member for Newtown continues to be a fierce advocate for the trans community. I appreciate her ongoing support. I also recognise the strong working relationship that I have with both her and our former colleague Senator Mehreen Faruqi, who I worked with on a number of pieces of legislation in this regard.

I thank the member for Gosford for her great words. I stress the increasing need to support the paediatric and endocrine services at John Hunter Hospital. The staff do amazing work without the resources that they should have at their disposal. I look forward to continuing to advocate on their behalf. There are so many other supporters of the trans and gender diverse communities in this place—members of the Liberal Party, members of The Nationals, members of the Animal Justice Party, obviously members of the Labor Party, as well as other parties. *[By leave, extension of time]*

I endorse the comments of the member for Gosford supporting the work of the Hon. Penny Sharpe and Rainbow Labor, who work extremely hard in this space. I am pleased to read onto *Hansard* the following statement from the Hon. Shayne Mallard, Chair of the NSW Parliamentary Friends of LGBTIQ:

I am pleased to strongly endorse the motion moved by Mr Alex Greenwich MP in support of the trans and gender diverse communities. For too long the community has lived largely in the shadows of society. As the Chair of the Legislative Council Inquiry into Gay and Transgender Hate crimes we heard evidence of hate murders and violence against the trans community that continues to this day. Much of it unreported. This is tragic and unacceptable. As the chair of the parliamentary friends of the LGBTIQ community I was pleased to recently host a consultation round table with leading trans community members and organisations. We heard the issues confronting the community including ongoing discrimination and higher needs for health, mental health, welfare and economic support. The challenges of marginalisation, discrimination and disadvantage are not new but brought into greater focus during the COVID-19 Pandemic. Therefore I strongly endorse the motion and call for the Trans and gender diverse members of our community be treated with dignity, fairness, respect and equality.

With the House agreeing to this motion, let us commit to reforms that advance dignity, fairness and equality for our State's trans and gender diverse citizens. I commend the motion to the House.

**The DEPUTY SPEAKER:** I commend the member for Sydney for bringing this motion to the House. The question is that the motion be agreed to.

**Motion agreed to.**

### *Bills*

## **COMMUNITY LAND DEVELOPMENT BILL 2020**

## **COMMUNITY LAND MANAGEMENT BILL 2020**

### **Second Reading Debate**

**Debate resumed from an earlier hour.**

**Mr JUSTIN CLANCY (Albury) (17:31:38):** I make a contribution in support of the Government's legislative reform package for the community schemes laws. This includes as cognate bills the Community Land Development Bill 2020 and the Community Land Management Bill 2020. It has been a journey of some years for the landmark strata reforms of 2015 to be replicated in community laws. I note the Government's thanks to our stakeholders and friends in that sector for their patience as these bills have been developed. Together they comprehensively rewrite the community schemes laws and create a modern and effective regulatory framework for community lands. The Minister for Better Regulation and Innovation and his team are to be commended and congratulated on landing this comprehensive reform project.

In 1989 New South Wales enacted a world first with the introduction of community schemes legislation. Community title offered an alternative to conventional strata scheme subdivision by allowing shared property to be included within a land subdivision. These laws enable developers to sell off lots in stages and to develop communities around a theme. It is now more than 30 years since the first community lands laws in New South Wales were enacted, and the sector has since grown significantly in size and complexity. It is difficult to imagine what our urban and regional communities would look like if both strata and community land title had not been introduced. The first community scheme laws were modelled on the New South Wales strata scheme laws, with many parallels existing between them. But while the strata scheme laws have been amended and updated over the years, including with the landmark overhaul of strata schemes laws in 2015, the community schemes laws have fallen behind. These bills will align the community schemes legislation with the strata schemes legislation—a move the Government is confident will be welcomed across the strata and community lands sector.

I support the Community Land Management Bill and particularly part 4 which enhances accountability and transparency with respect to community managing agents, which was one of the hallmarks of the 2015 strata reforms. The growth of community schemes is set to continue and over time there will be an even greater need for the professional services of strata and community managers. The services that managing agents provide have a big impact on the quality of life of those living and working in community schemes.

Managing agents are entrusted to look after people's homes and investments. Their guidance and actions can have far-reaching consequences. During the consultation process on the strata and community title law reforms, the Government heard a clear message that people expect the laws to support strata and community managers in conducting their duties to the highest ethical and professional standards. Consultation identified the need to improve accountability and address potential conflicts of interest, especially to improve the transparency of commissions and other forms of third party payment. Accordingly the reforms before the House today address potential conflicts of interest and help build trust and confidence in community managing agents—a good thing for everyone. Of course, alongside that goal we also seek to strike a balance in the regulation of managing agents and consider the ongoing financial viability of this burgeoning profession.

The proposed disclosure and accountability regime for managing agents has a few different elements. The management bill will require community managing agents to disclose any connections with developers or original owners and will not be allowed to be members of the neighbourhood, precinct or community committee for the association that they are managing, nor will they be able to sit on the committee of any subsidiary association. During the strata and community title consultation process the Government heard many concerns about the receipt of third party commissions by managing agents.

The Government acknowledges that the practice of receiving commissions, such as those from insurance companies and service providers, has evolved over time and is now common throughout the industry. Commissions paid to managing agents may allow them to charge associations lower overall service fees but the commissions may also result in costs being passed on to associations in the form of higher prices for products and services, or by limiting competition among potential suppliers to strata schemes. Commissions can have the potential to influence behaviour and how decisions are made. Also from a consumer perspective it can be difficult to understand or explain these types of arrangements.

The Government's extensive consultation leading up to the 2015 reforms found that some people felt strongly that commissions represent a conflict of interest for the managing agent that can lead to mistrust between agents and owners. It is vital that associations are provided with information about third party commissions so they can make decisions about whether such arrangements are best for their scheme. Consideration was given to a total ban of all forms of third party payments under a management agreement. However, feedback from stakeholders and the potential market implications did not support a blanket ban on commissions. As a result, the 2015 strata reforms landed on an enhanced disclosure obligation together with the flexibility for owners corporations to choose whether to allow their managing agent to receive commissions at all.

As the overriding purpose of these bills is to align community land laws with strata, the policy that was landed on in 2015 is now being replicated for community land managing agents. The reforms in the management bill mean that lot owners and associations can make well-informed decisions about the service arrangements for their scheme. At the start of every management contract term, associations will choose whether to allow their agent to receive commissions. The contract will have to provide a choice for associations between a fee-for-service price if the agent is allowed to receive commissions and a fee-for-service price if commissions are not allowed.

For associations that allow their agent to receive commissions, at each annual general meeting managing agents will have to disclose the circumstances, dollar amount and services provided in respect of any commissions received during the previous 12 months and a best estimate of the circumstances, dollar amount and services to be provided in respect of any commissions to be received in the next 12 months. As soon as a managing agent becomes aware that the estimate they provided has changed they must immediately report this to the association

committee. The management bill includes appropriate penalties for agents who breach their obligations by either not disclosing commissions or intentionally providing false estimates of commissions. New section 64 sets the maximum penalty at 20 penalty units, amounting to a fine of \$2,200.

The NSW Civil and Administrative Tribunal will also have the power to make orders with respect to agents whose commissions breach these new laws. The management bill provides that, on application by the association, the tribunal may order the agent to pay to the association the whole or part of the commission if the agent failed to disclose their commissions at all. Alternatively, the tribunal may order that the agent pay to the association the whole or part of commissions where the agent's estimate of their expected commissions was given to the previous annual general meeting of the association in bad faith.

Importantly, associations will also have the right to terminate their managing agent's contract on these grounds, providing a further powerful incentive for compliance. As well as tightening the rules on commissions, the management bill introduces restrictions on the receipt of gifts and other non-monetary benefits by managing agents. Managing agents will only be allowed to receive non-monetary benefits and gifts from third parties if the items do not exceed an amount to be prescribed in the regulations. I note that the amount for strata managing agents and other types of property agents regulated under the Property and Stock Agents Act 2002 is set at \$60. It will otherwise be an offence for a managing agent to accept or request a gift or other benefit in connection with the provision of their services as a managing agent. The monetary limit on gifts will ensure that everyday items of a token nature, such as having coffee or lunch over a meeting, will not be captured by this reform. [*Extension of time*]

I now turn to the issue of terms of appointment for managing agents and a desire for community land associations, as with their cousins in strata, to have more flexibility to change the managing agent for their scheme. The management bill limits the length of a managing agency contract to a maximum of one year for an agent appointed at the first annual general meeting after the end of the scheme's initial period. The bill also provides that any subsequent term of appointment of a managing agent will be limited to a maximum of three years, unless terminated sooner.

Historically, NSW Fair Trading has received complaints about long-term contracts being entered into at the first annual general meeting with agents who have been chosen by the developer. In these situations conflicts of interests could arise for an agent when the views and concerns of the new owners do not accord with those of the developer or when building defects are found within the scheme. Due to the staged development and tiered structure of many community schemes, the initial period can last a long time. This can mean that the first annual general meeting might not be held for several years after lots in the scheme are first occupied. Some agency contracts also include terms such as automatic rollovers that significantly extend the length of the contract and make it hard for owners to replace the agent. Under the management bill, automatic rollovers of agency contracts are not allowed, except for a period of up to three months if the agency agreement expires and the association has not yet made a decision to either revoke or renew the managing agent's contract.

Finally, the management bill introduces another requirement on managing agents to help promote competition and choice and to limit the development of close commercial relationships that are not in the best interests of the community land association. New section 154 requires managing agents to provide to the association at least three quotations from different providers for each type of insurance proposed by the agent to the association. However, the Government is aware that obtaining three quotes from insurance providers may not always be feasible, especially for buildings or schemes with unique features, exceptional claims history or for other reasons. In such cases new section 154 provides that the agent will not be in breach of the law if they provide written reasons to the association as to why they have obtained fewer than three quotes.

These are all sensible and balanced reforms that were enacted in 2015 in the Strata Schemes Management Act with the broad support of the strata community at large and key stakeholders in the sector. For four years those new laws have been in force for strata and they are now rightly being replicated in these bills for community lands. The Government is aware that there are many well developed views in the strata sector about the operation of these new laws and opportunities for change. On that basis we look forward to the statutory review of both the Strata Schemes Management Act and the Strata Schemes Development Act, which is due to commence by November 2020. The strata statutory review will be a welcome opportunity to assess how well these reforms to the regulation of managing agents have been operating.

I understand it is the Government's intention to ensure that any further reforms arising from the strata review that are also relevant to community lands will be legislated concurrently, which will maintain the consistency and alignment the sector craves. In conclusion, I reiterate that these reforms aim for regulation that is suitably tight to mandate transparency and accountability, while allowing choice, competition and flexibility in the marketplace to flourish. The Community Land Management Bill and the Community Land Development Bill



have been carefully developed with the best interests of community, precinct and neighbourhoods in mind, and in close collaboration with key representatives of the sector. I commend the bills to the House.

**Ms WENDY LINDSAY (East Hills) (17:46:02):** I speak in support of the Community Land Development Bill 2020 and the Community Land Management Bill 2020. I commend the Minister for Customer Service and the Minister for Better Regulation and Innovation for bringing the bills to the House. The bills represent the biggest reforms to community schemes since the original Acts were passed by this Parliament more than 30 years ago. As members have heard, the bills completely rewrite New South Wales community schemes legislation and provide much-needed modernisation consistency with the laws that govern strata schemes in New South Wales. My remarks today will be directed to a new policy proposal contained within the regulation-making powers in the Community Land Management Bill—a new data reporting obligation on associations in community lands and owners corporations in strata.

I draw the attention of the House to clauses 233 and 233 (2) (j) and schedule 4.21 to the Community Land Management Bill 2020. Those provisions introduce new powers to allow the Secretary of the Department of Customer Service to require community and strata schemes to report specified information about their schemes to the department. In introducing this head of power simultaneously into the new community schemes law and the existing Strata Schemes Management Act 2015, this approach seeks to ensure ongoing alignment of community and strata schemes legislation, as well as to provide a consistent data reporting system across the board.

The data reporting provisions in the bill are intended to improve and modernise the way the Government collects and stores information about community and strata schemes, as well as the way we interact with customers in those schemes. Currently, the New South Wales Government does not have a centralised point of contact for documents and information about the State's 81,200 strata schemes, 993 community schemes, 69 precinct schemes and 1,818 neighbourhood schemes. This information is fragmented and decentralised across a number of government agencies and platforms and there are inconsistencies in the information that is currently required to be reported to the regulator. For instance, the Government does not have access to up-to-date contact information for committee secretaries or managing agents. This information does not exist at the time of registration of a strata plan and there is no obligation to tell the Government at any other point in the life cycle of a scheme. But as stakeholders have told us, information like this is essential for the Government to communicate rapidly with owners corporations and residents—as was needed in the New South Wales Government's response to combustible cladding.

The Government acknowledges that it can improve the way it collects and maintains data on strata and community schemes. This bill is the first step of that journey. Collection of the information will serve both the need for strata residents to have better access to reliable and consolidated information about their own schemes and will provide the Government with better oversight of strata building compliance. Much of the information about strata and community schemes is collected by those directly involved in the sector, such as managing agents or committee secretaries both of whom can change frequently. Requiring owners corporations to report directly to the Government will ensure their information is up-to-date even when a scheme moves between agents or secretaries. These data reporting requirements will put an end to this information asymmetry and improve the coordination of regulatory activity in relation to apartment construction, maintenance and governance.

The head of power in the bill will enable the Government to prescribe by regulation what information owners corporations will be required to report, who must provide it, as well as arrangements for access to the information, penalties for noncompliance and the levying of fees. Having the detail in the regulations will allow the Government the flexibility to ensure that the reporting requirements, fees and access to information provisions reflect the needs of both the Government and the sector. It will also allow this new system to be implemented in a staged and proportionate manner. It will also afford the Government the flexibility to tailor the new reporting system to the needs of owners corporations across New South Wales and to move the reporting requirements, up or down, as necessary over time. The Government's first priority is to consolidate essential information about strata schemes, such as contact details and addresses for service of documents. Beyond that, the opportunities for innovation are potentially limitless. In the future this head of power could be used to develop an online platform or smartphone app where strata and community schemes can interact with the Government in real time for all community needs, such as education, resources, licensing, lodging annual reports and updating information.

The reporting system is being carefully designed and developed to ensure the protection of data and that there are no privacy risks. The New South Wales Information and Privacy Commission was consulted in the drafting of these provisions in the Community Land Management Bill and the Government is committed to further consulting the commission in the development of supporting regulations. Importantly, the regulations will also be able to restrict the use or disclosure of information that is reported, if needed. It is important to understand that this new data reporting scheme is not being proposed in a vacuum. Instead, the Government is approaching it as

an integral part of the New South Wales Building Commissioner's broader 2025 work plan to restore public confidence in the building industry in New South Wales. The reforms introduced in this bill will improve the New South Wales Government's end-to-end oversight of building compliance and enable new data collation and centralisation.

The reforms also complement the requirements for developers, designers and building practitioners to lodge certain documents with the Government under the suite of building reform legislation passed by the Government in June this year. Over the coming months, the department will be finalising the detail on what strata information will need to be reported and consulting with key stakeholders as part of this process. As I have briefly mentioned, it is anticipated that the first phase of data reporting will pertain to basic information about a strata or community scheme. Such basic information will include the scheme's plan registration number and date of registration, address, contact details of the managing agent and building manager, whether the scheme has consolidated its by-laws and the number of lots. The second phase of data reporting is anticipated to commence in 2022 and will focus on information relating to the function and management of the scheme.

I can assure the House that this reporting system is being developed with extensive stakeholder engagement and collaboration. Since mid-2019 the Minister for Customer Service has chaired six stakeholder roundtables of key strata community representatives, including managing agents, owners corporations, law firms, surveyors, developers and academic experts. A "customer lab" with over 50 organisations was hosted by KPMG in January 2020 as an intensive workshop to further develop the concept and vision for this reform. A trial version of the reporting system has also been piloted by the Department of Customer Service in recent months.

This has allowed some stakeholder partners to trial its use and to provide feedback on both the customer experience and the regulatory burden the reporting obligation is likely to impose. In particular, managing agents from the Strata Community Association [SCA] (NSW) and owners corporations from the Owners Corporation Network [OCN] have invested valuable time and expertise in the pilot program. On behalf of the Government I thank both the SCA and the OCN for their leadership in this sector once again. Such engagement is set to continue, with the Department of Customer Service committed to including sector organisations in consultation on the amending regulations, which will be developed by early 2021, with commencement no earlier than 1 July 2021.

These bills contain many good reforms. The proposal I have focused on today will allow for consistent data reporting and improved processes for the many people who live in community and strata properties across this State. I reiterate that this Government is to be congratulated on delivering for the people of New South Wales, especially by putting the customer at the centre of everything it does. I commend the bills to the House.

**Mr KEVIN ANDERSON (Tamworth—Minister for Better Regulation and Innovation) (17:55:11):**  
In reply: I thank members for their contributions to the debate on the Community Land Management Bill 2020 and the Community Land Development Bill 2020. I thank the member for Swansea, the shadow Minister. I also thank the member for Albury for his very considered contribution and the member for East Hills for her feedback and policy input into the development of these important reforms. The reforms make substantial changes necessary to align community lands legislation with strata schemes laws, delivering the benefits of this Government's major reforms to strata in 2015 to around 1,000 community schemes, 70 precinct schemes and over 1,800 neighbourhood schemes across this great State.

The reforms provide much-needed modernisation of community lands legislation, in particular enabling electronic forms of meeting and voting, delivering better accountability and transparency of managing agents, enhancing flexibility in decision-making and in dealing with association property, as well as streamlining the legislation for clarity and efficiency. The bills deliver on major reforms that commenced in 2015 as part of the strata schemes law reforms project. These reforms will now bring the community schemes laws into line with the strata schemes laws.

These two bills will improve transparency and accountability, including through disclosure and oversight of commissions paid to managing agents and limiting the term of their appointment to better manage potential conflicts of interest; clearly define the roles of office-bearers on association committees; enhance the governance of repairs and maintenance; simplify dispute resolution within schemes, aiming to both reduce the burden on the tribunal and provide better access to tribunal orders; reduce red tape by simplifying procedures and providing greater flexibility for associations to make decisions and democratically manage their own communities—for example, by changing some unanimous resolutions to special resolutions; and allow greater participation of owners and tenants by including electronic means of meeting and voting.

Together these two bills demonstrate this Government's continued commitment to improving community title laws and updating the development and management of community schemes in New South Wales. I thank my team for their work: Rohan Carter, who has worked tirelessly on policy, and Gavin Melvin, chief of staff in

my office, who has also worked tirelessly. I also thank the excellent team from the department who have carried through this legislation and stuck at it for a number of years. I thank them for their diligence, commitment and passion. They are team leader Lachlan Malloch, Leanne Hughes, Rob Thomas and Nancy Gangi, who has had a keen interest in this policy area for some time. They have all worked hard and I thank them for their dedication to this policy reform. I commend the bills to the House.

**TEMPORARY SPEAKER (Mr Greg Piper):** The question is that these bills be now read a second time.

**Motion agreed to.**

### Third Reading

**Mr KEVIN ANDERSON:** I move:

That these bills be now read a third time.

**Motion agreed to.**

### *Private Members' Statements*

#### COVID-19

**Mr KEVIN CONOLLY (Riverstone) (17:59:40):** On Saturday I attended the opening of the new Stanhope Gardens Anglican Church, a long-awaited happy event for that faith community. At the event, hand sanitiser and masks were provided, contact details were recorded and COVID marshals were in place. Individual pre-positioned seats were widely spaced. The church community had clearly met all the relevant requirements and then some. After the opening, many attendees spoke to me about the apparent inequity in rules which allowed 300 people in a hospitality venue, 50 per cent capacity in a cinema, 50 per cent capacity for football finals, yet only a maximum of 100 people in a place of worship, regardless of its size. In the past few days I have had representatives of several other faith communities, including Emmanuel Baptist Church at Glenwood and the Sri Lankan Buddhist Vihara of Schofields, raise the same issue with me.

The common complaints of faith communities about this inequity have been both understandable and reasonable. So I was very pleased today to hear of the announcement by the Treasurer and the health Minister that the maximum number of attendees at places of worship will be increased to 300 from this Friday, restoring equity. Faith communities, like everyone else in our society, have had their legitimate freedoms curtailed by government intervention since March this year because we faced a health emergency. Our community has understood the need to change our way of doing things and to date has accepted restrictions on personal and communal freedoms because of this emergency.

Nevertheless, we must not forget that the Government is infringing on people's freedom. We have been curtailing basic human rights and imposing restrictions never before experienced in this country, not even in wartime. I believe that governments should do this only to the extent truly necessary to protect our community from the threat to public health. The restrictions and impositions should only be those which are proportionate to the threat to public health. I would also argue that restrictions should not continue any longer than necessary to achieve the aim for which they were imposed. It is the continuation of restrictions on personal freedom which should require periodic justification, not their removal.

In March we were told by National Cabinet that it was necessary to invoke extreme measures to "flatten the curve"—that is, to reduce the rate of new infections so that governments would have time to increase the capacity of our health system. The extreme restrictions we experienced from the end of March until May this year bought our health system that time. In New South Wales that time was well used. Our intensive care unit capacity has greatly increased, we have many more ventilators, our stocks and supply chains of personal protective equipment have been vastly improved and we have large numbers of personnel in frontline positions to deal with COVID outbreaks.

Testing clinics have popped up all over New South Wales. And, as we all have come to know, the New South Wales health system has led the way with contact tracing and isolating potentially infected people before they can pass on the virus. In New South Wales it is fair to say that our government has been the one State or Territory government which has been most conscious of the need to balance protection for public health with respect for people's ordinary rights and freedoms. It has been New South Wales which has championed free movement within Australia and which has moved most purposefully to undo restrictions where safe to do so. No other State or Territory government has been more prepared to relinquish the extraordinary level of control which the initial emergency warranted. Yet we are now in a position where a mindset seems to have developed in some quarters that would require ordinary people to prove that they should be allowed their freedoms back. It is a mindset which would require specific businesses or community groups or sectors to justify why a particular restriction should be relaxed or removed.

In my view this is the wrong way around. People's human rights are their rights all the time. They should only be limited or curtailed when such limitations or curtailments are the only means available to government to protect the most basic rights of others in the community. In March 2020 the only realistic means available to protect the elderly and vulnerable in our community from this virus was to curtail some freedoms of the general community. Now that we have demonstrated that good community hygiene practices and well-run quarantine processes combined with widespread testing and expert contact tracing can contain the spread of the virus, this justification for many restrictions on people's freedoms no longer exists.

There will almost certainly be sound justification for the continuation of some specific, calibrated restrictions. In my mind the case for each continuing restriction must be made by those who propose its continuing existence. Their ongoing application should be regularly re-assessed and justification for their existence should be periodically tested. Importantly, these assessments and the evidence on which they are based should be made publicly available. In the absence of such justification people should be allowed to go about their business. There should be no expectation that citizens should have to make the case for their own freedom. My comments should not be interpreted as me having a shot at the New South Wales Government. I believe that the New South Wales Government has been the standout in trying to get the balance right. Nevertheless, we in New South Wales need to be clear about the principles on which we should base our decisions in future.

### BLACKTOWN ELECTORATE

**Mr STEPHEN BALI (Blacktown) (18:04:48):** I comment on the policy discussion in last week's private member's statement of the Minister for Planning and Public Spaces, the Hon. Rob Stokes, and compare his theory to Blacktown's reality. The Minister's general premise is admirable, but unfortunately what he says and what actually happens are two completely different things, which is extremely disheartening for my constituents of the Blacktown electorate and Blacktown City more broadly. The Minister spoke of Dick Smith and then went on to speak about the merits of immigration and population growth, but noted that immigration will slow due to COVID implications. I do not wish to lecture the planning Minister, but I bring to his attention that Dick Smith has stated population growth is one of the greatest policy crises facing the State and country, and we are already bursting at the seams. Dick Smith referred to children being raised in high rises as "battery" kids, and added that we value the chickens more than our children because we pay good money for free-range eggs.

I suppose the Minister can easily navel gaze and theorise about population growth while sitting in his Pittwater electorate office in Mona Vale, surrounded by expansive waterways and national parks. According to the Minister's planning department data, in the Northern Beaches Council area the Pittwater electorate's part of the net population growth over the next 25 years is anticipated to be 31,200. This is made up of 31,700 through natural change—that is, births less deaths—and a decrease of 500 through net migration. Obviously Dick Smith's comments are heard loud and clear by the Minister in the leafy northern suburbs.

Let us compare this to Blacktown City: Growth is expected to be 264,100, which includes 134,850 by natural change and 129,950 by migration. Yes, the department cannot get its maths right—the two sets of numbers do not add up. I suppose, from the Minister's point of view, when you are talking about one local government area in New South Wales having 612,150 people or 612,850 people, at that size the extra 700 people really does not matter. Blacktown City's growth is anticipated to be approximately 10,600 per annum, compared to 1,270 people in the planning Minister's local council area. The 25-year growth in the northern beaches will be achieved in Blacktown City in fewer than three years.

The member for Londonderry, and shadow Minister for Education, Prue Car, has constantly asked why all the new schools built in her electorate and in the Riverstone electorate have demountable classrooms on the opening day. How can both the planning and education departments stuff up estimating the demand for school places? Almost all schools across Blacktown City are way over the legitimate capacity. Dick Smith was right: We treat chickens better than we treat school children.

The State's responsibility for roads fails to meet planning guidelines. Bandon Road was identified to be built once the area reached 25 per cent growth capacity; however, it is now past 30 per cent and the Government has failed to even start the planning process. Richmond Road is blocked. All of the seven State electorates across Blacktown City can identify key roads that are in desperate need of upgrades but are neglected by this Government. Doonside station cannot even get an upgrade for its lifts, even though Minister Stokes and Minister Constance are happy to upgrade Hawkesbury River station, which has only 510 daily users compared to 6,400 at Doonside.

Minister Stokes has responsibility for identifying, protecting, enhancing and expanding publicly owned land for use as parks and public spaces. Why are Minister Stokes and his department demanding that Blacktown City Council remove \$112 million from the section 7.11 plans so that fewer sporting fields, parks and gardens are provided for the growth areas? Will Minister Stokes organise for the State to make up this shortfall

or does he expect the current residents of Blacktown to pay for the future growth? The Minister talks up quality development, but he may deliver a future hell for the people of western Sydney. The Berejiklian Government and its big-talking Liberal Ministers, propped up by the nodding Nationals, needs to get its act together to ensure that both physical and social infrastructure is delivered to the growth areas.

### COOTAMUNDRA ELECTORATE HIDDEN TREASURES

**Ms STEPH COOKE (Cootamundra) (18:09:53):** Today I celebrate eight women from the electorate of Cootamundra who go above and beyond to help others and serve their communities. They have been recognised in the 2020 Hidden Treasures Honour Roll. Each of them has dedicated time and energy to make things better for other people, improve the areas where they live and give back to the communities they call home. In the famously friendly town of Temora, Pat Thomas, OAM, spent years raising awareness about people who live with special needs. She also created a support network for people who live with special needs and their carers. Pat, a mother of four, founded the Temora Special Persons and Carers Group, which works hard to create a supportive environment and help the wider community to see the world from their perspective. That work has included countless hours of fundraising and the creation of a succession plan for some of the community's most vulnerable citizens. From her experiences as a carer, Pat has worked hard to support others and create a network of support in the community.

Finding the strength to support others is also part of what makes Janice Cattle in West Wyalong such a special member of her community. After tragically losing one of her sons, Janice established a community rose garden. She has created a safe place where people can recover, heal and find support in their darkest times through gardening, a cuppa and by providing someone understanding to talk to. Every Thursday for the past 20 years Janice has volunteered her time to help others with their grief, which is a remarkable service to the community. That is just one of the many ways in which Janice donates her time and her skills to others. Supporting those who live with loss has been a passion of Kaye Chapman from Cowra. Kaye has volunteered in a grief support role for more than 16 years. Through that work, Kaye recognised the need to support locals who are undergoing medical treatment, so she created the Cowra Community Chest.

Passion for her community has also been the driving force for Sue Houstein. Sue has been a member of the Eurongilly branch of the Country Women's Association and the Gundagai Neighbourhood Centre for years. Sue went above and beyond to coordinate the volunteer effort during last summer's bushfires, which included feeding firefighters, organising thankyou days for other volunteers and helping people who lost their homes. It is no surprise she is a much-loved member of the Gundagai community. In the community of Koorawatha in the north of my electorate, the show simply would not go on without Elaine D'Elboux. For the past 45 years Elaine has run the Koorawatha Show canteen, which raises funds to help the Koorawatha Show Society put on events and maintain its grounds. I have had the pleasure of a chat with Elaine over the washing-up, and I have seen her energy and her love for the community in full flight. Elaine is a great-grandmother to 10. She has dedicated decades to Cowra's Meals on Wheels, the Koorawatha Progress Association and several other events and societies across the Central West and Hilltops communities.

In Temora, it is rare to find a community organisation that Ailsa Sinclair has not been involved in. Organisations include the Temora Rural Museum, Meals on Wheels, the Rotary Club of Temora, the Country Women's Association, the Cerebral Palsy Alliance, the Temora Presbyterian Church, the Temora Show Society and the Temora Probus Club. Ailsa's years of dedication and service were undertaken while raising a family, working on the farm and caring for a family member with cerebral palsy. Her work is inspiring. For more than 50 years Ruth Fritsch has been teaching music and singing to the children of Temora, fostering their love for performing. Ruth was a founding member of the Temora Arts Council, an organiser of the annual fundraiser for Redkite, a choral leader and adjudicator for eisteddfods and a choir leader at the Temora Lutheran Community Church. Ruth's ongoing gift to the Temora community is her dedication and passion for music.

In Young, Jennifer Duddle has dedicated herself to helping some of our smallest learners develop a passion for music and dance. Jennifer has a talent for helping preschool-aged children at the Young District Community Hub to build their skills, coax them out of their shells and have a go at something new. Jennifer, or Gaga as she is better known, shares her skills with students who are training in child care. She has created a place where children and adults can express themselves. It is a privilege that these women call the electorate of Cootamundra home. Today I commend them for their efforts.

### OATLEY ELECTORATE ENVIRONMENTAL PROJECTS

**Mr MARK COURE (Oatley) (18:14:22):** New South Wales, and particularly my local community, boast incredible natural beauty. Today I will discuss our Government's commitment to ensuring we protect our beautiful environment, both locally and across the State. Investing in the protection of our environment pays immediate dividends. Our commitment to the environment will ensure future generations will be able to enjoy the spoils of

the environment like we have been able to. The Return and Earn program continues to bear fruit statewide, with our local community more than pulling its weight. To give the House an idea of the scale of this initiative, there have been over half a million containers returned at Westfield Hurstville, close to 800,000 at Spotlight Rockdale, over a million at the Bexley Golf Club, over eight million at Carss Park and a whopping 13.4 million bottles and cans returned at Club Grandviews, Peakhurst. That is a truly remarkable effort by my local community and a big win for our environment.

In a time when securing environmental sustainability is increasingly essential and when we have a Government committed to preserving our environment for future generations, it is important to the members of our communities that we continue to act to fulfil that commitment. We are committed to doing all that we can to ensure that environmental sustainability is a real possibility for the State. An important part of doing that is by preserving our national parks. It is only by securing the biodiversity of our local areas and conserving Australia's natural resources that we can ensure that future generations will live in an environment that is of the same standard, if not better than the environment as it stands today.

Early in my tenure as the member for Oatley I was able to secure a commitment of just under \$700,000 to establish the Dharawal National Park, with new walking tracks and signs for the community to engage with and enjoy our State's natural environment. The majority of the conservation area is now protected under national park status. As a candidate for State Parliament and as a former councillor in my local area I championed that outcome because, at the end of the day, it is part of the Georges River area. This status has ensured the protection of over 2,000 upland swamps, which are rich in plant and animal life and which feed pristine water to O'Hares Creek at the headwaters of the Georges River. The area is also home to 20 endangered and vulnerable animal species, including koalas and eastern pygmy possums and major populations of three nationally significant plant species.

Additionally, the elevation of the area to national park status further ensures that the rich cultural heritage of this area is maintained. We recognise the importance of preserving Indigenous artefacts and traditions. This area holds great significance to the Dharawal people with a large variety of some of the most impressive examples of rock art I have ever seen. This Government also ensured that our nation's art, history and culture will be preserved for future generations. I commend community groups and local residents for working with me and the Government to ensure that our State's environment is protected and secured. Notably, for over 60 years the Oatley Flora & Fauna Conservation Society has been promoting the need to conserve our natural environment. I look forward to continuing my work with groups like that, as well as with this Government, to ensure the health and diversity of the St George area flora and fauna moving forward.

I was also delighted to announce that \$100,000 would go towards the Georges River Council for a Bushcare project at Gannons Park in Peakhurst that would protect, restore and enhance the local environment. This project has focused on the restoration of three hectares of the powerful owl habitat and the improvement of stormwater quality through the removal of weeds and rubbish, management of erosion and replanting of local native species. Our local community expects that our open space will remain in the hands of the community. That is why it was particularly satisfying to announce earlier this year that \$900,000 would be committed to keep and decontaminate the site of the former Oatley Bowling Club. All of this is possible only through the hard work and dedication of our brilliant Government through the Premier, Gladys Berejiklian, and the Minister for Energy and Environment, Matt Kean. I personally thank Minister Kean for his commitment to my local community. I look forward to keeping the House updated on future environmental projects in the electorate of Oatley.

### COVID-19 AND SOCIAL DISADVANTAGE

**Ms TRISH DOYLE (Blue Mountains) (18:19:29):** Members would have seen in their electorates stories of the rising inequality across this great State. People have been suffering for some time now through drought, fire and floods, and throughout 2020 with the COVID-19 pandemic. What does that look like to those who are already vulnerable? What sorts of issues are those people dealing with—those who always struggle, who live in poverty with complex health matters, who live with pain, who live with mental illness, who are homeless, who are unemployed, who are stuck in the broken cycle of the justice system or who are stuck in domestic violence situations? What of the children who are abused and neglected?

If we are to economically recover, we need simultaneous social recovery. The Government needs to address the urgent needs of our most vulnerable to protect them. I want to ask the Government why recovery has to look like hi-vis and a hard hat? The priorities of the State and Federal governments, and subsequent necessary investment, need to reflect on and mirror the Premier's so-called priorities. They must focus on building social and affordable housing; support for vulnerable people; the provision of increased funding for the domestic violence sector and specialist services, including case management; and support for our community services in their incredible and life-saving work.

We would all agree that three of the most basic needs in this life are food, clothing and shelter. I shine a light on the increasing difficulty in obtaining at least one of these. Each year more and more Australians struggle to get a foot in the door of the elusive housing market. This is particularly true for our country's most vulnerable and socially disadvantaged people. The thought of being able to put a roof over one's head is a privilege that eludes many. The security of finding a good rental property that is safe and warm is next to impossible these days, let alone being given the opportunity to invest in the great Australian dream of owning your own home. Many public or social housing tenants are living on a desperate and poor cliff edge. Many people have been unable to heat or cool their homes, pay their bills or find much to look forward to. Their lives hang in a precarious balance and rely on an underfunded and under-resourced community services sector to navigate a depleted system for support.

Many people will sadly need to rely on the services of hospitals, and homelessness and justice systems into their future. I hear of too many sad and horrific cases of this in the Blue Mountains and beyond. What of those who are homeless and struggle with a range of complex traumas? Sitting here in this Chamber it is easy for some to forget the plight of these vulnerable Australians; it is easy and, dare I say, convenient. The talk and promises of the Government are only a temporary lifeline. For one of the most vulnerable at-risk groups, women and children escaping domestic violence, almost 40 per cent lack permanent housing. Crisis accommodation is rare to find. Too many women are experiencing domestic violence and sexual abuse from a current or former partner; too many are dying and there is nowhere to go.

For many women, the impact of drought, fire, flood and then the social isolation due to the pandemic has provided too many barriers to escape. We desperately need additional funding for specialist women's refuges, for addressing gaps in the system—for example, case management and culturally appropriate responses—and for a social housing infrastructure program that will see women and children leave violent relationships and step back into a safe place. Reducing homelessness and providing a safe and affordable place to live are the Premier's own priorities and are listed as a State outcome. Now is time for the Premier to step up and focus on delivering because lives depend on it

## V8 SUPERCARS CHAMPIONSHIP

### TAFE NSW

**Mr PAUL TOOLE (Bathurst—Minister for Regional Transport and Roads) (18:24:27):** I have good news to talk about: happy things are happening in my electorate, which is very positive. A V8 Supercars Championship event was held on the weekend. It was very different this year due to COVID, but it is an event that the local council wanted to see still operating. V8 Supercars put forward a COVID plan to be able to host it. While we had a much smaller crowd this year—only 4,000 people were able to attend each of the days—it was an excitable crowd. They still enjoyed the thrill of car racing around Mount Panorama. Normally around 200,000 people would attend over the four days, so it was very different. I congratulate V8 Supercars on its work in hosting another fantastic championship. In the past it has been very important to the city of Bathurst as it drives the local economy. It was a great spectacle and was viewed right around the world, which is critical for putting the city of Bathurst on the map. I congratulate winner Shane van Gisbergen from Triple Eight Race Engineering, who is the new King of the Mountain after claiming the 2020 title for the Red Bull Holden Racing Team.

It is the first win for the Kiwi at our iconic circuit in Bathurst, after he finished second in 2019, and a fitting way for Holden to end its presence at Mount Panorama as a factory team. I also congratulate Shane's co-driver Garth Tander on taking his fourth victory at the mountain. Cameron Waters and Will Davison from Tickford Racing finished second, with Chaz Mostert and Warren Luff of Walkinshaw Andretti United completing the podium in third place. Scott McLaughlin finished fifth in the race and in doing so won his third Supercars drivers' championship, finishing 451 points ahead of Waters with Van Gisbergen finishing in third. In the teams' championship, DJR Team Penske claimed the title, finishing 262 points ahead of Triple Eight Race Engineering, with Tickford Racing rounding out the top three. This was the first time since 2000 that the race was also the final round of the championship. It was the end of an era for major sponsor Supercheap Auto, which has been the sponsor for the past 16 years and has done an amazing job. We look forward to the relationship we will have with new sponsor Repco in the coming years.

I note that the Minister for Skills and Tertiary Education is in the Chamber. I know that he loves motorsport and racing, but he also enjoys the work that TAFE students are doing across the State. The New South Wales Government and the Minister have supported TAFE students who were given an opportunity to work at the V8 Supercars Championship over the weekend. They were able to work alongside the teams and the drivers, and they were able to see and experience firsthand what it means to be in those teams and in the pits. It is an example of how TAFE NSW works closely with industry to facilitate world-class practical hands-on experience that often leads to incredible employment outcomes. Twelve students came from different parts of the State to undertake work experience and two locals were also involved. TAFE student Corinda Barlow is studying a certificate II in

automotive and motorsport, and Matthew Johnson is studying a certificate III in automotive and light vehicle mechanical. Ms Barlow, who is 43, said:

I am thrilled to be given the opportunity to increase my skills and knowledge at such an iconic event. I enjoy working on cars and I'm not afraid to get my hands dirty. I want to be a role model for other females looking to make a career change into a predominantly male industry.

Bathurst Automotive Group apprentice Matthew Johnson said he was excited to get behind the scenes and see how a high-performing race team works. He said:

I've been a motorsport fan my whole life and to get up-close and personal with one of my favourite teams is just a dream come true.

I congratulate TAFE and I congratulate the Minister on the work he is doing, with experiences like this changing the lives of many across this State.

### REDEEMER BAPTIST SCHOOL

**Dr GEOFF LEE (Parramatta—Minister for Skills and Tertiary Education) (18:29:25):** In this difficult year when schooling has been disrupted, I am pleased to inform the House that Redeemer Baptist School students in my electorate have continued to achieve excellence across the curriculum. In the BHP Foundation Science and Engineering Awards, three of the four national winners were Redeemer year 11 students. Ethan Tjhin and Gokulraj Kuppasamy won the Engineering award with their project entitled Methane on Wheels, which combats global warming by minimising the amount of methane gas being released into the atmosphere as organic waste is blended to harvest biogas. Edward Garth from year 11 won the Investigations award with his project entitled Creating Safer Driving Routes. Edward quantified intersection dynamics to develop a quicker, less variegated and safer algorithm. Ethan, Gokulraj and Edward were also nominated by BHP to represent Australia at the Regeneron International Science and Engineering Fair [ISEF], which was to be held in Los Angeles in May this year. However, due to COVID-19, the 2020 ISEF was abandoned.

Redeemer middle and senior school students have also excelled in mathematics. Gregory Burns from year 10 won first prize in the Mathematical Association of NSW's Investigating with Mathematics competition with his project entitled As easy as Pi. Gregory also won first place in the Australian Association of Mathematics Teachers' National Mathematics Talent Quest. In the International Competitions and Assessments for Schools assessment, Anubhav Ammangi from year 8 was awarded a medal for first place in mathematics. Anubhav was also included on the CSIRO Bebras Australia Honour Roll for Computational Thinking.

Redeemer students have also excelled in literacy. In the Dorothea Mackellar Poetry Awards, which draws entries from students in schools across Australia, Curtis Giang from year 5 and Lola Wang from year 7 were the primary and secondary school winners, and Adrian Burns from year 7 was the secondary school runner-up in the Learning Assisted category. In the upper primary school category, Dorian Ndongo-Empesa from year 5 won second prize. With eight other student awards, including Shortlisted and Highly Commended, Redeemer was also the national primary school winner. The primary school judge, author Kathryn Apel, commenting on the Redeemer student poems, said that it is "wonderful to see entries across a range of ages, categories and poetic forms, demonstrating wordplay, unique voice, creativity and polish".

Zachary Jones from year 2 won a silver certificate in the NSW Education Standards Authority [NESA] WriteOn competition for his racy, imaginary adventure with his dog, chasing the mythical phoenix. Gabriella Anugraha from year 11 was shortlisted in the Western Sydney University What Matters? writing competition for her essay "Fair is Foul and Foul is Fair". Evelyn Poyitt from year 11 won third prize in the Sparklit Australian Christian Teen Writer Awards with her poetic composition "Some People", in which she urges us to consider what impact our unique, passing, "snowflake" lives will have on the world, perhaps "causing strife" or settling "purposefully, so tenderly, and soaking deeply—a touch never to be forgotten".

Following the Higher School Certificate Music 2 practical examinations, Antonio Kwok—who graduated at the beginning of this year with a Diploma Licentiate in Music from the Australian Music Examinations Board—was nominated by NESA to perform in the HSC ENCORE program of outstanding HSC performances and compositions. Redeemer was also recognised by the City of Parramatta Council in its Australia Day awards this year. Anthony Bolton, a Redeemer student, who matriculated with his HSC last year, was given the Young Leader of the Year award in recognition of excellence in active service while demonstrating leadership, compassion and kindness to enrich lives and inspire the community. Redeemer Baptist School's contribution to charitable projects for regional and remote Indigenous communities was also recognised with the council's Community Group award. I commend all the students at Redeemer Baptist School for their efforts this year and acknowledge Russell Bailey, the headmaster, as well as all the teachers and the community for their hard work. Redeemer continues to give hope and the opportunity for excellent achievement to all its students.



### CITY OF CANTERBURY BANKSTOWN

**Mr JIHAD DIB (Lakemba) (18:34:32):** The forcibly amalgamated City of Canterbury Bankstown is the largest council in New South Wales, with more than 361,000 residents. With the Government's ill-thought-out metro extension, there is a real chance the population will surge by up to an additional 100,000 residents. Of course, there is no social infrastructure in the plan to support this, just a favour this Government is doing for its developer mates. The council plays a crucial role in ensuring our local economy continues to thrive and services are available to the community. The economy was dealt a blow in 2020. The City of Canterbury Bankstown, like other local government areas [LGA], responded with a recovery package to benefit our local community. When news broke of the Stronger Community Fund rort and information about the blatant abuse of positions of power in the Berejiklian Government, I again saw what this Government is all about—politics before people. This Government does not like it when we point it out but it is the reality; it is driven by politics.

The City of Canterbury Bankstown was desperate for a fair share of Government funding. In terms of the project's secretive guidelines, it was eligible for the grant and had many shovel-ready projects, but sneaky tactics saw 95 per cent of the funding funnelled to councils in Coalition held LGAs. When you consider need or even proportional representation, it is clear this is one big rort by the Coalition Government. It is quite fair to say this is a disgraceful act. For my electorate of Lakemba, a community where over 3,000 people currently depend on JobSeeker, the funding could have been used to create local jobs and better community spaces. The lack of transparency in advising amalgamated councils of the community fund—even after the mayor, Khal Asfour, had written to the Minister for Local Government asking about funding opportunities—meant that our community missed out on its share of the \$252 million allocated especially to amalgamated councils.

It also highlights this Government's complete disdain for communities such as ours. There are a lot of things wrong here, but the worst is the revelation that 294 of the grants delivered did not even have a signed agreement. If that is not dodgy then I do not know what is. Ironically, when a request for the documentation was passed in the upper House, the Government claimed there is no paperwork—as if that makes it better. What is even worse is that it shows a complete lack of transparency and integrity. The City of Canterbury Bankstown missed out. It missed out on a share of funding for projects to boost jobs and stimulate our economy. There are many projects the funding could have been used for, including upgrading and improving community centres and sporting precincts, restoring ageing infrastructure along the foreshores of the Cooks and Georges rivers, building a resource recovery facility at Kelso Park, or developing a solar farm. There is so much we could have done.

The opportunity to revitalise and stimulate our local economy was snatched away by the act of a thief in the night and instead the \$252 million was splashed into other LGAs favoured simply through politics rather than need. The recent parliamentary inquiry shone a light on this and the Legislative Council last night suspended the Leader of the Government. This is no small step. But the more we learn, the more we are gobsmacked by the level of nepotism displayed. And how cynical? It was developed as a pathetic vote grab in the lead-up to the last State election. It is a display of dirty backroom political manoeuvring. Hornsby council received a massive grant of \$90 million. The grant was approved within 24 hours of the council being specifically informed of the fund. The kicker is that Hornsby is not even a forcibly amalgamated council. So much for process and guidelines.

The City of Canterbury Bankstown was never even made aware of this fund. The communities in the City of Canterbury Bankstown did not get a brass razoo. The shovel-ready projects that could shape and define our city and create and stimulate the local economy were completely ignored; they were pushed aside. The promise under the Baird Government at the time to support amalgamated councils was not honoured. At the time that it was announced the member for Canterbury, the member for Bankstown and I strongly opposed any merger of our local councils. We were ignored and our worst fears have been realised: Our community has lost out. When we enter Parliament we do it because we want to contribute to our electorates and to the people of New South Wales.

Members are elected by the people to perform our duties for them with honesty and integrity. As we approach the 10-year mark of the Government, we can reflect on a decade of arrogance and proud pork-barrelling. The Government does not operate for the people; it plays politics and engages in a discretionary Government slush fund designed specifically to support the electorates voting for it. If people lose faith in politics, it is because they see that behaviour is not that of a government in a healthy democracy but rather more akin to the operations of a criminal racket.

### NSW POLICE LEGACY

**Mr MARK TAYLOR (Seven Hills) (18:39:48):** I acknowledge the important work being done by NSW Police Legacy for the police family in our State, particularly in the electorate of Seven Hills and emanating from the Blacktown local area command, Parramatta and The Hills. I acknowledge all those police who do good work not only across my electorate but right across western Sydney. NSW Police Legacy was established in 1987. It enhances the lives of approximately 1,000 police legatees by providing professional and compassionate support

to families that have suffered a loss. Police Legacy does that through the provision of meaningful benefits, services and advocacy. As members know, the police family extends far and wide, encompassing not only our serving and retired police but also their families. At all times Police Legacy works to provide a caring, inclusive and supportive police family where no partner or child of a deceased or former serving officer will ever feel forgotten or in need.

The priorities of Police Legacy are financial assistance through education grants, tertiary scholarships, welfare grants and trust fund administration. Each year NSW Police Legacy pays a quarter of a million dollars towards education grants for police legatees in education institutions ranging from preschools to universities. Police Legacy places significant emphasis on the gathering together of widows, widowers and children. Each year it arranges a number of functions, including local area lunches, an annual Christmas function, family picnics and, importantly, children's holiday camps. Police Legacy is a primarily self-funded, not-for-profit organisation. As such, in order to fund all of the services that it provides to the police family it engages in a number of outreach activities. They include fundraising activities both directly through Police Legacy and through third party events; regular appeals, such as the recently launched 2020 Christmas Appeal; and specific appeals following the tragic injury or death of a member in the line of duty. Police Legacy also provides for regular workplace giving through payroll deductions of members of the force and through donations and other means, particularly from wills of former serving members.

One of the keystone events for the NSW Police Legacy is the annual Remembrance Bicycle Ride, which is now in its ninth year. The purpose of the ride is to remember the fallen and to raise funds to support those left behind. Aiming to raise \$5,000 in its first year, founder Senior Constable Craig Tonks went on to raise \$17,000 and has continued to raise more and more money each year, with increased numbers of riders participating. When asked what the ultimate goal of the Remembrance Ride was, Senior Constable Tonks said that he wants to help people before they need Police Legacy. In the most recent Remembrance Ride from Sydney to Canberra, well in excess of \$100,000 was raised. The event is strongly backed by New South Wales police area commands, which help with logistics along the way, and by the Police Academy in Goulburn, where riders typically break up their journey.

This year the Remembrance Ride will look different due to the pandemic. Instead of riding together in one pack, participants will be riding in smaller groups at distances apart and in directions of their own choosing. For example, Jon Leighton, OAM, president of Bicycle NSW, will be leading a group across 100 kilometres through the Hawkesbury area. Deputy Commissioner Mal Lanyon, deputy chair of the Police Bank, and Chief Inspector Brian Yates will be attempting to ride 300 kilometres in a single day. It is not too late to support those who are riding by donating at the NSW Police Legacy website. I also particularly thank Chair and Detective Superintendent Gary Merryweather and his team for their service to and stewardship of Police Legacy in New South Wales. I am sure all members join me in thanking them for everything they do for police families right across the State.

#### **TAFE NSW**

**Ms JO HAYLEN (Summer Hill) (18:44:40):** As the daughter of a public school teacher, I know how hard our teachers work. I know the critical role they play in our schools and our TAFE campuses across the State. COVID-19 has showed many parents how heroic the teachers in our schools and TAFEs are. With the odds stacked against them, teachers responded to the pandemic as they do every day. They do not complain and they are not hampered by a lack of online training, support or resourcing. They made sure that our kids were supported and could continue to learn.

When students were no longer able to attend class, teachers developed learning packs which they posted and emailed to students. When students were stressed by the severe limitations being placed on their ability to learn, teachers provided support. When students could not access the technology required to study, teachers went above and beyond to ensure students had that technology and were able to connect. When parents were struggling to facilitate learning at home, teachers called them and reached out to help. This is true of school, university and TAFE teachers and educators who have gone above and beyond during COVID-19. They have worked tirelessly to support their students through the crisis every single day. They have got their students' backs.

Unfortunately, the Government does not have teachers' backs. We know that the Liberal Government has spent years undermining TAFE and turned a blind eye while private colleges fleeced young people to line the pockets of dodgy operators. The Government has cut hundreds of millions of dollars of TAFE funding, closed campuses, cut courses and is gutting resources that should be available to TAFE students. How does the Government justify the closure of those campuses? It claims that the funds will go to better resourcing other campuses. It has failed entirely to deliver on its promise to better resource TAFE campuses.

Recently I spoke to a number of TAFE teachers who discussed with me the complete lack of resources available to TAFE students. There is a clear disconnect that exists between TAFE management and the day-to-day reality of the learning environment. One TAFE teacher detailed how they were given a directive by management

that all students should use dual computer monitors. Meanwhile, the teacher was outside the back of their home attempting to get reception so that they could teach a student who was standing in the rain trying to learn the course that they had paid money for. This teacher is one of many working across our State who are really struggling to do the very best for their students because this Government has not delivered the resources that they need, particularly at campuses like Ultimo TAFE.

Sadly, this is only the beginning of the Government's attack on TAFE. Earlier this year the Government reneged on its commitment to TAFE teachers to put to a ballot an agreed enterprise bargaining agreement that would allow for pay increases to commence in term 2. Despite the undeniable increase in workload and pressure since then, the Minister for Skills and Tertiary Education and the management of TAFE NSW have refused to bring the postponed enterprise agreement to a ballot. While the Minister and management of TAFE sit comfortably on their very nice six-figure salaries, our TAFE teachers are on the front line of this global pandemic trying their very best to support students. They deserve to have their pay commitments honoured.

We all know that COVID-19 has caused more than just significant health impacts. It has also led to a financial recession, the likes of which we have not experienced in generations. TAFE has a critical role to play in futureproofing and helping our economy rebound. It provides opportunities for young people who want to learn a trade and get the skills that they need for employment. It also provides a critical second chance for many students. While the Liberals denigrate TAFE as an educational service solely for those wanting to learn how to basket weave, it could not be further from the truth. There are so many proud members of our community who learned their first skills at TAFE. Just a couple of them are: Adam Goodes, Donna Hay, founder of Clean Up Australia Ian Kiernan, Matt Moran and Wendy Harmer. Charles Kingsford-Smith studied at TAFE, as did Paul Keating who completed his HSC at TAFE after leaving school at the age of 15. These are stories of our great TAFE graduates. Our TAFE teachers should be supported.

#### COVID-19

**Mr VICTOR DOMINELLO (Ryde—Minister for Customer Service) (18:49:47):** This year will have much significance for the future and will be seminal for many years to come in shaping the world as we know it. The pandemic is often referred to as a once-in-100-year event, yet many of us fail to grasp the significance of 100 years. Such an unprecedented time calls for consideration of our friends, community, family and shared history. George Ellis of North Ryde turns 100 years old in 2020. He has lived a remarkable life and offers an insight into how significant 100 years can be for an individual. He has seen the changes in our community and has been instrumental in building the world we live in now.

Mr Ellis has much to be proud of, including a marriage of 74 years to Veronique Ellis. Veronique told me about the life they had spent together, about being able to see the world and about George's achievements in his career. Chief among those achievements is his contribution to the Sydney Opera House. George was instrumental in the final seven years of its construction. Due to his role in its completion, he attended the opening on 20 October 1973 where he met Queen Elizabeth II and Prince Philip. He recalls discussing with Prince Philip photos in *The Sydney Morning Herald*. It is fitting that we take this opportunity, so close to the opera house's forty-seventh anniversary, to recognise one of the men that built it. Mr Ellis' life and contribution to the opera house and to other works and edifices speckled around our city reminds us that what we do now has real impacts on the future.

Mrs Alice Hewitt of Eastwood and Mrs Norma Fallon of West Ryde also share the milestone of turning 100 this month. They have both led colourful lives and have loving families to take their legacy into the future. We are all different and can all take inspiration from our elders and make our own great contributions to Australia in whatever ways we can manage. It is hard to imagine the changes observed over the past century as they have been the most disruptive in history. Over that period lives have been lived through terrible conflict, economic booms and busts, technological revolutions and more. The rate of change advances with the increasing presence of technology in our everyday lives on a scale previously thought impossible. It is important to remember that fact moving forward. As we face new challenges, we can look to those who came before us for inspiration—to our parents and predecessors who created the world we now enjoy.

This is a hard enough year in which to mark any milestone, let alone 100 years. When comparing the COVID-19 pandemic to the last pandemic, which was also 100 years ago, it is important to observe the hard work of healthcare workers and the integration of technology that has enabled New South Wales to succeed in keeping its population safe while retaining our humanity and keeping businesses open. We can ensure that care can be given where necessary and that families can get together responsibly to recognise members of their family who have seen so much. It is impossible for me to say where the world will be in another 100 years, but I hope we can leave a legacy as bright as those who have laid the foundations upon which we now stand.

### BAYSIDE COUNCIL

**Mr RON HOENIG (Heffron) (18:53:35):** Last month I raised in the House my outrage at the decision of the Liberal and Independent councillors on Bayside Council who approved of a plan to raise council rates for residents in my electorate who reside in the former City of Botany Bay. Those rates rose by between 28 per cent and 51 per cent in the middle of the worst pandemic and health crisis in a century. As I expected, the reaction of my community was one of outrage. At the September council meeting, all seven Labor councillors voted to delay implementation of the rate rise with a view to lobbying the Minister for Local Government to allow councils to phase in a rate increase for residents in the former City of Botany Bay.

That was voted down by a coalition of Liberal and Independent councillors—just like the member for Drummoyne—who were all too eager to dismiss claims by the Labor Party that such massive increases were not unreasonable, as they would only involve drinking less coffee and beer or giving up cigarettes. The council voted eight to seven to proceed with a one-off shock rate hike because they were given the impression by the council report prepared by Bayside bureaucrats that they had no option but to proceed down that path. They voted to reaffirm that decision when they voted down a recession motion.

When I brought this matter to the attention of the House last month I said that I was loath to blame the legislation, as other merged councils had managed the process far better than Bayside Council. The Opposition knew at the time that the Minister for Local Government did not intend for ratepayers in merged councils to suffer from bill shock when their rate notices arrived in 2021 and would instead prepare legislation for a phased implementation. My view was confirmed by a letter that I hold in my hand, dated 15 September 2020, written by the Minister for Local Government to the mayor of Bayside Council, Councillor Joe Awada. The letter advises that the Minister had asked the Office of Local Government to prepare a bill to allow "councils to equalise rates gradually over time across their local government areas". The letter advised mayor Awada that:

... the Office of Local Government has already convened a Reference Group of General Managers to consult new councils about these reforms relating to rates harmonisation ... Meetings of this group include one held on 8 September.

That was prior to the council decision. This afternoon the Minister for Local Government confirmed that she intends to introduce that bill in accordance with the timetable. I have assured her of my support and confirmed that support with the shadow Minister for Local Government when the bill comes before the House. The general manager of Bayside Council is a member of that reference group and was well aware of the Minister's intention to amend the legislation to allow for a gradual equalisation of rates over time. The council was told in reports prepared by its staff, in private briefings to councillors and in briefings to the member for Rockdale and the member for Maroubra, that legislation does not allow any amalgamated councils to progressively harmonise their rates over several years, despite the bureaucrats knowing full well that the legislation is already being prepared. Council bureaucrats did not convey this information to the elected council but were duty-bound to do so.

Whatever the case, it is a serious non-disclosure to the elected council. It is no wonder that the eight Liberal and Independent councillors charged like a bull at a gate to increase my residents' rates. Councillors were not given the full information that they were entitled to before making their decision. It seems that some staff have taken umbrage with my criticism of Bayside Council bureaucracy. They had the temerity to draft a letter to me for the mayor to sign complaining about the fact that I told the House what my community thinks of the decline in services and culture under the amalgamated council.

On reflection, my criticism of the council's staff and culture was not unfair. If anything, it was understated. As a result of the merger, there are grave cultural and governance issues at Bayside Council which seem ingrained and intractable despite the best efforts of the elected mayor and councillors. This sorry saga has confirmed every criticism I have levelled at Bayside Council over the past four years. It may be that this issue requires the attention of the Minister and the Office of Local Government lest we see a repeat of the Central Coast Council fiasco. A simple inquiry with the Auditor-General is likely to elicit a response that some concern is warranted. I also advise the House that my wife works for that council.

### COVID-19 AND MIGRATION POLICY

**Mr JOHN SIDOTI (Drummoyne—Minister for Sport, Multiculturalism, Seniors and Veterans) (18:58:38):** I give my private member's statement on behalf of one of my constituents, Ms Phoebe Moore of Concord. The reason for her writing to me was to encourage a genuine reflection on the COVID migration rules that are keeping families separated. This is Phoebe's story:

He was too shy to talk to me the night we met.

Ask him and he'll tell you it's because I was the first person not to comment on his English accent.

But I think he was more in awe at a woman who called out his beer of choice as "rubbish" in front of all his mates.

I mean who drinks a mid-strength Queenslander?

That was at the Emu's rugby ball in the country town Orange, in 2015.

He's been my family, my other half, my rock, ever since.

We have been together for five years, with the last two spent living in Cheltenham, England.

Now, I know you're about to feel sorry for us.

That's what usually happens when I tell the next part of our story.

But, sympathy won't help us.

What will ... is for the next couple of minutes ... think about your partner, spouse or the most important person in your life and what they mean to you.

Keep them in mind as I tell you about who that person is for me and what's happened.

2020 was supposed to be 'our' year. Move back to Australia, get married and hopefully, start a family.

My visa expired in January, at which point I moved home first and he, being a teacher, would follow after the English school year in June, that would give me a chance to settle back.

We couldn't face the thought of three months apart.

So he had flights to visit Australia in March when he planned to propose to me. We had a lawyer and prepared our evidence and documents for an onshore partner visa.

He quit his job, ended his tenancy, sold everything we owned.

We were so excited.

Then came COVID-19.

One week before he was supposed to fly the federal government shut the borders.

I understand tough decisions had to be made to keep Australians safe and protect our way of life and the economy.

As painful as it has been for every one of us, I believe it was the right decision to make.

But we are not in March anymore and October is different.

As our daily numbers now continue to fall, what is the government's logic in continuing to keep families apart and what is the reasoning behind the current border restrictions?

As you may be aware, Natalie Portman is now in Australia filming a movie ....

This has nothing to do with the actress personally—I just don't understand why a movie star and her entire family can enter the country during the pandemic. When government won't let my partner in—what is the logic behind this?

Why are students and skilled workers from Hong Kong allowed to apply for visas? When my partner can't?

Explain to me why the long-term partner, supposed to be husband of an Australian citizen—who has proven pre-COVID evidence of an intention to migrate, will pay the \$8,000 partner visa, pay for quarantine, cop any further restrictions, has somewhere to live and is skilled in a role where there is currently a shortage in this country (teaching)—why is the government keeping us apart?

At what point are we protecting the national interest and destroying the lives of its people.

I am not asking for a tourist to be allowed in sightsee or a cashed -up businessman to get in to buy another property—but the most important person to me. My fiancée, my family.

He is stuck on the other side of the world and we have spent the last eight months desperately exploring every partner visa available, looked into every and any other visa.

Our only option is to join the current queue of over 100,000 people and apply for an offshore partner visa. Wait times are two to three years and he cannot enter Australia during this time.

So, what we wait another three years apart?

Or I move back to England—a country clocking 19,000 COVID-19 cases in just one day last week. Is that what my government really wants?

To send an asthmatic to a nation struggling to cope with the virus?

And before you say—England has a bigger population than Australia. Yes, their population is three times Australia's. But their COVID-19 death toll is 480 times Australia's. 43 000 people have died in the UK from COVID.

So, what would you do?

The long distance, the not knowing, the waiting, the lack of clarity and compassion—has been incredibly tough.

I hope this statement and my situation sparks a genuine reflection on where the line has been drawn for migration during the pandemic.

The last census proved nearly half of all Australians were either born overseas or their parents were. We can't forget who we are and who makes up this amazing country of ours.

No Australian should have to choose between their family and catching COVID-19.

If any of the other 100,000 partners who are like me ... waiting, praying for change and are listening to this ... don't give up. I won't be.

### LISMORE ELECTORATE FLOODS

**Ms JANELLE SAFFIN (Lismore) (19:03:48):** I talk about floods and the need to take more concerted action. To date it has not been strong enough and we need more flood protection in the Lismore electorate. Lismore city, where I live, is known as the city that floods. Since we started taking records, which, from memory, was from 1870, there have been over 30 major floods.

The impacts from the 2017 floods that resulted from Cyclone Debbie hit Lismore and Murwillumbah particularly hard, with catastrophic impacts. Tragically, seven lives were lost. Devastatingly, the CBDs and businesses in them and surrounding industrial areas were smashed in a way that we had not seen before. I have lived in South Lismore and North Lismore, and I now live on the banks of the Wilson River. I have been through many floods. The floods that we saw in 2017 were very different and they have been written about as very different. It was like a tornado coming through the CBDs where the devastation landed.

I am quite familiar with floods. I can watch the rate of rise and know what is going to happen—that is, the timing of spillovers et cetera—as indeed do many locals, mainly farmers, who know much better than I do. We relied on those farmers for years and then they were shut out as it all had to be "professionalised". Only after warnings had been through the intersection of the Bureau of Meteorology with the State Emergency Service were they okayed and then trickled down to us. They had gone through what I call the central prism, with no local knowledge, and then we got our warnings. Our radio used to run all the locals and we would think, "Okay. I have just listened to Fred," or so-and-so. "We know what is going on." We would believe them and take action accordingly because we knew they knew what they were talking about. That is another story.

I became involved in the campaign in Lismore to raise the levee. This caused me to look way beyond Lismore to see the impacts in other places. I am talking about quite a few decades ago. I pause here to pay tribute to the late Florian Volpato, businessman, philanthropist and Lismore resident. Florian got active on flood protection around 1980. Because he was Italian and Lismore is Australian, he brought two Italian engineers to Lismore and paid for them to prepare a proposal to channel floodwaters away from the Lismore CBD. After many years and much debate a levee wall was constructed in Lismore in 2005. I was actively involved in that, working with the then Federal member Neville Newell to get it prioritised. Dr Ros Irwin was mayor when it was decided, and I thank her.

The need to do more for flood protection never waned, but the political will did, as the current channelling operations in Lismore funded by the State Government—and I acknowledge that—at \$8.2 million demonstrate. I am told, though, that that proposal had a development application [DA] approved some four years back from 2019 and sat dormant for all those years. But guess what? It came alive during the 2019 State election campaign. It was promised by me, and The Nationals candidate supported it as well. He then created a petition to have local people sign it. I questioned the need for that, given that it was already a project, it was already developed and it already had a DA approved.

Anyway, it is now underway and we all support it. It will have a small impact, but any impact is worthwhile for those who were badly impacted. However, what we need is a more holistic approach to flood protection, which has many facets to it—structures, buybacks and natural mitigation work such as that set out in the locally agreed Northern Rivers Watershed Initiative, endorsed as a priority project by the Northern Rivers Joint Organisation of councils and the Rous County Council. There are many other actions that are required and they were writ large by the absence of a planned approach after the 2017 catastrophic floods. This is to be continued.

### PORT MACQUARIE ELECTORATE HEALTH SERVICES

**Mrs LESLIE WILLIAMS (Port Macquarie) (19:08:52):** October is awareness month for the millions of Australians who are diagnosed with some form of disease or illness that sadly affects their quality of life. October each year is shared with Mental Health Month, Breast Cancer Awareness Month, Dyslexia Awareness Month, and Pregnancy and Infant Loss Awareness Month. Each of those campaigns represents thousands of support groups and volunteers willing to assist in any way they can to raise funds and champion better health outcomes to ensure that their loved ones are supported through life's challenges. It is no secret that a large percentage of Australians have faced depression and anxiety at some point in their lives. Regretfully, many keep it hidden. Mental Health Month is all about breaking down stigma and encouraging others to reach out for assistance.

This year's theme, "Tune In", emphasises the importance of building self-awareness, reducing the impact of worry, making effective choices and creating positive connections. In Port Macquarie, we have amazing support services that cater for the needs of people living with mental illness, including Lifeline Mid Coast, Endeavour

Mental Health Recovery Clubhouse and Neami Mid North Coast. I commend the following leaders from Lifeline Mid Coast: Catherine Vaara, Kurt Russell, Di Bannister, Kelly Saidey, Lisa Willows, Patti Parsons, Tony Fleming, Trevor Gilson, Trish Tracey, Neil Porter, David Capers, Eric Drury, Andrew Bailey and Brian Beesley. At Endeavour Mental Health Recovery Clubhouse I recognise the following, who make a significant contribution to support others: Rob Moorhead, Bob Boss-Walker, Garth Norris, Melanie Kallmier, Phillip Gardiner, Jennifer Waring, Mike Chambers, Haley McKewan, Margaret Cunningham and Sue Gardiner. Lastly, I thank the team at Neami Mid North Coast—service manager Barbara Hoek and regional manager Liam Farrelly. Each of those extraordinary individuals goes far beyond the call of duty to provide an invaluable service for those facing personal crisis.

October is also Breast Cancer Awareness Month, a time to pause to consider the devastating impacts that the insidious disease inflicts on people in our communities and how early detection is so essential. In Australia breast cancer remains the leading diagnosis of cancer in women with nearly 3,000 Australians sadly losing the battle each year. The good news is that the five-year survival rate has increased from 76 per cent to 91 per cent since 1994. That is related directly to an added focus on research and testing, which has seen survival rates improve by 98 per cent in women. BreastScreen NSW encourages women aged 50 to 74 to put their health front and centre by booking a free life-saving mammogram in October. I extend my gratitude to the Mid North Coast Cancer Institute's Port Macquarie nurse unit manager Emily Saul and her dedicated team of professionals who inspire hope, courage and determination to the patients they encounter each and every day.

I single out an angel of our healthcare system, breast care nurse Joanne Woodland, for the positive impact she generates in the lives of those affected by cancer. As always, our fabulous Port Macquarie Women's Golf Club will be holding a COVID-safe golf day on 28 October to raise money to support people living with breast cancer. I thank president Patsy Choo and her committee for raising funds that directly support local women. Each year the Tacking Point Lighthouse is lit up red for dyslexia awareness. The key objective of the unique initiative is to close the gap for one in five students with learning difficulties through an informed, immediate and intensive structured literacy program so that no child is left behind. Advocate Kelly King and youth ambassador Georgia Ryan lead the charge to promote educational initiatives for teachers and parents to support those students living with dyslexia.

Finally, I acknowledge that October is Pregnancy and Infant Loss Awareness Month. It is a time to recognise the silent pain and anguish parents and caregivers face following the unexpected loss of a baby. I encourage all new and expecting parents to visit the Red Nose website to find out more on safe sleeping practices and fundraising initiatives, which are crucial in helping educate parents on the potential risk factors associated with sudden infant death syndrome so that no mum, dad or family member ever has to endure the pain of losing an infant. In conclusion, I reiterate my sincerest thanks to our hardworking, committed and dedicated volunteers and professionals in the Port Macquarie-Hastings region for shining a spotlight on mental health, breast cancer, dyslexia and the many challenges faced by parents after the loss of a young baby. All of their efforts make a difference in the lives of the people that they touch each and every year.

#### **LOCAL GOVERNMENT BUSHFIRE RECOVERY GROUP**

**Mrs SHELLEY HANCOCK (South Coast—Minister for Local Government) (19:13:24):** It is hard to believe that it has already been a year since our State faced one of the most devastating bushfire seasons in our history. While our communities continue to recover from the Black Summer bushfires, we are now facing a new bushfire season. We have already seen the launch of Get Ready Weekend. I encourage all residents in bushfire-prone areas to start planning and preparing for the coming season on their own properties by engaging with their local brigade and finding out about the bushfire risk in their area. It takes five minutes to improve or make a plan that will give their property, family and themselves the best chance of survival should they be threatened by a bushfire. I encourage all South Coast residents to visit the Get Ready website to prepare their properties.

Councils are always the heart of their communities, but never more so than during times of emergency. Councils undeniably showed their true spirit of generosity during the 2019-20 bushfire season, coming together to help each other to respond and recover from the devastation. As the bushfire season worsened from New Year's Day, the Office of Local Government was inundated with offers from non-bushfire affected councils to help communities in need. The Office of Local Government moved quickly to join the City of Sydney, the Resilient Sydney Office and Local Government NSW to form the Local Government Bushfire Recovery Support Group. The group was an overwhelming success in matching kind offers of staff and equipment from non-bushfire affected councils to communities in need, bolstering disaster recovery and supporting operations on the ground.

This specialist support group represents an excellent example of generosity and collaboration among councils and New South Wales government agencies for preparedness, response and recovery. I am pleased to inform members that the Local Government Bushfire Recovery Support Group has now been re-established to

again coordinate council-to-council assistance and help New South Wales communities prepare for the bushfire season. With the bushfire season officially beginning this month, I am once again calling on councils in a position to help other councils to come forward. Likewise, I am also calling on those councils that need a hand with bushfire preparedness to register through the specialist unit. While the initial focus will be on preparation, the unit will play a key role in matching council resources with communities in need if they are unfortunate enough to suffer more bushfires this season. Any council with outstanding work from last bushfire season can also contact the support group.

Help is also needed for bushfire-affected councils to apply for funding through the Bushfire Community Recovery and Resilience Fund and other programs. Some of these councils are finding it difficult to apply for and acquit funding given their current challenges. Since its initial formation in January this year, the group involved a total of 44 councils offering 556 items of assistance in the form of staff and equipment across a broad range of functions, including asset construction and maintenance, engineering, environmental services, communications, planning and development, and community services. Offers of plant and equipment included tippers, off-road vehicles, excavators, waste collection vehicles, generators and bobcats, along with staff to operate the machinery. Councils also offered arborists and tree removal teams, building surveyors, data management specialists, mechanics, and town planners.

In total, 18 bushfire-affected councils lodged 60 requests for help, which were matched with councils that offered assistance, and those recovery efforts were completed. I acknowledge the tremendous efforts of local councils in supporting their local communities to respond and recover from the bushfire crisis. The Government will stand by bushfire-affected communities over the long haul, ensuring they receive the support they need. While we hope this year's fire season will not be as intense and we as a government have never been more prepared, it is a reality that bushfires will break out this summer, as they have done every year. I am not only grateful to councils for their work and generosity in this space, but as the member for South Coast in one of the most devastated areas of the State I cannot express how much it meant to those who had lost everything, including members of their family, to see the State come together to assist however they could.

I reinforce my gratitude to all of the councils that were involved. Some councils had planners who had lost their homes and could not come to work. Other councils sent their planners to those areas to take over the roles. There was remarkable cooperation between local councils. Of course, as Australians when we are in trouble we all come together. Last year was a perfect example of councils helping other councils. When one meets the local government family, as I have over the past 12 months, one realises that they are one big, happy family, mostly. Sometimes they argue and fight, but mostly they are a big, happy family that works together well and helps each other. I thank them all in anticipation of this year. Again, I express my gratitude to all councils concerned.

#### **STATE BUDGET AND SWANSEA ELECTORATE**

**Ms YASMIN CATLEY (Swansea) (19:18:21):** I support the two issues raised earlier by the Deputy Speaker, Breast Cancer Week and Baby Loss Awareness Week. I know she has done work for breast cancer awareness generally and it is important that we support it. Baby loss is something that we do not speak about and I am pleased that she has raised that in the House today. I support her sentiments and acknowledge anybody who has lost a child, either soon after birth or during pregnancy. It is a devastating loss to any woman, man and family. I speak to the investment in jobs in the electorate of Swansea and regional communities around the State. The recent Federal budget committed \$1.5 billion to the Local Roads and Community Infrastructure Program to boost jobs across the country. Unfortunately, the Swansea community has been left out of that funding. The Government's jobs plan will not deliver one single job in the electorate of Swansea.

Of course, I am very disappointed to see that the Government has left out a regional community like mine. But it is not just the Swansea community that has missed out; many regional communities across the State have been left behind. The Newcastle Airport runway extension is a shovel-ready project that would create 4,000 full-time jobs. The Hunter Business Chamber has also expressed disappointment that the M1 motorway extension to Raymond Terrace failed to attract funding. Madam Deputy Speaker, that would mean that I could get to your electorate so much faster, which I am sure we would all be pleased about. This is another project that would have generated jobs across the region and in my view it is a missed opportunity.

I am proud though that local government has stepped up to the plate to support local jobs. Lake Macquarie City Council recently announced that it is increasing its commitment to employment opportunities in trainee, apprentice and cadet roles, which is critically important in regional areas. I know Madam Deputy Speaker would understand that and concur entirely. This commitment to creating a pathway for young people into the workforce comes via the Education to Employment program that allows participants to gain on-the-job experience and receive mentoring and support from highly skilled professionals, all while studying for a formal qualification. It has worked before and we know that it will work now. This is a great program that helps people to pursue a trade or traineeship, especially in these times. It is time that the New South Wales Government also invests in jobs in



our regional communities. I note that the Treasurer has indicated that in the forthcoming budget the Government will invest in the construction and maintenance of public housing.

Whilst any investment in social housing is welcome, especially with over 51,000 applicants on the waiting list, it raises the question of why the Government has waited so long. Nonetheless, the Treasurer has indicated that is what he will be doing. Thank goodness, because a report earlier this year from the NSW Council of Social Service [NCOSS] highlighted how an investment in social and affordable housing could stimulate the economy and drive the State's economic recovery. Its modelling suggests that 5,000 additional social and affordable housing properties would support an enormous 18,000 construction jobs. This is something that we must do and I hope that next sitting week we see this in the State Government's budget.

The fast-tracked social housing pilot program that the Government has indicated it will build is only 100 social housing properties. I hope that a lot more generosity is given by the Treasurer and that we get something in the vicinity of the 5,000 that NCOSS has modelled for. For the past nine years the State has unfortunately not provided the regional jobs in regional industries that we need to ensure that we have apprentices and trainees coming forward. One of the handbrakes has been not purchasing products—and the likes of our trains, ferries and buses—here in New South Wales. We have intercity trains from South Korea, trams from France and so on. I encourage the Government to make sure that we use our power of procurement to make things in Newcastle and in our regional areas. That will create jobs for regional New South Wales.

### COVID-19 AND LAKE MACQUARIE ELECTORATE

**Mr GREG PIPER (Lake Macquarie) (19:23:35):** I do not think that I need to tell anyone in this House how surreal the past seven months have been. Like many parts of New South Wales, Lake Macquarie started the year under the pall of major bushfires on the back of a devastating drought. Then came the floods, all leading up to the arrival of a global COVID-19 pandemic. Madam Deputy Speaker, your electorate might have led the way with the fires; you faced them very early.

In March I did not imagine I would be standing here in October to talk about how pleased I was that COVID-19 has not claimed a single life in my electorate. Nor did I think I would be reporting fewer than 30 cases of the deadly virus in my local community. A small part of that might come down to luck but we all know it takes a much bigger effort than that. We have a long way to go before COVID-19 can be confined to history. We know that we must try to contain it, keep ahead of it and live with it until there is a vaccine or a widely effective cure. I want to take this opportunity to recognise some of the extraordinary efforts that not only have kept a lid on COVID outbreaks but have kept our communities going.

Since the broader outbreak of COVID-19 in March, New South Wales has recorded fewer than 4,200 cases and 55 deaths. Victoria has recorded five times that amount and more than 800 deaths. On Monday, in a single day France recorded more than 32,000 new cases and 89 deaths—the same day that New South Wales recorded zero community transmission. Obviously we have a significant difference in population but we have been spared the diabolical situations we are seeing abroad and even interstate because we have had, by and large, very good leadership.

I acknowledge the tremendous work of New South Wales Chief Health Officer Kerry Chant. I also wish to acknowledge Premier Gladys Berejiklian and health Minister Brad Hazzard. There were early holes in the State's defences and parts of the State's response which seemed chaotic but I do not think that that should cloud the bigger picture of how the State's leaders have traversed an extremely difficult period in our history. We have wonderful communities like those in Lake Macquarie that have pulled together and have worked tirelessly in new and unique ways to look after our most vulnerable. My local community includes our nurses and doctors who work in the Hunter-New England Health District and our other medical and aged care staff, together with our teachers, police, retail staff and other essential workers who have stepped up during this very difficult time.

At a local level in Lake Macquarie there are people checking in on their elderly neighbours, looking out for each other and making sure no-one has been left behind. We have remarkable charities and organisations that have provided an essential layer to our COVID-19 defences. I simply cannot name them all tonight but I want to mention several who have found ways to continue their work throughout the COVID-19 crisis. Christine Mastello and her extraordinary band of volunteers and donors at Southlakes Incorporated have not stopped for seven months. In a 13-week period between April and June, Southlakes delivered more than 7,500 food hampers to local people in need. It also delivered more than 15 tonnes of fresh produce and more than 14,000 loaves of bread. These deliveries did not just go to our frail aged but to families who had lost jobs and income and to our disabled and our housebound who simply could not get out to buy essentials.

In a similar way, Morisset Meals on Wheels never stopped delivering to hundreds of locals who rely on them to survive. These people and groups—and there are many more—have played an extraordinary role in Lake

Macquarie over the past seven months. Their work has been crucial, selfless and inspirational and deserves our thanks. As it stands, there have been fewer than 400 COVID-19 cases in the entire Hunter-New England Health district and the sad loss of four lives. Health agencies estimate that as many as 32,000 cases could have been recorded in the district if nothing had been done to stop the spread, together with, tragically, the loss of many more lives. The economic cost of the response has been and will continue to be enormous but that cannot be our only focus. As much as we would like to think that COVID-19 will soon be a thing of the past it will not be and we have challenging times ahead. But sometimes it is good to take a moment to acknowledge a job well done and to be thankful for what our leaders, our health agencies and our local communities have achieved. I thank them all—those in this House, in our local hospitals and in our local communities. Not all of us would have been here without you. I give my thanks.

#### **KYLIE PUSSELL AND MIRACLE BABIES FOUNDATION**

**Mr PETER SIDGREAVES (Camden) (19:28:29):** The Western Sydney Women awards recognise women who excel in business, inspire others as role models, have demonstrated excellence in their career, have made significant contributions to their community and have made a difference to the Greater Western Sydney. One Western Sydney Women awards category recognises excellence in the not-for-profit or non-government organisation community and nobody is more deserving to have won the 2020 award than Kylie Pussell. Kylie is the chief executive officer and co-founder of the Miracle Babies Foundation, which is Australia's leading organisation that supports premature sick and newborn babies, their families and the hospitals that care for them.

Since 2005 Kylie Pussell and the Miracle Babies Foundation have been passionately developing and providing vital programs and resources to enhance a family's experience from a threatened pregnancy, to help families on their journey home with a premature or sick newborn and to assist with the transition to home and beyond. Kylie plays an integral role in delivering presentations and forums on the Miracle Babies Foundation to community and corporate bodies, in which she shares the personal journey of raising her own children, highlights the needs of parents and families in neonatal intensive care units and raises support for bereaved families. Kylie assists families and educational institutions in the learning, social and emotional challenges that some miracle babies experience in their early and school-aged years.

Through the Miracle Babies Foundation website and social media accounts, Kylie has created a community of national miracle babies. She uses those platforms to empower families who are experiencing what is often a very difficult time. Kylie's impact has also been felt in the community through a number of events that she has organised through the foundation to raise awareness and funds for the cause. Last September the Miracle Moon Walk raised money for Miracle Babies Foundation support services and resources for families with a baby who was born either premature or sick. Those services included the national 24-hour family support line, NurtureLine; the in-hospital support service, NurtureTime; the out-of-hospital play and support groups, NurtureGroups; and other important resources, including memory boxes, which offer solace to families who are grieving the loss of their baby. The COVID-19 pandemic has not dampened the efforts of Kylie or her magnificent organisation, which recently established NurtureTime Online in response to the suspension of face-to-face programs.

Kylie is a qualified counsellor and she has been instrumental in helping to introduce the Miracle Babies Foundation to hospitals nationally and in developing national resources. She developed and implemented the Miracle Babies Foundation's successful volunteer program and designed the national volunteer induction and training course with TAFE NSW. The Miracle Babies Foundation has a global presence for its efforts. The foundation has been invited to speak at conferences in Canada, Germany and Italy. Kylie has been integral to promoting the celebration of World Prematurity Day in the community. The day is celebrated across the world and aims to raise awareness about preterm births, along with the deaths and disabilities that are associated with preterm births and the simple, proven, cost-effective measures that could prevent them. World Prematurity Day is celebrated every year on 17 November. This year Kylie and her team have invited the community to "light it up purple" to further increase awareness around the challenges that are associated with babies who are born prematurely and, ultimately, to achieve better health outcomes for those babies and for their families.

Last year World Prematurity Day had widespread local and international support. Hospitals in New South Wales, Tasmania, Victoria, the Northern Territory and South Australia took part in the day, as did hospitals overseas in countries including India, the United States, Malaysia and Canada. Kylie is a resident of the electorate of Camden and I was pleased to meet her last September. I remember being blown away by the scope and magnitude of her efforts and the efforts of the Miracle Babies Foundation in all that they do. Kylie is very deserving of the Western Sydney Community Women award at the 2020 Western Sydney Community Women Awards. I commend the efforts of Kylie and the Miracle Babies Foundation. I wish them continued success in raising awareness and community support for that outstanding cause.

### TRUEGAIN SITE REMEDIATION

**Ms JENNY AITCHISON (Maitland) (19:33:36):** Four months ago I spoke in this place about the environmental time bomb that is ticking in the electorate of Maitland at the site of the former Truegain oil refinery. I spoke about Labor's outrage at the Government's continued negligence. On 18 June 2020 I called on the Minister for Energy and Environment to immediately remediate the site and to stem the flow of PFAS, heavy metals, and other pollutants and carcinogens from the Rutherford site into groundwater and nearby waterways, which have already been deemed unfit for purpose as a result of pollution.

I thanked the Minister for his attendance in the Chamber that day and for thanking me during his response for continuing to bring this matter to his attention. At the time the Minister apologised for the Government's inaction and the toll that the ongoing pollution and stench had taken on my community. He even said he appreciated the opportunity to engage with the problem. I must admit I felt a small spark of hope when he said that if the Government found that the director of Truegain and others had done the wrong thing, they would be held responsible and the Government would "throw the book" at them. Indeed, the Minister said to them in this place:

I intend to go after you like a rabid dog ... I will meet with local residents and I will work with the member for Maitland to ensure that the EPA does its job, holds this entity to account and makes the right people pay.

They were great words—strong words, but empty words. It is months since the Minister made those very strong statements. A wet weather event is expected within the next week. The Truegain site, with its dilapidated facilities and rusting waste storage tanks will no doubt fill up again, burst and spew forth their toxic filth into the ground and water of Maitland. While I thank the Minister for his positive statements on that day I fear that the Environmental Protection Agency's [EPA] continued failure to act is yet another repetitive chapter in this very same sorry saga. The EPA has a long and disappointing history of failing to hold this polluter to account. In fact, when Truegain finally ceased operations in March 2016 it did so only because Hunter Water suspended its licence to discharge. That was due to the detection of PFAS in the water that was being released into the environment and onto farmers' lands.

We must ask: Why was it not action from the EPA that forced the closure of this despicable operation? For years the company received multiple penalties, cautions and clean-up notices for instances of non-compliance. The misdemeanours ranged from process failures that released foul and sickening odours into the neighbouring community to water pollution that rendered three community waterways unfit for use owing to dangerous contaminants, and included failures to monitor emissions of dioxins and heavy metals and oil spills. But even with that sorry rap sheet, the EPA could not muster the courage to close down this big polluter. It waited until Hunter Water took the action and then took another month before it suspended Truegain's licence.

I am even sadder to note that the notice of revocation of licence issued on 5 January 2018 reveals that Truegain actually had its licence suspended by the EPA because it failed to pay its gas bill. The document states that the EPA suspended the licence on the basis that the licensee is no longer a fit and proper person to hold the licence, lacking the financial capacity to meet its obligations under it. This was determined on the basis that the licensee failed to pay its gas account, resulting in the disconnection of gas supplied to the premises and available to operate the afterburner.

At the time of the revocation of the licence the EPA's records show that Truegain had just under \$10,000 in annual licence fees and interest outstanding. It was not until the final point of the six dot points covered in the revocation document that the EPA even mentioned that Truegain had a poor history of compliance with environmental protection legislation. So we have the EPA that cannot even close down a polluter like Truegain on the basis of its dirty deeds—a company that pollutes my community—and yet those deeds are just an afterthought to the reasons for being shut down. I can remember when it was finally shut down that the Deputy Premier swaggered into this Chamber and attacked me for leading the campaign to shut it.

I accept that the Minister for Energy and Environment did not have carriage of the Environment portfolio when all of this took place, but it was his Government that failed to act despite all the evidence. More than four years later the EPA has continuously failed to take action to protect my residents and their environment. Now the Minister for Energy and Environment is the Minister who is responsible. He has made a commitment to my community. I call on him to honour his words and take action to protect my community from toxic pollution.

### ORANGE FIRE STATION

**Mr PHILIP DONATO (Orange) (19:38:42):** I draw to the attention of the House the men and women of our emergency services who do a remarkable job. They are there, around the clock, day in and day out, in readiness to respond to any eventuality. We are quick to pat them on the back when they do a good job, but we need to show a bit more support in providing the resources to make their jobs safer and more efficient and equip

them to effectively respond to whatever pops up. The fire station in Orange was built in 1904 and was certainly fit for purpose in its day when Orange was a town a fraction of the size it is now.

Orange is now a rapidly growing city. No doubt the old fire station was perfect for the handful of fires and their equipment back in the day, but it no longer caters comfortably for the gender equitable workplace or allows for the housing of essential vehicular equipment such as an aerial appliance like the tele-squirt. To put it into perspective, back in 1904 firefighting was an all-male job, so that meant male-only amenities and horse-drawn appliances and ladders were still being used. The design of the century-old fire station in Summer Street struggles to support adequate work health and safety of our permanent and retained firefighters.

The hazards of the occupation are well known, especially now that two short years ago we debated in this place both the Opposition and Government's versions of workers compensation legislation to provide presumptive rights for injured workers relating to specified cancers that are known to be linked with firefighting. Given our awareness of the prevalence and potential for certain cancers caused to firefighters as a direct result of their work, we must do our very best to protect them from those recognised health hazards. In the case of Orange, we can help by providing a new fire station to separate firefighters from contaminants. A new station could be designed to fit twenty-first century firefighting equipment, such as an aerial appliance like the tele-squirt, which I mentioned earlier. In May 2019 the clubhouse at the Wentworth Golf Club in Orange caught fire. The local brigade responded quickly, but in spite of their efforts the building was totally destroyed. I have since heard from a firefighter in Orange that it is believed that if an aerial appliance had been available to respond to the fire, some of the structure may have been saved.

There are no aerial appliances located anywhere in the Central West of the State. The nearest aerial appliances are located in Wagga Wagga and Sydney, which is far beyond what most would consider a reasonable distance to respond to any large-scale or high-structure fire in Orange. Orange has a growing number of multistorey structures, such as the Orange Health Service, the new Bloomfield medical tower, and both the old and new Department of Primary Industries buildings. An aerial appliance, such as the versatile tele-squirt, is a must-have firefighting resource to combat fires, undertake rescues and other non-fire operations for large-scale and intricate operations in commercial buildings, including shopping centres, industrial complexes and multistorey buildings in the Central West.

An aerial appliance is also more water efficient than traditional means in extinguishing and suppressing fires. I have since asked the Minister for Police and Emergency Services whether consideration would be given to the allocation and permanent placement of an aerial firefighting appliance in Orange for those reasons. However, the Minister responded that Fire and Rescue NSW has a network of aerial appliances across the State to provide appropriate fire response. I do not think Wagga Wagga or Sydney, which are both more than a three-hour drive from Orange, give the city reasonable access to the network of aerial appliances. I respectfully ask the Minister to reconsider favourably by basing a tele-squirt at Orange to service the Central West. The necessity for a new fire station in Orange is undisputed. I was pleased that the Minister joined me in visiting the Orange fire station to see the old building for himself and to meet platoon A, who were on-duty at the time.

Since that time I have facilitated meetings involving representatives of Fire and Rescue NSW, the Fire Brigade Employees Union, and Orange City Council. The meetings were fruitful and have since yielded available vacant land, which suitably meets location and proximity criteria for Fire and Rescue NSW. In response to the impact of COVID-19, the Government has touted infrastructure projects as an important element of its economic stimulus strategy—a new fire station in Orange would certainly fit that bill. I will continue to advocate for the men and women of Fire and Rescue NSW, and push for the new fire station and aerial appliance until they are delivered.

### **COFFS HARBOUR CULTURAL AND CIVIC SPACE**

**Mr GURMESH SINGH (Coffs Harbour) (19:43:12):** Tonight I speak on possibly the most controversial and talked about thing in Coffs Harbour since I was elected nearly 18 months ago: the Coffs Harbour Cultural and Civic Space. On 24 October last year a petition was presented to the Parliament of nearly 15,000 signatures requesting "a pause in the progress of the Council Chambers, Art Gallery, Library and Museum project in Gordon Street, Coffs Harbour, pending more and meaningful community consultation on that project." The petition stated further:

Furthermore, we desire and request more and meaningful community consultation for the assessment of the other options for a new performing arts facility, art gallery, library and museum for our local government area. So, why has that project attracted so much comment and controversy? What issues have been raised? The first issue is with the visitor numbers. The figures used to justify the project stated that it get would 400,000 visitors per year. Many people and I feel that the number is overstated as 400,000 visitors per year equates to 155 visitors for every hour the facility will be open. People have also raised issues with the location and setting. The site is about 3,000 square metres, which is three average-sized house blocks. When compared to similar projects that are housed on acres of parkland, the location setting is an issue. Yes, it is in the CBD; it is centrally located. It is surrounded by office buildings on three sides and a car park on the fourth. Parking has been identified as an issue. I have been to events at the gallery to which most

people in attendance would have driven because there is not much of a residential population in our CBD. The nearest bus stop is 300 metres or 400 metres away and we all know public transport is not great at night.

Another issue that has been raised is comparison with similar projects. The Geelong Library and Heritage Centre, an iconic-looking building surrounded by Johnstone Park, was built at a cost of \$45 million. The Shellharbour Civic Centre contains a museum, council administration offices, a cafe, a library and an auditorium for conferences and concerts, and was built at a cost of \$60 million. For Coffs Harbour, the cost is \$76 million—not including all of the work for this project. Some people have questioned the council's ability to deliver. I will stick up for the council here. Our council has proven that it can deliver large projects. It has delivered water and sewerage projects worth \$400 million. It can and does deliver large and successful events, such as Elton John earlier this year, and many large sporting events each and every year.

Another issue that has been raised is the sale of the four buildings, the proceeds of which will be used to fund some of the project. Earlier this year, those four buildings went to tender and the prices that came in were lower than expected. Only one of those buildings remains out to tender at the moment, and there is potentially as much as a \$20 million shortfall in the funding for this project. Another issue that has been raised—and I say this without comment—is various aspects around the governance of getting the project up to where it is. The aesthetics of the building are also an issue, especially when compared to similar buildings such as the Geelong and Shellharbour examples mentioned earlier. We know a planning decision on the development application is due soon. Of the 816 submissions, only 19 were in support. The majority of the concerns raised were about the decision-making of the council, the cost of the building and the potential rate rise that may cover that potential cost.

All of these things, unfortunately, are outside of the scope of consideration for the Environmental Planning and Assessment Act. If granted, an approval lasts for five years, so there is plenty of scope to take this decision to the next council election or to pause for further consultation. Protests at the most recent council meeting included burning a rates notice and more protests are planned for tomorrow night's meeting. What are the protesters asking for? Simply, they are asking council to consider pausing the project and doing further community consultation, and to get more of the community on side with the project. I conclude by saying that the discourse online about the project has been ugly from both sides. I urge residents, regardless of their opinion, to be respectful of each other's views and to talk about the policy and not the personalities. I urge the council to please listen to the Coffs Harbour community.

#### SERVICE NSW

**Dr MARJORIE O'NEILL (Coogee) (19:47:51):** I address the number of Service NSW data breaches that continue to happen under this Government's watch. The most recent data breaches are merely the latest in a series of data breaches that have been presided over by this Government and that collectively have put hundreds of thousands of people's data, financial documents and personal details at risk—including those in my electorate of Coogee. In November 2019 the Auditor-General reported 3,324 data breaches across New South Wales government agencies. In December 2019 the Auditor-General reported that 47 per cent of New South Wales government agencies are at maturity level zero for the use of eight essential cybersecurity strategies recommended by the Australian Cyber Security Centre.

In June 2020 Transport for NSW experienced a major system outage that was attributed to a malicious hack. In August 2020 more than 50,000 driver licences were exposed. In September 2020 there was confirmation that cyber criminals stole 3.8 million documents related to 186,000 people from Service NSW. A number of residents from my electorate have written to me. They are concerned about how the Government is managing and protecting their data. I share this significant concern with them and with so many people across this State. In late 2019 the New South Wales Government was warned by the Auditor-General that 47 per cent of New South Wales government agencies had non-existent mitigation strategies to prevent cyber attacks—what is classified as maturity level zero.

The report released by the Australian Cyber Security Centre recommended two key harm mitigation strategies which, if implemented, would greatly reduce the risk of data breaches. One key strategy is to patch applications with security fixes when those breaches are released, but the Auditor-General's report showed that 37 per cent of New South Wales agencies admitted to not doing that. The other key strategy was to use multi-factor authentication, but 41 per cent of New South Wales agencies admitted to not doing that either. This same report by the Auditor-General showed that there had been more than 3,300 data breaches across New South Wales agencies as of 31 March last year, a significant number of which have affected people in the electorate of Coogee.

When we take all of this history, the countless warnings, reports and recommendations into account, the fact that earlier this year the Government allowed the personal data of more than 186,000 customers to be leaked is merely the culmination of years of inaction and incompetence by the New South Wales Government. In fact,

the Government has said that this attack occurred precisely because Service NSW did not use multi-factor authentication for staff logins, a problem that the Auditor-General's report revealed at the end of last year. This was an issue that the Government needed to address and it failed to do so. This data breach was foreseeable and preventable. The Government has a duty to safeguard people's sensitive information, a duty in which it has been absolutely derelict. Yet nobody within the Government has taken any responsibility for this latest breach.

When Facebook had a data breach in 2018, Mark Zuckerberg apologised and he radically changed its internal data policies. When Zoom had a data breach earlier this year, Eric Yuan apologised. In the private sector, companies take responsibility and they implement policies to address the issues that lead to these breaches. This is all while the Minister has refused to respond to the data breaches in this Parliament and is yet to implement any of the recommendations from the five reports from an inquiry into cybersecurity. Those reports were *Universities 2019 financial audits* published on 4 June 2020; *Integrity of data in the Births, Deaths and Marriages Register* performance audit published on 7 April 2020; *Report on Local Government 2019*; *Report on Internal Controls and Governance 2019*; and *Detecting and responding to cyber Security incidents*.

It is clear that the Government is failing to take the issues of the twenty-first century seriously. It has failed to keep our personal information secret in an age when cyber attacks are becoming increasingly common by State-based and non-State agencies. The New South Wales Government must ensure that each of its agencies has adequate protections in place and that none of the New South Wales government agencies has a maturity level zero. It is especially important that all agencies have a minimum level of protection as, otherwise, the digital networks that these agencies have are often connected. This means that a single weak link can make significant portions of the network vulnerable to data breaches. NSW Labor will use the upcoming parliamentary inquiry into cybersecurity later this month to explore the extent to which the Government has neglected the cybersecurity of its government agencies, and the lack of assistance available to those who have had their personal information leaked. This is something the people of Coogee and the people of New South Wales deserve immediate and increasing protections against.

#### PETAURUS EDUCATION GROUP

**Mr JUSTIN CLANCY (Albury) (19:53:14):** It was a pleasure to be invited to the inaugural Sisters Who Shine event in Albury at the beginning of October. This program is designed for girls aged between seven and 12 and provides hands-on activities during school holidays and online sessions over the weekends. Girls are encouraged to enhance their knowledge and skills through science, heritage, innovation, nature and empowerment. I acknowledge the work of Caitlin Olsson and Jasmin Maiden, who manage this program, which aims to inspire a new generation of young women. Run by Wirraminna Environmental Education Centre and Petaurus Education Group, Sisters Who Shine provides students with the opportunity to interact with local women working in small business, universities and with leaders in the community.

Established in the regional town of Burrumbuttock in 1995, the Wirraminna Environmental Education Centre has played a valuable role in educating school-aged children about the importance of the local environment. Along the State's southern border, set on an old stock reserve and public watering place, this not-for-profit organisation's mission is to establish a site for community environmental education as well as a field of study area for students. In 2015, Wirraminna created Petaurus Education Group, which manages the educational resource activities. The goal for Petaurus is to connect with individuals, schools and community groups and assist through the education of subjects such as land, water, biodiversity, sustainability and productive farming. This has been a great resource for Albury and the border community, as more than 2,000 primary school students from the region visit the Wirraminna site each year. Staff engage with students through class lessons, workshops and online portals to educate on cultural and agricultural topics.

Educational resources are not just provided on site. Petaurus staff travel to rural and isolated communities to ensure our environment is treasured by younger generations. Wirraminna on Wheels offers hands-on interaction, implementing different experiences in sessions entitled Live Water Bug, Aussie Animal Habitats, Magnetic Fishing Game and Bush Treasure Hunt. Each topic promotes different learning outcomes but reinforces the ideas of sustainability and healthy ecosystems. In 2018 the Sunshine Room extension was added to the discovery centre at the Wirraminna site and this has assisted with the delivery of environmental education, cultural and sustainable agricultural programs. As well as providing environmental education, Wirraminna supports Indigenous art and culture. In 2019 an art gallery was built to offer further teaching spaces as well as exhibition space.

In this journey the Government has supported Petaurus and Wirraminna with grants, particularly through the Stronger Country Communities Fund, which will provide more than \$600,000 in funding to the organisation over the next three years. A recent addition is an aquarium display that showcases native fish. This is part of the three-year contract with the Murray-Darling Basin Authority and encourages students to become informed on issues of water literacy and healthy waterways. Petaurus was successful in its application under round three of the

Stronger Country Communities Fund, obtaining \$65,000 to continue a two-year project called Creative Catchment Kids as well as funding Sisters who Shine.

Creative Catchment Kids has been its flagship educational program since 2010. This holistic education and teaching program is designed to connect young people as well as adults to the environment, to encourage them to act as leaders and to run youth-led STEAM days during school holidays. Petaurus Education Group Executive Officer Owen Dunlop and the Senior Project Officer for Creative Catchment Kids, Stacey Bell, have been working to engage with students, schools and communities to expand interest. This has led to the growth of the program. The relevance and importance of these programs remains a strong drawcard. More than 5,500 students from 220 schools have participated to date. A large proportion of the Albury electorate is devoted to farming communities and it is important for rural and regional kids to connect with the land and understand the significant role it plays in their daily life.

Since their inception, Wirraminna and Petaurus have gained recognition and support from a number of agencies locally and nationally, with Creative Catchment Kids receiving support from the Governor of New South Wales. The success of Wirraminna Environmental Education Centre is a tribute to the volunteers who give their time to maintain this unique facility. Their passion for the local environment, conservation and sustainable practices ensures future generations can learn from this innovative centre. Now more than ever it is vital that young people gain the skills that protect mental wellbeing and foster resilience. Wirraminna and Petaurus are providing young people with opportunities to learn these fundamental life skills.

### ILLAWARRA BUSINESS CHAMBER AWARDS

**Mr PAUL SCULLY (Wollongong) (19:58:13):** The Wollongong business community is versatile, innovative and resilient. These characteristics were present in the recipients of the Illawarra Business Chamber's business awards last Friday night. COVID restrictions meant that there were fewer people in attendance than usual but our numbers were boosted by an online audience. COVID and current economic conditions have tested many of the more than 15,000 small businesses in the Wollongong local government area. Closures, restrictions, supply chain interruptions and the tightening of customer spending which, as outlined by the Reserve Bank Governor last week, have meant that many households have addressed their own balance sheets by retiring debt, with record rates of credit card repayment resulting in credit card balances having fallen by more than 20 per cent since March to their lowest level in 15 years.

The COVID restrictions and economic conditions have impacted the business community. As the son of a small business operator in the tourism industry, I know how much my parents' business would have struggled in the current conditions had they still been operating. Similarly, as the Reserve Bank Governor outlined last week, the impact of the current recession has hit small businesses relatively harder, on average, than it has larger businesses. Over the past few months I have been working with and supporting small- and medium-sized businesses in Wollongong by helping them to secure the information that they need to operate their businesses legally and safely, helping them to secure government support when it was available and helping them to keep their workers in jobs. The many businesses I have worked with have been committed to keeping as many of their staff as possible for as long as they can. That was not only recognition that when you have a good team you do all that you can to keep them but also recognition of their role as employers within our community.

Lachlan Stevens from His Boy Elroy summed up the aspiration of many businesspeople in the region best when he said that he did not want his business to succumb to COVID. He did not want to just struggle through COVID; he wanted to use it to improve his business, despite the difficulties he faced. Members can imagine how difficult such an aspiration would have been to achieve this year for someone who runs a burger restaurant and bar. However, he was quick to approach me to lobby for the easing of licensing restrictions around the delivery of alcohol, and he was similarly quick to set up a contactless delivery service, which led to the expansion of his business into Shellharbour. I note that the member for Shellharbour is in the Chamber; she would have welcomed that additional employment in her electorate.

It worked. Lachlan, Selena and their team have improved the business. That is part of the reason His Boy Elroy picked up four awards on Friday night, including Excellence in Innovation and Adaptability, Excellence in Digital Service Delivery, Resilience in Small Business and the big one: the Illawarra Business Chamber Business of the Year. Other award recipients included Adam McMahon of Dignam Real Estate, who received the Inspiring Business Leader Award on the back of recently securing a spot in the Top 100 Agents of 2020 as ranked by Real Estate Business. Novica Blazeski of Home Instead Senior Care Wollongong was awarded Inspiring Employee of the Year. Anyone who heard his passionate speech about his relocation from war-torn former Yugoslavia to Australia, finding a job he genuinely loves and giving us an insight into how he uses his experience to improve the care he provides to his clients would be left in no doubt about why he received that award.

As Novica said, "The biggest reward for me is knowing I made someone's day." The Excellence in Customer Service award was awarded jointly to Easy Agile and Ericom; Excellence in Import and Export to itree; Excellence in Sustainability to Burnetts on Barney; and Excellence in Workplace Culture to FinoComp, with a highly commended for Mercer Administration Services. Dr Olga Lavalle and Associates received the Resilience in Micro Business Award, while the Resilience in Business Award went to Injury and Occupational Health. They are a wide range of businesses in a wide range of industries, but all have taken steps to manage a series of external supply and demand shocks that have affected them this year. I also acknowledge and congratulate the 72 other finalists. It was a tough year but that should not diminish their successes in being finalists.

I thank the overall sponsor IMB Bank, the category sponsors, and Adam Zarth and the team from the Illawarra Business Chamber, which continued this annual event. However, challenges for businesses remain. Spending levels for many small businesses are just starting to return to normal, but their recovery has a long way to go. The minutes of the Reserve Bank of Australia's October meeting noted the expectation of a slow and uneven recovery and that business failures—particularly small business failures—are expected to rise. As the recession continues, that is an important reminder to governments at all levels that it will not be enough to rely on the innovation and resilience of the business community alone to drive the recovery. Governments should continue to support households, businesses and their communities. As recognised in the Illawarra Business Awards, when confronted with a situation that demanded a new way of doing business, small, medium and large businesses in areas like Wollongong adapted and changed. Governments must look to do the same.

**The DEPUTY SPEAKER:** I thank the member for Wollongong. It is wonderful to hear about small and medium enterprises doing so well in these challenging times.

#### *Community Recognition Statements*

### **SISTERS OF THE GOOD SAMARITAN**

**Ms ROBYN PRESTON (Hawkesbury) (20:03:37):** I congratulate the Sisters of the Good Samaritan on recently reaching the extraordinary milestone of 145 years of ministering in the Windsor area. Since 1875, 256 sisters have lived and ministered in the area. Good Samaritan ministry is strongly interwoven in the history of Catholic education in the area, with the sisters in their early stages taking charge of St Matthew's school and St Joseph's Catholic High School. In 1859 Good Samaritan Sisters accompanied Australia's first Catholic archbishop, John Bede Polding, on his missionary journeys throughout the Hawkesbury and assisted in the preparation of people for the sacraments. Our community is fortunate to have the Sisters of the Good Samaritan who continue to sing in the old chapel—pre-COVID-19 restrictions of course—and are involved in spiritual direction and pastoral care at St Matthews parish. I congratulate all past and current Sisters of the Good Samaritan on this wonderful milestone.

### **WOLLONGONG RELAY FOR LIFE**

**Mr PAUL SCULLY (Wollongong) (20:04:48):** A musician, a real estate agent and a politician walk into a bar. No, it is not the start of an incredibly bad joke but a contribution of some former schoolmates to the fundraising campaign of another school mate for the Cancer Council. This year our long-term friend Angie Howes is the Wollongong Relay For Life ambassador. COVID has meant that a physical relay could not take place so we needed to be creative, and that is where Angie's son Oscar comes in. Oscar, along with local restaurant His Boy Elroy came up with the Her Boy Oscar Burger—two beef patties, maple bacon, liquid cheddar cheese and Doritos. It tastes great and I encourage all members to come to Wollongong and have one, and if they do I will have one with them. A contribution from the burger goes to the Cancer Council. The member for Keira and the Federal member for Cunningham have already donated, and the Deputy Lord Mayor of Wollongong had one with me on Sunday. I congratulate Oscar. I know what a strength he has been to his mum while she has been ill and I know how proud of him she is.

### **BONDI ICEBERGS CLUB**

**Ms GABRIELLE UPTON (Vaucluse) (20:05:55):** On Monday 12 October the Bondi Icebergs Club held its ninety-first annual general meeting. It has been a challenging year for the club, which has been strongly impacted by COVID-19. As a world-famous venue in one of Australia's oldest winter swimming clubs, it was disappointing that the club was not able to hold any official swims this year. Despite those challenges it has persevered and continues to build and support its community. I congratulate the new board of directors, including the first female president, Lynne Fitzsimons, vice-president Nicki Vinnicombe, treasurer Nick Fitzgerald, club captain Ben Morrissey, and board directors Noel O'Dwyer, Lindsay Dawson, Bernadette Harkin, Vijay Jootna and Rebecca Piercy. I thank the outgoing board directors including former president Ben Dullard. He served as club director since 2015 and president since 2017, taking over from the late Dave Hall. It was a pleasure working with Ben and I look forward to continuing my great relationship with the club.



**LORRAINE AND DERECK FINEBERG**

**Mr STEPHEN BALI (Blacktown) (20:07:07):** I congratulate Lorraine and Dereck Fineberg on celebrating their fiftieth wedding anniversary. Lorraine and Dereck have three children, three grandchildren, a massive extended family and lots of friends who join with me to congratulate them. They have served the community through little athletics for over 40 years. Their children joined the Blacktown Little Athletics club in the 1970s. Lorraine has been age manager and has helped coordinate many events and fundraising activities. Dereck's volunteering led him to join the Blacktown Little Athletics committee where he became president. He then moved on to the Little Athletics NSW board where he became president again. Finally, he ended up on the Little Athletics Australia board as president. Dereck has done the administrative marathon and achieved gold each time. Dereck earned the Order of Australia for services to athletics. Lorraine and Dereck have a wonderful, caring and giving life partnership. They are a wonderful source of inspiration to their family, friends and the community. Happy anniversary and may there be many more to come.

**JINGELIC HUB**

**Mr JUSTIN CLANCY (Albury) (20:08:12):** I congratulate Jingellic Hub, which has been recognised with a Resilience NSW award. The award places the organisation within the top three organisations in New South Wales in the community category. I acknowledge the tremendous dedication and efforts of the small cross-border community and council staff as it carries out good work and undertakes its own fundraising endeavours. Jingellic Hub is run by volunteers and owned by the community it serves. Everyone is proud of what it has achieved and the award is well deserved, particularly considering the bushfires at the beginning of the year. The little town of Jingellic was decimated by the bushfires. I congratulate Jingellic.

**LIVERPOOL CITY ROBINS FOOTBALL CLUB**

**Ms MELANIE GIBBONS (Holsworthy) (20:08:57):** I praise the Liverpool City Robins Football Club under-15s division 1 team. COVID-19 has brought significant disruption to many clubs, especially this club. However, it did not stop the boys showing up to play every week they could. Although the team did not win a game all season, the players deserved to be commended for their continued sportsmanship and good conduct. I hear they displayed respectful manners every time they went on the field. I make special mention of the team's coach, who paid for a private space to train as the team's home field was occupied for the majority of the season by a pop-up drive-through COVID clinic. The players' resilience, commitment and determination shine brightly. The boys, their manager, their coach, their club and their families should be incredibly proud of their willingness to not give up and to continue to play the game that they love. I congratulate the Liverpool City Robins Football Club under 15s division 1 team on its incredible spirit during the 2020 season.

**COOKIE DOUGHBOY**

**Mr JIHAD DIB (Lakemba) (20:09:55):** Thanks to COVID-19, 2020 has been a tough year for everyone. Unemployment has risen to 7.2 per cent in New South Wales and youth unemployment has risen to 14.5 per cent nationally. Our recovery will be based on investment in education and training, supporting innovation and supporting small business. I have been visiting small businesses in the Lakemba area encouraging people to support their local businesses. I visited Brooke and Danny who took the plunge and set up their own small business, Cookie Doughboy. Support for innovative small businesses like that one will help drive a successful economic recovery post-COVID. It will also help my tummy.

As the name suggests, Cookie Doughboy makes and delivers delicious New York-style cookies and cookie dough so people can bake their own—straight from its family kitchen to yours. It also delivers to kitchens in Melbourne where people have been suffering and where home delivery has become so important during the lockdown. What is better than a warm cookie straight from the oven, all soft and gooey in the middle? During COVID it has not always been possible to duck down to your local cafe so Cookie Doughboy delivers enough cookie dough to do it yourself. Enjoy it. I thank all small businesses that are having a go right now and supporting their communities.

**GARRY KADWELL**

**Mrs WENDY TUCKERMAN (Goulburn) (20:11:01):** I recognise Garry Kadwell from Kadwell Gourmet Potatoes in Binda. Mr Kadwell is a fourth-generation farmer who, alongside his son Daniel and business partner Wentworth Hill is growing nourishing and tasty potatoes just past Crookwell at The Gourmet Potato—Kadwell. Recently the farm was awarded the State, Gold and 2020 Producer of the Year awards from Harvey Norman's "delicious" awards. The awards champion Australia's best and more innovative primary produce and producers, emphasising origin, seasonality and sustainable production. The Adean Sunrise potato ticks all the boxes. The focus of The Gourmet Potato—Kadwell is around paddock to plate through innovation and regenerative growing practices. The farm focuses on the integrity of the flavour and on the texture of its varieties.

It takes a lot of significant time and investment to achieve a world-class product. I congratulate Kadwell Gourmet Potatoes on its achievements.

#### ALFREDO ZOTTI

**Ms LIESL TESCH (Gosford) (20:12:04):** During Mental Health Month I acknowledge a fabulous constituent in the Gosford electorate, Alfredo Zotti. Alfredo is a creative. He is an artist, musician and very talented author who takes us on an incredible journey into and alongside his life with mental illness and his journey of solutions for himself and for those around him. Alfredo's profound insights, his empathetic approach and his ability to educate others create magic for many across our community and beyond. Alfredo's creativity sits alongside his generosity as he shares from the heart in his series of books, including *Alfredo's Journey: An Artist's life With Bipolar Disorder*, *Got bipolar? An Insider's Guide to Managing Life Effectively*, *Art Therapy and the Creative Process: A Practical Approach* and his latest book, which I hold in my hand, *Music Therapy: An Introduction with Case Studies for Mental Illness Recovery*. Alfredo's insights are moving and impressive. At every junction he continues to offer hope to those who travel a similar road. I thank him.

#### TASMAI SINGH

**Mr PETER SIDGREAVES (Camden) (20:13:08):** Every year a student from the Camden local government area has the opportunity to partake in Camden Council's annual public speaking competition to compete for the title of Mayor for a Day. I congratulate Tasmai Singh from Camden South Public School on her success in this year's public speaking competition, which saw her become the 2020 Mayor for a Day. Like all the competitors, Tasmai spoke with a great deal of confidence. She reflects the bright future of our up-and-coming young leaders. The speakers were assessed on their presentation, knowledge of local government and the Camden area, and on their ideas to improve the area. I congratulate Tasmai on her magnificent achievement.

#### HIGHER SCHOOL CERTIFICATE STUDENTS

**Ms TRISH DOYLE (Blue Mountains) (20:13:55):** Completing year 12 and getting through all of the exams and assessments that come with sitting the HSC is a big challenge, but doing so in a year that started with bushfires, was followed by floods and then the outbreak of a global pandemic that has completely changed the way we live and work is really monumental. It is important that we acknowledge what students from the class of 2020 have gone through this year, as well as what they have missed out on. It has been difficult. Life has been uncertain. I acknowledge the students' support networks—their families, parents, carers and teachers. Completing the HSC is not a solo achievement. It often takes a village. This year it was a socially distanced, mask-wearing one with very clean hands. I wish year 12 students good luck as they sit their exams. I say to all students, families and teachers at Blue Mountains schools that we love you regardless of the results. I say take a deep breath and know that whilst attaining the HSC is a remarkable achievement, the Australian Tertiary Admission Rank does not define a person. There is life beyond. I wish the students all the best.

#### LINK COMMUNITY GARDENS PROJECT

**Mr GURMESH SINGH (Coffs Harbour) (20:15:06):** The Link Community Gardens Project in my electorate is officially underway after this month's sod-turning event, in which I was honoured to take part. I enjoyed the ceremony and I applaud Sawtell Catholic Care and Mary Help of Christians parish on their exciting initiative. The link is being developed for the benefit of everyone in the Coffs Harbour community. It will provide a space in which the community can engage and will be a place for events to be held. I congratulate the fine staff at Sawtell Catholic Care, led by CEO Michael Darragh, as well as board of directors parish priest Father Michael Alcock, Chair David Robson, Trish Plunkett, Cate Clark, Pat Magann, Paul Crane, Don Spence and Rob De Groot. The team is renowned for its dedicated and passionate workforce who are committed to providing inspirational quality care to both residents and clients. I congratulate them on progressing their vision for this important community precinct. I look forward to seeing the progress.

#### PENRITH PANTHERS

**Mr DUGALD SAUNDERS (Dubbo) (20:15:57):** When Dubbo constituents sit down to watch this Sunday's NRL grand final, there is a fair chance that many will be cheering for a Penrith Panthers victory. Dubbo CYMS juniors Isaah Yeo and Matt Burton as well as proud Wellington Cowboys product Brent Naden are all part of a Panthers squad that has been the dominant force in the competition this season. Despite the disruptions that 2020 has presented, Penrith has lost just one game and is 80 minutes away from capping off an almost faultless season. Adding to the celebrations this week is the fact that Isaah was announced as Dally M Lock of the Year, with many pundits declaring him on the verge of State of Origin selection. Wellington's Kotonis Staggs was also named among the centres in the Dally M Team of the Year. Our part of the world has a proud history when it comes to rugby league, producing the likes of David Peachey, Dean Pay, Les Davidson, Russell Richardson, Terry Fahey, David Gillespie and Blake Ferguson, as well as the great Andrew "Bobcat" Ryan. The longstanding

relationship between Western Division rugby league and the Panthers is certainly starting to pay dividends. I wish Isaah, Brent, Matt and the Panthers all the best on Sunday.

#### **TRIBUTE TO KHUN KRAISAK CHOONHAVAN**

**Ms JANELLE SAFFIN (Lismore) (20:16:52):** I recognise the contribution of a friend to both me and Australia, the late Khun Kraisaak Choonhavan, who passed away on 11 June 2020. Son of former Thai Prime Minister General Chatchai Choonhavan, Kraisaak was a very active humanitarian. Urbane, clever, irascible, irreverent and funny, he worked tirelessly to improve the lives of Thais, and all who needed a voice. He was a Thai senator; a member of Parliament; an adviser to the Bangkok Prime Minister and Governor; the president of the ASEAN Inter-Parliamentary Myanmar Caucus—a bloc of 45 progressive senators which advocates for human rights and good, corruption-free government; a graduate of the School of Oriental and African Studies, Georgetown University and London University; and a teacher at Kasetsart University. He was also good with the guitar. Chair of the Senate Standing Committees on Foreign Affairs Defence and Trade until the 2006 military coup in Thailand, the deeply patriotic Kraisaak did outstanding work for his country and the common good. He represented the best of the belief that supporting your national interests meant being a good international citizen.

#### **BUDGEWOI BEACH DUNECARE**

**Ms YASMIN CATLEY (Swansea) (20:18:00):** I thank Mr Phillip Heaton from Budgewoi for his work as coordinator of Budgewoi Beach Dunecare, a volunteer group that has been restoring two kilometres of coastal dunes in Budgewoi for an amazing 26 years. The group runs a successful propagation program that plants endemic tube stock and carries out direct seeding and native transplanting. The group has received grant funding to build, design and construct an access way and boardwalk viewing platform for the community to appreciate the unique environment. Mr Heaton is a fierce advocate for his community when it comes to the protection of the natural environment. He is also a member of a number of Central Coast management committees that deal with local estuaries and dune management. I thank Mr Heaton and Budgewoi Beach Dunecare for their important work in protecting the environment.

#### **DAVID WRIGHT**

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Agriculture and Western New South Wales) (20:19:02):** I recognise the achievements of Moree Golf Club pro David Wright for his resourcefulness resulting in greater community participation after months of social restrictions due to the COVID-19 pandemic. David's latest event, hosted by the Moree Golf Club, brought together teams from Narrabri, Inverell, Armidale, Goondiwindi and Wee Waa. It was an opportunity to forget the year's hardships and everyone had a terrific day out. However, it was the Moree teams who won the competition, giving Therese Munro, Tempe Onus, Vicki Gall and Kylie Wicks a reason to smile, with runners-up Julie Rushby, Abby McDonald, Debbie Evans and Crystal Warrener—all recipients of David's tutelage and encouragement. David is relatively new to Moree and we welcome such professionals to the Northern Tablelands, who contribute to the wellbeing of our regional communities. I commend David for his commitment to his profession, which encompasses a commitment to the Moree community and surrounding districts.

#### **THORNTON PUBLIC SCHOOL**

**Ms JENNY AITCHISON (Maitland) (20:19:57):** I commend the Thornton Public School community for the citizenry and generosity shown by their quest to donate 64 handmade blankets to domestic violence and homelessness service provider Carrie's Place. The blankets are destined for the arms of lower Hunter women and children experiencing domestic violence and people who are homeless or at risk of losing their home. Thornton teachers and blanket project coordinators Yvonne Fletcher and Anne Osborne worked with their colleagues, parents and grandparents to produce knitted squares that were sewn into blankets. The school community has completed 32 blankets to date, which were recently presented to Carrie's Place with each bearing a tag that read, "Wrapped with love from the students, teachers and community of Thornton Public School". In addition to the 32 blankets still in production, the school plans to hold a food drive in the lead-up to Christmas and to donate the bounty to Carrie's Place ahead of the holiday season. I thank Thornton Public School and its students for their generosity, kindness and compassion.

#### **COFFS HARBOUR SCOUT GROUP**

**Mr GURMESH SINGH (Coffs Harbour) (20:20:58):** The Coffs Harbour Scout Group has a proud history, which dates back over 110 years. It is continuing its important work at the heart of our community. The scout hall on Harbour Drive received more than \$20,000 worth of upgrades to its facilities, which will also support our economy and jobs under the Government's COVID-19 stimulus program. The Coffs Harbour Scout Group is receiving \$20,074 to renovate its kitchen, install solar power and do some other general repairs. Scouts NSW is one of the largest and most successful youth organisations. It builds leadership skills, resilience and friendship,

while offering an extraordinary variety of activities for young people. Coffs Harbour Scout Group is led by a hardworking team comprising joey leader in charge Sarah Jones, cub scout leader in charge Geoff Stokes, scout leader Shawn Bailey, venturer scout leader Steve Pickering, group leader Katherine Gates, parents support group chair Vanessa Powell, and treasurer Erica Farag. I congratulate the Coffs Harbour Scout Group and look forward to seeing the improvements being put to good use.

#### **GRENFELL ROYAL AGRICULTURAL SOCIETY**

**Ms STEPH COOKE (Cootamundra) (20:21:58):** With so many agricultural shows called off this year, I was very pleased to learn that the Grenfell Royal Agricultural Society Wheat Competition is going ahead. Wheat crops around the district are looking fantastic and I have been admiring them in my travels around the electorate. It is wonderful that farmers will have the opportunity to celebrate their success with a friendly competition as well as an opportunity to share ideas and knowledge over a meal and refreshments at the end of the day. I congratulate Greg Parker and Bill Matchett on their great effort coordinating the event, and agronomist Alan Umbers, who will judge the competition. I wish the participants all the best for the upcoming harvest.

#### **COAST HANDS**

**Mr DAVID HARRIS (Wyang) (20:22:41):** Gorokan-Kanwal Lions Club recently purchased a freezer for Coast Hands to provide quality meals for struggling Central Coast residents. Coast Hands is a charity that provides assistance and relief to support locals in need. It has partnered with Central Coast restaurants to provide restaurant-quality meals once a month to the homeless and disadvantaged. Charity founder Micah Weekes saw job losses and financial difficulty affected by COVID-19, with families struggling and often going without food. The local businesses that partnered with Coast Hands from the Wyong electorate include Gorokan-Kanwal Lions Club, Johnny Tapas, When in Rome, 350 Bar and Kitchen, Dunes by Dish and Farm Fresh 2U. Gorokan-Kanwal Lions Club not only purchased the freezer, it is also donating fresh meat for extra meals to be prepared, with over 100 meals a week delivered by Coast Hands to the Wyong Neighbourhood Centre, Toukley Neighbourhood Centre, Southlake's Incorporated and San Remo Neighbourhood Centre. Volunteers of Gorokan-Kanwal Lions Club should be proud of their efforts to make a change in the community and working close with other organisations to support the local area.

#### **LUCAS BLAIR**

**Mrs LESLIE WILLIAMS (Port Macquarie) (20:23:44):** I applaud the fundraising efforts of primary school student Lucas Blair from St Agnes' Port Macquarie for raising awareness on the challenges people face with dyslexia in our community. Lucas knows all too well the difficulties of living with dyslexia. As a leader and role model for the student body, Lucas decided to share his personal journey with the school to help his classmates and the learning faculty understand what life is like as his brain navigates and interprets a little more diversely than others. Fascinated and rapt by Lucas' conversation, the community connections leadership team at St Agnes' decided to support his presentation by holding a red clothing day on 16 October to recognise Dyslexia Awareness Month. The Go Red for Dyslexia theme this year was used to symbolise a red pen used to mark a student's work, representing a common symptom and misunderstanding of colours. Although dyslexia can be a traumatic experience for one in 10 Australians, with early diagnosis and support, many, including influential people such as Thomas Edison, Stephen Spielberg, F. Scott Fitzgerald and Charles Schwab, can enjoy successful and fulfilling careers. I congratulate Lucas on shining a spotlight on dyslexia.

#### **DAVE ADAMS**

**Mr RYAN PARK (Keira) (20:24:44):** I congratulate Dave Adams on his work as the president of the Corrimal Cougars Rugby League Football Club. He is retiring from that post and he made me aware of that in the past couple of days. I have had the pleasure of working with Dave and the committee for a long time now. I have two sons, a 10-year-old and a six-year-old, who are mad rugby league players—in fact, they would probably like to quit school now and play for the NRL if they could. But the problem is that we support the Dragons. That is a lifetime of pain, which they are starting to learn at their young age. I congratulate Dave on all the work that he has done for the Corrimal Cougars. It is a great community club. It does not have a lot of money but it has an enormous amount of support, in no small part due to his efforts over many years. I congratulate Dave and wish him all the very best.

#### **KYLIE MORGAN**

**Ms ROBYN PRESTON (Hawkesbury) (20:25:49):** I commend Kylie Morgan, school chaplain at Kurmond Public School, for going above and beyond the call of duty in her service to the students. Kylie is employed 10 hours per week at the school through the Student Wellbeing Program, although she volunteers her time before school starts and uses her skills as a talented artist and musician to teach students and have them develop skills in art and music. They also have the opportunity to play games. Kylie and the students have painted

several murals on various walls, including an artwork to mark the 100th anniversary of the school earlier this year. I am proud to represent a community that has such amazing people as Kylie Morgan. She is an important asset to the students and wider community and we are very grateful for her efforts. Kylie has two young children, who attend the school as well. I wish Kylie and her family all the best.

#### **PORT MACQUARIE ELECTORATE KOALA POPULATION**

**Mrs LESLIE WILLIAMS (Port Macquarie) (20:26:44):** I recognise the overwhelming generosity of our sister city, Handa, for gifting \$10,000 to support Billabong Zoo's koala breeding program. The Handa City Council and Port Macquarie-Hastings Council have long enjoyed a lasting friendship with each other, spanning over 30 years of existence as sister cities sharing a cultural, civic and business relationship. Since the 2019 bushfires the friendship has only strengthened as the people of Handa donated \$10,000 to the recovery of our koala's population at Billabong Zoo.

Patricia Johnson, OAM, founding member of the Handa Sister City Working Group, presented a cheque recently with Port Macquarie-Hastings mayor, Peta Pinson, to Billabong Zoo owner Mark Stone and senior keeper Simone Popp to support their efforts in rejuvenating our koala species on the mid North Coast. Patricia is also the president of the Hastings Koalas Orchestra in our community, who spared no time in championing fundraising with the Handa Junior Brass Band and local businesses after the devastating bushfires burnt thousands of hectares on the coast, where sadly an unknown number of koalas were lost. A plaque was placed at Billabong Zoo to signify a special bond and friendship between two communities.

#### **SHELLHARBOUR ELECTORATE RURAL FIRE SERVICE**

**Ms ANNA WATSON (Shellharbour) (20:27:48):** I congratulate all of my local RFS volunteers. Many of them have come to my office to tell me of their experiences last summer. It is sometimes very sad and hard to listen to. I mention one volunteer in particular, Mr William Seabright. William came to see me to tell me at length of his experiences of working in the Conjola area based in Nowra and Cambewarra. He went into great detail about what had happened and he felt personally responsible for it. I acknowledge all of our RFS volunteers. They do such a great job and it is up to each and every one of us in our communities to get behind them, thank them and congratulate them. I thank each and every one of them, particularly William Seabright, who has been a volunteer now for 45 years. I say to them: Keep up the good work.

#### **HOLSWORTHY ELECTORATE BASEBALL CLUBS**

**Ms MELANIE GIBBONS (Holsworthy) (20:28:26):** The 2020-21 baseball season is now upon us. I give my best wishes to the Moorebank Royals Baseball Softball Club, the Illawong Marlins Baseball Club, the Casula Lakers Baseball Club and the Chipping Norton Baseball Club for their upcoming season. The role that these clubs play in the local sporting community is huge. They encourage people of all ages and abilities from the Holsworthy electorate to get involved in a team sport and learn new skills. I also acknowledge the presidents of these clubs as well as their executive committees, who volunteer their time to help the clubs run smoothly. I thank Stuart Fletcher, president of the Illawong Marlins; Fiona Heath, president of the Moorebank Royals; Michael Shea, president of Casula Lakers; and Scott Matheson, president of the Chipping Norton Vikings. Once again I wish the local baseball clubs of the Holsworthy electorate a fun and successful 2020-21 season.

#### **MENTAL HEALTH ART WORKS! EXHIBITION**

**Ms LIESL TESCH (Gosford) (20:29:41):** This year's Mental Health Art Works! Exhibition is more vibrant, alive, colourful, talented, profound and invigorating than it has ever been before. The rainbows of inclusion, the teapots of celebration, the cartoons, butterflies, self-portraits, poems and dot-painted deep heritage works are among some of the talented communications displaying stories of people impacted in very diverse ways by mental illness. I congratulate every single individual who has their work on display and thank them for allowing the general public to be part of their journey with mental health. We celebrate their talents. It was so lovely to chat with Jennifer, one of the artists, who shared her personal story of young people within her family and the journeys with mental illness and gender fluidity that have impacted their lives. I thank Shannon, whose daughter lives with anxiety, and Jasmine, a Ngaruki Gulgul Central School year 12 student whose major artwork depicts her friend's journey with depression. I congratulate them on their talents. I thank them and Central Coast Primary Care for their strengths.

#### **BUY FROM THE BUSH CAMPAIGN**

**Mr DUGALD SAUNDERS (Dubbo) (20:30:44):** It is rare that a hashtag would be the catalyst for recognition in this place, but I believe it should be noted that Friday 16 October was the first birthday of the #buyfromthebush campaign. That humble hashtag was an unwitting cry for help from Grace Brennan that turned into a statewide and nationwide call to arms to assist business owners in regional areas as they battled through the

peak of the worst drought in living memory. The movement grew at a rapid rate. It had 130,000 Instagram followers in the first seven weeks as people got behind the concept, and a lot of businesses reported that last year's Christmas period was the busiest they had seen as people from all over the world searched for gifts from regional businesses. The New South Wales Government got behind the concept by establishing the Buy Regional portal, which helped facilitate businesses in a way where people could easily find them. I was happy to take the Premier and Deputy Premier for a shopping spree at Ewe Two in Trangie when they were on their way to Community Cabinet in Bourke last November. I congratulate Grace Brennan, Millie Fisher and Grace Robertson on the movement #buyfromthebush. Long may it continue.

#### **KAY SAARINEN**

**Ms JENNY AITCHISON (Maitland) (20:31:48):** I congratulate Wyndham organic farmer and producer Kay Saarinen on winning the national AusMumpreneur Awards, which celebrate the outstanding achievements of Australian mums in small business. Kay is the founder of Eco Seed to Skin by Saarinen Organics, which was a finalist in all four AusMumpreneur Award categories this year. Seed to Skin took first place in Handmade Excellence, second in People's Choice Product and Sustainable Business Ethics, and third in Regional Business Excellence. This top-class combination placed her as the overall winner. I first met Kay earlier this year when the far South Coast was still reeling from the devastation and loss caused by those catastrophic bushfires. She had been evacuated seven times. I visited her again mid-year and was blown away by the amount of work Kay and her husband, Gregg, had already put in to rebuild their property. It is truly amazing that Kay managed to not only survive the fires but also thrive to the extent that their small, rural business came through a national competition with top honours. I congratulate Kay and Gregg. They are a true inspiration.

#### **NEW SOUTH WALES PONY CLUBS**

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Agriculture and Western New South Wales) (20:32:50):** I recognise the Pony Club Association of NSW and the many individual pony clubs in the Northern Tablelands for their contribution to many attributes of sport. Pony clubs around the region have held their annual camps, instructing both riders and horses in a variety of skills from dressage, jumping, sporting, polo and trail rides. This year, with the ongoing restrictions that COVID-19 has presented, organisers were intent on providing opportunities and activities for riders that could provide a sense of normality for children. While there are as many pony clubs as towns in my electorate, I will mention just a few this evening. Warialda Pony Club presented Ann Mack with life membership for her many years of involvement with the club. Gurley Pony Club president Natalie Christie noted Rita Rodgers as chief instructor. Julie Morgan has had a very busy year as zone chief instructor and visiting pony clubs throughout the holidays. Valerie Squires is president of the Moree Pony Club with Kate Brennan as chief instructor. These are some of the highly qualified individuals who are committed to the ideals of the Pony Club Association of NSW and contribute to the wellbeing of our youth. I commend not only these people but also all parents and visitors who assist with the instruction and organisation of the pony club camps.

#### **JOCELYN KELLEHER**

**Ms LIESL TESCH (Gosford) (20:34:00):** I acknowledge the incredible achievements of a young woman from the coast, Jocelyn Kelleher, who made her debut in the NRL Women's Premiership for the Sydney Roosters in early October and played again last weekend. Whilst unfortunately the Roosters went down to the Broncos, Jocelyn played an awesome game, giving the perfect final pass for her teammate to score. Jocelyn is relatively new to rugby league, having played touch football, Oztag, cross country, soccer, futsal and hockey while she was a student at St Joseph's Catholic College in East Gosford. Jocelyn's sporting prowess is testament to the impact of our teachers when they support students in the classroom, on the sporting field and in our communities. I feel grateful for all the amazing teachers in my electorate who go above and beyond for our kids. Once again congratulations to Jocelyn Kelleher on her season thus far. From one sportswoman to another, I wish her all the best for a bright sporting future.

#### **JACK MOONEY MEMORIAL GOLF DAY**

**Ms STEPH COOKE (Cootamundra) (20:34:54):** I congratulate the family and friends of the late Jack Mooney on the twenty-first year of their annual memorial golf day. The Jack Mooney Memorial Golf Day in June celebrates the life and passion of Jack Mooney, whose determination to finish his round of golf, rain, hail or shine, is still fondly remembered by his loved ones. Jack was born in Nangus in 1918 and grew up in June. During the Second World War he was stationed in Darwin, Borneo and New Guinea but like many veterans never spoke about his experiences. His annual memorial golf day is now supported by his children, grandchildren and great-grandchildren, who even though they never got the chance to meet him still celebrate his legacy.

**NATALIE MACDONALD**

**Mr ADAM CROUCH (Terrigal) (20:35:48):** I acknowledge Erina Heights Primary School Principal Natalie MacDonald. Last year Natalie was voted as one of the top 23 teachers in New South Wales. I am delighted that she has taken on the mantle of principal at the Erina Heights Primary School. Recently I joined the Minister for Education and Early Childhood Learning at the school. She saw firsthand the great work that Natalie has done now that she has been appointed principal full-time. I also give a big shout-out to Natalie for providing a copy of the WorryWoo book and toy for the Minister to take home to her daughter, Annabelle, who was excited to receive it. The school has been transferred into a state-of-the-art learning facility. I always enjoy visiting Erina Heights Primary School. It is great to see the school going ahead in leaps and bounds. There have been many improvements, with more than \$1 million spent on infrastructure at the school. Keep up the great work, Natalie MacDonald.

**MOOREBANK LIVERPOOL DISTRICT HOCKEY CLUB**

**Ms MELANIE GIBBONS (Holsworthy) (20:36:49):** The under-15B Moorebank Liverpool District hockey team recently won their competition's grand final. The team won against St George, went through the whole season undefeated and finished as premiers. It is an outstanding achievement. I also congratulate the under-15A team on also making it to the grand final. Although they lost, they put up a good fight and played with passion and good sportsmanship. The Moorebank Liverpool District Hockey Club has been providing for the local sporting community since 1930 and has remained an integral part of the Holsworthy area. The club caters for all ages and levels and welcomes players of all abilities to get involved and be part of a team. Once again I congratulate the under-15B side on its win and the under-15A side on its achievement in making the grand final. I wish the club the best of luck for next season.

**BANKSTOWN SPORTS JUNIOR RUGBY LEAGUE CLUB**

**Ms TANIA MIHAILUK (Bankstown)—**I am pleased to congratulate the Bankstown Sports Junior Rugby League Club on their successful season and congratulate the Club's five teams that reached their competition's Grand Finals this year. I would like to commend all the players, officials and supporters involved with the Bankstown Sports Junior Rugby League Club, and congratulate the Under 10 Division 1 on their undefeated premiership. Like many sporting clubs across the local area, Bankstown Sports Junior Rugby League Club was forced to suspend training and preparation at the height of the COVID-19 restrictions. I take this opportunity to acknowledge Bankstown Sports Junior Rugby League Club President Mr Harry Chahoud, Secretary Ms Yasmin Harris, Vice President Mr Sam Barake and Treasurer Mr Osman Harris, as well as all the coaches, players and volunteers, and commend them on their ongoing commitment to promoting rugby league in the Bankstown Electorate. I am proud to support the Bankstown Sports Junior Rugby League Club and wish the Club the best of luck for their next season.

**BANKSTOWN SPORTS NETBALL CLUB**

**Ms TANIA MIHAILUK (Bankstown)—**I am delighted to recognise the success of the Bankstown Sports Netball Club during the 2020 netball season and congratulate all of the Club's ten teams on reaching their competition Grand Finals. I commend all the players, officials and supporters involved with Bankstown Sports Netball Club, and congratulate the teams that competed in the Division 1, Division 2, Division 4, Inter, 13A and 12A competitions on winning their respective competitions this season. This is a massive achievement for the Club, which is celebrating its 60th year. Like many sporting clubs across the local area, Bankstown Sports Netball Club was forced to suspend training and preparation at the height of the COVID-19 restrictions. I acknowledge Bankstown Sports Netball Club President Ms Ashleigh Renton, Secretary Ms Michelle Boulais and Treasurer Ms Allison Wright, as well as all the coaches, players and volunteers, and commend them on ensuring the viability of local netball and their ongoing commitment to the sport. I also commend the Bankstown Sports Netball Club for their continued efforts in promoting netball within the local community, I am proud to offer my ongoing support and wish the Club all the best for the upcoming season.

**TENTERFIELD SHIRE TAKES TOURISM PROMOTION TO NEW LEVELS**

**Ms JANELLE SAFFIN (Lismore)—**Tenterfield Shire Council is taking tourism promotion to new levels with new entry statement and village signage, and Tenterfield true, a new high-quality information brochure with matching online collateral. Council has utilised funding from the NSW Government's Drought Communities Programme Extension to design and manufacture seven new-look signs for entry points into the Shire. It has also consulted with local communities on new welcoming signage for the villages of Drake, Torrington, Urbenville, Liston, Legume, Mingoola and Jennings. Each of these village signs have a distinctive individual flavour but sit within a theme representative of the entire shire. Tenterfield Shire residents are resilient folk who have weathered drought, last year's mega bushfires and COVID-19 restrictions, but maintain a positive outlook. I know that many

residents from coastal areas in the Northern Rivers and further afield are now heading to Tenterfield to experience short stays and the many attractions that the Birthplace of Federation has to offer. I take this opportunity to congratulate Mayor Cr Peter Petty and his fellow councillors, Chief Executive Terry Dodds, Economic Development Manager Harry Bolton and all staff involved in the production of the Tenterfield true tourism promotion campaign.

#### **TRIBUTE TO LEGENDARY THE NORTHERN STAR PHOTOGRAPHER, THE LATE DARCY MCFADDEN**

**Ms JANELLE SAFFIN (Lismore)**—Tributes have flown thick and fast since we learnt of the recent passing of legendary former Chief Photographer at The Northern Star newspaper, the late Darcy James McFadden. Darcy, 90, was born at Coraki in 1929 and was raised on the family farm at Buckendoon. He started his long career at The Star at the age of 16 as an apprentice in processing and engraving in the photography department. Darcy two years later accepted a position as photographer and never looked back, chronicling some of the Northern Rivers region's momentous events and taking images of everyday life. He served as The Northern Star's Chief Photographer, managing that department for decades, winning the PRODI Award for Best Photograph, and taking many young reporters under his wing, including my Media Adviser Peter Ellem. Darcy was always a gentleman, and an unobtrusive yet brilliant photographer with a glint in his eye. His peers collected his funny sayings, known as 'Darcysisms', in several limited edition booklets. He was a life member of the Lismore Lions Club. I offer my condolences to his wife Teresa, children Mark, Leanne, Craig and Jason, and their families.

#### **NEWCASTLE WALDORF SCHOOL**

**Ms SONIA HORNER (Wallsend)**—It is so important for all generations to be taught indigenous culture and about indigenous resources. That is exactly what is happening at Newcastle Waldorf School with their Indigenous Resource Garden. Teacher, Mr Jeremy Robinson, started the garden in 2018 after a parent's suggestion of building an Aboriginal Bora Ring. Mr Robinson advises that the students were involved in the whole process; planning, researching plants, building steps and putting in mulch. Edible plants, medicinal plants and plants that are known to have been used to create Aboriginal tools were planted in the garden. Each student from kindergarten to year 12 has a plant to be responsible for, to learn about and to pass on the knowledge when they graduate. The area was overgrown and full of weeds until the garden was created, and is now home to birds, bees and other wildlife, as well as being a great resource for students and teachers. Thank you Mr Robinson, and the Newcastle Waldorf School, for ensuring that students are educated about the environment and culture.

#### **SUSAN KOSMALA**

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#### **KOGARAH ELECTORATE HSC STUDENTS**

**Mr CHRIS MINNS (Kogarah)**—Good luck to all NSW Year 12 students who have commenced their HSC written exams this week. This year has been one of disruption, change, chaos and uncertainty for you all and simply getting to this point is something to be proud of. Good luck, in particular, to the HSC students in the Kogarah electorate from Blakehurst High, Hurstville Boys High, St George Girls High, Kingsgrove High, Kogarah High, Bethany College, and St Ursulas Kingsgrove. I would also like to pay tribute to all the teachers and educators throughout the state who work relentlessly every year to help our students prepare for Year 12, but especially for their work throughout this challenging year. I send my best wishes to Year 12 for their exams, and for whatever future ambitions they have.

#### **TEMORA LIONS CLUB TURNS 60**

**Ms STEPH COOKE (Cootamundra)**—Congratulations to Temora Lions Club which is celebrating its 60th anniversary. The Club has made significant contributions to Temora and district through thousands of hours of community service and donations. Temora Lions Club members actively participate in fundraising and service work to support community and humanitarian projects. Families in need, disadvantaged youth, aged care, and the hospital have all benefitted from the generosity, hard work and commitment of the Club. The COVID-19



pandemic has forced us to do things differently so unfortunately members of the Club will not be getting together to celebrate this significant anniversary. Hopefully they can make up for it next year. Well done President Rob Cartwright, and members of the Temora Lions Club, keep up the great work.

#### **NSW EMERGENCY SERVICE VOLUNTEERS MEMORIAL**

**Dr HUGH McDERMOTT (Prospect)**—On 11th October 2020, NSW Rural Fire Service volunteers, Michael Maria, Phillip Bell, Ian Long, Robert Panitz, Geoffrey Keaton, Andrew O'Dwyer, Samuel McPaul and Colin Burns were added to the NSW Emergency Service Volunteers Memorial at Mrs Macquarie's Chair. Last summer, these volunteers tragically lost their lives protecting the people of NSW during one of the State's worst bushfire seasons. I join Rob Rogers, Commissioner, NSW Rural Fire Service and the people across NSW in commemorating the brave sacrifice of these eight heroes who lost their lives protecting and serving our community. Today, the NSW Emergency Services Volunteers Memorial list includes the names of 102 volunteers from the NSW Rural Fire Service, the NSW State Emergency Service the Volunteer Rescue Association and Marine Rescue NSW. The State of NSW recognises their actions as the ultimate sacrifice, protecting our families and communities. I pray for the family and friends grieving the loss of these eight heroes. I also pray for the safety and wellbeing of all our NSW Rural Fire Service volunteers during the upcoming bushfire season and pray for their safe return to family and friends. We will never forget your sacrifice.

#### **YEAR 12 STUDENTS**

**Dr HUGH McDERMOTT (Prospect)**—I would like to take this opportunity to congratulate the over 68 000 students in NSW and over 1 000 students in the Prospect Electorate who will be commencing their High School Certificate Examinations on 20th October 2020. Congratulations on making it this far. This year has been like no other. The challenges faced due to the COVID-19 pandemic significantly disrupted the academic year for thousands of student. The 2020 cohort faced many difficulties, including remote learning and being separated from their peers and teachers during this difficult time. However, they have overcome every challenge faced and have defeated the odds. I would like to thank the dedicated Teachers and Principals in the Electorate of Prospect and across the State who have assisted our Year 12 cohort during this difficult time. Their passion and determination to educate students and overcome all adversaries is immensely commendable. To this year's Year 12 students, and specifically the young men and women completing their HSC in the Electorate of Prospect, I wish you all the best in your upcoming exams and for the future. Congratulations and Good luck.

#### **POWERHOUSE DISCOVERY CENTRE CASTLE HILL**

**Mr RAY WILLIAMS (Castle Hill)**—I would like to take this opportunity to mention the new \$30 million expansion of the Powerhouse Discovery Centre Castle Hill. The Museums Discovery Centre is an offshoot and collaborative effort between the Museum of Applied Arts and Sciences, the Australian Museum and Sydney Living Museums. The Museum boasts a wide selection of historic artefacts telling the story of domestic life in the Hills through the ages. The museum also includes early technologies, architectural histories and scientific advances, and includes information on the methodologies used by scientists to make their observations. A number of community events are also held at the Discovery Centre every year, and this new expansion is designed to make sure the Museum is a hub of community activity.

#### **HEZLETT ROAD**

**Mr RAY WILLIAMS (Castle Hill)**—It was recently my pleasure to announce \$11.67 million worth of upgrades for Hezlett Road in North Kellyville within my electorate of Castle Hill. Locals are acutely aware of the need to upgrade this particular stretch of road, with both traffic and safety issues currently affecting the carriageway. With plenty of shops, as well as a school and a church, the road has more congestion than it can currently hold, which is why I was delighted to announce the installation of traffic lights at the Samantha Riley Drive, Hezlett Road and James Mileham Drive Intersection (next to the McDonalds), the installation of pedestrian signal crossings at the Gum Nut Close Intersection and an enhanced roundabout at Curtis Road and Camrose Street. At North Kellyville Public School, pedestrian signals and a Kiss & Ride zone will be introduced, and new bus stops, pedestrian refuge islands and streetscape and footpath works will also be carried out. This is all thanks to the Government's Accelerated Infrastructure Fund, bringing community projects forward such that their economic benefit can be felt as soon as possible.

#### **THE HEALTHY MINDS CLUB**

**Ms TAMARA SMITH (Ballina)**—Today I recognise the valuable work being done by the Healthy Minds Club in Lennox Head to improve mental health outcomes for young men. The club was formed in response to an unfortunate number of men taking their lives in our area and the need for more targeted mental health support for young men. From the outset the club has been very popular, with more than 375 men signing up to its private Facebook page. The Facebook page provides a moderated online forum that is a safe place for men to discuss

their mental health, tell their stories and find empathy and peer support. The Healthy Minds Club recognises the connection between mental health outcomes and lifestyle choices and stresses the positive benefits of exercise and team sports and they regularly plan team challenges as part of their programs. The founders, Douglas Brown, Jackson Connellan, Harry Fettell and Lachie Jones, are all in their 20s and make up the group's Board, which meets once a week at the Lennox Bowling Club. I congratulate them on taking this initiative and devoting their time and passion to helping young men in our community.

#### **MULLUMBIMBY FARMERS' MARKET**

**Ms TAMARA SMITH (Ballina)**—Today I congratulate Mullumbimby Farmers' Market on winning the Most Outstanding Farmers' Market prize in the 2020 Delicious Produce Awards, and two local producers who were recognised with a gold medal each. Under the astute management of Allie Godfrey, the market has become a gathering spot for Mullumbimby's vibrant populace – an age-old type of community meeting place. As well as being a wonderful source of fresh produce, unique brekkie options and local coffee, the market hosts live music, provides a dedicated space for children and facilitates regular workshops and special events throughout the year. The market is a not-for-profit organisation, which means every dollar spent goes toward supporting local farmers, the community and a more sustainable future. The gold medal winners Palisa Anderson of Boon Luck Farm at Tyagarah (for her tiger striped peanuts) and Jonas Widjaja from Fair Game Wild Venison at Goolmangar (venison) are just two examples of the excellent local farmers who help make the Northern Rivers so renowned for the quality of its produce.

#### **NEPEAN CREATIVE AND PERFORMING ARTS HIGH SCHOOL STUDENT LEADERS**

**Mr STUART AYRES (Penrith—Minister for Jobs, Investment, Tourism and Western Sydney)**—As the end of the 2020 school year is quickly approaching, I wish to offer my congratulations to the incoming student leadership team of Nepean Creative and Performing Arts High School. The leadership team for 2021 includes, Captains: Monique Tait-Owens and Ashley Bensen and, Vice Captains: Elina Roberts and Joshua Cunningham. Student leader's play an important role and I have no doubt these students will make positive and valuable contributions across their school community.

#### **CRANEBROOK HIGH SCHOOL STUDENT LEADERS**

**Mr STUART AYRES (Penrith—Minister for Jobs, Investment, Tourism and Western Sydney)**—As the end of the 2020 school year is quickly approaching, I wish to offer my congratulations to the incoming student leadership team of Cranebrook High School. The leadership team for 2021 includes, Captains: Melanie Hensley and Jad Dardah and, Vice Captains: Olivia Kezik, Emily Taliana and Elyssa Testa and, Prefects: Jayde Brincat, Rosalina Drady, Brooke Hooler, and Giselle Molina. Student leader's play an important role and I have no doubt these students will make positive and valuable contributions across their school community.

#### **WESTFIELD LOCAL HERO 2020**

**Mr EDMOND ATALLA (Mount Druitt)**—I would like to take this time to congratulate the 6 finalist nominees of this year's Westfield Mount Druitt Local Hero Award. The Award is to recognise the tremendous contributions these individuals have made for our local communities. (the winner will be announced on Oct 27 2020). The 6 finalist candidates for Mount Druitt are Ms Bronwyn Mackintosh – For her "Girls on Fire" initiative; Mr Gary Pontifex – For his fundraising for Westmead Children's Hospital; Ms Ivanka Pelikan – For her work in supporting disadvantaged peoples in our community; Ms Tinonui Isaia – For her work with her charity organisation "Rap 4 Change" ; Ms Vicki-Julia Crawford – for her work with her Charity "Next Step Communities". And Last but not least, Mr Yousef Abou Ammar – for his support of Asylum Seekers. All candidates have made an exceptionally positive impact in my community, and all of them equally deserve to receive this award. I wish all the candidates luck in the coming days, and would again like to thank them for their work in our community.

#### **GREAT CYCLE CHALLENGE**

**Mr STEPHEN BROMHEAD (Myall Lakes)**—Mr Speaker, I rise to commend Myall Lakes riders Stuart Walsh, Darcy Elbourne and Samantha Clarke for joining the 2020 Great Cycle Challenge to raise money for the Children's Medical Research Institute. The annual fundraiser helps ensure the institute can continue their vital work in prevention, diagnosis and treatment of childhood cancer. Between the trio is aiming to ride almost 2000 kilometres by the end of the month. The riders have each set individual fundraising targets which together amount to \$3000 and they've already surpassed their goal so far raising more than \$4000. I again commend the riders for signing up and wish them well as they continue to strive to reach both their riding and fundraising goals for this worth cause.

### GREENHAM FAMILIES

**Mr STEPHEN BROMHEAD (Myall Lakes)**—Mr Speaker, I rise to recognise the Manning Valley's community spirit and generosity. The close-knit community has rallied behind the Greenham family in their hour of need after Mother of three Suzie Greenham received the devastating news that she had inoperable Stage 4 brain cancer. Since her diagnosis the community have raised more than \$90, 000 to support the family on Go Fund me. In a further show of support from local business Narellan Pools, local tradies and Mid Coast Council have worked together to install a fully donated pool in the families backyard. The support of the community is helping the family spend precious quality time together making memories. I again commend the community for rallying around the Greenham family when the need it most.

### RILEY WORNER

**Mr MARK COURE (Oatley)**—Speaker, last year I had the pleasure of attending the Annual Lions Club Appreciation Dinner. I was hugely impressed by the Guest of Honour, Riley Worner, a local student from Lugarno Public School. On the night, Riley was presented with a certificate and monetary prize for his success in the global Lions Peace Poster Competition. As a National Winner, Riley's entry was judged at the international level where he placed in the top 25 in the world. Over 660,000 children entered this competition around the world, which is an outstanding achievement. For over three decades, Lions clubs around the globe have sponsored this art contest in schools and youth groups. Creating peace posters gives children everywhere the chance to express their visions of peace and inspire the world through art. Looking in to Riley's entry, I was encouraged by his message that, "kindness matters because it makes you feel better about yourself and your place in the community. Every act of kindness blossoms and grows connecting people to make our world a better and more meaningful place." Once again I would like to congratulate Riley on his outstanding achievement.

### NSW VOLUNTEER OF THE YEAR: SYDNEY CITY/EASTERN SUBURBS

**Dr MARJORIE O'NEILL (Coogee)**—Mr Speaker, volunteers form the backbone of our community. They make a phenomenal contribution across the Sydney City and Eastern Suburbs region, and it was my pleasure and privilege to recognise their efforts at the annual NSW Volunteer of the Year Awards last month. When you talk to a volunteer, they will no doubt tell you about how much they get out of what they are doing to help others. Yet speak to the recipient of their work, and they will most likely recount a story of having their life transformed. We all enjoy the benefits of a much richer and kinder society because of the efforts of those who willingly give their time to help others in need. To Young Volunteer of the Year Naomi Arnold, Adult Volunteer of the Year Mathew Harper, Senior Volunteer of the Year Gilliam Thomas OAM, and the Volunteer Team of the Year, the Ankali Project, a huge congratulations on your awards. But also, to everyone who volunteers, even if it's just for an hour here or there, I say thank you from myself and on behalf of the community of Coogee.

### THE EVEREST

**Dr MARJORIE O'NEILL (Coogee)**—The 17th of October brought to Sydney and to the Eastern Suburbs one of the biggest horse-racing events in Australian and the world, the Everest. In a year that has often seemed dull and stressful, the Everest brought some much needed and welcomed pageantry and flair back to Sydney. As well as being a fantastic sporting and social event, the Everest attracted visitors from across New South Wales and from interstate, to gather together in a COVID safe manner and to showcase everything that Sydney has to offer. As well as those who were able to gather in person, The Everest was also broadcast to millions of viewers across Australia, and to 66 countries worldwide. I'd like to give a massive congratulations to the winning horse, Classique Legend, jockey Kerrin McEvoy, and Trainer Les Bridge on winning such a prestigious event, and I'd like to thank all of the organisers of the event for putting on such a fantastic spectacle during a challenging time.

### ST GEORGE BRASS BAND

**Mr MARK COURE (Oatley)**—Speaker, I rise to congratulate the St George Brass Band on their top performance at the 2019 Band Association of NSW's Solo and Party Championships. The St George Brass Band shone at the Championships which were held on the 29th and 30th of June last year at Barker College, Hornsby. The Championships attracted over 420 entries from across the state and even a couple from interstate. Eight members of the St George Brass were nominated by the Band to enter the competition with entry fees covered in part by Georges River Council. I am very proud to report that following a remarkable string of performances, all eight players came home with at least one first place certificate. Despite Gunnedah taking out the Champion of Champions, I am beyond proud of our local entrants including Leo Huang and Zachary Sharples of Oatley, Alex Putra of South Hurstville, Harry Kane of Cronulla and Sammy Wong of Bexley North. I wish St George Brass Band all the very best in their future endeavours.

### **SUE NELSON, VILLAGE MANAGER OF THE YEAR**

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Agriculture and Western New South Wales)**—I recognise Armidale's Sue Nelson for her recent achievement of being named as the NSW/ACT Programmed Award for Village Manager of the Year. She will now be in the running for 2020 National Retirement Living Awards to be virtually held on 19 November. Sue is a well-known member of the Armidale Community and in the two years since taking the helm at the Newling Gardens Retirement Village, has built a lasting relationship with the village residents. I congratulate Sue on her work and being named as the NSW/ACT winner of this award. I wish her all the best in the National category.

### **HATTIE OATES**

**Mr ADAM MARSHALL (Northern Tablelands—Minister for Agriculture and Western New South Wales)**—I recognise Hattie Oates from The Armidale School for her recent nomination for inclusion in the renowned NSW HSC music showcase, ENCORE. Hattie is a remarkable local musician who started her musical ascendancy learning the guitar at aged 11. Now in Year 11, Hattie is studying Music 1 for the HSC as an accelerated student, making her achievement of inclusion in the showcase the more remarkable. Hattie was nominated for four musical pieces herself, she also supported two fellow students with accompaniment for their HSC performances. I congratulate Hattie Oates for her achievements on the musical stage – especially during this difficult year.

### **GERARD MCMILLAN**

**Mr MICHAEL JOHNSON (Upper Hunter)**—I would like to congratulate Gerard McMillan of Singleton who recently retired as the General Manager of the Singleton Diggers Club after 41 years at the Club. Gerard a dedicated community member was instrumental in forming the Singleton Diggers Community Chest back in 1982. Over the years much needed funding has been raised amounting in excess of \$3.41 million which has found its way to many charities within the Singleton community. I personally would like to thank Gerard for his exemplary work with the Club and for his tireless volunteer work and dedication to the community. I wish him well in his retirement.

### **ROGER PARKES**

**Mr JAMIE PARKER (Balmain)**—On behalf of the Balmain Electorate I would like to acknowledge Roger Parkes, a formidable and passionate local advocate who has powered community action in the Balmain peninsula for decades. Our community treasures the Balmain peninsula's vibrant parklands, rich heritage and harbour views. The most valuable parts of our local area are also some of the most hard-won. For decades, Roger has been at the forefront of campaigns to protect our community from developers including leading the campaign for Ballast Point Park, advocating for Mort Bay social housing and protecting SSC Balmain from development. More recently Roger has been involved in the protection of Callan Park as well as the preservation of local heritage and democracy. On behalf of everyone in our community I thank Roger for his unwavering commitment to our local area. Next time you enjoy a sunny day at one of our amazing foreshore parks, don't forget that they exist thanks to countless hours of community meetings, fundraisers, and local activism from people like him.

### **STEPPING OUT PROGRAM**

**Mr JAMIE PARKER (Balmain)**—Today, during Childhood Sexual Abuse Awareness Week, I recognise Stepping Out Program, an organisation who does invaluable work in my local electorate of Balmain and across NSW to support female survivors of childhood sexual abuse or CSA. CSA is sadly not uncommon in Australia. According to Stepping Out, 1 in 6 women and 1 in 10 men are abused before the age of 15. The impact of this abuse on survivors' lives can be significant, affecting their mental health and capacity for relationships, employment and community engagement. It can lead to homelessness, hospitalisation, incarceration, domestic violence and a reliance on welfare. CSA can take twenty years to disclose, if at all. Stepping Out hopes to raise awareness to reach survivors sooner, before such impacts are felt. CSA Awareness Week encourages female survivors to break their silence and start the healing process. There is hope and there is help. I am so thankful that we have organisations like Stepping Out working locally and want to particularly acknowledge staff and volunteers at Stepping Out, including Pam Brown CEO, Melissa Holmes, program coordinator and Carron Johnston, Chair. Thank you for all the work you do.

### **CAMPBELLTOWN RSL SUB-BRANCH**

**Mr GREG WARREN (Campbelltown)**—With Remembrance Day only a few weeks away, now is the perfect time to acknowledge the tremendous contribution Campbelltown RSL Sub-Branch makes to our local community. As a veteran myself, I understand how important RSL Sub-Branches are for their local communities. Every service and commemoration in Campbelltown – such as Anzac Day and Remembrance Day – occur due to

the organisation of the local Sub-Branch. While the Anzac Day service looked a little different this year due to COVID-19, past years have seen thousands of people flock to Mawson Park. The large crowds made up of varying generations of residents really speaks volumes as to Campbelltown RSL Sub-Branch's hard work. The Sub-Branch is currently led by president Warren Browning, who I have known for many years. Warren – like the other Sub-Branch members – has been, and continues to be, a wonderful advocate for veterans and their families. Preserving the memories and remembering the stories of the men and women who have served in our Australian Defence Force, is crucial for our nation. And RSL Sub-Branches like Campbelltown play a critical role in ensuring those stories and memories live on. Well done and thank you to all the members.

#### **CAMPBELLTOWN CHAMBER OF COMMERCE**

**Mr GREG WARREN (Campbelltown)**—It has been a distasteful year for many small businesses in Campbelltown. The COVID-19 pandemic has seen business close their doors and others scale down operations in order to survive. Others have been forced to lay off workers or cut back their hours. That's why the existence of the Campbelltown Chamber of Commerce has never been so important. For years the chamber has done a tremendous job advocating for the needs of local businesses in Campbelltown. Their push for change has not only benefited businesses, it has benefited employees and the wider community too. There is no doubt that small business is the heartbeat of every community. They drive the local economy, provide much needed services and employ a significant number of local residents. When small businesses suffer, we all suffer. That is why I commend the Campbelltown Chamber of Commerce for all it has done, and all it continues to do, particularly during this testing time. There is no doubt in my mind that our community is much better off for having organisations like the Campbelltown Chamber of Commerce around. To every member of the chamber, thank you.

#### **LAKES RUGBY LEAGUE CLUB**

**Ms YASMIN CATLEY (Swansea)**—Speaker, I rise to congratulate a number of teams from Lakes rugby league club on making their respective grand finals in the Hunter Valley Combined competition. The under-16s division one team went down 16 - 10 against Cessnock and the division 2 team went down 32 - 6 against South Newcastle. While the under 18s team prevailed 16 - 10 over Cardiff in their grand final. Rugby league is an institution in the region and we are extremely proud of the success of our local clubs. I would like to thank all the volunteers and parents for their work during a difficult season in supporting the club to keep the season going in challenging circumstances. Local sporting clubs like Swansea rugby league club are the lifeblood of our community. Congratulations boys on a fantastic season and to I hope you enjoyed celebrating your success.

#### **VALENTINE RUGBY LEAGUE CLUB UNDER 15S WOMEN'S TEAM**

**Ms YASMIN CATLEY (Swansea)**—Speaker, I rise to congratulate the Under 15's women's team of the Valentine rugby league club on their victory in this year's grand final. The team won the Hunter Valley Combined competition prevailing 16 - 12 over South Lakes. Making a grand final at any level is an achievement in itself but to win one is an outstanding effort. It is extremely pleasing to see female sporting codes growing in the region, allowing young women all over the electorate the option to continue to compete and potentially even pursuing sporting careers. I would like to thank all the volunteers and parents for their work during a difficult season in supporting the club to keep the season going in difficult circumstances. Local sporting clubs like Valentine rugby league club are the lifeblood of our community. Congratulations girls on a fantastic season and I hope you enjoyed celebrating your grand final win.

#### **WELCOMING OUR NEW POLICE RECRUITS TO NORTH SHORE**

**Ms FELICITY WILSON (North Shore)**—Speaker, recently I welcomed North Shore's newest police recruits to the North Shore Police Area Command, as they begin their careers in keeping our local area safe and supporting our community. These new officers are a welcome boost for the North Shore electorate and they will greatly help us as a community as we continue to face the challenges of COVID-19. Congratulations to Constables Lucy, Zackie, Nicholas, Luke, and to all our new police recruits across the NSW Police Force. I would also like to acknowledge the North Shore Police Area Command Superintendent Jenny Scholz who earlier this year took over from retired Superintendent Allan Sicard. On behalf of the North Shore community, I am pleased to welcome these officers to their new command. This has been a difficult year for all of us, and we acknowledge the terrific work of the NSW Police Force who have been part of the front line workers assisting our community. Thank you to these outstanding individuals for choosing to make this contribution to public service and to keeping our community safe, particularly during this pandemic.

#### **VETERANS HEALTH WEEK**

**Ms FELICITY WILSON (North Shore)**—Speaker, today I acknowledge Veterans' Health Week, which runs from October 24th till November 1st, that aims to highlight the importance of good mental health and

wellbeing generally in the veteran and Defence community. Locally in my electorate, Kirribilli RSL Sub-branch is hosting a "Rugby Supporting Veterans' Health" event to be held at the Kirribilli Club in Lavender Bay, that will promote health and wellbeing of veterans' through social connection. Mosman RSL Sub-Branch are also hosting a "Bowls and Rolls" barefoot bowls evening at Warringah Social Club. I would like to acknowledge the work that my local RSL Sub-branches do in looking after our veterans' and promoting their health and wellbeing. We know this year has been particularly difficult, especially given we couldn't come together as a community for Anzac Day. I acknowledge the Presidents of my local branches, Peter Watson from Mosman RSL Sub-branch, Alex Wilson from North Sydney RSL Sub-branch, and Julian Robinson from Kirribilli RSL Sub-branch. As we look towards the upcoming Remembrance Day in November, I would like to thank all our local veterans, and honour all those who have made the ultimate sacrifice for our country.

#### **BE CONNECTED DIGITAL LITERACY TRAINING AT THE PLACE**

**Ms JODIE HARRISON (Charlestown)**—As much of our day to day activity has moved online due to social distancing measures, there are some in our community—particularly elderly people who may not be very computer literate—who may have been unintentionally excluded. The Place, Charlestown's Community Centre, has been taking steps to help these people out. Throughout September, the Place offered a number of sessions, both in person and online, to help over-fifties navigate the digital world. The Be Connected Digital Literacy training was free, and was an Australian Government initiative offered managed by the Good Things Foundation. The Place is a Be Connected Network Partner. Topics included "Messaging, Memes and Emojis", "Taking, Saving and Sharing Photos" and "Getting Started with Online Banking". The Place also offered a "How To" tech support day, helping over-fifties in our community become better acquainted with their devices. I congratulate all the learners for taking the time to become more familiarized with our increasingly digital world. My thanks to the Place for offering this important service, and in particular to the Place's Digital Mentor, Keyana, who ran many of the sessions.

#### **NANCE ADAMS**

**Ms JODIE HARRISON (Charlestown)**—I would like to acknowledge Charlestown local Nance Adams OAM, who sadly passed away on 30 September this year. Nance was an extraordinary woman, who dedicated so much of her time and energy to the broader community. The list of organisations she was involved in is staggering—her tireless commitment to service was enough to see her awarded a Medal of the Order of Australia. She was involved in the Royal Life Saving Society, Red Cross, Life Without Barriers and many other groups. For nine years, she was registrar of the Charlestown Swimming Club. She was a founder of the Redhead Girl Guides and Whitebridge Scouts and was their leader for 19 years. She was a big part of the volunteer team at Marine Rescue Lake Macquarie, where her duties included manning the radio base and running first aid courses for new inductees. Nance also started the "Nipperettes" in the 1970s to establish a competition for women in surf lifesaving clubs—an important step in including girls and women in the broader Nipper surf lifesaving movement. Vale Nance Adams. Thank you for everything you did for our community. You will be greatly missed and fondly remembered.

#### **ANDREW HEAD - EST BUILDING**

**Mr PETER SIDGREAVES (Camden)**—Mr Speaker, recently the finalists for the DOOLEYS Lidcombe Catholic Club Outstanding Young Employee award at the 2020 Western Sydney Awards for Business Excellence were announced. These awards celebrate business excellence, tenacity, resilience and success stories of the Greater Sydney region and I would like to recognise Andrew Head from EST Building in Camden for having been a finalist in this category. I wish him all the best and successes in this award and the many more to come.

#### **BRAD DE PLATER**

**Mr PETER SIDGREAVES (Camden)**—Mr Speaker, I would like to recognise the commitment made by a resident of the Camden electorate to riding 1071 kilometres in October for the Children's Medical Research Institute's Great Cycle Challenge. Having survived a battle with prostate cancer 12 years ago, Brad has long taken part in raising funds for cancer research and treatment via initiatives such as the Great Cycle Challenge and the "Mo for Movember" initiative. Having raised over \$40,000 for kids with cancer over the past 6 years, Brad serves as a wonder example of commitment and goodwill within the Camden community and I note that he has also signed on his son Jason as well as a number of the family's friends to help out with this amazing initiative. The Great Cycle Challenge has raised more than \$20 million since its inception seven years ago and I congratulate Brad, his son Jason and all those in the community who have gotten involved.

#### **SHOALHAVEN RIVERWATCH**

**Mrs SHELLEY HANCOCK (South Coast—Minister for Local Government)**—Shoalhaven Riverwatch is a local group who work to manage the health of the Shoalhaven River, undertaking bank restoration

work as well as working with Governments to improve the management of our local river system. Run by volunteers, the organisation is led by Chair Margie Jirgens, Vice Chair Peter Hanson, Secretary Ros Christie, Treasurer Graeme Thompson, Project Manager Peter Jirgens, Media Contact Bruce Walker, Boat Skipper Ron Cowlshaw, IT Administration and Lifetime Member John Tate, and Lifetime Member Charlie Weir. Recently the group was assisted by Fulton Hogan, planning almost 300 native plants at their new home on Pig Island in the Shoalhaven River. Riverwatch plans to hold two more working bees before Christmas this year, and new volunteers are welcomed. Thank you to Shoalhaven Riverwatch and their many volunteers for the contribution you make to our local community and the South Coast environment.

#### **HORNSBY COUNTRY WOMEN'S ASSOCIATION**

**Mr MATT KEAN (Hornsby—Minister for Energy and Environment)**—Today I would like to acknowledge the work of the Hornsby Country Women's Association. The members of the CWA found COVID restrictions also restricted their ability to fundraise. That was until Josie Fonti, Branch Manager of the Berowra Bendigo Bank stepped in. She allowed the group to set up a stall within the branch to sell facemasks along with homemade jams and chutneys. It turned out the facemasks were very popular amongst locals with the ladies unable to keep up with demand. So, the staff at Bendigo Bank started to also make masks to be sold through the CWA stall. To date they have raised \$8,500 and at the same time helped Berowra stay COVID safe. I would like to congratulate President Ros Hopwood along with Lyn Yates, Lee Long, Stephanie Waldeback, Colleen Parsonage and Jeanette Rosee for all their hard work. Also Josie and the staff from Bendigo Bank for their support of this wonderful community organisation. Keep up the amazing work Hornsby CWA – you are an asset to our Hornsby community.

#### **COLLEGE TRIUMPHS DESPITE COVID CHALLENGES**

**Ms JENNY AITCHISON (Maitland)**—Tocal Agricultural College has overcome the constraints of the COVID-19 pandemic to progress its fulltime residential programs with a view to students achieving a national qualification by the end of the year. In addition to these more traditional subjects and delivery modes, Tocal has created and adapted content to meet the needs of adults, educators and younger students who are learning from home. The college has continued to deliver great results for students and industry through its adult education program, which this year made a strong shift online. A highlight of this development occurred when the Tocal team won a national education training award for its e-learning course, Honey: Harvesting and Extracting. The college's Schools program was also recognised at the 2020 Educational Publishing Awards for its range of teacher professional development and student resources. I am delighted that what began as a year of drought and fire has become a year of bounty and success, with the Tocal farm enterprises performing at record levels of production. I congratulate those studying agricultural pursuits, and their educators, on their tenacity during this time of great change.

#### **HMRI 'TOMORROW MAKERS' WIN GRANTS**

**Ms JENNY AITCHISON (Maitland)**—I acknowledge the achievements of two Hunter Medical Research Institute researchers who have been named among 40 "tomorrow makers" by the AMP Foundation and will receive grants to further their work. Recipient Dr Joel Petit tragically lost two young friends to bowel cancer. This experience motivated him to develop a blood test for colorectal cancer, which can often be treated with success if discovered early. The University of Newcastle PhD student will use his grant of \$57,000 to fund further research into this important area. Dr Myles Young, who is a HMRI and University of Newcastle researcher, has won \$55,000 to further his work into providing programs that improve the physical and mental health of men. Dr Young is particularly interested in providing support to men in regional and remote areas, and giving men tools to feel mentally well, lose weight, become more active and improve their diets. He says that the goal is to help men improve their health and wellbeing without eating like rabbits or completely overhauling their lifestyles. Congratulations on your achievements and this deserved recognition, Myles and Joel.

#### **GAY BLOOD DONORS**

**Mr ALEX GREENWICH (Sydney)**—On behalf of the Sydney electorate, I would like to acknowledge the successful campaign to address the discriminatory rules for donating blood, which has now achieved reform across Australia. The Therapeutic Goods Administration responded to community advocacy earlier this year, proposing that the donation postponement for donating whole blood for donors with a sexual activity-based risk factor be reduced from 12 months to three months. I welcome the decision by all Australian governments to use this new standard, which I also strongly supported. While blood donation rules must protect the integrity of blood supply and prevent harm from transfusions, the previous rules did not appear to be based on evidence about risk and stigmatised and discriminated against gay men and others. The new rules will increase the number of people who can donate blood to help others who need blood. I thank the many people who've worked to remove this discriminatory provision over more than a decade, including ACON, the Australian Federation of AIDS

Organisations and the Australian Medical Students' Association who have contacted me about working for this reform.

### **BILINGUAL SUPPORT PROGRAM**

**Ms JO HAYLEN (Summer Hill)**—The Bilingual Support Program from Ethnic Community Services in Marrickville helps inner west kids from CALD and indigenous communities settle into preschool with the help of a trained bilingual early childhood educator. The program has trained over 400 early childhood educators from over 100 cultural backgrounds. We know early childhood education is vital to a child's wellbeing and brain development, with 90 per cent of a child's brain development occurring within the first 5 years of their life. Services like the Bilingual Support Program ensure kids from CALD and indigenous backgrounds reach their full potential in preschool by providing the resources and tools to create a culturally inclusive learning environment. During the pandemic, virtual story times and singalongs in Japanese, Rohingya, Ukrainian, Nepali and Kurmanji are keeping kids entertained and practicing their native language. The Bilingual Support program also connects families and kids with kids from their own culture running a number of playgroups for kids from Bosnian, Assyrian and Iraqi backgrounds. Thank you to the wonderful early childhood educators and staff at Ethnic Community Services for supporting little inner westies to feel supported and connected with their culture.

### **CONNECT: INNER WEST COMMUNITY TRANSPORT GROUP**

**Ms JO HAYLEN (Summer Hill)**—Connect Inner West helps older people in our community maintain their independence by providing affordable and safe community transport, a vital service during the COVID-19 pandemic. During the lockdown, many inner west seniors were isolated from their family or support network. In addition to keeping vulnerable older people connected to family and friends, Connect Inner West ensured they could safely get to medical appointments, community services and to the shopping centre when needed. More recently, Connect Inner West has also worked to foster a sense of community through the Weekend Wander Service, providing engaging social events for seniors. Seniors from the Summer Hill electorate recently enjoyed a trip to Sydney Zoo. Thank you to the General Manager Brett Andrews and all the drivers and bus assistants who have supported inner west seniors during the pandemic and for always working to assist older people to lead rich, independent lives.

### **CARINGBAH HIGH SCHOOL 2021 STUDENT LEADERS**

**Mr MARK SPEAKMAN (Cronulla—Attorney General, and Minister for the Prevention of Domestic Violence)**—I congratulate the newly elected school leaders for 2021 at Caringbah High School, one of the local high schools in the Cronulla electorate. Jasper Arthur and Aurelia Fox were recently elected as school captains, and Thomas Henwood and Marina Knijnik were elected as vice-captains. Student leadership provides a unique opportunity to grow and develop skills in public speaking, communication and leadership styles. Jasper, Aurelia, Thomas and Marina will also now learn the art of relationship building and completing tasks in leadership groups. These skills are not only important at school, also are crucial in the modern workplace and broader community too. I commend the extended leadership team who have successfully been elected to their respective positions and wish them all the best in their new leadership roles and studies into 2021.

### **HEADSPACE LIVERPOOL**

**Ms MELANIE GIBBONS (Holsworthy)**—Mr Speaker, I'd like to recognise Headspace at Liverpool for continuing to provide mental health support during COVID-19. Headspace Liverpool, which is managed by the Benevolent Society, are providing their services online and operating virtually. Throughout COVID-19, they have been connecting with young people and their families via phone call and video conferencing to provide support. Headspace is a national youth mental health foundation that provides early intervention mental health support and services to young people aged between 12 – 25 years. Headspace Liverpool's commitment to continuing their services during this difficult time is so important, as it is crucial that young people still receive the necessary support. The services that are offered remain individualised and face-to-face, ensuring that individuals feel comfortable and supported. Once again Mr Speaker, I commend Headspace Liverpool for continuing to provide mental health services to young people in a COVID-safe way.

### **ROTARY LIVERPOOL WEST**

**Ms MELANIE GIBBONS (Holsworthy)**—Mr Speaker, I would like to recognise The Rotary Club of Liverpool West who recently visited the Narromine/Trangie area, of Central West NSW, to continue its Rotary Drought Relief Program. Rotary Liverpool West visited the Trangie Central School and provided them with funding to assist students who have been affected by the drought. In addition to this, they provided books for the school library, hand-sanitiser and non-contact infrared thermometers. Mr Speaker, this Rotary Club have also teamed up with the Rotary Club of Narromine to provide similar donations and contributions to other schools in their local area. The drought is still having an impact on the State's rural towns so it is so heart-warming to see



them providing support to these communities. Once again Mr Speaker, I'd like to commend the Rotary Club of Liverpool West for all the work they do, not only in our local community, but also across the state and for continuing the support provided through the Drought Relief Program.

#### **CRONULLA HIGH SCHOOL 2021 STUDENT LEADERS**

**Mr MARK SPEAKMAN (Cronulla—Attorney General, and Minister for the Prevention of Domestic Violence)**—I congratulate the newly elected school leaders for 2021 at Cronulla High School, one of the local high schools in the Cronulla electorate. Kye Fowler and Celeste Anchique were recently elected as school captains, and Gus Kohu and Charlie London as vice-captains. Student leadership provides a unique opportunity to grow and develop skills in public speaking, communication and leadership styles. Kye, Celeste, Gus and Charlie will also now learn the art of relationship building and completing tasks in leadership groups. These skills are not only important at school, also are crucial in the modern workplace and the broader community too. Kurnell resident Gus recently wrote a reflection piece on the 250th anniversary of James Cook's landing there. I encourage anyone who hasn't read it yet to do so. I commend the extended leadership team who have successfully been elected to their respective positions and wish them all the best in their new leadership roles and studies into 2021.

#### **'THE SPIRIT OF A TIME AND PLACE' EXHIBITION**

**Mr GUY ZANGARI (Fairfield)**—It is an absolute honour to be the Parliament of NSW host for "The Spirit of a Time and Place" art exhibition for local Fairfield artist Ms Tracey Esteves. The Fountain Court is currently alive with the vibrant colour of many iconic Australian images, with over 40 of Tracey's works on display. The exhibition coincides with the re-opening of Parliament to the public after months of closure due to COVID-19. I am proud to call Tracey a long-time colleague and I am also very proud of her achievements in the art world. The paintings displayed in Fountain Court tell a story of years gone by as well as depicting images of the present day. Tracey's artworks have been well-received by the general public and I can truly say the exhibition is already an outstanding success. I congratulate Tracey on the success of this exhibition and look forward to seeing the fruits of future labours which I am sure will be just as colourful and vibrant as this current exhibition of works.

#### **FAIRFIELD ART SOCIETY ONLINE OPEN ART PRIZE 2020**

**Mr GUY ZANGARI (Fairfield)**—This year the Fairfield Art Society will hold be holding their annual exhibition in a new way in line with COVID-19 measures for social distancing. The Fairfield Art Society Online Open Art Prize 2020 will be an on-line only event, with prizes to be awarded to the lucky winners at the end of the exhibition. Entry to the competition is open to all Australian artists with works to be submitted online, the closing date for entries being 1st November, 2020. Displaying works online is an innovative way to permit our artists to present works and continue to engage the community in the art world, while maintaining social distancing measures required since the COVID-19 pandemic began. The annual Fairfield Art Society Prize has become an institution in the Fairfield community and it is wonderful to see that despite the COVID-19 restrictions, the society is still able to continue with this wonderful event. I wish all of the artists entering their works this year the very best of luck and I look forward to seeing the amazing works of our local artists online.

#### **MARK EGLINGTON**

**Mr GEOFF PROVEST (Tweed)**—I wish to honour one of my local RFS Members, Group Captain Mark Eglington from Cudgen Rural Fire Brigade. Mark is one of the finalists for the 2020 Rotary NSW Emergency Service Community Awards following his amazing assistance to the community of Cabargo during what will go down in our history as the State's worst bushfire season. Mark has been a part of the RFS team for three decades putting his own life on the line at times to save not only his own backyard but strangers' livelihoods as well. Known to his crew mates as "Min", Mark was recognised in the 2020 Queen's Birthday Honours list when he received the Australian Fire Service Medal. Back in the day the Cudgen firefighting trucks didn't have the home they do today, they were often taken home by whoever had a spare farm shed. But in 2001 that changed when Mark donated a parcel of his own family's farmland to ensure the Cudgen brigade had a permanent home. This just shows what a truly remarkable person Mark is. Thank you Mark for all you do for not just our community but also other communities, your dedication is greatly appreciated.

#### **ELIZABETH ZACHULSKI**

**Mr PAUL TOOLE (Bathurst—Minister for Regional Transport and Roads)**—A big pat on the back for Elizabeth Zachulski who recently received an Order of Australia Medal (OAM) for her service to both nursing and aged care. Ms Zachulski is a familiar face at St Catherine's Aged Care in Bathurst and has spent the last 12 years as the facility's residential manager. Although the OAM is attached to her name, Ms Zachulski really is a quiet achiever and stresses that she is part of a team that works together to deliver 'comfort and care to elderly people when they need it the most'. Ms Zachulski started her career in aged care in 1980, working as a registered

nurse prior to that. She notes that part of the appeal of the sector is the ability to support people when they need it most and to connect with them by hearing their stories. Ms Zachulski's dedication is a clear indication that aged care plays a vital role in the community, but that's not always easy because you are working in a job where there's a lot of loss. I thank Ms Zachulski for everything she has helped her during her career, especially her family for their understanding.

#### **AUTHOR GRAHAM WILLIS**

**Mr JONATHAN O'DEA (Davidson)**—I acknowledge Graham Willis, a successful author from Roseville in my electorate of Davidson. Graham came to Australia in 1987, and has worked in the executive search industry for 20 years, attracting high quality candidates to Board and CEO roles. Due to the outbreak of the coronavirus pandemic, Graham was able to concentrate on writing his new book, "The Dive Spots of NSW", published in September. The book is an indispensable guide for beginner through to advanced divers and snorkelers, revealing more than 250 spots across NSW. It also covers essential information on marine life, accommodation, facilities and travelling tips. I commend Graham for pursuing his passion and publishing this valuable book, and his commitment to the positive impact we can have on the oceans.

#### **DAVID MARTIN'S PORT MACQUARIE 200 EXHIBITION**

**Mrs LESLIE WILLIAMS (Port Macquarie)**—The significant milestone for Port Macquarie draws closer marking 200 years since penal settlement and I take this opportunity to acknowledge local historian David Martin who is compiling forty of the finest artworks from his personal and borrowed collection to celebrate the town's history and establishment. To commemorate Port Macquarie's Bicentenary scheduled for 10-18 April 2021, David is self-funding a public exhibition at the Glasshouse, titled Port Macquarie 200 comprising original artworks dating back to the early 18th century. His priceless masterpieces will include a series of original works by Sir Lionel Lindsay with paintings depicting the past landscape and buildings of the courtyard surrounding the old jail and a watercolour of St Thomas' church, with many more to be revealed at the exhibition. The renowned artists Eirene Mort and Joseph Lycett will also feature in the showcase with one famous etching of England dating back to the early 1820's. Port Macquarie 200 is scheduled to be showcased from 27 February to the 18 April 2021 at the Glasshouse on the mezzanine floor and promises to leave a lasting impression to history buffs and lovers of fine art.

#### **OZHARVEST**

**Mrs LESLIE WILLIAMS (Port Macquarie)**—In the Port Macquarie-Hastings region on average 175,000 meals are delivered each year to those facing financial hardship. This selfless display of generosity and kindness is only made possible thanks to the wonderful members of OzHarvest who provide food relief weekly to our most vulnerable in the community. CEO Matthew McCarron from Sovereign Hills, Lewis Land Group recently donated \$45,000 towards the purchase of a new refrigerated yellow van for OzHarvest to assist them with the rescuing and storage of quality surplus food to be delivered to those who need it most. Accepting the generous donation was OzHarvest Regional Chapter Coordinator, David Morris and volunteer Helen Roebuck who acknowledged how important this support will be for the organisation to enable the delivery of quality meals to the hundreds of families and individuals they support each year. Excited to give something back to the community was Michael Long, Head of Development at Lewis Land Group who commented on the value of knowing their gift will allow the provision of wholesome, nutritious meals to those facing financial challenges, especially during this COVID-19 crisis. I thank Matthew and David for pledging their support to a fantastic, food relief charity in the Hastings.

#### **NORTH CRONULLA SURF LIFE SAVING CLUB**

**Ms ELENi PETINOS (Miranda)**—I acknowledge the fantastic North Cronulla Surf Life Saving Club now in its 95th year. In December 1925, the first Surf Patrol took to the sand and surf equipped with only a surf line, reel and belt. Since then, the club has grown from strength to strength, providing a fun and welcoming atmosphere for all its members whilst keeping our beaches safe. North Cronulla's Nippers program currently enables over 450 boys and girls to learn and enjoy surf lifesaving training and prepare for potential future careers as lifesavers. The club's community presence also extends beyond the sand and surf of North Cronulla Beach, with the club's own 'Sea Lice' rugby and women's rugby 7's teams competing on the field. I recognise the dedicated Board of Directors for the 2020 – 2021 surf patrol season, including Patron Warren Rennie AM, President Geoff Budd, Deputy President Craig McKinnier, Linda Hawkins, Donna Hargreaves, Ben Smollett, Colin Bulloch, Natasha Hargreaves, Jamie Primmer, Mark Anders, Peter Moyle, Barb Maythers, Geoff Streater, Kevin Macnamara and Barry Schuettrumpf. I commend North Cronulla Surf Life Saving Club for consistently keeping our community safe and extend my best wishes for this surf patrol season.

### **PRIORITY PLUS PLUMBING**

**Ms ELENI PETINOS (Miranda)**—During Small Business Month, I acknowledge Priority Plus Plumbing for winning a Sutherland Shire Local Business Award in the Plumbing Services category. Priority Plus Plumbing has been servicing the Sutherland Shire since 1996, specialising in residential and commercial maintenance and small commercial projects. Led by two old TAFE friends, Directors Peter Honey and Con Papadimitriou gained their licences in 1996 and set off on separate paths, running two different companies. Neither were satisfied with the level of service they were able to offer to customers and later merged to become Priority Plus Plumbing with the same vision of 'Happy Customers' in mind. Since this time, they have been able to expand to accommodate demand and with the help of the very latest technologies available, they continue to improve the company's performance, level of service and value for money. I congratulate Peter, Con and the team at Priority Plus Plumbing for this outstanding achievement and extend my best wishes for the future.

### **KIACATOO COUNTRY WOMEN'S ASSOCIATION**

**Mr ROY BUTLER (Barwon)**—The Country Women's Association (CWA) based in Kiacatoo recently celebrated its 75th Birthday. Kiacatoo is situated in the Condobolin, Euabalong and Murrin Bridge area. The Association was formed on the 7th September 1945. Members gathered in the CWA hall to celebrate this milestone with a High Tea. Over the years they have achieved many amazing feats such as starting the Nymagee/Cobar Branch, collecting parcels for patients at Bloomfield Mental Hospital in Orange, running clothing drives for the Smith Family and raising funds for the Royal Flying Doctor Service. I would like to congratulate these amazing women of the west for their dedication and hard work along with the great things they do for the community. This, along with forming life-long friendships. One long standing member even reminisced her long standing history with the association of having signed up as a junior member at the age of eight. I commend this group of CWA women on their achievements thus far and wish them well for the future years to come.

### **LENNON SIMMONDS OF NARRABRI**

**Mr ROY BUTLER (Barwon)**—Narrabri's Lennon Simmonds has had a year to remember in the 2020 Soccer Season. Nine-year-old Lennon left the Narrabri competition behind this year and joined Northern Inland Football's under-10s high performance team, which plays in the Tamworth junior competition. Lennon has worked hard in the off-season in preparation for the 2020 campaign and his hard work has paid off. His training included travelling the four hour round trip to Tamworth two nights a week. Lennon finished the 2020 season with 19 goals out of 12 games, playing mostly in the right mid-field or striker positions. His dedication to the sport, hard work and natural ability led him to receive the coach's award at the team's final training session and presentation night. I commend Lennon on his hard work and commitment to the sport of Soccer and wish him well in his future sporting endeavours.

### **MIKEY WRIGHT**

**Mrs SHELLEY HANCOCK (South Coast—Minister for Local Government)**—I rise to give special mention to Mikey Wright, who has made an incredible comeback following 18 months recovering from injury by winning the second event of the World Surf League Australian Grand Slam of Surfing. His achievements on the day were extraordinary, also winning with the highest single-wave score of the event, a 9.83 out of 10! The Culburra Beach local is now tied as leader of the Australian Grand Slam of Surfing. Given the South Coast is known for its fantastic beaches, it should be no surprise that a local is making such wonderful achievements in surfing. Congratulations Mikey, we all wish you the very best in future competitions.

### **BOWRAL CRAFTS UNLIMITED HAZEL MCGREGOR**

**Mr NATHANIEL SMITH (Wollondilly)**—I would like to acknowledge the Bowral Crafts Unlimited store, which is celebrating 50 years of service to the Bowral community. Situated in Corbett Plaza, the store is run by a team of dedicated volunteers. All the volunteers are welcoming and are a friendly face to those that are seeking nothing more than a chat. They can also provide advice and assistance on a variety of issues to those in need. It is this type of community spirit that makes my electorate of Wollondilly such an idyllic place to live. I would like to single out one hardworking volunteer in particular, Hazel McGregor. She has worked at the store for more than 20 years and makes the tastiest ANZAC biscuits you could imagine. They are understandably a favourite of many who visit the store. Hazel also makes felted hats and baby clothes, which are sold alongside a range of products such as toys, bags, preserves, cakes and more. The store really is a treasure trove of goodies.

### **INTERNATIONAL DAY FOR RURAL WOMEN**

**Mr NATHANIEL SMITH (Wollondilly)**—15th October marked the International Day of Rural Women. It was an opportunity to reflect on the crucial role that women in rural areas play and contribute to the wider community. The theme for this year was 'Building rural women's resilience in the wake of COVID-19'. Its aim

was to create awareness of the struggles of women and their needs. I acknowledge the work of the Country Women's Association and the Southern Highlands Association of Women, two groups that exist in my electorate of Wollondilly, that have a proud history of providing high quality support and empowerment to local women. Earlier this week, I was fortunate to experience the local CWA hospitality when I joined them for morning tea. To hear their stories and witness first-hand their outstanding work was an inspirational experience. I pay tribute to all women in my electorate of Wollondilly and I thank those organisations that have provided invaluable support services to women in need.

#### **DYLAN SHOESMITH**

**Mr GREG PIPER (Lake Macquarie)**—Dylan Shoesmith from Cardiff South is an outstanding and inspirational young member of the Lake Macquarie community. The 20-year-old has been advocating for young people since he was 14 when he joined Cardiff High School's Student Representative Council in a bid to ensure the voices of his fellow students were heard. Since then he's gone on to accomplish great things and was recently one of 12 people appointed to the 2020 - 21 New South Wales Youth Advisory Council. He was also a finalist in this year's Lake Macquarie Young Citizen Award. Dylan is constantly striving to ensure that the interests and concerns of young people living in Lake Macquarie are taken into consideration in decision-making processes. He says his passion for youth advocacy was born from a desire to make a real difference and not just be an armchair critic. He is the current Chairperson of the Lake Macquarie Youth Advisory Council and has collaborated with Lake Macquarie City Council on its 2020 – 2023 Youth Strategy. He has also been actively involved with organising events such as Lake Macquarie's Endless Summer. I commend Dylan on his community spirit and wonderful achievements.

**The House adjourned pursuant to standing and sessional orders at 20:38 until  
Thursday 22 October 2020 at 9:30.**