



**New South Wales**

# **Legislative Assembly**

## **PARLIAMENTARY DEBATES (HANSARD)**

**Fifty-Sixth Parliament  
First Session**

**Wednesday, 16 November 2016**

Authorised by the Parliament of New South Wales



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## LEGISLATIVE ASSEMBLY

**Wednesday, 16 November 2016**

**The SPEAKER (The Hon. Shelley Elizabeth Hancock)** took the chair at 10:00.

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

*Visitors*

### VISITORS

**The SPEAKER:** I welcome students and teachers from St Patricks College, Campbelltown, guests of the member for Campbelltown.

*[Notices of motions given.]*

*Bills*

### BIODIVERSITY CONSERVATION BILL 2016

### LOCAL LAND SERVICES AMENDMENT BILL 2016

#### First Reading

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

#### Second Reading

**Mr MARK SPEAKMAN (Cronulla—Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning) (10:13):** I move:

That these bills be now read a second time. Today I introduce to the House the Biodiversity Conservation Bill 2016 and the Local Land Services Amendment Bill 2016 as cognate bills. The Biodiversity Conservation Bill 2016 will repeal the Threatened Species Conservation Act 1995, the Nature Conservation Trust Act 2001 and parts of the National Parks and Wildlife Act 1974. The Local Land Services Amendment Bill 2016 will repeal the Native Vegetation Act 2003. Together, these bills will modernise and transform the way that biodiversity is valued and conserved in New South Wales. The New South Wales Government is dispensing with outdated approaches to biodiversity conservation and land management that no longer are serving our best interests. Almost two years ago the previous Minister for the Environment, my colleague who is now the Minister for Planning, appointed an independent panel to review our biodiversity laws.

The independent panel members were a former Wentworth scientist Dr Neil Byron, Dr Wendy Craik, Dr John Keniry, and Professor Hugh Possingham. This pre-eminent panel considered ways to capitalise on this once-in-a-generation opportunity to improve the land management and biodiversity conservation framework. As highly experienced professionals with specialist expertise, the panel was well placed to advise the Government. The panel met with a number of stakeholders to understand how the legislation operates in practice. It met with conservation groups, landholders, farmers, the Nature Conservation Trust, developers and local government. It released an issues paper to gather feedback on the current system and improvements needed to remove an unnecessary regulatory burden as well as to facilitate sustainable development and biodiversity conservation in New South Wales.

The panel delivered 43 recommendations to the Government in December 2014. Now the Government is introducing landmark legislation that delivers on those recommendations. The bills at the centre of those reforms have been jointly developed with my colleagues the Minister for Primary Industries, and Minister for Lands and Water, and the Minister for Planning. Today we are implementing a truly modern and strategic approach to biodiversity conservation for the people of New South Wales. The amending bill builds on and strengthens the best aspects of existing policies and programs but also addresses major weaknesses in the current system. I thank the members of the independent panel for the significant time they invested in delivering their report in 2014 and afterwards in advising the Government on a legislative framework. Overall, the reforms aim to slow down, to arrest and then to reverse the long-term decline of biodiversity and to maintain a healthy, productive and resilient environment now and into the future consistent with the principles of ecologically sustainable development.

This purpose is reflected in the proposed objects of the Biodiversity Conservation Bill 2016 and the Local Land Services Amendment Bill 2016. The Government has taken advantage of the best available science and data around biodiversity and land management to modernise the policy and the legislative, institutional and financial framework for biodiversity conservation in New South Wales. The framework that the Government is proposing will put New South Wales at the cutting edge of science and policy. Our State is home to some of the most spectacular and unique native plants and animals, coastlines and landscapes in the country. The Government is rightly proud of the New South Wales natural environment and wants it to be healthy, resilient and productive for

the future. But, unfortunately, biodiversity continues its historical decline. Since the introduction of the Native Vegetation Act 2003, around 100 species have been added to our list of threatened species. Just a fortnight ago the World Wide Fund for Nature [WWF] International released the latest edition of its Living Planet report, which shows a persistent downward trend in biodiversity abundance levels worldwide.

The New South Wales Government needs to address that decline in New South Wales as a matter of urgency. For too long New South Wales laws are focused on regulation that restricts land use at a site scale without an overarching strategic approach that aims to conserve biodiversity and ecological integrity at bioregional and State scales. In the past, the Government has tried to conserve biodiversity by restricting what farmers can do on individual farms through blanket land clearing restrictions. There are three major flaws in this approach. First, it imposes the cost of a public interest on individual farmers instead of recognising, valuing and trusting them as land managers. Secondly, it treats all vegetation as if it has the same importance. Clearing is restricted, irrespective of where important biodiversity values may be located in the landscape. Thirdly, it does not put this restricted land into active management for biodiversity outcomes.

Much of the State's landscape requires careful and sensitive active management to protect its values. The previous approach has been proved to be a blunt and ineffective approach. The very people we need on side in our efforts to conserve nature understandably are frustrated because they feel thwarted in managing their own land. At the same time, the State's stocks of biodiversity are going backwards. Over time we have seen more and more species added to the threatened species list. For too long we have put biodiversity at risk by failing to prioritise conservation efforts in a way that is cost-effective.

These proposed laws represent fundamental and transformational reform, a complete overhaul of existing laws. We are continuing to value and to protect our native plants and animals but we are also making the legislative framework more flexible and simple so that it works for everyone, instead of imposing overly burdensome regulation unfairly on one part of the community. We are streamlining a cumbersome and overly prescriptive system to make it easier for landholders to get on with the routine business of managing their land. We are delivering a strategic approach to biodiversity conservation, which is backed by an historic government commitment of \$340 million over five years to drive the conservation of biodiversity. This includes an additional \$100 million over five years for the Saving Our Species program and funding for a new and strategic prioritised private land conservation program: \$240 million over the first five years and \$70 million per annum ongoing, subject to program performance reviews.

The new framework is based on the widely accepted view that we can have sustainable development while also protecting and enhancing our biodiversity. The existing system focuses on protecting biodiversity through regulation: the stick. It does not address the ongoing need to invest in biodiversity: the carrot. This legislation contains a wider range of statutory tools and levers to ensure that government resources are more appropriately targeted. People who live on the land are commonly best placed to manage degraded ecosystems to make sure they are delivering for nature and the public good. We are putting more trust in individuals to do the right thing and focusing our regulatory effort where it is needed. We have created a system to deliver appropriately targeted and strategic investment in biodiversity conservation to support land managers to restore our degraded landscapes, to build landscape connectivity and to protect our native wildlife. We are shifting to a risk-based approach to land management to allow people to take reasonable steps to manage and develop their land with a greater series of checks and balances, which will allow us to avoid, mitigate or offset important impacts.

We acknowledge up-front that this new approach to land management may lead to some increased clearing at a property scale, but there are checks and balances to ensure that the impacts of that clearing are managed through a suite of set asides, caps, offsets, investments, market-based instruments, monitoring and regulatory enforcement. The Minister for Primary Industries, and Minister for Lands and Water in the other place has already talked about how landholders will be supported with much improved extension services so they can see the benefits to them of participating in our investment programs and complying with this new fairer set of laws. As opposed to the current site-based system of tough enforcement only, this range of approaches aims to enlist land managers to contribute to biodiversity conservation at the bioregional scale. We are rebalancing and ensuring that laws are clear and enforceable. It is essential to focus our biodiversity conservation efforts on the needs of and incentives for land managers. More than 70 per cent of land in New South Wales is under private ownership or Crown leasehold.

I will now briefly outline the proposed provisions of the Local Land Services Amendment Bill 2016. The Minister for Primary Industries, and Minister for Lands and Water in the other place has gone into more detail about the amendments to the land management framework. The bill inserts a new part 5A into the Local Land Services Act 2013 to regulate native vegetation and land management in rural areas. This new approach will require triple bottom line decision-making and it will provide clarity and certainty to landholders about what vegetation can be cleared. Division 2 of new part 5A of the Local Land Services Amendment Bill provides for

a native vegetation regulatory map that will underpin the regulatory framework. The map will designate rural land into two categories: category 1—exempt land, where clearing can be carried out without an approval or notification processes under the Act; and category 2—regulated land, where landholders will need to find an appropriate pathway under the Act in order to clear.

Before the mapping framework is switched on, the Office of Environment and Heritage will undertake targeted consultation with landholders to ensure that the map is accurate and to give all stakeholders confidence in the mapping framework. The science and technologies that will be used to produce the map will put New South Wales at the cutting edge of vegetation mapping. Division 3 of new part 5A sets out the approval pathway options for category 2—regulated land. Division 5 of part 5A sets out some important functions of the Minister for the Environment to ensure that the biodiversity impacts of clearing under codes of practice are minimised. The Minister for the Environment will continue to have a role in clearing regulation under the new framework through a concurrence role in the making of native vegetation management codes and in jointly recommending, with the Minister for Primary Industries, amendments to the allowable activities provisions in schedule 5A to the Act.

Additionally, the Minister for the Environment will have a role in exercising a power, if needed, jointly exercisable with the Minister for Primary Industries, to restrict the use of codes. This can be utilised if there are unanticipated issues with the use of codes under the reforms and is an important safeguard for the environment. Changes to the proposed code metrics have improved their environmental settings, ensuring they are not able to be used in an expanded range of sensitive areas. They require a greater amount of land to be set aside and require management to benchmark to improve their biodiversity and carbon performance over time. The bills also embed the principles of ecologically sustainable development in guiding decision-making under the Local Land Services Act and the proposed Biodiversity Conservation Act.

The Biodiversity Conservation Bill 2016 will amend the Forestry Act to ensure that sustainable forestry operations on private land will be regulated as an ongoing activity and no longer treated as a form of land use change. To give effect to this, the Government will make a regulation under the Local Land Services Act that will mean that native vegetation management codes under that Act and certain allowable activities will not apply to land that is subject to a private native forestry plan. Private native forestry will be required to comply with the Private Native Forestry Code of Practice and be authorised by a private native forestry plan. While the bill makes necessary changes as a result of the repeal of the Native Vegetation Act 2003, the Government remains committed to commencement of the new native forestry regulatory framework over the next year.

I will now describe the proposed provisions of the Biodiversity Conservation Bill 2016. The independent panel concluded that the new legislation requires an integrated and simpler set of high-level objects. The panel recommended an overarching goal and core objects. The full scope of the Biodiversity Conservation Bill 2016 is reflected in the proposed objects. It is important that the bill states the purpose behind it and that the objects clearly indicate how that purpose will be met. The major impacts of climate change on biodiversity and the need to consider this as part of the reforms was a common theme raised in feedback on the draft bill. We have listened to that feedback and inserted a new object to support biodiversity conservation in the context of climate change.

In relation to climate change, these reforms are complemented by the new New South Wales Climate Change Policy that the Premier and I announced on 3 November 2016. The New South Wales Government has set an aspiration to achieve zero net emissions by 2050. Taken together, these two reforms will create significant opportunities for rural landholders to play an increasingly large role in land-based carbon sequestration. The bill includes a conventional provision for five-yearly reviews to determine whether the policy objectives of the Act remain valid and whether the terms of the Act remain appropriate for securing those objectives. These reviews will involve public consultation and a report will be tabled in both Houses.

The Local Land Services Amendment Bill 2016 proposes to insert a new section 212 in the Local Land Services Act 2013 requiring that the review of the native vegetation management provisions of that Act be undertaken in conjunction with the review of the Biodiversity Conservation Act. In addition to these standard five-yearly reviews, this Government will also conduct a review of the new laws, supporting policies, programs and funding within three years of implementation. This review will assess the balance in the new system, including the effectiveness of the policy settings and legislative framework, the awareness and acceptance of the community, the native vegetation extent and condition, the uptake of incentives for conservation and other biodiversity conservation actions, as well as the level of development and increased farm productivity. The outcomes of this review will inform Government to make sure that we are delivering balanced development and conservation outcomes as expected.

Part 2 of the Biodiversity Conservation Bill 2016 retains the Government's role in protecting native animals and plants. It focuses on conservation outcomes. Part 2 of the bill establishes the core framework of the legislation aimed at protecting our biodiversity and our threatened species. It brings forward and strengthens provisions from the Threatened Species Conservation Act 1995 and the wildlife elements of the National Parks



and Wildlife Act 1974 that establish protections for our native wildlife. Division 1 of part 2 establishes the core offences for harming and picking threatened species and ecological communities and also certain protected plants and animals, including our precious marine mammals. This includes prohibiting a person from knowingly damaging the habitat of threatened species and ecological communities. The part also regulates the buying, selling, trading, importing, exporting and possessing of native wildlife.

The Biodiversity Conservation Bill 2016 contains strong deterrents. Under the bill, the maximum penalty for illegally dealing in and possessing protected animals and protected native plants is \$22,000 for an individual and \$110,000 for corporations. We have also significantly increased the penalties for offences involving threatened species, if the animals and plants are endangered or critically endangered. The maximum penalty will be \$330,000 and imprisonment for up to two years for an individual and \$1,650,000 for a corporation. Division 2 of part 2 then establishes the various defences available to individuals, businesses and other parties. This includes acts authorised by other laws, acts authorised by regulations or codes of practice and acts authorised by biodiversity conservation licences. This includes critical organisations such as the Rural Fire Service, whose volunteers will continue to be protected from prosecution, carrying over the status quo.

The Biodiversity Conservation Bill 2016 includes much-needed reforms to the State's threatened species laws. The continued increase in the number of threatened species in New South Wales shows that the current system is not working. The number of threatened species in New South Wales has grown to around 1,000 and more than 70 species are now presumed extinct. The latest State of the Environment report shows that around 60 per cent of mammal species in New South Wales are threatened with extinction, along with 30 per cent of birds and 14 per cent of native plants. This is a disturbing trend that this Government is not willing to accept. We are committed to tackling the weaknesses in the current system to ensure that we have the best measures available to conserve biodiversity.

The bill includes internationally leading approaches to listing and conserving threatened species. The eligibility criteria for determining a species' risk of extinction are set out in part 4 of the bill. These criteria will be supported by further criteria in the regulations that can only be based on scientific principles. These provisions have been updated to better align with those of the International Union for Conservation of Nature. This will bring New South Wales in line with the international standard. It is highly important that the lists of threatened plants and animals are based on rigorous scientific evidence and give a real reflection of the status of New South Wales' valuable wildlife. To this end, the independent Threatened Species Scientific Committee will continue to base its threatened species assessments on robust scientific method.

New South Wales has recently become a party to the national memorandum of understanding for a common assessment method for listing threatened species and ecological communities. The Biodiversity Conservation Bill 2016 supports the implementation of the memorandum and will facilitate harmonisation of State and Commonwealth lists of threatened species and ecological communities. This will remove the current confusion caused by multiple and inconsistent lists, and reduce duplication of assessment effort and regulatory burden, which the independent panel recognised as being a major concern among industry and all levels of government.

To arrest the continuing decline of threatened species in New South Wales, division 6 in part 4 of the Biodiversity Conservation Bill 2016 requires the establishment of a Biodiversity Conservation Program. The Biodiversity Conservation Bill 2016 updates the onerous process for developing a threatened species priorities action statement with a new program focusing on delivering real and effective on-the-ground conservation action for threatened species and threatened ecological communities. This program will reflect the world-leading approach taken by the New South Wales Saving our Species program introduced by this Government in 2013.

The Saving our Species program includes the ambitious goal of maximising the number of threatened species that can be secured in the wild in New South Wales for 100 years. The Government's reform package, which includes an additional \$100 million over five years for the Saving our Species program, will assist in achieving this goal. Unlike previous programs, Saving our Species focuses on priority actions, monitoring and transparent reporting. The Government has started work on an innovative project under Saving our Species to reintroduce more than 10 mammal species, including the iconic bilby, the numbat, and the brush-tailed bettong, to the State's national parks. This initiative, first announced in April 2014, will see the return of mammal species not seen in their natural habitat in New South Wales for more than 90 years. Funding for this exciting project is in addition to the \$100 million I mentioned earlier.

The Biodiversity Conservation Program will also aim to minimise the impact of key threatening processes on both biodiversity values and ecological integrity. It encourages collaboration with the New South Wales community and businesses to save and restore threatened species, as well as requiring public consultation on conservation strategies. In addition to protecting species at risk, the Biodiversity Conservation Bill introduces innovative measures to conserve areas that provide biodiversity benefits important to all of New South Wales.

The bill establishes a power for the Minister for the Environment to declare areas of outstanding biodiversity value. This addresses a significant gap in the current legislation.

The independent panel recommended replacing the current and little-used mechanism for declaring critical habitat with stronger provisions to maintain, conserve and restore areas of special biodiversity importance by focusing on stewardship activities. A world-class national park system is not enough by itself to secure our biodiversity and maintain healthy and productive landscapes. We need another concept which recognises the exceptional biodiversity value of specific functioning landscapes without the need for government to own the land. Unlike the existing critical habitat provisions in the current legislation, "areas of outstanding biodiversity value" will not be limited to protecting only habitat of, or critical to the survival of, threatened species and threatened ecological communities.

The new mechanism will allow us to work with people on the land to protect sites that make a significant contribution to the persistence of multiple species, irreplaceable biological distinctiveness, ecological processes, ecological integrity or outstanding ecological value for scientific knowledge. The Government intends that this mechanism will be used by the Minister to protect sites vital for maintaining landscape connectivity, supporting migratory species, sustaining climate refuges or the last known site of a species occurrence. Decisions to declare these areas will be informed by a transparent and scientifically robust process. Before making a recommendation to declare an area, the Environment Agency head must seek and consider the advice of the NSW Scientific Committee, the Biodiversity Conservation Trust and the Biodiversity Conservation Advisory Panel.

Regulations to be made under the Biodiversity Conservation Bill 2016 will establish clear scientific criteria for identifying areas of outstanding biodiversity value that are consistent with international standards. The community will be consulted on all proposals to declare an "area of outstanding biodiversity value". The Biodiversity Conservation Bill 2016 requires the Minister for the Environment, after declaring an area, to take reasonable steps to enter into a voluntary private conservation agreement with any landholder whose land is within the area. This will ensure private landholders are properly funded to undertake positive management of areas. These thriving, cherished landscapes will be protected for posterity. People could still live and work in these landscapes, but it will be an offence to damage a declared area of outstanding biodiversity value.

We are fortunate in New South Wales to have a rich and diverse range of native wildlife. But the laws we have now for regulating human interactions with native animals and plants are more than 40 years old and have not kept pace with the evolution of wildlife management in practice. The current system is overly prescriptive, unrefined and difficult to enforce. This is one reason the Biodiversity Conservation Bill 2016 is needed. People interact with wildlife in many ways—observing and enjoying native animals and plants in their natural environment, growing protected native plants as a hobby, undertaking scientific research to understand how our natural environment works, keeping native animals such as birds and reptiles as pets, and even carving emu eggs for artistic purposes. People also care for animals that are sick, injured or orphaned, deal in protected animals and plants from the wild, or in some cases, use them for commercial gain through activities such as selling native animals in pet shops, selling protected native plants or selling kangaroo products.

These interactions with wildlife have grown significantly since the National Parks and Wildlife Act 1974 was enacted. For example, around 1,000 people were keeping native reptiles as a hobby in the 1990s. Today there are around 20,000 licensed native reptile keepers. The New South Wales Government wants to encourage people to enjoy native wildlife and make it easier for people to do the right thing when keeping captive-reared native animals in their homes. Wild populations will remain protected. There is also a strong community expectation that government will ensure people deal appropriately and humanely with animals that are damaging property or affecting human health and safety.

The independent panel recommended modernising and streamlining how we manage human interactions with native plants and animals. The bill maintains strong protections while providing the flexibility needed to manage our native wildlife differently. The fundamental notion that protected animals should not be harmed without a form of licence or consent continues to apply. The panel expressly recommended that government adopt a tiered and risk-based approach to the regulation of wildlife management in New South Wales to credibly regulate high-risk activities and reduce red tape for low-risk activities. We want to redirect government resources to better regulate higher risk activities. Instead of government resources being used to issue licences for lower risk activities, we want to focus on education and compliance where they are needed most, to make sure biodiversity conservation licences and codes of practice work as intended. That is why the Biodiversity Conservation Bill 2016 has not replicated the complex scheme of licences under the current laws but instead provides government and the community with access to more tools to regulate different activities and species according to risk.

Despite recent inaccurate claims by the Opposition, licensing remains an important part of the regulatory toolkit. Licensing provisions under part 9 of the existing National Parks and Wildlife Act 1974 will be replaced by the provisions in division 3 of part 2 of the Biodiversity Conservation Bill 2016. Licences will still be used to

regulate high-risk wildlife interactions, including harming protected animals for damage mitigation purposes. There is no change here when compared to the status quo. Biodiversity conservation licences and codes of practice will impose requirements to keep records for moderate and high-risk activities.

The New South Wales Government will also create a centralised database or public register which will show details of the biodiversity conservation licences issued. Consistent with the independent panel's recommendation, the Biodiversity Conservation Bill 2016 provides the option of making codes of practice and developing accreditation arrangements for wildlife rehabilitation and rescue providers. Codes of practice will set out enforceable rules or standards. If there is any risk that this approach could cause any species to move toward heightened threat status or extinction clearly we will maintain the higher level of regulation by requiring biodiversity conservation licences. Any proposed codes of practice will be subject to public consultation.

Finally, certain activities will be exempt and a person will have a defence for those activities. These activities will be prescribed in the regulations and will mirror existing exemptions and policy decisions. For example, people will be able to continue keeping certain native birds, including budgerigars and cockatiels as pets without needing to apply for a biodiversity conservation licence or to comply with the code of practice. The bill will also provide Aboriginal people with defences to prosecution for domestic use of plants and animals or where they pick protected plants on Aboriginal land with permission of the Aboriginal owners. This new framework will bring greater transparency and an improved focus on conservation outcomes and improved compliance.

Part 10 of the bill establishes a new not-for-profit Biodiversity Conservation Trust to support and encourage landholders to protect and conserve biodiversity on private land. The trust will make it easier for landholders to identify and take advantage of opportunities to be rewarded for protecting biodiversity on private land. It is essential that the trust lives up to its name and builds relationships based on trust with landholders. It may choose to engage partners in local communities, like Landcare New South Wales, Local Land Services and local environment or community groups to tailor its services to different conditions.

The trust will build on the progress already made by the Nature Conservation Trust to build awareness about private land conservation in New South Wales and effectively engage landholders. The trust will be not-for-profit and its objective will be to enhance and protect biodiversity. It will also be able to accept donations of money or land to support conservation where people choose to make a contribution in this way. The trust will have substantial responsibilities under the new private land conservation program and biodiversity offsets scheme. I will discuss these functions later in this speech.

The trust will be managed by an expert board appointed by the Minister for the Environment. This will include experts in protection and conservation of biodiversity, management of natural resources and financial management. The Minister will be able to provide guidance and support to the trust to fulfil its new responsibilities by providing directions to the trust where needed. Any directions given to the trust by the Minister will be published to ensure they are transparent. With less than 10 per cent of New South Wales within the public reserve system and more than 70 per cent of the State under private ownership or Crown leasehold, private conservation efforts are critical to maintaining healthy, functioning and connected landscapes across New South Wales.

The reforms include an investment of \$240 million over five years in private land conservation. This level of investment is unprecedented and will transform biodiversity conservation in New South Wales. The Government wants to see an enduring private land conservation program and has committed to investing \$70 million in each following year, subject to program performance reviews. This is a central element of these reforms. It marks a new era in environmental management by recognising biodiversity conservation as a public good that should be paid for by the broader community. It will build over time the equivalent of a national parks estate on private land, connecting together critical remnant vegetation. This is a long-term and long-sighted initiative.

Just as Tom Lewis when Premier established the National Parks and Wildlife Service, the Government hopes that this initiative will be remembered as a seminal moment in addressing the long-term needs of nature in New South Wales. Of all parts of the reforms, it is this part that has been warmly welcomed by all. Its need is recognised by all. But despite that unanimity of opinion, this is the Government that has said it will do it. This is the Government that has found the budget to fund it. This is the Government that will go beyond gesturing and actually deliver it. We will recognise trust and value the good land management of people who live on the land. It delivers on a key recommendation of the panel and will build on growing research about the benefits of protecting biodiversity on private land.

In the past we have tried to conserve biodiversity by placing restrictions on individual farmers without taking into account broader landscape needs. This has proved to be a blunt approach that has not stopped environmental decline and has contributed to social and economic strains across New South Wales. We need to change the equation to ensure that biodiversity is conserved and valued in every region of this State. It is time to

take a strategic approach to biodiversity conservation that seeks to achieve outcomes at bioregional and State scales rather than at individual farm gates. An ongoing, well-funded and targeted private land conservation program will expand the tools available to the Government to protect biodiversity while at the same time offering landholders an opportunity to diversify their incomes by managing parts of the properties for environmental gains. That is a genuine win-win for individuals, the broader community, and the environment.

The trust will be guided by biodiversity, conservation, and an investment strategy produced by the Minister for the Environment under part 5 of the bill. The new strategy will identify priority investment areas on a publicly available statewide map, as well as principles for investing in those areas. This will enable the trust to target core areas of remnant vegetation, State and regional biodiversity corridors, areas containing the least protected ecosystems, and areas required to increase the comprehensiveness, adequacy, and representativeness of biodiversity in protected areas on public or private land. It will also support non-government organisations, local councils and Local Land Services to consider where they may wish to invest in biodiversity conservation.

The strategy will also include a statewide map of the existing protected area network across public and private land. Over time, this protected area network will grow through the Government's investment in private land conservation. It will provide strategic direction to biodiversity conservation and investment that has been missing for decades. The Government will develop the strategy in consultation with the community, landholders and non-government organisations over coming months.

Part 5 of the bill establishes a new framework for private land conservation agreements. Instead of the seven different types of conservation arrangements that exist currently, there will now be a simpler system of three tiers of voluntary private land conservation agreements. This framework will remove duplication, improve incentives, and reduce barriers for landholders to enter into long-term private land conservation. The three tiers of agreements provide different options for protecting biodiversity. Biodiversity stewardship agreements, also known as tier 1 agreements, will create permanent protection and management of biodiversity. These agreements will allow for the creation of biodiversity credits, which can be purchased by developers to offset the biodiversity impacts from development. Philanthropic organisations or government may also choose to purchase these credits to ensure permanent protection of important biodiversity.

By selling their credits on the market landholders may receive an up-front financial return, as well as generating a fund to support annual payments to cover the cost of ongoing management of their stewardship site. This creates a financial incentive for landholders to conserve biodiversity on their properties, and offers an additional income stream to support conservation management. Conservation agreements, or tier 2 agreements, are permanent or time-bound agreements that will be eligible for grant payments or stewardship payments. It is expected that conservation agreements will typically be used to maintain sites with high existing biodiversity values. Wildlife refuge agreements, or tier 3 agreements, are an option for landholders who wish for altruistic reasons to protect the biodiversity on their property. These agreements are less restrictive and can be terminated at any time, or converted into higher forms of agreements. They may in some cases be eligible for grant payments. The new private land conservation program will build on existing efforts to create a private protected area network that complements the public reserve system. These reforms represent a significant opportunity for landholders to diversify their income streams. I encourage all landholders to actively engage in the new private land conservation program from next year.

We cherish biodiversity, so why should we not also value it? I have already referred to the significant new funding this Government is committing. However, it is doing more than that. It is time to recognise that we are serious about doing business correctly, making biodiversity protection a positive in our economy. The Government is introducing a comprehensive suite of economic tools and market-based systems because it believes that if we are going to transform biodiversity and land management, it must link it directly to economic prosperity. The biodiversity conservation and land management reforms are designed to facilitate ecologically sustainable development in New South Wales.

Parts 6 and 7 of the bill establish a regulatory framework for assessing and offsetting biodiversity impacts from proposed development. Part 6 establishes a new biodiversity offsets scheme. This will, for the first time, deliver a transparent, consistent and scientifically-based approach to biodiversity assessment and offsetting in New South Wales. The scheme reflects international best practice by implementing an avoid, minimise, and offset framework. The new offset scheme builds on work the New South Wales Government has been doing since 2013 to offset the impacts of development on biodiversity. Many environmental groups oppose the notion of biodiversity offsets, but this is unrealistic. If we are to deliver economic, social and environmental outcomes we need to establish systems that are pragmatic and achievable. Biodiversity offsetting approaches are being increasingly used in Australia and internationally. The International Union for the Conservation of Nature has stated that a well-designed biodiversity offsets policy can contribute to positive conservation outcomes.

Importantly, the offsets scheme recognises that there are some types of impacts on biodiversity that are not acceptable to the community. These are legally termed "serious and irreversible impacts". They will be determined in accordance with guiding principles set out in the regulations and taking into account statutory guidelines published from time to time by the Office of Environment and Heritage. This approach will provide guidance to councils and proponents on what are likely to be serious and irreversible impacts, while still providing flexibility for the consent authority to take into account the circumstances of particular proposals.

For the first time in New South Wales, development consent cannot be granted for non-State significant development under part 4 of the Environmental Planning and Assessment Act 1979 if the consent authority is of the opinion it is likely to have serious and irreversible impacts on biodiversity values. It is a first for New South Wales to establish what have become known as red flags to many in the community. This is an important step forward. This will give our most threatened native plants, animals and ecosystems the best chance of survival, by reducing extinction pressures from development.

Because this is a pragmatic scheme, serious and irreversible impacts will not automatically halt State significant development and State significant infrastructure. This acknowledges that sometimes the social or economic benefits of major projects may outweigh the environmental impact. This will be a decision for the consent authority. For example, a decision-maker may decide to approve a major highway straightening project on the basis that this will save numerous lives even though it might put a threatened ecological community at risk. This is the logic of triple bottom line decision-making.

A central element of the new scheme is the introduction of a single biodiversity assessment method that will replace a range of existing biodiversity assessment methods in use under the current planning and threatened species legislation. The biodiversity assessment method will deliver a single, clear and scientifically robust approach to assess biodiversity impacts from development in New South Wales. This approach will apply to State significant development and infrastructure, as well as all other development that is likely to affect significantly threatened species or threatened ecological communities.

The biodiversity assessment method will clearly guide developers on how to avoid and minimise impacts to biodiversity before calculating an offset amount in biodiversity credits for any remaining impacts. This is an improvement in an urban context, where the seven part test provides less clarity around when developments will require offsets up-front. We anticipate this will ensure that more urban development avoids, mitigates and offsets impacts through the scheme. The offset amount will be calculated based on a "no net loss" standard which is embedded in clause 6.7 (3) (a) of the bill. It means that in the opinion of the Minister, in order to have no net loss, an offset needs to be of value equivalent to any impacts as calculated by the biodiversity assessment method.

The biodiversity assessment method will ensure for the first time consent authorities will receive clear and consistent information on the biodiversity impacts of development and an offset amount calculated in biodiversity credits. This will provide important information for consent authorities when making triple bottom line decisions for development consents. The Minister for the Environment will be responsible for establishing an assessor accreditation scheme. The department will draw on its experience accrediting biodiversity assessors as part of the current offsetting scheme and will undertake further public consultation on the scheme in the coming months.

If the offset rules allow for it, and a consent authority or the Native Vegetation Panel approves it, a requirement to retire biodiversity offsets may be met using other conservation methods that benefit biodiversity values. For the first time, proponents will have the option to make a payment to a biodiversity conservation fund to satisfy an offset obligation, rather than finding the offsets themselves. The fund will be administered by the new not-for-profit Biodiversity Conservation Trust. The trust will be responsible for securing offsets when a proponent chooses to pay into the fund. By delivering offset requirements from multiple developments the trust will be able to take a more strategic approach to investment in offsets.

A calculator will determine the amount that must be paid into the fund. The price will reflect the costs the trust is likely to incur in securing the necessary offsets. It will be updated regularly by the trust to keep pace with the market as it evolves. Proponents will still have the flexibility to seek biodiversity credits themselves as an alternative to paying into the fund. By establishing an expanded credit market the offset scheme will make it easier for proponents to pay landholders to deliver offsets on their behalf, rather than needing to establish offset sites themselves. Part 8 of the Biodiversity Conservation Bill 2016 establishes a mechanism for managing biodiversity conservation in the context of strategic land use planning. It establishes an expanded and improved biodiversity certification scheme.

Biodiversity certification allows for the broadscale assessment of development impacts at the strategic planning stage. It also allows planners to identify and strategically locate biodiversity stewardship sites to improve the ecological integrity of landscapes. After biodiversity conservation is conferred on an area of land, the

development may proceed without the usual requirement for site-by-site biodiversity assessment. That is because the Minister for the Environment will have been satisfied that proposed conservation measures adequately address the likely impacts on biodiversity values of the biodiversity certification of the land. This system streamlines assessment processes, lowers costs, offers certainty to developers, the community and local government, and improves environmental outcomes through a more strategic and consolidated approach to development and conservation.

The bill is improving the scheme through the establishment of a new category of strategic biodiversity certification for planning authorities. Proposals declared to be strategic can use a broader range of conservation measures to offset impacts while still being based on the biodiversity assessment method. This is intended to encourage planning authorities to take a more strategic approach to offsetting biodiversity impacts. Only by doing so would they then be eligible to utilise the full range of conservation measures. In addition to the transparent and consistent approach to biodiversity assessment, the scheme will increase opportunities for landholders to establish stewardship sites on their land and to receive annual payments for management actions to improve biodiversity values. The Government will work with stakeholders next year to identify future priority areas where strategic biodiversity certification will offer the most value. This will include piloting biocertification in an agricultural context to investigate its viability in regional New South Wales.

The independent panel recommended that the Government complement the reforms with a strong and effective compliance and enforcement regime for those few who may seek to do the wrong thing. The bill creates a framework of offences with strong penalties. The changes proposed in this framework will only be effective with a robust compliance and enforcement program. The bill contains a range of compliance tools to ensure that action is proportionate to risks. The Office of Environment and Heritage will be responsible for ensuring compliance with the Biodiversity Conservation Act and part 5A of the Local Land Services Act. The Biodiversity Conservation Bill 2016 and Local Land Services Amendment Bill 2016 have tough penalties. For example, a person found to have harmed a threatened species can be prosecuted for an offence and penalised \$330,000 with up to two years imprisonment, while corporations can expect penalties of up to \$1.65 million.

The reforms will improve the way we track the status of biodiversity in New South Wales. The independent panel found that we lack adequate data to have a clear understanding of the condition of our native wildlife and ecosystems. Many stakeholders also highlighted the need for better monitoring, evaluation and reporting. Clause 14.3 of the Biodiversity Conservation Bill 2016 requires the environment agency head to establish programs to collect, monitor and assess information on biodiversity. This monitoring program will be key to reporting on the status and trends to the extent and condition of biodiversity. To ensure we are aware of the impacts of the native vegetation management framework on biodiversity, the Local Land Services Amendment Bill 2016 will require Local Land Services to report annually on estimated rates of clearing for allowable activities and clearing authorised by the native vegetation management code.

The Government is committed to making environmental data available and discoverable. Division 2 of part 9 of the Biodiversity Conservation Bill 2016 obliges the Government to create and maintain online public registers. This includes, but is not limited to, public registers of biodiversity conservation licences, declared areas of outstanding biodiversity value, private land conservation agreements, holders of biodiversity credits, accredited assessors, remediation orders, and conservation strategies for threatened species and ecological communities. Those registers will allow the public to find information on actions the Government is taking to conserve biodiversity and ecological integrity. A public register of set-asides will also be established under the Local Land Services Amendment Bill 2016 to clarify set-aside management obligations and to give effect to the intention that set-asides are in perpetuity and will bind future landholders.

Part 14 of the Biodiversity Conservation Bill 2016 will establish a new biodiversity conservation advisory panel empowered to provide expert advice to the Minister to assist in the effective functioning of the Act. Australia is party to a number of international agreements, treaties and conventions that aim to conserve biodiversity—the Convention on Biological Diversity, the Convention on the Conservation of Migratory Species of Wild Animals, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, and the Ramsar Convention on Wetlands, to name a few. The bills presented to the House today will help Australia to meet its international obligations. Notably, the objectives of the Biodiversity Conservation Bill 2016 and the Private Land Conservation Program are consistent with national and international obligations to facilitate the sustainable use of biodiversity and to promote a connected network of public and private land to help build a system of protected areas that is comprehensive, adequate and representative.

The Government has completed extensive and genuine consultation with the people of New South Wales on the reform package. There were two rounds of public consultation on the land management and biodiversity conservation reforms. The first was when the independent panel completed public consultation ahead of preparing its final report in 2014. The second was when the Government released drafts of these bills, alongside supporting

products, for an eight-week public consultation period in May and June 2016. Hearing the views of our stakeholders and the broader community during the public exhibition period was very important to refining the package of bills being introduced today.

These bills are enabling legislation that provides the tools to protect and conserve biodiversity and to manage land in New South Wales. The bills are designed to be supported by regulations and other detailed products. The Government will continue to engage on the reforms with stakeholders and the community across New South Wales as the regulations and other subordinate instruments are prepared over the coming months. There will be many opportunities for the public and affected businesses and individuals to comment on the detail of this scheme. Once these perspectives have been considered, the new scheme will be able to commence from mid-2017. Over the longer term, the reforms will also be subject to regular review, to ensure that they are achieving the proposed aims of the Biodiversity Conservation Bill 2016 to conserve biodiversity on a statewide and bioregional scale.

These bills are a central element of our broader land management and biodiversity conservation reforms. They aim to encourage truly sustainable development, to focus our efforts on guided investment in conservation, and to modernise and transform the way that biodiversity is valued and conserved in New South Wales. I thank all those who have contributed to the development of this package. I thank my ministerial staff who have worked on this, including my chief of staff, Bran Black, and my policy director, Dominic Kelly. I thank officers of the Office of Environment and Heritage, the Department of Primary Industries, and the Department of Planning and Environment who stayed back until the early hours of this morning to assist. I thank my colleagues the Minister for Primary Industries and the Minister for Planning, who are the joint sponsors of these bills. I thank the Premier's office and the office of former Deputy Premier Troy Grant, who have contributed significantly to this package.

I thank all stakeholders, those who support this legislation and those who do not. The package is intended to find the middle ground. It is intended to encourage sustainable development and farm productivity, but at the same time it reverses the historic decline we have seen in biodiversity conservation in New South Wales. All views were taken on board and were added to the melting pot that led to this middle-road approach. I commend the bills to the House.

**Mr LUKE FOLEY (Auburn) (11:03):** I stand here today more in sadness than in anger to respond to the Government's dismantling of the laws and institutions that were set up by the Carr Labor Government to safeguard the ecological fabric and the long-term agricultural future of our State. The Baird Government intends to repeal the Native Vegetation Act 2003 and the Threatened Species Conservation Act 1995 and to replace them with the new Biodiversity Conservation Bill 2016 and the Local Land Services Amendment Bill 2016. The package also includes smaller enabling amendments to various related pieces of legislation.

This major reform is not dominating front pages. It is hard for most city folk to really engage with the problem that largely occurs many hundreds of miles from the coast. I note that this legislation will have an impact in urban areas. It is a companion piece to this Government's destruction of trees that has mobilised communities across Sydney as stands of heritage trees are mown down to make way for suburban development. These bills have devastating implications. The legislation is a complete negation of the Government's responsibility to protect the assets that all New South Wales residents, now and in the future, require to live well and prosper. It is clear that the outer reaches of The Nationals are running this area of policy, imposing short-term, self-interested and woefully regressive policy on the State. The most powerful damnation of these laws came last week when Professor Hugh Possingham, one of the scientific experts engaged by the Government to advise on the new regime, resigned in disgust. His statement sums up the situation. He said:

If you increase the quantity and quality of land clearing, you increase the chances of extinction.

In these laws the devil is in the detail. There is a complicated set of prescriptions in the bills. That is ironic, given that one of the problems these new laws address, we are told, is complexity. At its heart this new regime will fail to declare precious bush out of bounds for clearing. It will leave no critical habitat safe. It will instead allow clearing with offsets, which totally fails the core offset principle of like for like—that is, trading away one piece of bush in return for saving another makes sense only if the bush is comparable and geographically close. Rehabilitated mine sites do not equate to well-established koala habitats. The regime allows for a free-for-all of ecosystem destruction and offers instead money—payments to landholders with no legislated scientific bottom line. Taxpayers' money will be spent in the vague hope of delivering some environmental benefit. I am reminded of the great American conservationist John Muir, who said:

God has cared for these trees, saved them from drought, disease, avalanches, and a thousand tempests and floods. But he cannot save them from fools.

I will examine the history of our current laws. In 2002 the country was feeling the impact of one of the worst droughts in recorded history. By February 2003 the entire State, including Sydney, had been drought declared.

The then Federal Treasurer estimated that the drought had cost the economy \$2 billion. The then New South Wales Premier said that 40,000 regional jobs had been lost as a result. Rural New South Wales was hurting terribly. In the Far West, much of the land was taken out of production entirely, left to lie fallow. In response to this misery two distinct and competing narratives emerged. Certain figures began spruiking the idea of drought-proofing Australia. Grand engineering schemes were proposed. The idea was that the country could be further beaten into submission by imposing ever more ambitious engineering solutions to bend the brown, erratic land and make it conform to our cultural vision of a productive country grounded in the European imagination, by sheer willpower overcoming its tired soils and its boom and bust ecology.

One of the proposals that received the most airplay was an updated version of the old, and I think discredited, Bradfield scheme. John Bradfield, the brilliant engineer who designed the Sydney Harbour Bridge, had also proposed damming coastal rivers and piping their water into the dry heart, over the Great Dividing Range. A group of corporate leaders spruiked funding such a scheme in the great drought in the early 2000s. So while the impacts of drought, an unavoidable feature of the Australian landscape, were being exacerbated by the history of undermining its fragile balance by diverting rivers, draining groundwater and clearing land that allowed fragile top soils to blow away, this response suggested we tinker further with nature—a logic that, by undermining its natural resilience and systems further, we could arrest the devastating impacts of Australia's weather patterns and two centuries of land clearing.

The images that the media were bringing into homes in the coastal cities were reminiscent of the images painted by Sidney Nolan for the *Courier-Mail* during the drought of 1952: never-ending red-brown dust, flat landscapes, no vegetation, animal skeletons, desolation. That was when a group of Australia's most respected scientists saw media images of children standing in those types of landscapes, their family farms, and decided they needed to intervene. This was not just drought undermining our farming communities but the impacts of totally dysfunctional land management—one where the ecological processes that once kept the land and its systems operating through dry times were completely undermined.

On 10 October 2002 these scientists, including chief of the CSIRO's Land and Water Division, John Williams, Professor Peter Cullen and Tim Flannery, had dinner at the Wentworth Hotel in Sydney and decided it was time to argue for an alternative vision. The scientists pointed out that managing drought requires us to work with the landscape, not against it, and the idea that we could somehow increase our security and increase productivity by stripping the land of more vegetation and further disrupt the natural water systems of the continent by redirecting water was ludicrous. As Professor Cullen said at the time, "You can't drought-proof Australia. We need to learn to try and live with the landscape, not try and fight against it all the time."

These scientists argued that the way forward required a new relationship with the land. Central to the blueprint the scientists put together that night was the need to stop clearing vegetation and to return natural flows to our rivers. But also to clarify property rights for farmers, build solutions from the communities, provide assistance to farmers as they adjusted to more sustainable practices, provide ways for the broader community to compensate farmers for the land management they deliver for the rest of us, and to come clean about the hidden costs that the environment carries in our agricultural production. And almost right on cue, a dust storm hit New South Wales. On 23 October it is estimated that seven million tonnes of precious topsoil blew away. It was one of a number that reached us here in Sydney, on the edge of our parched continent, covering our cars in dust, creating haze and making our eyes scratch. In a heavily cleared landscape there was nothing to hold the depleted soil; it just blew away.

And the New South Wales Labor Government responded. Premier Carr invited the Wentworth Group to deliver a proposal for addressing those challenges. The Wentworth Group's blueprint document became the basis for a framing policy statement, *Getting the Balance Right*, in which the Labor Government enshrined the principles for a new legislative and institutional approach: ending broadscale clearing of remnant vegetation and protected regrowth across New South Wales; making available \$120 million over four years to support the farming community to implement the Government's plan, with funding made available to farmers as soon as possible; implementing interim arrangements for the delivery of funds, including simplifying delivery and local involvement mechanisms; making available property management planning expertise and vegetation data in priority regions; recognising that the financial burden for biodiversity conservation needs to be shared across the community; and ensuring that the NSW Farmers Association and environmentalists are involved in setting up the new native vegetation management scheme.

Bob Carr wanted the rural community and its representatives at the centre of designing the detail of this policy. He appointed the former Federal Leader of the National Party, the Rt Hon. Ian Sinclair, to chair the Native Vegetation Reform Implementation Group. Ian Sinclair's appointment and the make-up of that group affirmed the intention of Premier Carr's Government to deliver a radically new collaborative approach. The panel included representatives of the NSW Farmers Association, the conservation movement, the Wentworth Group of



Concerned Scientists as well as the natural resources department and Treasury. Together, they hammered out the reforms and designed the new regime. Their report to the Premier began, and I quote:

The Wentworth Group's report to the Premier recognised that today there are thousands of farmers who want to restore our damaged rivers and landscapes and create a new model of sustainability that would become the envy of other nations.

The Wentworth Group's report goes on to say:

These people have energy, commitment and ideas, but they need to be supported by resources and access to the latest scientific information.

The real debate about land clearing is not about trees, but about better management of native vegetation so that farmers can protect our rivers which produce fresh water and manage our land so they can continue to produce the food we eat and the clothes we wear.

The vast majority of this continent is managed by individual landowners (both black and white). They make decisions every day that either benefit or damage the long term future of our natural resource base.

Fundamental to the success of a new model for landscape management is simplifying the overwhelmingly complex structures that exist at present, to empower the farming community to take control of the problem, to back them with first class science and provide them with adequate public funds to deliver on-ground solutions on the farm.

New South Wales needs a sound approach to the management of our native vegetation that:

- is built on a shared commitment to develop the world's leading agricultural production systems that utilise maximum water efficiency and sustainable farming practices;
- is capable of sustaining regional development with secure access to natural resources;
- protects the environment by restoring and maintaining the quality of our water, soil and biodiversity; and
- is based on mutual trust between farmers, environmentalists, governments, and the wider community.

And so it was that after many months of discussion, debate, listening to each other and disagreeing, compromising scientists, environmentalists and farmers designed a way to deliver those ambitious goals. On 12 November 2003 Minister Craig Knowles brought three bills to Parliament—the elegant, interconnected system that aimed to protect our natural assets, support farmers, enshrine sustainable farming and allow better regional and State planning. The bills created the Natural Resources Commission to provide the foundations for a move away from the conflict that historically marked the natural resource debate to a professional, outcomes-based approach. The Natural Resources Commission was to advise the Government, based on the best scientific, economic and social information, on setting clear targets for the condition of our natural resources, which would allow New South Wales to track its progress and achieve its goals.

Thirteen catchment management authorities were established. They replaced the 72 natural resource management committees and allowed local communities to have a more direct say in key decisions about how their natural resources were managed. Being based in local regions, they removed a lot of process and bureaucracy and allowed a focus on results and performance. The catchment management authorities were the key landscape managers in local regions, doing day-to-day administration and delivering natural resource management programs. They were charged with developing comprehensive catchment action plans and ensuring smoother, faster funding for delivery of natural resources goals to regional communities.

Finally, the Carr Government's Native Vegetation Act had the job of delivering that Government's commitment to ending broadscale clearing and maintaining productive landscapes. It relied on the definitions for native vegetation, regrowth and protected regrowth that the Sinclair group established. It provided the practicality and flexibility for continuing routine agricultural management activities and it established a new consent process for native vegetation management based on property vegetation plans. The Act ensured that landholders who voluntarily developed individual or group property vegetation plans were supported. The primary benefits of the new system included giving farmers the opportunity and flexibility to take the initiative to develop a plan for the whole property, the opportunity to link plans at the property level to the catchment action plans, and new development consent rules to end broadscale clearing but allow flexibility for farmers to continue running their farms without undue interference.

The natural resources reforms of 2003 were some of the proudest achievements of the Carr Labor Government. They not only arrested environmental decline but also offered a system that cascaded down from statewide targets to locally interpreted and delivered outcomes. For all but the most rabid of ideologues, the system worked well. It took the conflict out of the natural resources debate, allowed farmers a clear sense of what could and could not be done, and provided support to deliver that. The results speak for themselves. The World Wildlife Fund estimates that the number of native animal deaths due to tree clearing dropped by 116,000 per year after the introduction of the Native Vegetation Act in 2003. The Government's records show that between 2009 and 2011 clearing for agriculture declined by 68 per cent and for development by 57 per cent.

The need to arrest these impacts is so clear. The environmental health of New South Wales is parlous. The Government's own public service provides some sobering facts. For example, 59 per cent of mammals, 34 per cent of amphibians, 30 per cent of birds, 18 per cent of reptiles and 14 per cent of plants indigenous to New South Wales are threatened with extinction. I am a koala fan. The koala population in New South Wales has dropped by around 40 per cent in the past 20 years alone. Some 968 individual species of native animals and plants are threatened with extinction, with 72 of those species presumed extinct. Ninety-one per cent of native vegetation in the State is disturbed by land use and land management practice, and 39 per cent of native vegetation has been cleared, replaced or removed or altered significantly. A total of 104 ecological communities are threatened and 86 per cent of those are endangered—that is, at imminent risk of extinction. As scientists and this Government's experts reiterate constantly, land clearing and fragmentation are the most severely threatening processes to our native species.

Along with the overwhelming facts about environmental and species health, we must also consider the climate change impacts of the carbon emissions released by tree clearing. Standing vegetation stores carbon. Rotting or burning vegetation releases that carbon into the atmosphere, creating carbon pollution and driving up our emissions. As Australia faces up to its Paris treaty responsibilities we should be replanting, not further stripping the land. The value of native vegetation to our economic future is immeasurably greater when it remains upright and is not mown into the soil for marginal cropping in good years. In the early 2000s when the Labor governments of New South Wales and Queensland moved to arrest tree clearing Australia managed to deliver its Kyoto commitments to reduce emissions based on that avoided deforestation alone. It is no wonder Prime Minister Howard supported the reform. But, of course, since Premier Campbell Newman dismantled tree clearing laws in Queensland and with Premier Baird about to follow his lead those gains will be lost. In Australia's report to the United Nations Framework Convention on Climate Change it states that from 2005 to 2013 land use emissions dropped by 10 per cent but they will increase by 8 per cent from 2013 to 2020.

Modelling by environmental and economic consultancy firm CO2 Australia indicates that the cumulative emissions from tree clearing from 2016 to 2030 are likely to be between 673 million and 826 million tonnes of carbon dioxide based on the existing Queensland and proposed New South Wales laws. By way of comparison, that is the equivalent of operating at least three to four extra Hazelwood coal-fired power stations for the same period. Further, this issue lays bare the Liberal Party's hypocrisy. The Turnbull Government's central climate change policy is the Emissions Reduction Fund [ERF], which primarily pays landholders for avoided deforestation. The Emissions Reduction Fund has spent \$420 million on avoiding tree clearing in New South Wales so far. At the same time as the Federal Liberal-Nationals Government is pouring money into protecting trees its colleagues, first in Queensland and now in New South Wales, are increasing clearing in quantum that dwarf the gains of the ERF, stripping it of even the fig-leaf status Malcolm Turnbull once gave it. CO2 Australia predicts that tree clearing in Australia will produce 44 million to 55 million tonnes of carbon dioxide a year until 2030. Tree clearing emissions will therefore wipe out the entire gains of Prime Minister Turnbull's Emissions Reduction Fund in just two years.

It is this backdrop that makes the passage of these bills today so sad. There probably were some mistakes made in that system collaboratively designed by key stakeholders in 2003; there usually are in groundbreaking, new approaches. The environmentalists complained that controls were not strong enough. The most radical sections of the farming community asserted that it was their right to clear without constraint. But fundamentally the current laws are good laws that delivered good outcomes. They considered the needs of farming communities and recognised that the rest of us needed to support them in delivering those outcomes on our behalf. It is appropriate at this point to honour Glen Turner, the committed officer of the Office of Environment and Heritage who was brutally murdered while doing his job defending laws that protected our natural heritage and holding reckless law breakers to account. I honour Glen Turner's wife and family, who, of course, miss him every day. They must be so proud of their father and husband, who paid the ultimate price defending the laws of our State.

In November 2014 former New South Wales environment Minister Bob Debus published a very thoughtful piece on the history and demise of bipartisan support for environmental protection in Australia. Published by the Whitlam Institute, the document entitled "All living things are diminished" describes the way that over the past 30 years the Australian political class worked together, with environmental policy, as he said, "characterised by a series of collaborative long-term national and State conservation programs lasting through several changes of Government."

One example described by Bob Debus was the development of community-based natural resource management. It began with Prime Minister Bob Hawke's establishment of Landcare in 1989 and continued under Prime Minister John Howard as the National Heritage Trust program of 1996. This in turn continued as the Rudd Government's Caring for Country program of 2007. There are similar stories in forest reform and the establishment of the national reserve system. Bob Debus went on to describe the sad turn heralded by the Abbott Government. Under Prime Minister Abbott, the Coalition Government dismantled key pieces of the Federal environmental

policy architecture. Our natural environment became a plaything of the culture wars, with the worst instincts of the outer reaches of the Coalition parties dominating their approach in the years of the Abbott Government.

Premier Mike Baird is taking his cue from his fellow northern beaches resident and is allowing backward-looking, regressive politics to undermine decency and responsibility and the Parliament's task of looking after the State's resources, including our natural ones, in perpetuity. I do not intend to trawl through the details of this new biodiversity regime. They were debated at great length in the other place last night and many amendments were proposed by Labor and others. I will conclude with some brief observations. Since coming to government in 2011 the O'Farrell and Baird governments have been dismantling the comprehensive biodiversity protection frame that was established by the Carr Labor Government.

For example, the catchment management authorities are gone and have been replaced by the Local Land Services, which are non-expert bodies with reduced capacities and resources. The Natural Resources Commission has been sidelined. The integrated State level planning, supported by deep engagement from local communities and expertise, has effectively gone, and compliance with the Native Vegetation Act has been weak or non-existent. And the Government is now set to dismantle the two key pieces of legislation that form the backbone of our attempts to protect the natural environment of New South Wales: the Native Vegetation Act 2003 and the Threatened Species Conservation Act 1995.

These new bills and their associated codes and regulations will quietly but irrevocably increase the loss of native bushland and habitat. As I said earlier, it is all in the detail, but the results will be clear. Increased tree clearing will occur both in the bits and pieces of relaxed regulation on minor clearing and in the loss of environmental bottom lines in more extensive proposals. The Native Vegetation Act was built on a central premise, that is, that tree clearing must maintain or improve biodiversity. This allowed assessment and compromise but insisted that the overall health of our natural systems was defended. Removing this important test from the new legislation will immediately lower the bar for all tree clearing activities and will lead to poorer environmental outcomes. Many of the decisions about tree clearing will be left to farmers using weak, self-assessable codes. These will allow landholders to clear with inadequate oversight and certainly with none of the property-wide planning and impact assessment which Labor's property vegetation plans delivered.

For tree clearing proposals that require assessment, a new biodiversity assessment methodology [BAM] will apply. This will replace existing processes for biodiversity assessment and offsetting, including the biobanking assessment methodology, biodiversity certification assessment methodology, the environmental outcomes assessment methodology under the Native Vegetation Act, and the framework for biodiversity assessment under the New South Wales biodiversity offsets policy for major projects. The BAM will carry a heavy responsibility. Sadly, this new BAM will be based on the current New South Wales biodiversity offsets policy for major projects, which does not meet best practice.

At the 2015 election, Labor committed to ensuring that biodiversity offsets used in any part of our planning and management systems will conform to international best-practice standards agreed to by international conservation and mining bodies. These crucially include like-for-like within a reasonable geographic proximity; no net loss of biodiversity outcomes and ideally net positive outcomes; and recognition that some high conservation value lands cannot be traded and must be off limits to offsetting.

The Government's biodiversity assessment methodology does not require like-for-like offsetting, it has not yet identified areas that are off limits to offsetting, and it allows clearly ludicrous outcomes like mine rehabilitation to be credited as an offset or payment or research in lieu of direct offsets. What is more, the approval authority will have discretion to set lower offset obligations when weighing up the environmental, social and economic costs and benefits of the proposal. There are no environmental bottom lines. The Baird Government, in its own version of a fig leaf, is hoping to ameliorate the impacts of increased tree clearing and environmental degradation with payments for voluntary conservation efforts on farms. This model of delivering conservation gains depends on government funding and provides no guarantees of outcomes within the legislation. This is cash for trees and is a very bad return on investment for taxpayers: minor gains paid for as offsets to major losses.

I am sorry to observe that the amendments moved by the Labor spokespersons on the Environment and Primary Industries portfolios were defeated in the other place. I commend the shadow Ministers who argued the case in great detail to the wee hours of this morning. This is a sad day for New South Wales. We will always be proud of the natural resources reforms of the Carr Labor Government. We will not walk away from them. We will stand by them and speak up for them. In departing from the genuinely collaborative approach that introduced these laws in 2003, this Government is once again making a football match in this policy area.

Unfortunately, there will not be continuity with a change of government. As the Leader of the Opposition, I commit that the next Labor government of New South Wales will overhaul these bad laws. These laws will damage the precious New South Wales environment and do no favours to the majority of farmers, who are great

stewards of our land. I repeat, this is a sad day for New South Wales, but I put everyone on notice that when Labor next returns to government these bad laws will be rewritten.

[*Business interrupted.*]

*Visitors*

## VISITORS

**TEMPORARY SPEAKER (Ms Anna Watson):** I acknowledge in the gallery today president Derek Schoen, chief executive officer Matt Brand, and the team from the NSW Farmers Association. Welcome to the New South Wales Parliament.

*Bills*

## BIODIVERSITY CONSERVATION BILL 2016 LOCAL LAND SERVICES AMENDMENT BILL 2016

### Second Reading

[*Business resumed.*]

**Mr TROY GRANT (Dubbo—Minister for Justice and Police, Minister for the Arts, and Minister for Racing) (11:38):** I proudly speak in support of the Biodiversity Conservation Bill 2016, which is for an Act relating to the conservation of biodiversity and to repeal the Threatened Species Conservation Act 1995, the Nature Conservation Trust Act 2001 and animal and plant provisions of the National Parks and Wildlife Act 1974. I also support the cognate Local Land Services Amendment Bill. These bills will achieve what our farmers and those in regional New South Wales have been seeking for more than 20 years. Indeed, this is the single biggest policy achievement of any government in this State in a generation. It will end the well-intended but failed legislation that was inflicted on country areas in this State by former Premier Carr.

This bill, to the great credit of the Minister for Primary Industries, who I acknowledge has joined us in the Speaker's gallery, in association with the Minister for the Environment and the Minister for Planning, will finally prise the hands from the throats of farmers across the State. Over the past 20 years, Labor and The Greens have strangled the life out of our hardworking farmers, who put food and produce on the plates and in the households of those who support legislation that denies farmers the right to operate in a productive manner.

Twenty years ago, with the stroke of a pen in an office in Sydney, the failed Premier Bob Carr broke the hearts of regional New South Wales when he introduced the State Environmental Planning Policy [SEPP] 46, which annexed the property rights of farmers. The SEPP 46, which was a gross example of geographical discrimination, eventually led to the biggest act of bastardry and betrayal of regional people in this State's history, the Native Vegetation Act 2003. Never has there been a more divisive, perverse piece of legislation and regulation. The SEPP 46 and the following Native Vegetation Act did not apply to the Sydney metropolitan basin. It was inflicted upon regional farmers, regional families and regional communities by people living in Sydney, who excluded themselves. It was the greatest assault on property rights in this State's history. It has put a handbrake on the regional economy and it has sent farmers broke. That ends today.

The Leader of the Opposition said in his speech that this was a sad day. Where is his sympathy for the regional communities of New South Wales and the farmers he has sent to the wall and those who have taken their own lives over this perverse legislation? He stated his intention to continue to inflict pain on our communities if he ended up on this side of the Chamber. That is something I will never stand for. I am convinced that those surrounding former Premier Carr at the time had well-intended reasons for introducing that bill. I am sure that their intentions were pure when they garnered the support of the NSW Farmers Association, of which at the time Mal Peters was president. As well intended as they were, history has shown that by not adhering to the genuine and sincere commitments that were given to cause this legislation, regional New South Wales was left with perverse and unintended consequences.

The Leader of the Opposition eloquently delivered a speech that was written by someone else—a speech that is a great example of bleeding heart bulldust. He articulated the arguments and quoted Dr Tim Flannery, the man who was one of the guiding architects of this perverse legislation, who said he understood the issues, who predicted the future of native vegetation and biodiversity in our State, and who said, "Our dams will run dry. Our country will be ruined". At last check, Burrendong Dam in my electorate was at about 120 per cent capacity and a lot of the Central West of New South Wales and continuing down through the Murray is under floodwaters. The Leader of the Opposition spoke about an ideological load of rubbish, but that legislation has done nothing but cause unintended consequences.

I love koalas; I am a conservationist. The greatest conservationist group in my electorate is the Taronga Western Plains Zoo. I was invited and am very proud to be the patron of Landcare NSW. Yet those opposite accuse this side of being environmental vandals. That could not be further from the truth. The legislation before the House is evidence based, it has been widely consulted on and it creates a proper balance between bringing back trust in our farming community and improving productivity and better environmental and biodiversity outcomes. Labor's legislation has failed. The Leader of the Opposition spoke about koalas and said that over the past 20 years the koala population has declined, and it has. Labor's legislation was in place for 14 years of those 20 years while they were in government. So why has that happened? That is just one example of many—unfortunately, I do not have time to quote other examples—of the tragic environmental outcomes for this State.

Nothing makes me prouder as a National Party member of Parliament, who lives in regional New South Wales where Labor has sought to dictate the rules on the environment, than to support the repeal of the Native Vegetation Act. Leaders of the National Party have promised that we would repeal the Native Vegetation Act. I made the same pledge and commitment at the 2015 election and entered into a memorandum of understanding with the NSW Farmers Association, and I acknowledge their presence here today. Members of the National Party have stood on the back of utes and in town halls, they have touched their nose and given a wink and they have said, "We'll take care of it". Today is the day that those promises come true, and I am proud to stand beside the National Party members in achieving that outcome.

In my inaugural speech I noted the importance of achieving "sustainable, pragmatic and appropriate natural resource outcomes for all our communities, our State and our country". This bill does just that. Not only are we repealing this treacherous piece of legislation and associated legislation, we will replace it with a new Act that lets farmers be farmers and will achieve a better result for the environment. We have not tried to combat one fierce ideology by imposing another, as has occurred in Queensland. We have taken an evidence-based approach that has been prosecuted by the Minister in the other House and the Minister for the Environment today. We have done so because it is the right thing to do for everyone in this State. The comments of the Leader of the Opposition will be rebutted by many speakers on this side of the House.

It has become evident to me throughout this debate that Labor and The Greens hate farmers or, at the very least and perhaps more damning, do not trust them. We have heard the diatribe of Labor's the Hon. Penny Sharpe and Mr Jeremy Buckingham from The Greens in an attempt to paint farmers as environmental terrorists who will tear down trees with their diesel-burning tractors just for fun. Those comments are offensive. I have a news flash for those opposite. Farmers care for and understand the environment better than any delusional city-dwelling dunderheads. Farmers need the land to prosper and if it fails they fail. Caring for the environment means more than drinking a soy latte from a reusable cup or using recycled cardboard to make protest signs. This is balanced legislation that delivers on two decades of promises, and I am very proud to support it. [*Extension of time*]

I proudly support these bills. I am grateful to the Minister for the Environment who, through this legislation, has achieved a number of significant environmental wins, in addition to the wonderful work he is doing in his portfolio. The Government is supporting the reforms with a record \$240 million over five years to fund conservation management on privately owned land, thereby providing farmers with a financial incentive to protect biodiversity. That was a feature of Labor's promise in the deal it did with Mal Peters but was never honoured. No support was ever given, as promised, by Labor to farmers. This money is on top of an additional \$100 million over five years to save our threatened flora and fauna, an initiative that the NSW Nationals support in full. We are putting in place specific plans to help conserve our threatened species, which everyone in this State has a responsibility to do.

I acknowledge the work of Minister Stokes and note that this legislation better fits the planning legislation for which he has responsibility to provide better outcomes. I am enormously proud of Minister Blair from the NSW Nationals. He has steered this legislation to ensure that finally commonsense measures exist for removing a tree in the middle of a paddock or small clumps of vegetation. Previously farmers were forced to drive around trees with spray rigs and tractors because they were not allowed to remove a tree. For example, I took former Premier Barry O'Farrell to a property between Parkes and Peak Hill. I know that farmers have taken many opponents of this legislation on field trips and shown them pragmatic and practical ways for improved results. I showed former Premier O'Farrell what is known as a single paddock tree and told him that such a tree cannot be removed. The surrounding area, where farming equipment could not be driven, was being overrun by pests and weeds.

The farmer had planted an enormous corridor of trees and habitat around the boundaries of his farm but he was not allowed to remove that single paddock tree. The Premier said, "Why?" I said, "It's because of the black box, Premier". The proper name for the black box is the biodiversity assessment method. This legislation enhances

the black box but it does not have the perverse outcomes. The Premier said to me, "Why can't they knock down that single paddock tree, Troy?" I said, "It's there so the gliders have somewhere to land in their journey". He said, "That's fair enough." I said, "Yeah, I like gliders too, Premier. I don't want to detract from the gliders' ability to fly from tree to tree and to go from habitat to habitat. But unfortunately, Premier, there are no gliders here. They don't live here; they don't fly here. They don't need that tree." Yet the black box denied that farmer the opportunity for greater productivity on that piece of land.

This legislation changes simple things like that. We trusted farmers to use their ability to self-assess a greater level of routine land clearing and land management practices. The bill recognises responsible farming practice such as rotational grazing and gives farmers the flexibility to get the most out of their land while sustaining it for future production. We now have a workable system for farmers who want to clear large areas of land that can be offset by conserving other areas of high-quality native vegetation and get better biodiversity outcomes. This bill recognises that the lock-it-in-and-leave-it approach championed by those opposite has failed miserably and has led to a decline in native species across the State. Labor cannot walk away from that shame.

The legislation that Labor so proudly stands by in order to protect native species has contributed to its decline. That is the most perverse outcome in this State's history by way of legislative reform, yet Labor still contends that this is what it stands for. The results are very different. Farmers will now be paid to manage native vegetation, resulting in the better biodiversity outcomes I have referred to. Currently, farmers with a property vegetation plan will be able to transition to a new arrangement so they are not left worse off. Today is a significant day. I am proud to say that the saga and drama of the days of the Native Vegetation Act are finally over. I commend the bills to the House.

[*Business interrupted.*]

*Visitors*

#### VISITORS

**TEMPORARY SPEAKER (Ms Anna Watson):** I acknowledge in the gallery Barbara Gorman of the Trees of Bateau Bay group. Welcome to the New South Wales Parliament.

*Bills*

#### BIODIVERSITY CONSERVATION BILL 2016

#### LOCAL LAND SERVICES AMENDMENT BILL 2016

#### Second Reading

[*Business resumed.*]

[*Interruption*]

**Mr MICHAEL DALEY (Maroubra) (11:54):** I acknowledge the interjection. As I rose to my feet a member on the other side—I will not bother to search for his identity—said, "This will have a big impact on your electorate". That is exactly the attitude that is getting this Government into trouble across the sphere of all of its activities. I begin with the words of former astronaut Ron Garan, who is in Sydney and spoke this week at the BBC Future's World-Changing Ideas Summit. He described that when he went to space he looked down at the earth and he said he saw "an iridescent biosphere teeming with life". The *Sydney Morning Herald* reports him this morning as saying, "our economy is entirely dependent on what happens to the biosphere, not the other way around".

I have a problem with comments like those of the member opposite and the member for Dubbo, who is a good fellow and acted honourably this week. He is a very honourable man, in title and in deed. However, some of his language in his offering to this place a mere moments ago illustrated all that is wrong with the Biodiversity Conservation Bill 2016 and strikes concern and fear into my heart about what may happen to The Nationals following the transformation that occurred yesterday. For the Minister to talk here about dunderheads, city dwellers and latte sippers is hollow rhetoric pitched to a narrow base in his electorate. He should speak more responsibly.

The Minister said that everybody on the Labor side considers farmers to be environmental vandals. That is inaccurate and over-the-top rhetoric. Farmers are human beings and when there are commercial pressures upon them, like all people some of them act honestly and some of them act dishonestly. If it were not for that flaw in the human make-up we would not be here. There would be no Parliament because we would be able to conduct ourselves in a civilised fashion without the need for laws. It is the case that some people are dishonest when it comes to the environment.

I remind this Government about its so-called 10/50 legislation, which introduced into New South Wales a system, based largely on honesty, for land clearing around houses to mitigate against fire risk to property. I will speak more about this shortly, but what happened was that people were dishonest. The legislation relied on honesty and it failed because some people are dishonest. There are some people on the land, as there are in the cities and all over New South Wales, indeed all over the world, who require regulation. The best bills brought into this place are visionary, innovative and objective. They are based on objective evidence. They provide an innovative and objective response to a challenge. They are progressive and they proceed with broad community support.

These cognate bills possess none of these characteristics. They reside purely in the political domain and it is the residence of the ideas and policies of this Government in the political domain that has got them into trouble from the moment they took office. It began with the Minister who has carriage of this bill, the Hon. Mark Speakman, acquiescing to the destruction and removal of Cronulla Fisheries. When members on the other side praise him for his and this Government's visionary set of cognate bills in relation to the care of the environment, they should be reminded that the first attack upon living beings in this State occurred in 2011 when the Cronulla Fisheries was destroyed and all its research capabilities wiped out. This Minister, in response to that happening in his own electorate, was struck dumb. This Government has acted on a political and ideological basis from day one and it still has not learnt from the failed council amalgamations, the infrastructure secrecy, the vandalism of the Independent Commission Against Corruption that concluded in the House last night, the attack on trees on Anzac Parade and across other projects, and wiping out the greyhound industry. Objectively all of those projects failed and caused trouble for the Government. It still has not learnt. I have a great deal of admiration for Jeff Angel of the Total Environment Centre. When Labor was in Government I butted heads with Jeff on more than one occasion. I do not agree with everything he says nor does he agree with me, but I find him to be fair. He will yield when you convince him he is wrong and if a person is honest they will do the same. In January 2016 he commented in the *Sydney Morning Herald*:

Over the past year, there's been a war on trees and there's no sign that it will stop.

Mr Angel outlines growing up in the eastern suburbs and knowing the native fig trees along Alison Road well. Many were more than 100 years old. He notes there are 400 trees to be removed. I believe it is closer to 700 to 800 trees being removed for the light rail. He states:

Randwick Council and local residents have provided practical alternatives and route alignments, and despite recent losses are making a last stand as more trees come into the firing line. These magnificent living organisms are becoming a pile of woodchips.

But the Government pays no heed to that. Further:

Eighteen months ago the Baird Government introduced the 10/50 rule to allow greater flexibility in removing trees that could be a bushfire risk. Despite clear warnings there were too many loopholes and it would be abused the Government pushed ahead. What happened? Mature trees across the city were felled—without clear evidence this would assist bushfire mitigation. Great angophoras and gums, loved by residents and integral to the city's canopy, were lost to developers seeking to clear lots and by home owners who wanted a better view. Some commercial tree fellers mulched the limbs and just dumped it in the roadway and adjacent to bush reserves.

A hotspot was the Pittwater electorate of then environment Minister Rob Stokes, with hundreds of trees removed...

Another major development is the WestConnex roadway. The recent environmental impact statement admits threatened vegetation communities in the Wolli Creek will be destroyed.

Since then Wolli Creek has been designated as a batching plant, or some other atrocity. It will be destroyed. Mr Angel states:

So their answer is to propose offsets, but there is no local bushland to protect that is like-for-like.

As with this bill. Further:

Total Environment Centre's urban sanctuary project has catalogued more than 20 current assaults on urban bush and parks in Sydney alone.

...

Not satisfied with these local assaults on trees, the NSW Government is moving to declare wholesale war on the entire State. It is intent on abolishing the Native Vegetation Act, passed by Parliament in 2003 to stop broad scale land clearing. It will be replaced by a so-called Biodiversity Conservation Act that will apply many of the current tree destruction tools in the Government's armoury to the city and the country.

Offsets are the new mantra and the weak "major projects offset policy" will become the rule. This states that if you cannot find a like-for-like offset (inevitable in urban areas), then almost anything else will do, including developer payments to a fund...

What a joke.

...or rehabilitating a mine site (when this should be entirely the responsibility of the mine owner).

Hear, hear!

It's a sure recipe for the extinction of more endangered habitat. The Native Vegetation Act, which has saved hundreds of thousands of hectares from the bulldozer and chainsaw, had scientifically based rules about what should be protected or offset with integrity but no more under this legislation—you can buy your way out.

Governments get into trouble when they act on a political basis and ignore advice. The Government received advice about the bills before the House. It completely ignores the State of the Environment report 2015 which states:

Clearing is therefore accepted as being the main cause of vegetation change and decline. Clearing of native vegetation, and the associated destruction of habitat has been identified as the process representing the greatest single threat to biodiversity in NSW.

*[Extension of time]*

The report states:

Clearing facilitates land-use change and due to the ongoing nature of the subsequent uses of cleared land it is generally irreversible.

Future generations will wonder what the hell this Parliament was doing when it passed this legislation. It has been said many times in the past that current era legislators are custodians for generations that will follow. Members in this place should have regard not only to the present but to the future. This is a bill that decimates the future. Over the years Joh Bjelke-Petersen allowed broadscale uncontrolled land clearing in Queensland. The Native Vegetation Act of the Carr era was ground-breaking legislation.

The Environmental Planning and Assessment Act was ground-breaking legislation. Bob Carr's protection of millions of hectares of national park is an environmental feat that will not be matched in New South Wales. This bill destroys that tradition—almost with glee on the part of the National Party—and replaces it with rhetoric and vitriol that is unbecoming to this place. New South Wales is better than this. It has been better than this and there is no need for this sort of destruction and political interference in what is a gift to the State. Once the natural environment is destroyed it can not be replaced.

**Mr PAUL TOOLE (Bathurst—Minister for Local Government) (12:06):** I support the Biodiversity Conservation Bill 2016 and the Local Land Services Amendment Bill 2016. As the son of a farmer I have heard for far too long of the need for this legislation to be repealed. I thank Minister Niall Blair for the work he is undertaking in addressing a longstanding issue in this State. I heard what the member for Maroubra said about Bob Carr, but the Labor Party and The Greens are hell-bent on locking up this State. They are hell-bent on creating more national parks and seeing farmers restricted in the activities that they undertake on their properties.

What the Labor Party and The Greens are doing and want to continue to do is to attack the good hardworking farmers across New South Wales. For far too long farmers and regional areas have been operating under ineffective and inequitable laws around biodiversity and native vegetation. The existing legislation is inflexible. It was poorly conceived and its implementation and operation has not provided benefits to anyone. It has worked against landholders by proving to be an inflexible and unworkable system that has stifled productivity. Labor and The Greens have the audacity to refer to farmers in this House and the other place as environmental terrorists. I have seen farmers work hard to improve productivity in their areas through land and water management.

These people are custodians of the land and have made significant investment in their properties to improve productivity. Those opposite should hang their heads in shame for attacking the men and women across the State who have made significant investment in their farms and properties. I will be interested to hear the contribution from the member for Cessnock. The farming sector in his electorate will have something to say if the member opposes this bill. The Native Vegetation Act has not provided significant environmental outcomes. The independent Biodiversity Legislation Review Panel found that under the existing system overall biodiversity loss is continuing.

We need to rectify this ineffective and inefficient system that is stifling productivity and economic growth in our regions, and we need to do it now. I am proud to say that the framework before the House today represents a new approach to biodiversity and land management in the State. It will provide landholders with the flexibility that is so desperately needed to effectively manage their land and their businesses while ensuring that we strive to protect and improve biodiversity outcomes. The new framework will promote economic development in our regions. The framework introduces new categories of land and implements a risk-based approach to how vegetation can be cleared on the different categories of land. All native vegetation on rural land will be identified as either regulated or unregulated. Where land is identified as unregulated, landholders will be able to clear vegetation without approval under the Local Land Services Act. This will allow our farmers the flexibility to continue to clear land that has already been farmed and is therefore unlikely to have a high biodiversity value.

This new risk-based approach will help to reduce red tape and unnecessary restrictions on activities that are identified as low risk. Importantly, it places trust in farmers, in line with the independent panel's



recommendations. Rebuilding this trust will be critical to developing a workable system, especially one that entails collaborative partnerships between the community and government to facilitate ecologically sustainable development while improving biodiversity conservation outcomes. Where land is identified as regulated, landholders will be able to clear vegetation through one of the identified regulatory pathways. For example, landholders will be able to clear vegetation on land that is regulated using the allowable activity provisions. Allowable activities are low-risk native vegetation clearing activities that are part of routine land management.

The Local Land Services Amendment Bill 2016 sets out what is an allowable activity. Allowable activities include activities such as removing vegetation that poses a risk to humans or property. Landholders will also be able to clear vegetation for essential services such as telecommunications and the maintenance of electricity infrastructure. Allowable activities will also cover traditional Aboriginal cultural activities, the collection of firewood, obtaining timber for rural infrastructure, and sustainable grazing. Farmers will be able to undertake these activities without having to obtain approval or notify Local Land Services. More stringent controls will apply in environmentally sensitive areas, including vulnerable land. This approach will ensure that we do not arbitrarily and unnecessarily exclude farmers from conducting routine, low-risk farming activities while balancing the need to protect and enhance biodiversity outcomes. This is an important improvement to the existing framework.

The new and improved legislative framework also allows farmers to clear vegetation in accordance with approved land management or native vegetation codes. Three main types of land management code are being developed. The first type is the management code. This code will enable landholders to manage native vegetation in ways that will have no significant long-term impact on biodiversity values. It will also allow landholders to clear vegetation to improve the efficiency of their agricultural businesses. A continuing use code will allow the continuation of existing rotational farming practices. Secondly, an equity code will provide greater flexibility for landholders with a higher proportion of regulated native vegetation on the property. Thirdly, a farm planning code will encourage revegetation by enabling landholders to clear land in exchange for targeted planting that improves biodiversity. This approach provides the flexibility that is so important in regional areas. It also ensures that we enhance biodiversity outcomes for the State.

Each land management code will have varying requirements. Under some codes farmers will be able to self-assess and need only notify Local Land Services of their intention to clear land. Other codes will require certification from Local Land Services and in some cases may require the establishment of permanent set-aside areas on the land to improve biodiversity. Set-aside areas are areas of land that need to be set aside and managed, to protect and enhance biodiversity, in exchange for clearing existing vegetation on a landholder's property. By having set-aside areas landholders can increase productivity on their land while addressing the environmental impacts of native vegetation clearing. These codes allow landholders to undertake clearing that supports more productive farming methods and systems while responding to environmental risks.

If an activity cannot be undertaken in accordance with the definition of an allowable activity or a code, an approval under the Local Land Services Act may be required. In those circumstances the biodiversity impacts of the clearing will be assessed under the biodiversity assessment method established under the Biodiversity Conservation Bill 2016 and offset following the same processes of other land developers. This ensures that everyone is held to the same standards and accountability and that our farmers are not unduly disadvantaged.

This framework will increase landholder productivity and help to stimulate economic development in our regions. Relatively well-developed farms will be able to maximise the productivity of existing agricultural activities. Underdeveloped farms will be able to expand their operations in an ecologically sensitive and sustainable way. Under the new regime all landholders stand to benefit from the changes, irrespective of the level of development, their location or their agricultural activity. Importantly, the framework will provide more flexibility to landholders who have been most disadvantaged by the existing system.

The Government estimates that two to four hectares of remnant native vegetation will be set aside and managed in perpetuity for each hectare that is cleared under codes that require set-asides. This represents an unprecedented opportunity to deliver conservation outcomes on private land. These landmark reforms are good for our farmers and they are good for our environment. Most importantly, they are good for our communities and the people of this State. I thank the representatives of the NSW Farmers, who are here today, for the work that they have undertaken on behalf of their constituents. I commend the bills to the House.

**Mr CLAYTON BARR (Cessnock) (12:16):** Like my colleagues I participate in this debate with a sense of sadness and a heavy heart. I wish we were not having this debate on two cognate bills, the Biodiversity Conservation Bill 2016 and the Local Land Services Amendment Bill 2016. I recommend that anyone reading my speech in *Hansard* also read the speeches of the Hon. Penny Sharpe and the Hon. Mick Veitch in the other place last night. I also commend the Leader of the Opposition, Luke Foley, on the speech he made in this place this morning. Each of those speeches went into significant detail, which I will not reiterate. The element of most

concern in the cognate bills that we are debating today is land clearing. There is an absence of restrictions on the future of land clearing. Bills like these illustrate where the rhetoric, the concern about climate change and global warming, meets the legislative agenda. That agenda either supports or does not support the rhetoric. It is one thing to say the right words to the community, say what is popular, when one wants to be seen as someone who cares about the climate and who is doing something about climate change. It is another thing to take action.

In his second reading speech the Minister mentioned that the Government wants the State to be carbon neutral by 2050. There has been no plan, either before or after that announcement, to make that happen. The words are lovely, but it is necessary to have a plan and legislation to make that happen. The bills we are debating today demonstrate a move in the opposite direction. These two bills move us away from accepting the science of climate change and addressing global warming. They move us away from becoming carbon neutral. They move us away from making the necessary effort to prevent a two-degree rise in temperature due to global warming in the future. This is where the rubber hits the road in terms of legislation and regulation that either supports, endorses and empowers the State to go towards the care and concern we should have for global warming or goes completely in the other direction. Essentially that is what these bills in summary will do. They will achieve that move away from care and concern about climate change largely by land clearing.

Much has been made about the future role of Local Land Services [LLS] under these cognate bills. The Minister for Local Government referred to it immediately prior to my contribution to this debate. Essentially the department and bureaucrats of the LLS to whom I speak largely say that they do not have the funding required to do their job properly and as well as it can be done. Some of them are looking at the possible need to sell off some of their assets to make ends meet. These pieces of legislation will increase the load on LLSs and so one wonders whether they will equally have an increase in funding to cope with the load that will be placed on them.

The member for Dubbo spoke in this debate about the agreement with Mal Peters, the then President of the NSW Farmers Association, who stepped behind the Native Vegetation Act when it was introduced and spoke about the benefits of it. The member for Dubbo said that the Labor Government, subsequent to the introduction of that Act, did not properly fund or resource the agreement it had entered into under which Mal Peters had offered his support. If it is as simple as funding and resourcing that agreement and the existing Native Vegetation Act, let us provide that money and leave the Act as it is. We understand the Act as it has been in place for more than a decade and it has largely been rolled out and implemented. If it just a question about whether there is money to support farmers who left native vegetation on their properties, then the solution to that is as simple as just putting in money. We would not need these enormous cognate bills of almost 300 pages to achieve that effect. It is actually just a monetary effect.

Clearly the member for Dubbo was a bit disingenuous because it is not as simple as money. It is actually about fundamentally changing the rules of the game and making sure that land clearing is far easier. People in this country and on planet Earth have different views about what they would like to see happen for their own prosperity versus what needs to happen for the prosperity of others. The job of legislation and regulation is to find the middle ground, which is what is needed for the broader good. In simple car terms, on a highway someone wants to drive at 150 kilometres per hour and another wants to drive at 60 kilometres per hour and we as legislators have to make a decision about what is appropriate and safe. Sometimes that means that some people cannot do what they want to do. Fundamentally that is where we are.

In relation to the Native Vegetation Act I acknowledge that some people cannot do what they want to do and other people criticise the Native Vegetation Act because it does not lock up enough land. The point of the legislation is to try to find that middle ground. Essentially these bills will change the speed limit on that road to which I just referred to an open speed limit and people who want to travel at 180 or 210 can knock themselves out—clear the trees, wipe them away, scorch the earth. But we have a responsibility in relation to air and water globally. If farmers in the north-west need to engage in mass clearing, that is completely incompatible to the needs of the people in Papua and New Guinea, Kiribati, Tasmania, Africa or Europe. To those farmers who have been agitating and lobbying for this change, and for members of The Nationals who have been supporting them, I say that the needs of those dozens, hundreds or thousands of people do not outweigh the needs of the billions of people on this planet to address and arrest climate change and global warming. In part, we do that by preserving and where possible increasing the amount of vegetation that we have on our lands.

This legislation consists of almost 300 pages and was introduced into the Legislative Council just last week. It sat on the table for a week but the drafting of this legislation has been a long ongoing process and one wonders why it needs to be pushed through in this last sitting week this year in Parliament. It is incredible that last weekend one of the three by-elections held was in The Nationals seat in Orange where there were swings that averaged 35 or 36 per cent and in some booths as high as 60 per cent. The Government's response to that particular by-election in these first two days back in Parliament has been fundamentally to completely rip and strip the land of New South Wales and sack the Commissioner of the Independent Commission Against Corruption who

investigated the Liberal Party. That is an incredible response after getting a shellacking on the weekend in the Orange by-election. We can do more and we can do better in this State.

I appreciate that in the Legislative Council the Hon. Penny Sharpe recognised that no-one is suggesting that farmers and land owners who preserve and lock up parts of their land for the sake of vegetation which is ultimately for the health of all of us, regardless of whether we live in Bondi or Broken Hill, should not get funding, a point which I think the member for Dubbo made earlier today. In 2003, when Mal Peters was President of the NSW Farmers Association and endorsed the Native Vegetation Act, he was under the impression that those moneys would be set aside. [*Extension of time*]

If it is as simple as just allocating money to farmers who have maintained some vegetation on their land it is fair and reasonable. Indeed, members of the Government in this debate have acknowledged that they will set aside about \$250 million for that purpose and for other purposes and an additional \$70 million per year on an ongoing basis. The rub is that people who are not farmers want to do land clearing. I live in a coalmining community and essentially I understand their needs. Unfortunately open-cut mining is ravishing the earth unabatedly. I have told the Minerals Council, miners and the whole shebang that I do not like open-cut coalmining. I am not anti coalmining but I would like them to go back underground and dig out the coal as it is better for the environment and for everybody, but they are not doing that. So we see mass land clearings.

When we remove the need for like-for-like vegetation I immediately think of the Mount Thorley Warkworth mine proposal at Bulga where the woodlands are peculiar to that region. I have no doubt that the simplest solution for someone like Rio Tinto is just to put money into a fund and then scorch the earth. As a business model that makes perfect sense to me. The problem is that once Warkworth woodlands are gone they cannot be recovered somewhere else, for example, in a different part of the Hunter Valley, never mind outside the Hunter Valley. The Government's own State of the Environment 2015 report states:

Clearing is therefore accepted as being the main cause of vegetation change and decline. Clearing of native vegetation, and the associated destruction of habitat has been identified as the process representing the greatest single threat to biodiversity in NSW.

The report also states:

Clearing facilitates land-use change and due to the ongoing nature of the subsequent uses of cleared land it is generally irreversible. The point is that the Government purports that it is using its scientific information and background to guide this bill. A statement like that in a Government report indicates that the Government is doing anything but being guided by those things in this bill. I said earlier that I would make reference to former NSW Farmers Association president Mal Peters. On 11 December when the 2003 legislation was introduced he said to the *Land* newspaper, "The NSW Farmers Association and key conservation groups have welcomed the legislation." I know statistics are sometimes frustrating, but the Hon. Penny Sharpe did a terrific job getting to the nub of this matter last night when she said:

Prior to the Native Vegetation Act, more than 100,000 hectares of land, which is equivalent to half of Sydney's urban area, was being cleared every year.

Let us think about that. Surely clearing half of Sydney's urban area every year is not sustainable by any measure. The Hon. Penny Sharpe went on to say:

Since then that has dropped to less than 12,000 hectares per year. Importantly, the laws have delivered a 20 per cent reduction in clearing of remnant bushland, saved 116,000 native animals from being killed each year through clearing, and saved more than 400 koalas from a human-caused death every year.

They are important figures that we need to understand. To put it in a different context, 75 per cent of land in Japan is mountainous forest. Japan is about the size of the electorate of Barwon, at some 377,000 square kilometres. It has a population of 127 million but can still preserve 75 per cent of its land as forest and bushland. In contrast, we are introducing legislation that will allow for widespread clearing on more than twice as much land with a far smaller population. It is impossible for a person of good conscience in the New South Wales Parliament to support these cognate bills.

**Mr KEVIN HUMPHRIES (Barwon) (12:31):** If you wait long enough the karma bus comes around eventually. The establishment of the Native Vegetation Act in 2003 was fundamentally a con, and poor old Mr Peters fell for it. It was a highly restrictive piece of legislation, particularly as it related to acknowledging the historical value of agriculture in New South Wales and this country. That legislation was also a con on the wider community. As my colleague the member for Northern Tablelands said, the perverse outcome of increasingly restricting the flexibility of farmers and landholders over their land use has been to diminish biodiversity. The more that government has segregated itself from the livelihoods of landholders and the trust and responsibility it places in them, the worse our biodiversity outcomes have become. We cannot fix biodiversity issues and increase conservation outcomes by restricting certain parts of the community alone.

The member for Cessnock, who lives in a beautiful part of the world, spoke quite articulately about coalmines. His electorate is home to probably one of the better vineyard areas in the country. When I travelled through that area as a kid it was bushland. In certain parts of this State, especially in some of the more developed urban and semi-urban areas, boutique agricultural industries have been able to clear land over time. This is about

levelling the playing field. We are finally ripping up the Native Vegetation Act 2003. I have waited 10 years to do it, which makes clear where I stand on this issue. It is a great pleasure to talk about the Biodiversity Conservation Bill 2016 and the cognate Local Land Services Amendment Bill 2016. As I mentioned, the more restrictive we have been on landholders over time, the worse our biodiversity outcomes have been. The member for Cessnock is right: The electorate of Barwon is about the size of Japan. It is also similar in size to Germany. Some of the most highly productive farming areas in the country are in the east of my electorate, from Narrabri, the Moree Plains, Walgett and Coonamble through to the fragile rangelands of Broken Hill.

The member for Cessnock mentioned Broken Hill. I can tell him that over the past 10 years not one hectare of land has been cleared for agricultural pursuits in the Broken Hill area or in the Far West. The activity in that area is rangeland farming and it is highly protected. The West Darling pastoralists have been around for well over 100 years and know how to manage the land. That land use will not change; it will remain as highly valued pastoral country. The only flexible land use changes being made concern renewable energy projects. The pastoralists are doing their bit, but members opposite have thrown everyone into the same basket. They think there will be rampant wall-to-wall clearing similar to what may have happened in Queensland. That is certainly not the case, as Minister Niall Blair articulated in the upper House and the environment Minister said here.

High-value farming area probably makes up the minority of the 330,000 square kilometres I represent. Much of the area has already been developed. Members opposite assume that these laws will lead to a significant increase in clearing but that is simply not the case. It is not the case because the land form will not sustain it and the land in most of the area is not that flexible. However, land use in some parts in the north-west of the State should be flexible. Unlike those opposite, we know this is a catch-up bill. Technology and agronomics have changed and world population and the demand for food and fibre has grown. Our understanding of how we interface with the environment has also changed. What has not changed is some of the philosophical views of members opposite.

The Native Vegetation Act 2003 and its formulation over the preceding decade was not so much about environmental outcomes but based more upon the philosophical view of "lock up and leave it". In relation to property rights, some members in this place believe freehold title does not mean freehold title. They believe people are stewards and custodians of land. Those members tend to live in highly urbanised areas where just about everything has been concreted over, such as in the electorates of most members opposite. They are happy to judge how we live our lives in rural areas. The philosophical and ideological view that farmers should not have more flexibility in how they operate and manage their land is fundamentally false. We do not apply that regime to everybody else. We should apply a set of sensible planning regimes that are the same as those to which any other business is entitled.

Unfortunately, farmers and landholders in this State and other parts of the country have at times been placed in the environmental basket and had to pay for the environmental outcomes that certain groups within our communities demand. They have done that without compensation, without due diligence and without an understanding of how agriculture works or the demands that are placed upon it. We live in a world with an increasing population that needs to be fed. Whether it be improving grasslands for our graziers or opening up opportunities for our farmers, better conservation farming technology has come to the fore. We recognise that. Members opposite need to understand the world has changed. We are getting better at what we do and we have some of the world's best farmers in this State. Those things must be recognised.

The Leader of the Opposition invoked the Wentworth Group and spoke about a very nice dinner that was had at the Wentworth Hotel. When I first heard of it I thought it was actually at Wentworth, which is on the southern border at the confluence of the Murray and Darling rivers. To articulate to us an environmental policy that was formulated over a very expensive three-course dinner and shaped the future of conservation outcomes in this country is an absolute piece of arrogance. To say that sandstorms have never occurred or have never blown in from the east after a drought and to get everyone wildly excited about locking up country based on a conversation at the Wentworth Hotel less than 500 metres from this place is an insult to country people. It should be held in that regard. Such people only raise their heads during rip-roaring droughts or when times are difficult. We do not see them out west now, where in some places it is still green. Crops are growing, cattle, sheep and livestock are fat, commodity markets are pretty good and the rivers are running chock-a-block, but we never hear from them in times of plenty. I take my advice from the people I represent and from the agronomics that are second to none.

Conservation farming started in the 1970s. It went from no-tool farming to monitoring moisture in soils. Importantly, it was a driver for opening up new farming country for both summer and winter crops in the "breadbasket" west of the Great Dividing Range. Indeed, certain soils can hold moisture if they are farmed properly. During extreme weather conditions they do not lose the topsoil that the Leader of the Opposition talked about because the land is managed properly. Stubble retention and better use of inputs and harvesting techniques

have led to enormous changes in the farming sector in one generation. The difficulty is that legislation and regulation have not kept pace with that technology. This legislation will set right that time lag; it will give farmers more flexibility.

Farming areas in places like Walgett, Coonamble, Warren and Gilgandra through to Condobolin and Moree—which the member for Northern Tablelands, who is at the table, now represents—have the opportunity to grow. Much of that land is already highly developed, but in places like Walgett, which is about 35 per cent developed, there is room for increased farming. This will not happen everywhere—it is very difficult to farm further west of Walgett unless it is on the flood plains, and even then it is pretty restricted. But there is a farming belt that will benefit significantly from this legislation. Walgett is one of the most disadvantaged communities in this State. It has a large Aboriginal population, which has been declining over the past 20 years, and high unemployment. [*Extension of time*]

This legislation offers opportunities for regional development in certain pockets across this State. Why those opposite would potentially deny those communities that opportunity absolutely astounds me. Certain people will stand by farmers on individual issues, but we are here for the long run. We will support our farmers through this legislation and make sure that it works. We have grown out of the self-assessing codes that have been in place for the past five or six years. I refer also to issues around invasive native scrub. Farmers in Nyngan, Tottenham and Condobolin have been given more opportunities, and they have used them responsibly.

I will speak briefly to the offsets in the bills. The \$240 million in funding that has been mentioned is an expansive figure. This will provide for stewardship payments and for offsets to be set aside, through a consultative process, for farmers in economically endangered communities. This will allow not only farmers but everyone to be involved in the process of identifying those communities. Funding is a little more than \$240 million and, as the member for Cessnock highlighted, there are ongoing payments of about \$70 million. But farmers do not go into farming for compensation payments; they go into farming because it is a business and a way of life. They are good at what they do, and they should be supported.

Two projects are currently running in the west. Numerous carbon farming initiatives can be found across the country but one of the main initiatives is in the Cobar peneplain bioregion—the district that runs from Bourke to Cobar and back towards Nyngan. Through the Federal Carbon Farming Initiative, more than 100 farmers have signed up to not clearing their country and to maintaining native vegetation on parts of their properties—they have permits dating back to before 2010. The extensive methodology that they have worked their way through is second to none. Those farmers have been, and will be, entitled to payments of several hundreds of millions of dollars. That will give those communities a boost. It will not only assist farmers to maintain their existing properties but also allow them to develop other parts of their properties. The fact that people have the opportunity to clear tells me that they do not always want to do that; they have a choice.

The Saving our Species program is another important project. Between the Pilliga and Sturt National Park in the corner country up towards Tibooburra and down towards the Mallee a rewilding project is being undertaken. Scotia in the south-west corner of my electorate is the breeding ground for the wildlife conservation program. We are seeing diverse innovation from the Liberals and The Nationals that has never been undertaken by any other party. We are giving farmers more opportunities but we are serious about conserving not only flora and fauna but also our communities. Everyone needs to take responsibility for achieving conservation outcomes, not just through the heavy-handed approach of the Native Vegetation Act 2003.

This legislation is part of a bigger picture that those opposite may not have gotten their heads around because they probably do not spend enough time out where people like me and those in the gallery live, work and play—it is our backyard. It is fundamentally incorrect to say that the tree and grass cover has always been the same. People like me have a pretty good understanding of how the landscape was managed pre-European settlement by Indigenous communities and through fires. Most fires were started by lightening and were never put out. It is not true to say that our landscape has not gone through dynamic changes for years ad infinitum. We have both a dynamic community and landscape; we can, and will, manage them better. This legislation, which will give our farmers the opportunity to work with the community, will stand us in good stead for the future.

**Mr ALEX GREENWICH (Sydney) (12:46):** I strongly oppose the Biodiversity Conservation Bill 2016 and the cognate Local Land Services Amendment Bill 2016. These bills will gut a world-class regime that has helped to reduce significantly the massive rate of biodiversity loss in this State and replace it with one that will substantially increase destruction of native vegetation and return New South Wales to the dark days of broadscale land clearing. Protecting biodiversity is vital. Biodiversity supports human life, clean air, clean water, fertile land and pollination. It is even more important at a time when climate change will challenge our future through extreme weather events. Australia has a shameful record of biodiversity loss, with the highest rates of species loss among developed countries, and New South Wales has the worst world extinction record for middle-size mammals.

Nearly 1,000 animals and plants are at risk and 59 per cent of animals are listed as threatened. We have already lost more than one third of our native vegetation and almost all of our rainforests. Any changes to the existing land management regime should aim to reduce the rapid loss of species, ensure biodiversity gains, protect habitat and respond to climate change. These bills will achieve the opposite. I will now run through some of their most dire parts. The existing land management scheme, which requires landowners to maintain and improve biodiversity, and underpins all land-clearing decisions, will be watered down significantly. Biodiversity values will be redefined to remove reference to important environmental and agricultural values such as soil quality, water quality and salinity.

A new, weaker biodiversity assessment methodology will replace biodiversity assessment processes and species impact statements. The new methodology will adopt the lowest threshold for offsetting—currently used only for major projects and is so low that it is unlikely to meet Federal standards—and will apply to the entire State. Multiple options that have no guaranteed outcomes for offsets will be available—for example, mine rehabilitation. This should occur as part of any mine's consent conditions, not as compensation for destruction elsewhere. This is double dipping.

Consent authorities will have discretion to lower the inadequate offset requirements. There are various steps landowners can take to avoid having to produce like-for-like outcomes when offsetting, putting all unique ecological communities at risk. Offset sites will not even be protected in perpetuity and can be cleared in the future for offsets elsewhere. Loss of high conservation land can never be compensated and, so far, offsetting has not achieved the outcomes it set out to achieve. Any regime must be adopted with caution and be based on the most rigorous scientific evidence, and not disguise and facilitate mass destruction. The legislation must clearly define what areas should never be cleared—such as high conservation grasslands, private native forestry areas, core and potential koala habitat, coastal zones, land with littoral rainforest or Ramsar wetland features—but it does not.

No-go zones or red flag areas that currently identify and protect areas of high conservation value will be used only in very limited instances, with a red flag triggered only when it could cause yet-to-be-defined serious and irreversible biodiversity loss. Clearing will never be excluded for major projects. All land that the new framework will apply to will be zoned into two categories: category one, exempt; and category two, regulated. The Government will draft maps. There is no clear requirement for maps to identify areas that are off limits, with no excluded category provided for. Exempt land will be subject to a wholesale exemption from any authorisation, with landowners able to clear land without any oversight. There will be significant political pressure to have land categorised as exempt to enable unchecked clearing.

Land considered cleared of native vegetation on 1 January 1990 or not the subject of a land clearing conviction since then, low conservation grasslands, regrowth and any land deemed by regulation will be exempt land. This will capture incredibly large portions of land, some of which have vital conservation values. Regrowth occurs in land that has been cleared and this often provides much-needed habitat for native animals. Land cleared within the last 26 years in many instances is showing signs of regeneration and will increase in value progressively. Most of New South Wales land has been cleared—largely as a result of past poor and short-sighted government policies like this one—and land that is starting to serve ecological functions again should not be destroyed. All other non-urban land will be regulated under a new land management framework, including vulnerable land, which scientists and environment groups agree should be off limits. Clearing of regulated land for routine land management and rural infrastructure will be permitted without any oversight. The broad criteria go beyond minor farm works, such as clearing fence lines, to permit significant development without assessment.

Other clearing activities will be subject to four self-assessable codes. Self-assessable codes caused colossal clearing of high conservation land in Queensland. Nearly 300,000 hectares of bushland was cleared in the 2013-14 financial year—three times the rate of what was cleared in 2008-09 before the codes were introduced. Bushland in catchments that drain onto the Great Barrier Reef was cleared. Here in New South Wales the 10/50 self-assessable code in fire-prone areas led to the destruction of more than 5,000 trees in less than a year, including habitat trees used by threatened species. The bills will go further than in Queensland through a new equity code that will give landowners the right to clear a set amount of hectares. The limit has not been established in the legislation, but I understand that it could be up to 625 hectares.

Self-assessable codes do not provide a robust system for safe clearing but give licence to clear vast amounts of land without oversight or regard for environmental values. Urban areas will be removed from coverage of the land-clearing regime to come under the Environmental Planning and Assessment Act, with a new State environmental planning policy [SEPP] to be developed. The earlier white paper indicates that the SEPP will be geared at fast-tracking approvals on the assumption that towns do not provide habitat for important flora and fauna, or that existing native vegetation in town environments is not important. Towns support important wildlife, and what remains of their natural environment contributes significantly to their liveability. Remnant biodiversity in urban areas should be protected, not destroyed.

A new Native Vegetation Panel will have the approval role for land-clearing applications under the Local Land Services Act. Biodiversity management in urban areas will go to the Minister for Planning and local councils under the planning Act. It is deeply concerning that biodiversity management is being removed from the Minister for the Environment, who is the traditional custodian of the environment. This shows the true motivation of the bill. Our native vegetation provides significant carbon sinks and clearing releases damaging carbon dioxide. But the bills fail to recognise this important role and do not protect our remaining carbon sinks. Australia met its Kyoto targets while emissions from other sources rose only because laws stopped broadscale land clearing in New South Wales and Queensland. Decades of broadscale land clearing have devastated our natural environment, fragmenting the habitat of native species; killing threatened plants, animals and ecosystems; eroding water, soil and air quality; and releasing massive amounts of climate change inducing carbon dioxide into the atmosphere.

I acknowledge the struggles of some farmers and understand why clearing can be an attractive option to expand productive land, but it can be unsustainable and requires rigorous independent checks and balances. Clearing can increase salinity, decrease fertility and diminish fresh water sources, and it can have global impacts such as climate change and biodiversity loss. Most farmers are good custodians of the land and many do not support this legislation because they know it will cause long-term damage to the land. The drivers of this legislation seem to be large agribusinesses, which buy up and amalgamate small family-run properties.

The \$240 million over five years and \$100 million for the Saving our Species program should be used to support landowners under the current regime. The bills are a recipe for massive devastation of the State's native vegetation and biodiversity; they will put threatened species at risk of extinction and result in new species being added to the threatened species list. The bills' legacy of destruction will be exorbitant. The Government should be an environmental steward, not an environmental vandal. The bills are shameful and retrograde and will have devastating impacts for future generations. They should be abandoned immediately rather than rushed through Parliament. I oppose the bills.

**Mr ANDREW FRASER (Coffs Harbour) (12:56):** I would love to know who wrote the speech delivered by the member for Sydney. He lives in a marvellous concrete jungle, which has a chain on one side of Sydney extending to the other side of Sydney, and he dare not turn around. He belts up farmers across New South Wales who have maintained their land through stewardship. I am absolutely amazed when I think back over my time in this place to when Bob Carr decided that forests that had been logged successfully for 130 or 140 years should be turned into national parks. Why? It is because they had koalas in them. Why did the parks have koalas? It is because we had good, strong, healthy, managed forests with young trees that suited native animals in New South Wales.

The member for Barwon spoke earlier. I remember in late 2006 being in Narrabri. An area of land there had been set aside as part of a cypress forests moratorium, and a lightning strike started a fire. Madam Temporary Speaker, the member for Oxley, may have been there also; I think we were attending a conference on renewable energy. The next morning I went to get breakfast and I met some national parks employees who were former forestry employees. I asked them whether they had been out to the fire and they said they were going there that day. I asked them what it looked like—they did not know I was a member of Parliament—and one of them said, "There are burnt koalas everywhere." He continued, "That fire could have been stopped if Rod Young had started his dozer and put a firebreak in. The National Parks and Wildlife Service say they cannot do that until they get the maps and have a look at them because there may be some danger to an ecological community in there." That fire burnt out something like 100,000 hectares and it killed everything—all vegetation and every animal in there.

That was Labor's idea of protecting the environment, and it still is. There is not enough fire maintenance in national parks, and that has been a bugbear of mine for years—members can go back and look at my speeches. I commend the Government for trying to do something but it was my firm belief prior to this legislation being introduced that three amendments to the old Native Vegetation Act would fix the problems. But, unfortunately, the Office of Environment and Heritage and the bureaucrats got involved and we have ended up with legislation that is 206 pages of additional regulation. I am concerned about private native forestry—as I know you are, Madam Temporary Speaker—because, in reality, these days the only place we can get timber is from private native forests. The regulations that apply to that are fairly onerous, and I do not believe the bill addresses the issue properly.

I appeal to the Minister to make sure that these matters are addressed. I will speak briefly on this but I am very concerned that the coast has a 50-kilometre exclusion zone. We have a great blueberry industry on the coast, from Coffs Harbour to the Clarence electorate. I have raised in Parliament previously a property where a woman and her partner had cleared 20 acres to put in blueberries, which would have returned a sustainable income. They offered to set aside the remainder of that property, 80 acres, as a conservation area. They were told to restore the 20 acres. I am talking about a forest that had been logged heavily but which had regrown since 1990 and therefore had to be excluded. They were threatened with fines and cannot get an income off 100 acres of land that they own, even though they only want to farm 20 acres, all because it is covered under the Native Vegetation Act rather than

under this legislation. There must be sensible management. If these people are prepared to farm only 20 acres and set aside 80 acres, they should be allowed to do so. This issue should be reassessed retrospectively.

I turn to the connectivity sections in the bill which just blow me away. I will not quote the legislation word for word, but basically it says that if there is land on someone's property that does not have any biodiversity or ecological greatness but connects maybe two areas of public land it can be declared a connectivity corridor. Once that connectivity corridor is in place how do people manage their properties? How can they put in a farm shed, fence their properties, put roads through or slash their farms because the regulations state that such activities must be declared?

I appeal to my own Government that when these regulations come into force the Government must ensure that they are farmer friendly. Also, I ask that when the member for Sydney, Alex Greenwich, sits down to lunch today or dinner tonight or breakfast tomorrow he remembers that the food on his table is produced in regional and rural New South Wales by farmers who have been doing it for generations and they have not ruined the place. When he goes outside and sees all the tar and concrete, the lack of trees or trees imported from overseas, he should remember that his is not a native climate; it is native to Europeans who want to live in large cities. I really get annoyed when he comes in here and says, "We have lit-tor-al rainforests." Mate, they are littoral rainforests. He should go and have a look at them.

We have people in Sydney, because of the mass of the power within politics, telling us that we cannot manage our land, we cannot manage our forests and we cannot manage our own private native forests. They have ruined any biodiversity in Sydney; it has gone—ta-ta. I would also encourage the member for Sydney to go up to the level 9 garden around this time of the year and notice that blue wrens are breeding in the garden and that plovers are laying eggs on top of the Mitchell Library. Birds and animals do survive if given the habitat. We have the habitat; it is preserved. We do look after what we have and we can have stewardship.

The member for Oxley supports having koala hospitals and one is proposed for Coffs Harbour, with an offset for a housing estate. The ropes and swings we had to go through, the hills we had to climb up and down, were unreal. It is one of the most fantastic proposals I have seen but the Office of Environment and Heritage and the local council oppose it. It is a \$30-odd million investment. A magnificent area on Boambee Creek will be set aside for this koala hospital. It will be an earth sanctuary and it will be fenced. That is where we should be going in conservation.

Farmers are conservationists; we are not preservationists. If we continue to lock up places and not manage them, we will continue to have disasters like we saw in the Pilliga in 2006 where the land was razed. The animals, trees and the whole biodiversity have now been killed and will never return. Whilst I commend the legislation I say to my own Government, "Be very careful in the way you implement it and make sure that farmers are given an opportunity to do what they do best, that is, to provide the food that goes on tables right across New South Wales, Australia and overseas." I implore the member for Sydney, rather than reading a speech prepared by someone else, to come up to my electorate. I will take him around Coffs Harbour and show him what has been done. I remind him that he will die if we do not feed him.

**Ms Jenny Leong:** Oh, come on.

**Mr ANDREW FRASER:** It is true. The member for Newtown might remember that too. I commend the legislation with precautions.

**Ms JODIE HARRISON (Charlestown) (13:05):** I oppose the Biodiversity Conservation Bill 2016 and Local Land Services Amendment Bill 2016. I do this with much concern and sadness, along with my Labor colleagues on this side of the House. I also do it as a member of my local Landcare group and as a member of the NSW Parliamentary Friends of Landcare. The Biodiversity Conservation Bill fundamentally changes the biodiversity and environmental protections in New South Wales. This legislation will lead to a return to land clearing, an increase in the deaths and extinctions of native animals and undermine efforts to reduce carbon emissions in New South Wales. It is a serious backward step for environmental law and policy in New South Wales. Why is it such a backward step? Australia is home to many thousands of plants and animals. Many species are found only in Australia; 85 per cent of flowering plants, 82 per cent of mammals, 89 per cent of reptiles and about 93 per cent of our frog species are unique to this country. The majority of my electorate of Charlestown is in the Lake Macquarie local government area. A total of 527 different species of birds, mammals, amphibians and reptiles have been recorded in Lake Macquarie city.

Before European settlement the area surrounding Lake Macquarie was covered in dense bushland. This vegetation protected the soil from erosion and provided shelter and food for many native animals. Today much of this vegetation has been removed or altered. The remaining bushland areas are being threatened predominantly by clearing of native vegetation due to urban, rural or industrial development. This clearing results in bushland



fragmentation and the destruction of wildlife corridors. This loss of vegetation also decreases native fauna biodiversity through the loss of habitat for breeding, nesting and feeding, and increased competition for existing habitat areas. Other threats to this bushland, which is so important to biodiversity and our environment, are introduced animal and plant species and reduction and degradation of wetlands.

Labor has a proud history on environmental protection that has been vital to protecting the beautiful environment and wildlife of New South Wales. Labor is responsible for groundbreaking legislation including the Native Vegetation Act 2003, the Threatened Species Conservation Act 1995, as well as parts of the National Parks and Wildlife Act 1974. These laws, while not perfect, have delivered significant achievements in stopping broad scale land clearing, saving native wildlife, protecting against salinity, erosion and drought, as well as having a significant impact on reducing New South Wales carbon emissions.

Yesterday in this Parliament we received a visit from two health workers from the nation of Kiribati. We heard the devastating effects of climate change on their nation and that climate change is exacerbated by land clearing. They are experiencing threats to their drinking water and their crops as a result of sea level rise. We have a duty in this place to ensure that not only the people of New South Wales and Australia but also people from around the world are not affected by our actions in relation to the environment, biodiversity and climate change.

In the year 2000 Australia was the fifth-greatest land clearer in the world, and New South Wales was second to Queensland. Since the implementation of the Native Vegetation Act, introduced by the Carr Government, there has been an 88-fold reduction in areas approved for clearing from 80,000 hectares per year during 1998 to 2008 to 911 hectares per year during 2005 to 2013. That is alongside the offset of clearing approvals through protection and restoration of 61,000 hectares. There has been a 20 per cent reduction in actual clearing of remnant bushland and animal deaths have decreased by an estimated 14 per cent, or 53,000 fewer deaths each year. The laws have helped Australia meet its commitments on much-needed carbon emission reductions.

The legislation before us plans to destroy this environmental legacy and take biodiversity in New South Wales backwards. The Baird Government's proposed Biodiversity Conservation Act is a disaster for environmental protection and conservation in New South Wales. Rather than enhancing existing environmental and biodiversity legislation, this Baird Government is creating a system that will wreak havoc over the protection of our natural environment and enable broad scale land clearing and mass biodiversity destruction across the State. This legislation replaces the current scientific, evidence-based assessment with self-assessable codes, exemptions and an increase in discretionary land clearing. The legislation contains no clear environmental baselines, aims or targets. It contains no ban on broad scale clearing, no mandatory soil, water and salinity assessment, and no maintain or improve standard to ensure the environmental outcomes. That standard has been mentioned by previous speakers in this debate. This is likely to result in significant clearing increases in New South Wales.

Labor has no objection to the formation of a single Biodiversity Conservation Act. In fact, it wants to see coherent, simple and effective legislation to achieve the best possible environmental outcomes for the State. It will not tolerate the dilution and removal of critical environmental and biodiversity protections that underpin existing legislation. Labor will not support policies that weaken environmental laws. If it passes, Labor will overhaul this legislation when it comes to government and right this wrong to the environment and Australia's future. The Government is departing from a key recommendation of the Independent Biodiversity Legislation Review Panel, that land clearing involving a change of uses should be assessed under planning laws. Instead, it is handing the vast majority of clearing approvals to the Local Land Services which currently do not have the resources or expertise to carry out these functions.

Labor is not alone in its opposition. Throughout the process the level of support for this legislation has diminished. Many groups, including scientists, environmentalists and, contrary to what members of the Government are saying, farmers also oppose this legislation. Professor Hugh Possingham, an expert on the biodiversity review panel, recently resigned from the committee. He stated that his advice was being ignored and the codes that have been inserted will lead to broad scale land clearing. The Nature Conservation Council has stated:

In our view, the draft bills have little to do with biodiversity conservation and are simply designed to facilitate land clearing and development across New South Wales.

The NSW Environment Protection Authority has advised:

If you compare the laws that are being proposed with the laws that are being repealed, clearing will increase, offsets will expand—thereby justifying further clearing, private conservation will flourish in some areas but struggle in others, threatened species considerations can be traded off, and the new regime will not actually achieve the intended equity.

The Government has made assertions that this legislation is what farmers need and want. A group of over 650 farmers across New South Wales have run a counter campaign to that of the NSW Farmers and stated:

As farmers, land managers and food suppliers, we are alarmed at the Baird Government's proposed changes to land management laws. The changes will lead to widescale land clearing and land management practices that have no place in modern farming.

When one looks at this Liberal Government's environmental record, it is no surprise that there is such widespread opposition and scathing criticism. The Liberal Government's environmental record is appalling. The Government has refused to take action in New South Wales to protect marine life, birds and the broader environment by supporting Labor's bill for banning single-use plastic bags.

In June 2011 the Government approved hunting in 142 State forests for an unprecedented 10 years. They planned for hunting in national parks, but that was watered down due to community outrage. In addition, this Government has no plan for tackling climate change and no goals for renewable energy. This legislation is an addition to a long list of environmental failures by this Government. I am proud to stand on this side of the House with Labor who has always remained committed to ensuring it passes on the State's natural heritage to future generations in the best shape possible. Labor will always stand for legislative and regulatory regimes that provide robust protections for our natural environment. I am deeply saddened and concerned by, and vehemently oppose, these bills.

### **Business interrupted.**

### *Visitors*

### **VISITORS**

**TEMPORARY SPEAKER (Ms Melinda Pavey):** I acknowledge James Manly in the gallery today, a very good friend of the member for Parramatta and the member for Baulkham Hills.

### *Community Recognition Statements*

### **NSW COUNTRY GYMNASTIC CHAMPIONSHIPS**

**Mr ADAM MARSHALL (Northern Tablelands) (13:15):** I congratulate Matilda and Olivia Hamilton and Nevaeh Trevithick on their achievements at the New South Wales country championships held in Newcastle last month. Neveah competed very well and was awarded the country champion in trampoline and received a bronze medal at her level for all three of her rhythmic gymnastics apparatuses. Matilda also did well in level four, receiving silver in her three rhythmic gymnastics apparatuses and second place overall. This was Olivia's first competition and she was thrilled to participate and learn as much as she could from the experience. I commend their coaches Debi Hankins and Dot Hamilton from Sapphire City Gymnastics for the time and support given to the young gymnasts competing in events and using equipment that they are unable to practise on at home, as it is not available to them at the Inverell gym. I acknowledge all the gymnasts for their resilience and commitment to their sport. I wish them all the very best.

### **GOOD FOOD GUIDE AWARDS 2017**

**Ms JENNY LEONG (Newtown) (13:16):** I draw the attention of this Parliament to the restaurants across the electorate of Newtown that have recently been honoured in the 2017 Good Food Guide Awards. I congratulate the teams at Ester in Chippendale, Oscillate Wildly in Newtown and Sixpenny in Stanmore for their remarkable efforts in receiving two chefs hats in the awards. I also congratulate the eight restaurants who received one hat including Izakaya Fujiyama, Vini and Porteno in Surry Hills, Kepos Street Kitchen in Redfern, LP's Quality Meats in Chippendale, Hartsyard and Stanbuli on Enmore Rd, as well as Newtown's Continental, which also took out the Bar of the Year award. Congrats to Bovine & Swine Barbecue Co. who picked up the Best Cheap Eats prize and Tim Watkins of Automata in Chippendale who picked up Sommelier of the Year. A special shout out to Parliament on King on South King Street, who won the Food for Good award celebrating innovation and charity and going above and beyond to contribute to the community.

### **CENTRAL COAST PARALYMPIANS AND OLYMPIANS**

**Mr ADAM CROUCH (Terrigal) (13:17):** I was proud to attend a civic reception in recognition of our local Central Coast Olympians and Paralympians this week. It was held at the former Gosford City Council chambers. There were eight athletes from the Central Coast who took part in the Olympic and Paralympic Games in Rio. I acknowledge: Rae Anderson, who participated in the women's discus throw and javelin throw events at the Rio Paralympic Games; Matthew Dawson, of the Australian men's hockey team that made it to the quarterfinal round in Rio, before being defeated by The Netherlands; Riley Fitzsimmons started his surf lifesaving career at Avoca and placed fourth in the men's kayak four, 1,000 metre final; Matthew Formston participated in the cycling at the Rio Paralympic Games, including the men's B4000 metre individual pursuit; Dylan Littlehales participated in the canoe sprint men's KL3 at the Rio Paralympic Games.

### HEATON PUBLIC SCHOOL

**Ms SONIA HORNER (Wallsend) (13:18):** Heaton Public School, Jesmond, in the Wallsend electorate, is exemplifying the great spirit of inclusion and community spirit that is so important to people in our area with its wonderful support of Syrian refugee families. The school recently welcomed students from two new refugee families and have set up a dedicated building for intensive language learning. We also recognise the fantastic work of student Yarrah, from Jordan, who came to the school five years ago speaking little English. She now works as a mentor, translating for new students and helping to welcome them to the school. I thank Heaton Public School. What a wonderful school.

### EMPIRE STATE BUILDING RUN-UP

**Mr DAVID ELLIOTT (Baulkham Hills—Minister for Corrections, Minister for Emergency Services, and Minister for Veterans Affairs) (13:19):** I am delighted to inform the House that a Hills Shire resident has been selected to compete in the Empire State Building Run-Up in February next year. North Rocks resident James Manly, who is in the gallery with his beautiful parents, is one of only 250 people invited to race to the top of New York's famous building. In what will be an immense mental and physical challenge, athletes will run up 86 flights of stairs. That is 1,576 steps. I am fortunate to know James's parents, Alan and Jenny, very well. James is a fantastic representative of the Baulkham Hills community, having already competed in seven stair challenges this year. Next month he will compete in Melbourne's Eureka Climb, a stair challenge that raises money for charity. I congratulate James on his achievement and wish him every success in New York. Unfortunately, I cannot attend next year to see him run up those 1,500 steps, but the year after I will be in a position to do so.

**TEMPORARY SPEAKER (Ms Melinda Pavey):** Congratulations, James. I wish you good luck on behalf of the Parliament of New South Wales.

### TRIBUTE TO BERYL STEEL

**Mr RON HOENIG (Heffron) (13:20):** I recognise the enormous contributions made by Mrs Beryl Steel, who lives in my electorate of Heffron. If volunteers hold a community together then Beryl is like superglue. This year marks Beryl's fortieth year of volunteering to run and manage Mascot Physical Culture Club, better known as Mascot Physie, a dance school that works to empower girls and women of all ages. Students at Mascot Public School and JJ Cahill Memorial High School, my old high school, will recognise Beryl for her tireless work as the uniform shop coordinator, where she still volunteers three days a week. She was previously the president of the parents and citizens association and was awarded life membership. Beryl also made an invaluable contribution to JJ Cahill Memorial High School's magnificent string of performances in the Rock Eisteddfod during the 1990s.

Beryl has already received an Order of Australia Medal in recognition of her efforts. Today I personally congratulate her and place on the parliamentary record a small token of appreciation for her untiring contributions to our community. Beryl is a beloved mother and step-mother and a proud grandmother. Those who know Beryl describe her as a humble and loyal friend, someone who does not seek praise or recognition for her work but who just gets on with the job. Today her work will not go unnoticed. On behalf of my community I say: Thank you, Beryl, for your marvellous work.

### TRIBUTE TO NADIA KNOX

**Ms ELENi PETINOS (Miranda) (13:21):** I acknowledge Nadia Knox of Sylvania, who was injured while fighting the Londonderry bushfire on 13 November 2016. Nadia is a new volunteer in the Loftus Volunteer Rural Fire Brigade and this was her first time responding to a major incident. Her grandfather John Knox has been a Rural Fire Service volunteer for 50 years and inspired Nadia to give back to our community. Nadia was injured while on the front line, when a large burning branch fell on top of her and broke her collarbone. She is a local hero, and her bravery and dedication to protecting lives should be highly commended. In true Australian fashion Nadia plans to go straight back into the fire grounds as soon as she has recovered. This spirit of volunteering goes to the heart of our shire and embodies our overwhelming sense of community. As we enter the bushfire season, I thank and acknowledge all the firefighters who risk their own safety to protect our community. It is the brave and selfless efforts of people like Nadia that see so many homes and lives saved throughout the Australian summer.

### CUPCAKES FOR KIDS WITH CANCER

**Mr GREG PIPER (Lake Macquarie) (13:22):** I acknowledge an incredible community effort led by Jacinta Gomez from Morisset Park. Jacinta, whose mother, Kirsten, was a teacher at Wyee Public School, was 12 when she was diagnosed with cancer in April this year. Teachers and friends at neighbouring schools soon heard about the Gomez family's plight. Therese Blair, a teacher at Bonnells Bay Public School, and Tracie Brown, a teacher at Cooranbong Public School, came up with a fundraising campaign called Cupcakes for Kids with Cancer.

They soon had all the local schools on board. The campaign gained recognition through social media, attracting sweet donations and help from local businesses and sporting clubs. Earlier this month Jacinta was able to hand over a cheque for \$16,500 to the paediatric oncology ward at John Hunter Children's Hospital. It represented all the proceeds from cupcake day and will be used to make life a little easier for other youngsters battling cancer. This is a wonderful and inspirational story. I am very proud to recognise Therese, Tracie, Kirsten, Jacinta and her father, Rick, here in the New South Wales Parliament and thank them for their efforts.

#### **DAFFODIL COTTAGE**

##### **BATHURST JUSTICES OF THE PEACE**

**Mr PAUL TOOLE (Bathurst—Minister for Local Government) (13:23):** I ask that the House acknowledge the outstanding efforts of the Bathurst Daffodil Cottage fundraising committee. The committee raised \$700,000 for the expansion and redevelopment of Daffodil Cottage, a community cancer treatment facility in Bathurst. Through their outstanding efforts the expansion of the cottage was ensured and Bathurst and the region now has a facility that responds to the growing needs and demands of the community. The many hours of fundraising reflected the committee's high level of commitment and dedication and the outstanding level of support from the community. Through this redevelopment program the community have been provided with a facility that extends to those in need of the highest level of comfort, support and assistance that can be provided to patients and their families in a regional area. I commend to members the undertakings of the Daffodil Cottage fundraising committee and commend them for their outstanding achievement.

I also ask that the House acknowledge the justices of the peace in the electorate of Bathurst who have given 50 years of voluntary service to their communities. In Bathurst the recipients of long service awards were Mrs Betty Toole and Mr Terry Fish, and in Lithgow Mr Kevin Kirby. I commend and acknowledge the invaluable contribution made to the communities of both Bathurst and Lithgow by these volunteers. They have each made a significant contribution over a long period of time

#### **REMEMBRANCE DAY**

**Ms TANIA MIHAILUK (Bankstown) (13:24):** I was honoured to attend the Bass Hill RSL Sub-Branch's Remembrance Day service. Remembrance Day is a significant day. It marks the cessation of hostilities on the Western Front, at the eleventh hour of the eleventh day of the eleventh month in 1918. Remembrance Day is also an opportunity to commemorate and thank all the brave armed service men and women who have dedicated their lives to our country. I am proud to advise the House that the Bass Hill community strongly supported the service, with more than 200 members of the public, veterans, their families and schoolchildren from a number of local schools attending the event. I take this opportunity to thank and congratulate the executive of the Bass Hill RSL Sub-Branch, including president Ron Duckworth, vice-president Ross Graham and secretary Gary Roser, for their excellent work in engaging the local community to pay their respects at this year's Remembrance Day service. Lest we forget.

#### **TRIBUTE TO ESTELLE GOUGH**

**Ms LESLIE WILLIAMS (Port Macquarie—Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (13:25):** I recognise and congratulate Estelle Gough on her six-year tenure as president of Port Macquarie Landcare Group Incorporated. Estelle resigned her post on Tuesday 13 September at the local Landcare annual general meeting. For six years Estelle has been an inspiration to other Landcare workers and the community in general with her tireless work on the protection, rehabilitation and enhancement of the beautiful natural environment of the Port Macquarie-Hastings area. Her time as president has been just part of her contribution, as she has volunteered for Landcare and other environmental projects for 18 years.

Estelle and her husband, Ken, moved to Port Macquarie in May 1998, and soon after she put her hand up to help out at Friends of Kooloonbung Creek Nature Park, Port Macquarie Primary School and Douglas Vale historic homestead and winery. In 2002 she joined Port Macquarie Landcare and by February the following year she had started propagating seeds on her balcony. Starting with 20 species, she ended up with 50 boxes. By the end of the year she had 30 species and more than 4,000 seedlings. That was the beginning of the Landcare nursery, which was housed in the National Parks and Wildlife greenhouse by 2004, thanks to Estelle's negotiating skills. Congratulations to Estelle Gough on her tireless environmental work with Landcare in the Port Macquarie-Hastings region.

#### **FUSION WESTERN SYDNEY CAFE**

**Ms PRUE CAR (Londonderry) (13:26):** On Tuesday 25 October it was a privilege to help officially launch Fusion Western Sydney's new cafe in St Marys. This brand-new cafe, a social enterprise, will be a fantastic

addition to Queen Street, as well as promoting the outreach work that Fusion Western Sydney does with young people in our community. Fusion has set up its new cafe as a social enterprise so that all profits from the cafe are reinvested into Fusion youth and community programs. It was a privilege to cut the first bag of coffee beans to officially open the cafe with Penrith Deputy Mayor Tricia Hitchen and Federal member for Lindsay Emma Husar. I congratulate Fusion chief executive James Wood on all the hard work that has gone into setting up the cafe. I thank Judy Tweeddale for inviting me to come along to open this fantastic community initiative. I look forward to going there regularly.

### **COMBINED HIGH SCHOOLS ATHLETICS CHAMPIONSHIPS**

**Mr ADAM MARSHALL (Northern Tablelands) (13:27):** I recognise Glen Innes High School students Nick Alley and Matt Campion for their wonderful achievements at the New South Wales Combined High Schools Athletics Championships, held at Homebush early in September. Nick competed in the 17 years and over division of the pentathlon. He showed incredible resilience and determination to come from last place to win gold at the end of the competition. Pentathlon is an all-day event in which the competitor accumulates points in long jump, the 100 metres, shot put, javelin and the 1,400 metres.

Nick was placed last at the end of the second round and achieved four personal bests to finish 31 points ahead of second place. Outstanding! I commend Matt Campion on winning silver in the 200-metre steeplechase event. The event is very difficult to train for in country New South Wales, where we do not have the facilities—and certainly not in Glen Innes. I acknowledge the support of Nick's coach, Kaylene Alley, and the Glen Innes High School sports coordinator, Kirstie Fuller. They ensure that Nick and Matt can train and achieve their personal best in their chosen areas of athletics.

### **MAITLAND BUSINESS WEEK**

**Ms JENNY AITCHISON (Maitland) (13:28):** This week businesses across Maitland are coming together to connect, celebrate, collaborate and create. On Monday the Maitland Business Chamber launched the first Maitland Business Week, which focuses on local businesses coming together to collaborate to guarantee their future success. The week of events features networking championships, a business breakfast and a tourism forum, all aimed at building connections and supporting the local economy. The chamber has been proactive in organising Maitland Business Week. I was pleased to sponsor their endeavours to strengthen the business sector in Maitland.

Given that they are holding those activities this week, it is fitting that the Maitland State Emergency Service has held a business resilience workshop. This initiative arose from the terrible storms that were experienced in the Hunter in April 2015 and January 2016 and the impact of the floods on our community, particularly on businesses that were not prepared for the level of damage that was experienced. I congratulate Maitland SES on initiating this important workshop to ensure that small businesses are prepared for emergency situations in the future.

### **NUTTY MASTERS CARNIVAL**

**Mr ADAM CROUCH (Terrigal) (13:29):** On Saturday 12 November masters lifesavers from all over the Central Coast converged on Wamberal Beach in recognition of former club member Gary Lambert in the twenty-first Nutty Masters Carnival. Participants came from as far away as Urunga on the State's North Coast and as far south as Maroubra to pay tribute to Gary Lambert who died in a huge swell off Terrigal Point 21 years ago. Wamberal's local rivals, Terrigal Surf Life Saving Club, won the day, which was well attended by more than 70 competitors. Wamberal Surf Life Saving Club's Director of Surf Sports Justine Ella said it was an important tradition for the club. She also said:

It's great to support the family and remember the outstanding contribution Gary made to the club. The essence of the carnival is about fun and participation.

Gary's sons Billy, 23, and Charlie, 26, also participated in the competition. They took part in the fun and acknowledged everyone for continuing to honour their dad. Justine Ella singled out competitors Paul Lemmon from Terrigal and Colleen Harrison from Avoca Beach as stand-out performers on the day. Gary represented the club in many teams on the Central Coast and throughout New South Wales and coached at both nipper and senior level.

### **PORT STEPHENS ELECTORATE FESTIVALS**

**Ms KATE WASHINGTON (Port Stephens) (13:30):** Living in Port Stephens is like a festival every day. During festival season, it only gets better. I recognise the amazing people who volunteer their time to showcase all that our community has to offer. Recently, Karuah celebrated its annual Oyster and Timber Festival. The festival featured the famous Karuah duck race and Port Stephens oysters and the best axemen in New South Wales competed against each other. We celebrated our diverse and vibrant community at the Riverside

Multicultural Fiesta and Community Connect Day beside the river at Raymond Terrace. I thank event coordinators Liz Stephens and Adam Nicholas for bringing together such a spectacular showcase.

Another terrific event brought to us by the Myall Coast Chamber of Commerce and Tourism is the Myall River Festival at Tea Gardens. Amazing work was done by event coordinators Craig Foot and Gerard Wilson to bring together this exciting event. Congratulations also go to the Pindimar Bundabah Community Association for hosting the unique Pindimar Bundabah market at Nelson Bay. Tastes at the Bay 2016 had an enormous program of local food, beer and wine. Thank you to the many volunteers, businesses and community groups that work hard to make significant contributions to our community.

#### **RYLEY BATT, PARALYMPIAN**

**Ms LESLIE WILLIAMS (Port Macquarie—Minister for Early Childhood Education, Minister for Aboriginal Affairs, and Assistant Minister for Education) (13:31):** I acknowledge Port Macquarie athlete Ryley Batt on winning gold at the 2016 Rio Paralympic Games. Ryley and his Australian wheelchair rugby team, the Steelers, claimed a nailbiting 59-58 double overtime victory over the United States to claim the gold at Rio. Wheelchair rugby, also known as murderball, is one of the toughest sports any athlete could compete in. It is not only competitive and fast but also requires extreme fitness and often results in many injuries.

Ryley started competing in wheelchair rugby in 2002, representing Australia only a year later. In 2010 he was named Most Valuable Player at the world championships. Ryley has competed with the Steelers in Paralympic Games in Athens in 2004, Beijing in 2008, London in 2012 and Rio in 2016. Incredibly, the Steelers have taken the gold medal back to back in the last two Paralympic Games. I congratulate Ryley Batt on winning gold at Rio. He is a proud resident of Port Macquarie and an inspiration to athletes everywhere.

#### **NORTH LAKES TOUKLEY CHARITY GOLF DAY**

**Mr DAVID HARRIS (Wyang) (13:32):** On 4 November the North Lakes Toukley Charity Golf Day was held at the beautiful Kooindah Waters golf course. A field of approximately 100 enjoyed the fantastic weather and raised \$27,000 for a range of charities, including the Iris Foundation and the Ronald McDonald room at Gosford Hospital. I was happy to be a part of the Job Centre Australia team. The day was sponsored by Job Centre Australia, Lakes Podiatry, and Servers Australia. I congratulate Jenny Abourizk for this fantastic community effort. Well done North Lakes Toukley Rotary members.

#### **TRIBUTE TO PROFESSOR BEHDAD MOGHTADERI**

**Mr TIM CRAKANTHROP (Newcastle) (13:33):** Today I speak of renowned Novocastrian Professor Behdad Moghtaderi, who leads the Centre for Energy within the Newcastle Institute for Energy and Resources, which is a world-class research facility on the University of Newcastle campus. Professor Moghtaderi focuses on solving global energy challenges through world-leading research to develop low emission coal technologies, renewable energy technologies and engineering solutions to improve energy efficiency in industry. Recently, it was announced that he would be the director of the new Priority Research Centre for Frontier Energy Technologies and Utilisation in collaboration with VTARA Energy Group to develop a range of hybrid renewable technologies. I look forward to seeing what his team comes up with at this new facility.

#### **ERIN GRAY, NSW VET IN SCHOOLS STUDENT OF THE YEAR**

**Mr JOHN ROBERTSON (Blacktown) (13:34):** I congratulate Erin Gray on her success in receiving the New South Wales Vocational Education and Training [NSW VET] in Schools Student of the Year award. Erin is a hardworking member of our community who has shown the importance of vocational training in our schools. This year, Erin has been studying a Certificate III in Live Production and Services and has won the NSW VET in Schools Student of the Year at the 2016 NSW Training Awards. As a year-12 student, Erin has proven the success of studying vocational education and training [VET] courses in secondary school and will now represent New South Wales at the Australian Training Awards in Darwin next month. Erin's school community at St Andrews College, Marayong, is incredibly proud of her achievements. Her college principal, Nic Vidot, described her as an exemplary VET student who works diligently for the service of others. I extend my congratulations to Erin on behalf of the people of Blacktown, who will continue to support her as she represents our State next month in Darwin.

#### **KOORI NETBALL KNOCKOUT**

**Ms YASMIN CATLEY (Swansea) (13:35):** In Charlestown recently we saw the seventeenth annual Koori Netball Knockout. I had the opportunity to meet the East Lake Macquarie team, the Galgabba Stars, before they started the round robin, which went over the weekend of 28 and 29 October. The Koori Netball Knockout is organised by Sport and Recreation NSW, with the aim of increasing the participation of Aboriginal women in sport and recreation in a fun environment. The Galgabba Stars was made up of local Indigenous men and women

who work and study in the East Lake Macquarie area. I was delighted to hear that the Galgabba Stars won five out of their nine games. Everyone tried really hard and enjoyed a great weekend of netball. To the Indigenous community the Koori Netball Knockout is not only about netball but also about being alongside family and doing your mob proud. It was a pleasure to support this local team and receive my own Galgabba Stars singlet, signed by the team. Well done, Galgabba Stars.

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

#### *Announcements*

### **MIRACLE BABIES FOUNDATION**

**The SPEAKER:** Miracle Babies Foundation will be launching "Our Miracle Flock" exhibition in the Fountain Court today at 4.30 p.m., hosted by the member for Camden, Chris Patterson. The unique installation, facilitated by the Miracle Babies Foundation, coincides with World Prematurity Day on 17 November and celebrates the amazing but sometimes heartbreaking stories of premature and sick newborns. Please come along at 4.30 p.m. to show your support and please donate your stork, which you have all been given today, to raise the much-needed funds to keep this great cause successful. Today's matter of public importance will be on Miracle Babies Foundation in recognition of World Prematurity Day.

#### *Visitors*

### **VISITORS**

**The SPEAKER:** I extend a very warm welcome to my friends and guests Mr John Lamont of Nowra Chemical Manufacturers; Janaya Hennessey, a wonderful advocate for Aboriginal young people who is about to study social work at the University of Wollongong; and Anthea Brumerskyj from Nowra. They are guests of the Speaker and member for South Coast. I also welcome to the gallery Mr Peter Cavanagh of Woollahra Council, guest of the Attorney General and member for Vacluse. I also welcome student leaders, parents and teachers from Ryde East Primary School and Kent Road Primary School who are participating in the Ryde Electorate School Leaders Program, guests of the Minister for Innovation and Better Regulation and member for Ryde.

I welcome members of Tuesday Ladies Club and Switched on Seniors from Carlingford Seniors Club, guests of the Minister for Corrections, Minister for Emergency Services, and Minister for Veterans Affairs and member for Baulkham Hills; the Parliamentary Secretary for Multiculturalism and member for Parramatta; and the member for Epping. I also welcome Nicole Lawder, the Deputy Leader of the Australian Capital Territory Liberals, shadow Minister for Housing, shadow Minister for Family and Community Services, shadow Minister for Environment, and member for Brindabella and her staff member Nikkie Macey, guests of the Parliamentary Secretary for the Illawarra and South Coast and member for Kiama.

I also welcome to the gallery a delegation from the Rotary Club of Berry, guests of the Parliamentary Secretary for the Illawarra and South Coast and member for Kiama. I welcome Wenqi Mai, Pearl Lin, Allen Fraser and Vin Pang to the Chamber, guests of the member for Myall Lakes. I welcome James Fantham, a year 10 student from Killara High School who is currently undertaking work experience at the Parliament, guest of the member for Davidson. I welcome Isobel Cameron from Monte Saint Angelo Mercy College who also is doing work experience at the Parliament, guest of the member for Lakemba.

I welcome to the gallery today Jeanette Crakanthorp, the mother of the member for Newcastle, and guest of the member for Newcastle. I welcome Mr Joe Buttita who is the Manager, Civil and Park Maintenance, at Blacktown City Council, and his wife, Vicki, to the Chamber, guests of the member for Mount Druitt. I also welcome former member for Port Stephens, Craig Baumann, in the gallery.

I welcome to the Chamber His Excellency Mr Pier Francesco Zazo, who is the Ambassador of Italy to Australia, the Hon. Vincenzo Amendola who is the Italian Undersecretary of State for Foreign Affairs and International Cooperation, Senator Francesco Giacobbe of the Italian Committee for Finance, Mr Arturo Arcano, the Consul General of Italy in Sydney, and Dr Fabiana De Luca, the Deputy Head of Mr Amendola's office, guests of the Parliamentary Secretary for Transport, Roads, Industry, Resources and Energy and member for Drummoyne.

#### *Members*

### **DEPUTY PREMIER**

**Mr ANTHONY ROBERTS:** On behalf of the Premier, I inform the House that:

- (1) On 15 November 2016, His Excellency the Governor accepted the resignation of the Hon. Troy Wayne Grant, MP, as Deputy Premier.

- (2) On 15 November 2016, His Excellency the Governor appointed the Hon. Giovanni Domenic Barilaro, MP, as Deputy Premier.

*Question Time*

**LOCAL GOVERNMENT AMALGAMATIONS**

**Mr LUKE FOLEY (Auburn) (14:28):** My question is directed to the Deputy Premier. I congratulate him on his appointment and refer to the promise he made at the Bombala RSL Club 10 days before last year's election when he said:

Let me be clear, there will be no forced amalgamations in this region. I will be guided by my community. I will keep "Local" in Local Government.

Given this commitment, why has the Minister since supported the forced mergers of the Queanbeyan and Palerang councils and the Cooma-Monaro, Bombala and Snowy River councils?

**The SPEAKER:** Order! The member for Keira will cease being so aggressive so early in question time.

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional Development, Minister for Skills, and Minister for Small Business) (14:29):** I often wonder when I come into this place about the sorts of questions I will be asked. What about the track record of those opposite in local government in 2004 when they forced the amalgamation—

**The SPEAKER:** Order! The Deputy Premier will be heard in silence.

**Mr JOHN BARILARO:** —of the Tallanganda shire with Yarralumla shire against advice. They were worried about the political fallout but they still did it. From day one that council was about \$1 million in the red because of that forced amalgamation.

**The SPEAKER:** Order! The member for Strathfield will come to order. The member for Prospect will come to order. I call the member for Prospect to order for the first time.

**Mr JOHN BARILARO:** On top of that there was no funding on the table to support those councils that were forced to amalgamate under those opposite in 2004.

**Ms Kate Washington:** Point of order: My point of order relates to Standing Order 129. The question was about the Minister's own position.

**The SPEAKER:** Order! The Deputy Premier is being relevant to the question. The member for Port Stephens will resume her seat.

**Mr JOHN BARILARO:** I just want to put this in context because in my electorate local government reform has been an issue for about 15-plus years. In the days when those opposite forced the amalgamation of the Tallanganda shire with Yarralumla shire in an arrangement that was to the detriment of those councils—

**The SPEAKER:** Order! The member for Rockdale will come to order. If he continues to interject he will be removed from the Chamber for the remainder of the day. Members who are removed from the Chamber for the rest of today will miss the press Christmas party. I call the Leader of the Opposition to order for the first time.

**Mr JOHN BARILARO:** We say "council amalgamations" but we actually mean communities or people. They forced an amalgamation and put no support on the table. Over a decade we then saw—

**The SPEAKER:** Order! The member for Port Stephens will come to order. This is not a debate.

**Mr JOHN BARILARO:** —rate increases of 40 per cent to 60 per cent in that region and less services. That is the track record of those opposite when it comes to local government reform.

**Mr Guy Zangari:** Point of order—

**The SPEAKER:** Order! The Deputy Premier remains relevant to the question. The member for Fairfield should not try my patience today.

**Mr Guy Zangari:** Madam Speaker, as a member of this House I am allowed to take a point of order.

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

**Mr Guy Zangari:** My point of order relates to Standing Order 129, relevance.

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

**Mr Guy Zangari:** It is about the Deputy Premier's position on these matters of forced amalgamation.



**The SPEAKER:** Order! I call the member for Fairfield to order for the first time. When I ask members to resume their seats they will do so immediately.

**Mr JOHN BARILARO:** Over five years those on this side of the House have been consulting with communities and working with local government. It was at the local government conference that they sought the support of the State Government to help deliver services and infrastructure to their communities.

**The SPEAKER:** Order! Opposition members who continue to interject will be warned and then removed from the Chamber.

**Mr JOHN BARILARO:** The Minister for Local Government has both engaged and responded.

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

**Mr JOHN BARILARO:** But the key point in the way we did it was to put support mechanisms in place. The question asked about comments that I made at Bombala during the election campaign. I have said from the outset that a decision on local government reform must include the people we affect in the other communities.

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

**Mr JOHN BARILARO:** In my electorate in the communities of Bombala, Cooma and the Snowy Mountains, the vast number of people said they would support the Queanbeyan-Palerang reform if we got it right—if we put in place the support mechanisms and the investment. I can update the House that since the amalgamation almost six months ago we have seen increased funding to local amenities like the swimming pool at Braidwood, or at Captains Flat or Queanbeyan. We have seen investment in a range of infrastructure projects and community amenities that are so important—

**Mr Chris Minns:** Point of order—

**The SPEAKER:** Order! What is the member's point of order? I have already ruled on relevance. The Deputy Premier remains relevant to the question.

**Mr Chris Minns:** If things were so good why did you stab your mate in the back?

**The SPEAKER:** Order! This is not a debate. I place the member for Kogarah on two calls to order.

**Mr Chris Minns:** He got stabbed in the back because of you!

**The SPEAKER:** Order! I call the member for Kogarah to order for the third time. The next time the member conducts himself in that manner he will be removed from the Chamber for the remainder of the day.

**Mr JOHN BARILARO:** We have made sure that we are now delivering for those communities. I can inform the House that I have had many emails from my constituents. Some were against the mergers in the first place but they are now seeing the benefits.

**The SPEAKER:** Order! Members will cease eating lollies in the Chamber.

**Mr JOHN BARILARO:** It is no different from the TAFE reforms where we are seeing it costs 60 cents in the dollar just to run the organisation.

**The SPEAKER:** Order! I call the member for Prospect to order for the third time.

**Mr JOHN BARILARO:** Those opposite are out of touch. The Teachers Federation supports the One TAFE reform because they want to see more money in frontline services to create more teaching and learning environments. The residents in our local government areas want—

**The SPEAKER:** Order! Members will cease screaming. I call the member for Rockdale to order for the first time.

**Mr JOHN BARILARO:** —a focus on frontline delivery of services and that is what we are doing through our local government mergers. The mergers were only one part of many other recommendations in supporting local government and supporting regional communities.

**The SPEAKER:** Order! I again warn members that the behaviour of yesterday will not be tolerated today. Members will not be permitted to return to the Chamber for any reason if they are removed for the remainder of the day. I call the member for Swansea to order for the first time. I call the member for Maitland to order for the first time. They were not listening to my ruling. Members will cease passing lollies around in the Chamber.

**WESTERN SYDNEY INFRASTRUCTURE AND JOBS**

**Mr RAY WILLIAMS (Castle Hill) (14:35):** My question is addressed to the Premier. How is the New South Wales Government making Western Sydney a better place in which to live and do business?

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

**Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (14:35):** It is the last sitting week of the year so be a bit friendly, Robbo.

**The SPEAKER:** Order! I place the member for Keira on three calls to order.

**Mr MIKE BAIRD:** I thank the member for his question. The member for Castle Hill is the human reflection of Western Sydney.

**The SPEAKER:** Order! I remind the member for Blacktown that the Premier is joking.

**Mr MIKE BAIRD:** He lives it, he breathes it and he loves it. The member for Castle Hill is a fighter for Western Sydney. We are very proud of what the Government has been doing across all our portfolios in New South Wales, but we are particularly proud of what we are delivering for Western Sydney. I know that those opposite have been pleased with our progress in Western Sydney—they have clapped every step of the way. Why would they not be pleased? It is important that I outline what is going on in education. Under the Minister for Education we have had a massive investment in education in Western Sydney. New high schools are emerging such as Arthur Phillip High School. That is going to be a transformational high school. Indeed, the rest of the world is looking at how we are building that high school. It looks incredible. Parramatta High School is another example. Both those high schools will be opened in 2019. In the west central Sydney district there will be 160 new classrooms and in south-western Sydney there will 180 new classrooms. I know those opposite will be delighted to see those new classrooms—Jihad is very excited. In addition to those new schools we need more teachers. We are proud that over the past 5½ years—since we came into government—we have 3,800 additional teachers in our schools.

**Mr Adrian Piccoli:** Aren't they happy?

**Mr MIKE BAIRD:** They are very happy. They love the Minister for Education.

**The SPEAKER:** Order! Members will come to order. There is too much audible conversation in the Chamber.

**Mr MIKE BAIRD:** Of that number, 1,600 are in the huge growth region of Western Sydney. I would have thought that Opposition members would be delighted because we continue to deliver in Western Sydney in health under the great Jillian the builder. We have had an upgrade at Campbelltown and the member for Campbelltown cannot get enough of it. The member for Blacktown is excited because he told us all that Labor never delivered the Blacktown hospital. Who did? Jillian the builder. We have done the first upgrade at Nepean hospital.

**The SPEAKER:** Order! There is too much audible conversation in the Chamber.

**Mr MIKE BAIRD:** We understand that the member is very concerned about that. We have new ambulance super stations at Penrith, Blacktown, Bankstown and Liverpool.

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

**Mr MIKE BAIRD:** We know that our new hospitals need additional nurses. If I were to ask members if an extra 50 or 100 nurses have been employed in Western Sydney since we came to office, they may say they have been. Have we put on an additional 500 nurses? No, we have employed 1,376 new nurses in Western Sydney. Jillian the builder—that is what she does: more services, more nurses, more buildings. I do not know where to start in relation to transport. Look at how happy the Minister for Transport is. He loves it; he cannot get enough of it. He has basically got a crane in his back pocket and a tunnel borer in his inside pocket, everywhere he goes he has got things sticking out because he is building everywhere: things are going up, things are going up and around, he is building, building, building.

**The SPEAKER:** Order! I call the member for Rockdale to order for the second time. I call the member for Bankstown to order for the first time. I call the member for Maitland to order for the second time. I call the member for Cessnock to order for the first time.

**Mr MIKE BAIRD:** We know the sad history of the Metro, and I will not go through the 16 years of the former Labor Government again, but Labor promised it and it cost us \$500 million for exactly nothing. This

Minister is building it and is delivering and we expect that to be a huge addition to this great city. We know what a difference the Parramatta Light Rail is going to make—well done, member for Parramatta. But it is not only about building infrastructure, it is also about the additional services we are providing. If I said that in our time in government we have put in 100 extra public transport services in Western Sydney, people would say that is a good thing. If I said we have put in 500 or 1,000 extra public transport services, people would say that was really good. But what if I said we have put in 8,700 extra services? We have and we are very proud to be delivering that. *[Extension of time]*

When I talk about roads the story is a very good one. We do not have the roads Minister in this House but if we did, we would see asphalt coming out of his pockets, just like the member for Terrigal. Everywhere we go the Minister is building roads. We know the difference the M4 and the M5 are going to make to Western Sydney and, when we bring them together, the difference that WestConnex is going to make for commuters across this great city. We are spending \$3.6 billion on roads around the new airport—we are getting the infrastructure in place before the airport is built. So there is great news. I note a recent editorial stated:

Our State is on the verge of an infrastructure super-development that will transform all of NSW. We have the capital, the plans and the will. And the last thing NSW needs is an incoming Labor government ... It just does not bear thinking about.

I could not have put it better myself. It does not matter what portfolio one picks, we are delivering for the people across New South Wales and in Western Sydney. Whether it be in health, education, transport or jobs, every single portfolio is delivering. We are very proud to be delivering for the people of New South Wales. We are very proud to be a government that is transforming Western Sydney.

**The SPEAKER:** Order! The member for Rockdale will cease interjecting.

**Mr MIKE BAIRD:** It does not come easy but we are prepared to do the hard work, because that is what the people of Western Sydney deserve.

#### LOCAL GOVERNMENT AMALGAMATIONS

**Mr MICHAEL DALEY (Maroubra) (14:42):** My question is directed to the Deputy Premier. Given the massive swings against the National Party across the Cabonne shire last Saturday, does the Deputy Premier support the Premier's ongoing determination to forcibly merge it with Orange City and Blayney Shire?

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional Development, Minister for Skills, and Minister for Small Business) (14:43):** I thank the member for the question but I have a question for him: Has he been to Cabonne? Does he know where Orange is? The only reason the Opposition knows where the electorate of Orange is, or where Cabonne or any of those communities are, is that while they were doing their grubby preference deal with the Shooters in a little cafe on the corner in Orange they sold their soul.

**The SPEAKER:** Order! The member for Bankstown will cease screaming across the Chamber.

**Mr John Sidoti:** They never had a soul.

**Mr JOHN BARILARO:** The member for Drummoyne is right; they never had a soul.

**The SPEAKER:** Order! Opposition members will cease interjecting.

**Mr JOHN BARILARO:** The question is about local government reform.

**Mr Clayton Barr:** Point of order—

**Mr JOHN BARILARO:** I think I am being relevant.

**The SPEAKER:** Order! What is the member's point of order? Is it regarding relevance or is he simply seeking to be troublesome?

**Mr Clayton Barr:** I am asking the Minister to refer to the party as the Shooters, Fishers and Farmers.

**The SPEAKER:** Order! The member for Cessnock will not ask a question. What is the member's point of order?

**Mr Clayton Barr:** Could the Minister refer to the party as the Shooters, Fishers and Farmers Party?

**The SPEAKER:** Order! There is no point of order.

**Mr JOHN BARILARO:** There is no question that for The Nationals there is a lot to learn from the Orange by-election. I do not deny that and I take it seriously because a message was sent to our party that that community feels we have failed them in one way or another. But sometimes reality and perception are two different things. If we think about the investment we have seen in the Orange electorate—and do not take my word for it; members can read about it in *Hansard* in the valedictory speech of the former member for Orange

Andrew Gee—as a member for a marginal seat I get a bit envious about what we have done in the electorate of Orange.

**The SPEAKER:** Order! The Leader of the Opposition will come to order.

**Mr JOHN BARILARO:** But what we have to learn from the Orange by-election is that one of the things we have to do better is to include people in our decisions. We have to explain to the communities the benefits around some of the tough decisions we have made as a government. We were elected to make decisions, we were elected to lead.

**Mr Greg Warren:** Point of order—

**The SPEAKER:** Order! The Minister has been relevant to the question. However, I will hear the point of order.

**Mr Greg Warren:** It is under Standing Order 73. I welcome the Deputy Premier's admission that they failed out there.

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

**Mr Greg Warren:** But if he can get back—

**The SPEAKER:** Order! The member for Campbelltown will resume his seat. He is being argumentative and, frankly, problematic.

**Mr JOHN BARILARO:** I can accept that we got sent a message from Orange, but did the Labor vote go up or down? There was a swing against Labor. So Labor's plan for Orange was rejected, because the people of Orange saw through the Labor Party. They saw that they are a political football.

**Mr Michael Daley:** Point of order: It is Standing Order 129.

**The SPEAKER:** Order! The Minister is being relevant to the question. The member for Maroubra will resume his seat.

**Mr Michael Daley:** I know the Minister does not want to talk about forced amalgamations but that was what the question was about, so why does he not refer to it?

**The SPEAKER:** Order! The Minister is being relevant to the question. I call the member for Maroubra to order for the first time.

**Mr JOHN BARILARO:** When we talk about local government reform and amalgamations we are talking about communities, and we have got to be able to explain to them the benefits of policy decisions of the Government. I think that is the problem, and we have to take it on board. The result in the Orange by-election has not been declared yet. We have some learning to do and we have to get back out to the electorate of Orange and engage with them outside the excitement of an election, because an election puts on the table many different issues. As I said, the Labor Party put a plan forward to the electorate of Orange but it was rejected. Labor had the lowest vote.

**The SPEAKER:** Order! I call the member for Rockdale to order for the third time.

**Mr JOHN BARILARO:** We have to explain the benefits of the policies that we believe in, the policies that we have as a government put in place. We have got to this point of prosperity in this State—the jobs we have created, the infrastructure, the \$73.3 billion plans over the next four years, building hospitals, roads and schools that our communities want. There is no government and no party that represents regional New South Wales better than the Coalition Government and the National Party. There are plenty of policies that we must look at and there is a plan going forward. In the next days, weeks and months I will put forward to the people of Orange, to the broader communities in regional New South Wales, what the National Party plan is, dealing with the issues and allowing those communities to realise their aspirations. Under this Government those aspirations will be realised.

### REGIONAL JOB OPPORTUNITIES

**Ms KATRINA HODGKINSON (Cootamundra) (14:48):** My question is addressed to the Deputy Premier. How is the New South Wales Government providing great opportunities for young unemployed people and apprentices in regional New South Wales?

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional Development, Minister for Skills, and Minister for Small Business) (14:48):** That is a great question from the member for Cootamundra, someone who knows how to roll up her sleeves and fight for the issues that are important in her electorate—a wide, diverse electorate. Many of those opposite would not know about having a large electorate

where members have to travel 30,000 or 40,000 kilometres to serve the many cities, communities, towns and villages. In my electorate I cover 25,000 kilometres, and the member for Barwon's electorate is the size of Germany. This is the work that rural and regional members of Parliament do each and every day. We are committed to fighting for our communities.

Why? Because 35 per cent of the population, the great men and women of this State, live in regional New South Wales. They are part of the industry that supports our economy. That is why this side of the House continues to support regional New South Wales and has a plan. Our elected members are regional champions who represent their communities. They are connected to their communities, which is why we understand the importance of regional New South Wales. We have fought for those great outcomes, those great infrastructure projects, such as those in Broken Hill. It is a shame that the former member for Murray-Darling is not here today.

We know the issue in Broken Hill was water. This Government has made a \$500 million commitment to bring water security to enable those families to have clean water to wash their dishes and clothes, something that we take for granted in metropolitan Sydney. Regional areas were left behind by those opposite; they failed regional New South Wales. The New South Wales Government has made a \$5.2 million investment in Nimmitabel Dam in my electorate where we have gone from stage 6 water restrictions to now supporting the community.

The way we support jobs is by growing the economy, investing in infrastructure, partnering with the private sector and, as the Minister for Skills, making sure we have a skilled workforce to support our important businesses and industries. Earlier this year I announced the \$8 million regional VET Pathways program, working with disenchanted young people disconnected from education, training and employment. Those pathways give young people the best opportunity to gain employment because the best thing we can do for anybody is to give them financial independence. On top of that, we made a \$6 million announcement earlier this year to support apprentices in the bush with their travel and accommodation subsidies. We have doubled our Vocational Training Assistance Scheme accommodation subsidy from \$28 to \$56 per night.

**The SPEAKER:** Order! Members will come to order. I am disappointed that some members are not interested in youth and unemployment issues.

**Mr JOHN BARILARO:** Our fuel subsidy was increased from 12¢ to 33¢ per kilometre, really supporting those students in remote regional and rural New South Wales so that they can travel to get the training that will give them the skills to gain employment and have a great life. We have announced through our TAFE reform that as of March next year we will roll out one new connected learning centre to most remote and rural areas of this State. Areas that have not seen a TAFE facility before will now have access to the latest technology, connecting them to a major campus and making sure that regardless of where someone lives in this State, they will have the opportunity to gain the skills and training to get employment.

Investment has been made in the automotive facility at Kingscliff TAFE and in the \$10 million refurbishment and modernisation at Young campus, again in regional New South Wales—the Government is being front and centre in creating jobs and the workforce, with TAFE being a significant player as the provider. We have heard from the Premier and we know the track record of the Minister for Education, and Jillian the builder, with the hospitals that are being built right across regional New South Wales, supporting communities. At the same time those hospitals bring opportunities through our skills legacy program to tie skills training to job outcomes, supporting young people and local businesses.

With the hospitals themselves, large or small, I look at some of the health infrastructure in places like Cooma, where we committed to building a dialysis unit. It is not about bricks and mortar; it is about Rosie Shankar, who no longer has to get in the back of an ambulance and travel two hours to Canberra to receive dialysis. That is what we are doing through our investment—supporting communities, changing lives, supporting people in regional New South Wales.

Members should look at our track record when it comes to employment with 74,900 jobs since April 2015 in regional New South Wales, a growth rate greater than that of Sydney. It is fantastic. It is important to continue to remain connected to regional New South Wales and to ensure we understand its needs. I have said that I will travel to Orange next week with my new deputy leader to talk to, listen to and engage with the people of Orange so that I understand exactly what their issues are. I can also update the House that the member for Northern Tablelands has written to me and asked me to visit Armidale. [*Extension of time*]

Yesterday the member for Northern Tablelands contacted me and said, "Will you come and visit Armidale?" I can commit to him today and say that I will be in Armidale on Tuesday to visit his community to talk about the wonderful things we are doing as a government but, most importantly, to listen and engage and to make sure that what we do going forward is about meeting the community's aspirations. Nationals members and country Liberal members in this House represent some of the most disadvantaged communities in regional New

South Wales. Under those opposite we have never seen the sort of investment focus demonstrated by this side of the House. Since 2011 we have turbocharged the economy, supported communities and created jobs. That is against a backdrop of what we inherited from Labor. They destroyed the budget and had debt, deficit and deceit—the three Ds—

**The SPEAKER:** Order! There is too much audible conversation in the Chamber.

**Mr JOHN BARILARO:** We have reversed the trend because every member from regional New South Wales on the Government benches understands and is fighting for regional New South Wales. We do not want regional New South Wales just to survive; we want to see it thrive. We heard yesterday the announcement through the regional development framework that this is about harnessing the power of what we do in investment in infrastructure, building on the infrastructure backlog and turbocharging those communities, both large and small. We are focused on delivering and on partnering. As I said in the budget, soon we will be announcing our \$100 million youth unemployment package, supporting more young people in regional New South Wales to gain the skills and training to get a job and have a great lifestyle.

#### DEPUTY PREMIER AND DEVELOPER DONATIONS

**Ms JODI McKAY (Strathfield) (14:55):** My question is directed to the Deputy Premier. Why has he accepted political donations from the director of a property development company when that is prohibited under our electoral laws?

**The SPEAKER:** Order! The question contains implication. The member for Strathfield may reword the question and ask it later. The member will resume her seat. I rule the question out of order.

**Ms JODI McKAY:** You cannot shut down this Parliament because you do not like the question.

**The SPEAKER:** Order! It is nothing to do with my liking for the question. It does not comply with the standing orders of the House. The member for Strathfield should reword the question to say "Did you" not "Why did you".

**Ms JODI McKAY:** I am happy to ask the question.

**The SPEAKER:** Order! I will come back to the member for Strathfield. I have explained that the question does not comply with the standing orders. I will allow the question when the member has reworded it.

#### HEALTH CARE REFORMS

**Mr DARYL MAGUIRE (Wagga Wagga) (14:56):** My question is addressed to the Minister for Health. How have Government reforms introduced over the past five years helped to improve the health of people in New South Wales?

**Ms JILLIAN SKINNER (North Shore—Minister for Health) (14:57):** I thank the great member for Wagga Wagga for his question and his continuous help and support for the improvement of health care for people in his electorate. We have provided many different reforms that have made a huge difference to the health outcomes of people in the State. I start by talking about better care provided through better hospital performance. People have heard me speak in this Parliament before about the improvements in the four-hour rule in emergency departments. This is where patients should be seen and either discharged or admitted to hospital within four hours. I will give just a few examples. At Bankstown Hospital when I became Minister in 2011 only 40 per cent of patients were seen within four hours; now it is up to 78 per cent.

**The SPEAKER:** Order! I place the member for Bankstown on three calls to order. This is her final warning. I call the member for Strathfield to order for the first time.

**Ms JILLIAN SKINNER:** At Concord Hospital the figure has grown from 49 per cent to 76 per cent while at Hornsby Hospital it has gone from 56 per cent to 71 per cent. With respect to elective surgery performance the figure for patients seen within the appropriate time frame at Calvary Mater Hospital in the Newcastle area was 68 per cent in 2011 and is now 100 per cent; at Coffs Harbour Hospital it was 71 per cent, it is now 95 per cent; and at Campbelltown Hospital it was 84 per cent and it is now 98 per cent. That is just hospital performance and that story is replicated across the system.

Much has been said about upgrades being undertaken through the Government's \$10 billion hospital building investment. I give some examples. The \$282 million upgrade of the first stage of the mental health unit of Wagga Wagga Base Hospital transformed the place. When we first visited the emergency department the head of emergency department said, "Please don't design the new hospital until we have worked out a new way of treating patients, bringing senior doctors to the front of the process, having pathways so those who need further

observation could go through a short stay unit and those who need to be admitted could go in another direction". It has transformed the hospital.

The same story applies to Lismore hospital, where facilities are about to open in the \$180 million upgrade. Stage one of Blacktown Hospital has received \$300 million. I was thrilled to meet a family member who was attending a cardiac patient in the new hospital build, where she was able to sleep in the same room with a divider between them. She was present to help that patient recover more quickly. The Professor Marie Bashir Centre for mental health at Royal Prince Alfred Hospital received \$67 million. It provides for the treatment of people with eating disorders and a much smoother journey for mental health patients receiving treatment. Cancer centres built in the country have made a huge difference.

I was told recently that 40 per cent of cancer patients in western New South Wales previously had to travel to Sydney for treatment or forgo treatment. That statistic is now down to 7 per cent, and I will speak about the investment in research and new treatments that have come about as a consequence. One of my favourites is the Zero Childhood Cancer program. The Government provided funding to this program that will analyse the cancer cells of 1,000 children with rare cancers to deliver the most effective treatment. It has been so successful that the Prime Minister has committed a further \$20 million to expand the program across Australia. I congratulate that program at Prince of Wales Hospital.

Support of the Garvin Institute's whole genome sequencing program, including the Sydney Genomics Collaborative, has led to the diagnosis of rare diseases. The collaboration between that institute, the Children's Medical Research Institute and the proteomic program led to the signing of an agreement with the Vice President of the United States, Joe Biden, to participate in the Cancer Moonshot program. They are fantastic results for the people of New South Wales and for people across the world. I am proud of the funding committed to ending the transmission of HIV. It is one of my goals. Recent figures reveal that New South Wales has had the lowest number of new HIV notifications. [*Extension of time*]

**The SPEAKER:** Order! The member for Rockdale will come to order. He appears not to be interested in youth unemployment or subjects relating to childhood cancer.

**Mr Chris Minns:** Don't make that allegation; that is disgraceful.

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

**Ms JILLIAN SKINNER:** It was the lowest number of HIV notifications in four years—22 per cent lower. We are well on the way to achieving our target. The Premier has spoken of the frontline staff and the extra nurses employed. Since I became Minister, the number of doctors, nurses and midwives has increased by 7,506. There are 45,796 nurses and 11,137 doctors. The health system is keeping people well and out of hospital. On Monday this week I visited an integrated care program at Narromine hospital that works in partnership with Dubbo hospital. It is called the Bellies, Bubs and Beyond program—it is aptly named. It works to supervise the first 2,000 hours of a child's life, from conception, through pregnancy, birth and on to kindergarten. The Narromine centre involves the Aboriginal Medical Service, two brilliant midwives and an integrated care social and community coordinator. It will have a huge impact on the children of that town.

#### DEPUTY PREMIER AND DEVELOPER DONATIONS

**Ms JODI McKAY (Strathfield) (15:04):** My question is directed to the Deputy Premier. Will the Deputy Premier inform the House whether he has accepted political donations from the director of a property development company?

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional Development, Minister for Skills, and Minister for Small Business) (15:04):** All donations for candidates are made through the party organisation. As far as I know, it deals with these particular matters. I am not sure what the Opposition is referring to.

#### REGIONAL PLANNING

**Mr CHRIS PATTERSON (Camden) (15:04):** My question is addressed to the Minister for Planning. In the past 12 months how has Planning helped make New South Wales a better place to live.

**Mr ROB STOKES (Pittwater—Minister for Planning) (15:04):** I thank the member for Camden for his question.

**The SPEAKER:** Order! Members will come to order. The Minister for Planning has the call.

**Mr ROB STOKES:** I thank the member for Camden for his advocacy on behalf of his growing community. Former Federal Treasurer Peter Costello once called on people to have three children: one for

themselves, one for their spouse and one for the country. The member for Camden went further and had one more for Camden. It is an example emulated across Camden, in a heady cocktail of virility and fertility. The population across Camden and New South Wales is growing very quickly.

**The SPEAKER:** Order! Members will come to order.

**Mr ROB STOKES:** The Government has an obligation to provide jobs, homes and opportunities for the growing community. The Government is doing that across New South Wales. When this Government came to office land use planning in New South Wales started at Wollongong and ended in Newcastle. The Government has created a spatial plan across New South Wales. In the past 12 months my department has developed, put to draft or finalised regional plans for virtually every part of New South Wales. We anticipate that the work will be completed in a few short months.

For the first time in New South Wales' history there will a clear 20-year spatial plan guiding and providing investment certainty across every region of the State. It was an initiative suggested by the member for Murray, and Minister for Education. It will incubate more investment west of the Newell Highway. Development application fees for major projects have been halved in areas where there is a need to encourage the better use of resources. It is those government strategies that have seen jobs grow across New South Wales by more than 340,000 and in Western Sydney by almost 100,000. Productivity is one part of the cocktail needed to address the growth challenges posed in Sydney and across New South Wales. We need homes. There have been record levels of approvals—75,000 over the past 12 months—and more than 50,000 new homes have been completed across New South Wales in the past 12 months. That is a record, which this Government is proud of achieving. It needs to continue in order to provide more homes for the growing community.

But homes are not enough. They need to be well connected with places where there are jobs and with open spaces and cultural opportunities. Liveability is as much about productivity and jobs as it is about sustainability and a clean and healthy environment. We have new plans for places like Parramatta Road. We have planned for 66 additional hectares of open space and parkland, 33 kilometres of additional bike paths and walking trails and a \$198 million urban amenity improvement package to help meet the infrastructure requirements that growth along the Parramatta Road corridor is likely to create in the coming decades. That includes identifying and targeting the investment that will be needed for schools and hospitals, and the social infrastructure that is so important to support people and make their lives better. Whether on Parramatta Road or west of the Newell Highway or in the wonderful electorate of Camden, the Government is working hard across New South Wales to provide the opportunities and the context—the jobs, homes and great open places—that will make people's lives better.

#### **DEPUTY PREMIER AND DEVELOPER DONATIONS**

**Mr MICHAEL DALEY (Maroubra) (15:10):** My question is directed to the Deputy Premier. I refer to portable political donations returns to the Electoral Commission made out in the name of Deanna Barilaro and Kotsobola and Euro Partners, showing donations to the Deputy Premier. Are Kotsobola and Euro Partners developers as defined under the electoral donations laws? Is the Deputy Premier's wife a director of those companies?

**Mr Mike Baird:** They are donations to The Nationals.

**Mr MICHAEL DALEY:** No. It says "John Barilaro".

**The SPEAKER:** Order! The member for Maroubra has asked his question. I call the Deputy Premier.

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional Development, Minister for Skills, and Minister for Small Business) (15:10):** Questions about political donations and electoral funding should be directed to The Nationals organisation.

**Mr Michael Daley:** These two companies are his companies. Are they property developers? If the Deputy Premier does not know the answer to that question then no-one does.

**The SPEAKER:** Order! The member for Maroubra will cease interjecting. The Minister has completed his answer. I call the member for Newtown. The questions are out of order today. We have saved the best till last.

#### **WESTCONNEX**

**Ms JENNY LEONG (Newtown) (15:12):** My question is directed to the Premier. Will the Premier join me to meet with communities affected by WestConnex, before the end of the year, so that he can hear about their experiences and respond to their concerns?



**Mr MIKE BAIRD (Manly—Premier, and Minister for Western Sydney) (15:12):** I thank the member for her question. We do not agree with many of The Greens' policies, but we can all agree that they make very constructive contributions. They ask very good questions and they represent their communities very well. Not only that but we are very confident there will be more Greens members after the next election. I will come to that in a second. As the member for Newtown knows, I meet with many people and groups across Australia, some who are for WestConnex and others who are against WestConnex. Some individuals have been impacted by the project. We should not be having a diary chat in the Chamber, but I will do it because the member for Newtown asked me to. I am very happy to meet with the member for Newtown and one or two others who represent some of those groups. I do not have my diary in front of me, but we can find a time that works for both of us. I am happy to do that.

We strongly believe WestConnex will bring huge benefits to the people of this State and this city. I will use this opportunity to quickly go through them. I will give an example of how fantastic WestConnex will be for the city overall. Sydney drivers will have the option to bypass 52 sets of traffic lights. It is estimated that there will be 24,000 fewer cars on Southern Cross Drive. There will be 15,000 fewer cars on General Holmes Drive. The expectation is that the City West Link will remove 6,000 cars from the route. Traffic on Victoria Road from the Iron Cove Bridge will be reduced by almost 50 per cent. There is also expected to be less traffic on King Street, Homebush Bay Drive, Fairford Road, Roberts Road, Burwood Road, the Hume Highway, Burke Road, Botany Road, New Canterbury Road and O'Riordan Street.

In addition, the planning Minister has been busy—when he is not taking Berocca—working to improve the urban amenity along Parramatta Road; a large number of projects that will make a huge difference. There will be a further 2½ hectares of green space in St Peters. In Rozelle there will be 10 hectares of brand-new parkland that we are very proud to be delivering. We think there are significant benefits to WestConnex. Obviously there are some who do not agree with it. Personal circumstances have made things difficult for some individuals and we have announced a number of measures to address that. We will organise a meeting to deal with the concerns raised by the member for Newtown. I am very happy to do that. I strongly believe there will be more Greens in the next Parliament—and not only because of their constructive contribution. There are members in this House, such as the member for Summer Hill and the member for Blue Mountains, who are no longer part of the Labor Party; they are part of the Shooters, Fishers and Foley Party.

**Ms Kate Washington:** Point of order: My point of order goes to relevance, Standing Order 129. The question was about WestConnex. This has nothing to do with the question.

**The SPEAKER:** Order! The Premier will return to the leave of the question, which was about WestConnex.

**Mr MIKE BAIRD:** I do not recognise the Labor Party on the opposite side of the Chamber, but I do recognise the Shooters, Fishers and Foley Party. Last night the Frankie Valli song *Oh, What a Night* was playing. The Leader of the Opposition had dinner last night. Oh, yes, he did. Who was there? It was not the member for Fairfield. He is organising the numbers for the member for Maroubra, so he was not there.

**Mr Guy Zangari:** Point of order: My point of order is taken under Standing Order 129, relevance. This has nothing to do with the question about WestConnex.

**The SPEAKER:** Order! I uphold the point of order. The member for Fairfield will resume his seat. The Premier will return to the leave of the question.

**Mr MIKE BAIRD:** How are the member for Maroubra's numbers going? Anyway, there was the Leader of the Opposition last night at the inaugural annual general meeting—

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

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

**Ms Kate Washington:** The Premier is flouting the Speaker's ruling.

**The SPEAKER:** Order! I have directed the Premier to return to the leave of the question. The member for Port Stephens will resume her seat.

**Mr MIKE BAIRD:** On one side was Robert Borsak, on the other was Robert Brown and there was Luke Foley right in the middle. I do not know what they had to eat; I am guessing it was venison.

**Mr Luke Foley:** It was a celebration. What can I say?

## JOBS GROWTH

**Mr JOHN SIDOTI (Drummoyne) (15:17):** My question is addressed to the Minister for Industry, Resources and Energy. How is this Government driving innovation and investment across the State, and are there any related matters?

**The SPEAKER:** Order! Members will come to order.

**Mr ANTHONY ROBERTS (Lane Cove—Minister for Industry, Resources and Energy) (15:18):** I thank the member for Drummoyne for his question and commend him for his interest in jobs in New South Wales. The Government's number one priority is jobs, and we are delivering. We want the people of this State not only to be employed but also to have the opportunity to grow in their careers and to see their children take up the jobs of tomorrow. We want to create a million more jobs in New South Wales by 2036. Our Jobs for the Future strategy identifies the key areas on which to focus to ensure future employment. Through Jobs for NSW we are investing a minimum of \$57 million in regional New South Wales. Earlier this month the Deputy Premier launched our Regional Jobs Now package of five different financial products to support business at various stages of development.

We have also launched the Regional Development Framework to further grow regional business confidence, create jobs and encourage business investment. The Government has created Innovate NSW to provide start-ups with stimulus funding, mentoring and connections, enhancing touch points across the whole ecosystem through universities, incubators and established businesses. We are partnering with our universities and the CSIRO to deliver up to \$12 million for the Boosting Business Innovation Program, driving greater collaboration between researchers and local businesses. We have also helped launch the Women's Online Network platform in partnership with leading female entrepreneurs to help women start and grow their own businesses. Over the past two years we have launched five knowledge hubs across key sectors to share information, direct research and improve industry productivity.

This Government is also investing in future entrepreneurial talent by creating a learning space and establishing an institution that I am incredibly passionate about: the Sydney School of Entrepreneurship. It will nurture and cultivate the culture of entrepreneurship in New South Wales. This Government, on behalf of the people of New South Wales, has provided some \$25 million in funding to establish the school, which is a joint venture between New South Wales universities and TAFE. This Government is driving growth across a range of sectors where New South Wales has competitive advantages. We appointed retired Air Marshal John Harvey, AM, as the New South Wales Defence Advocate. The defence industry's economic contribution to New South Wales is \$5.5 billion in turnover and 30,000 skilled jobs. We are also driving growth in our advanced manufacturing sector, which contributes approximately \$33 billion to the economy and invests some \$1.3 billion annually in research and development. Our future prosperity depends on our ability to encourage and deliver innovation, and the New South Wales Government is ensuring that our State pushes the boundaries of what can be achieved.

On the subject of pushing the boundaries, it is the end of term and, as Leader of the House, I seek some indulgence. The Clerks regularly put things in a lost-and-found box. I will quickly run through them. A set of keys from NSW Corrections was lost. We found the keys but we have not found the prisoners. The owner can come and collect them; all these items can be collected from my office later. A "Make America Great" cap was left in the bar. I like the "Make America Great Britain" cap, which is quite thoughtful. I think it belongs to Paul Lynch. There is the 2019 Labor Party campaign cap "Making NSW No. 8 Again". There is a DVD documentary entitled *Sharknado*, which I recommend to all members as it underlies the importance of shark netting, particularly in Dubbo and places like that. You never know—tornadoes, sharks. It is a serious issue and everyone should take a look at that DVD.

This "I'm With her" Hillary boxed jigsaw was dumped. There is a piece missing and we might lock it up for the time being. We have an updated edition of *Economics for Dummies*, which explains the difference between public and private sector finance—we know whose it is; the member for Keira can pick it up later. Someone left their newspaper the *Senior* in the bar. We know it is a magazine for seniors because the page-3 pin-up is Gareth Ward. Apparently it is Noreen's; she just wants it autographed. [*Extension of time*]

Somebody left behind one of those tasteless Giant Panda gifts. It has both a UHF and a VHF receiver and sending devices with a range of 300 metres. It may also have some recorded conversations. So if anyone has received a gift from the embassy, let us know. We have a drug-testing kit—

**Ms Kate Washington:** Couldn't anyone help you with the jokes?

**Mr ANTHONY ROBERTS:** I just want to dance. Anyone who has lost a drug-testing kit should come and pick it up discreetly. I have an edition of the *Country Woman* magazine—we know it is for country women

because the fold-out is Andrew Fraser. He is very popular with the Country Women's Association. But the favourite is the new Shooters' magazine—members may not have it yet. It is fantastic. I do not know who dropped it, but there is a new pin-up boy. There is some great stuff in the magazine about whistling deer, fox and deer—a rare double. It is really good and I recommend it. Again, if members could make their way to my office at some stage I will make sure that everyone can collect their lost property. I thank the House for its indulgence. I will see about doing some more tomorrow.

#### *Committees*

### **COMMITTEE ON THE INDEPENDENT COMMISSION AGAINST CORRUPTION**

#### **Government Response: Review of the Independent Commission Against Corruption: consideration of the Inspector's reports**

**The CLERK:** I announce receipt of the Government's response to report No. 2/56 of the Committee on the Independent Commission Against Corruption, entitled "Review of the Independent Commission Against Corruption: consideration of the Inspector's reports", dated 15 November 2016, received this day and authorised to be printed.

### **STAYSAFE (JOINT STANDING COMMITTEE ON ROAD SAFETY)**

#### **Reference**

**Mr GREG APLIN :** As Chair: In accordance with Standing Order 299 (1), I inform the House that the Joint Standing Committee on Road Safety has resolved to conduct an inquiry into driver education, training and road safety, the full details of which are available on the committee's home page.

### **COMMITTEE ON CHILDREN AND YOUNG PEOPLE**

#### **Reports**

**Ms MELANIE GIBBONS:** As Chair: I table report No. 2/56 of the Committee on Children and Young People, entitled "Sexualisation of Children and Young People", dated November 2016. I move:

That the report be printed.

**Motion agreed to.**

#### *Petitions*

### **PETITIONS RECEIVED**

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

#### **Commercial Fisheries Business Adjustment Program**

Petition requesting that the Government pause the Commercial Fisheries Business Adjustment Program and evaluate alternative options, received from **Mr David Mehan**.

**The SPEAKER:** I set down the discussion on the petition as an order of the day for a future day.

**The CLERK:** I announce that the following petitions signed by fewer than 500 persons have been lodged for presentation:

#### **Powerhouse Museum Ultimo**

Petition requesting the retention of the Powerhouse Museum in Ultimo and the expansion of museum services to other parts of New South Wales, received from **Mr Alex Greenwich**.

#### **Ice Smoking Room Proposal**

Petition requesting that the Legislative Assembly rejects any plans for an ice smoking room to be built or operated in the south or south-west region of Sydney, received from **Ms Melanie Gibbons**.

#### **Safe Schools Coalition**

Petition requesting that the Government prevent the use of the Safe Schools Coalition program in government schools and support for holistic anti-bullying approaches, received from **Mr Kevin Conolly**.

#### **National School of Art**

Petition requesting that a long-term lease be provided to the National School of Art for its site, that it remain independent and that the Government continue its funding, received from **Mr Alex Greenwich**.

#### **Ferry Services**

Petition requesting new inner city ferries, received from **Mr Alex Greenwich**.

#### **Social Housing**

Petition requesting that the Sirius building be retained and its social housing function be continued, received from **Mr Alex Greenwich**.

#### **Inner-city Social Housing**

Petition requesting the retention and proper maintenance of inner-city public housing stock, received from **Mr Alex Greenwich**.

#### **Pet Shops**

Petition opposing the sale of animals in pet shops, received from **Mr Alex Greenwich**.

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

The Hon. David Elliott—Corrective Centres Public Education Services—lodged 11 October 2016 (Mr Guy Zangari)

#### *Business of the House*

### **PRISON POPULATION AND RECIDIVISM**

#### **Reordering**

**Mr GREG PIPER (Lake Macquarie) (15:30):** I move:

That General Business Notice of Motion (General Notice) given by me this day [Recidivism Rates] have precedence on Thursday 17 November 2016.

I note that the member for Lakemba will also seek for his motion to take precedence tomorrow. I would not presume to say that his motion is not significant, but mine concerns a very important matter that I believe this House has not given enough consideration to for some years at least. Today a record number of more than 12,500 people are incarcerated in New South Wales. About a quarter of them are Indigenous and 3,600 are on remand. Almost half of them will reoffend upon their release and return to jail at some stage, at great financial and social cost to the community. Clearly, the rehabilitation of those people is not being achieved simply by incarceration. The purpose of my motion is to acknowledge what the Government is doing to reverse those trends and also to call on the Government to actively pursue further strategies to reduce prison populations, particularly among juveniles, Indigenous people and those on remand. This is a significant matter and that is why I seek for my motion to take precedence.

This is a hidden problem that does not get the consideration it deserves. This problem is placing significant pressure on the budget of Corrective Services. Of course, the bigger cost is the financial and social cost to the community of not reducing crime. We have growing rates of incarceration and high rates of recidivism. We have many social issues that need to be addressed, but we must have this discussion in this place and I believe we should do it now. There is no doubt that the community wants the Government to be tough on crime. In particular, the community expects tough punishments for those who commit violent and heinous crimes and crimes against children, and those who engage in domestic violence. If people do those crimes then they rightly do the time. But we need to be making greater efforts to ensure that offenders find ways and opportunities to salvage themselves from cycles of crime and rehabilitate themselves into good and decent members of the community.

The New South Wales Bureau of Crime Statistics reports that our prison population swelled by 18 per cent in the five years to September 2015. It grew further this year. The average cost of keeping one prisoner in open custody in New South Wales last year was \$164.29 a day. That cost is below the national average but equates to \$60,000 a year. A reduction in the number of offenders means a reduction in costs to the taxpayer. Most importantly, it means a reduction in the number of victims and will create a much safer community.

**Mr JIHAD DIB (Lakemba) (15:33):** Given the failure of the Government to address the crisis in our schools, even though it has been in charge for more than half a decade, it is left to the Opposition to seek to reorder this motion so that it has precedence tomorrow. I implore Government members to support this reordering so that we can bring on debate on this issue. Today students in our public schools are trying to learn in crumbling school

environments that are buckling under the strain of a \$755 million maintenance backlog. This issue has been raised over and over. What is the response of this Government, which gloats about its economic credentials?

Its response is a meagre increase of \$85 million in this year's budget. That is akin to putting out a bushfire with a water pistol. It is a shameful and cynical exercise that does little for our kids. Every student deserves a functioning and safe learning environment, yet this year alone our schools have continued to deteriorate and will cost a further \$43 million to repair. We hear of deflections and announcements regarding money promised to schools here and there but nothing is being done to address this massive issue. I will bust one myth to which the Minister for Education and the Premier have both referred, that is, the \$1 billion backlog they claim they inherited. A release by the Minister for Education dated 26 April 2012 says:

After 16 years Labor left NSW schools with a \$156 million maintenance liability.

He went on to say:

Thanks to Labor we now have a legacy of rundown toilet blocks, science labs, food technology labs and roofs needing replacement.

The backlog was \$156 million and is \$755 million now. What is this Minister's legacy? Before members opposite begin talking about the \$1 billion, they should get their facts right.

**Dr Geoff Lee:** You know that's not right.

**Mr JIHAD DIB:** It was in the Minister's release. Either he was not levelling with the people then or he is not levelling with them now. The Minister has accused the Opposition of all sorts of things as a result of this fact being exposed; however, he has failed to acknowledge that these figures—just like the information that one-third of New South Wales schools are overcrowded—were supplied by his Department of Education Assets Management Unit. Members opposite can try to spin it any way they like but those are the facts. The backlog has increased from \$156 million to \$755 million. The backlog is not for luxury items but for simple things that people would expect at any school, such as guttering, roofs and carpets. It is not limited to the metropolitan areas. I say to members opposite that when you go to your schools this year for presentation day make sure that you stick up for them. Do not just go there for the photographs. Stick up for them and speak to the Minister about it.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! The member for Lakemba will address his comments through the Chair.

**Mr JIHAD DIB:** We condemn this Government for its slick trickery and its shameful neglect of our public schools. We call on the Minister to address this issue for the sake of the schools in our State.

**TEMPORARY SPEAKER (Mr Lee Evans):** The question is that the motion of the member for Lake Macquarie have precedence on Thursday 17 November 2016.

**The House divided.**

Ayes .....44

Noes .....34

Majority..... 10

AYES

Anderson, Mr K  
Bromhead, Mr S (teller)  
Constance, Mr A  
Dominello, Mr V  
Goward, Ms P  
Hazzard, Mr B  
Humphries, Mr K  
Lee, Dr G  
Notley-Smith, Mr B  
Pavey, Ms M  
Piccoli, Mr A  
Sidoti, Mr J  
Stokes, Mr R  
Tudehope, Mr D  
Williams, Mr R

Aplin, Mr G  
Brookes, Mr G  
Coure, Mr M  
Elliott, Mr D  
Greenwich, Mr A  
Henskens, Mr A  
Johnsen, Mr M  
Maguire, Mr D  
O'Dea, Mr J  
Perrottet, Mr D  
Piper, Mr G  
Skinner, Ms J  
Taylor, Mr M  
Upton, Ms G  
Williams, Ms L

Barilaro, Mr J  
Conolly, Mr K  
Crouch, Mr A  
Gibbons, Ms M  
Gulaptis, Mr C  
Hodgkinson, Ms K  
Kean, Mr M  
Marshall, Mr A  
Patterson, Mr C (teller)  
Petinos, Ms E  
Provest, Mr G  
Speakman, Mr M  
Toole, Mr P  
Ward, Mr G

## NOES

Aitchison, Ms J  
 Car, Ms P  
 Crakanthorp, Mr T  
 Doyle, Ms T  
 Harris, Mr D  
 Hoenig, Mr R  
 Lalich, Mr N (teller)  
 McDermott, Dr H  
 Mihailuk, Ms T  
 Parker, Mr J  
 Warren, Mr G (teller)  
 Zangari, Mr G

Atalla, Mr E  
 Catley, Ms Y  
 Daley, Mr M  
 Finn, Ms J  
 Harrison, Ms J  
 Hornery, Ms S  
 Leong, Ms J  
 McKay, Ms J  
 Minns, Mr C  
 Robertson, Mr J  
 Washington, Ms K

Barr, Mr C  
 Chanthivong, Mr A  
 Dib, Mr J  
 Foley, Mr L  
 Haylen, Ms J  
 Kamper, Mr S  
 Lynch, Mr P  
 Mehan, Mr D  
 Park, Mr R  
 Smith, Ms T  
 Watson, Ms A

## PAIRS

Baird, Mr M

Smith, Ms K

**Motion agreed to.***Motions Accorded Priority***STATE INFRASTRUCTURE****Consideration**

**Mr MATT KEAN (Hornsby) (15:43):** My motion deserves to be accorded priority because it is the only way we can get Labor to talk about infrastructure and the economy. In fact, that is the only thing they do not want to talk about.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! The member for Hornsby has the call.

**Mr MATT KEAN:** They will talk on just about anything except the strength of the New South Wales economy created by this Government. They do not want to talk about the record \$73 billion infrastructure spend. They will do anything to avoid talking about how this Government is improving the lives of Western Sydney commuters by building WestConnex. They will do anything to avoid giving credit for—

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! Members will cease interjecting. I direct the member for Blacktown to remove himself from the Chamber for a period of one hour.

*[Pursuant to sessional order the member for Blacktown left the Chamber at 15.44]*

**Mr MATT KEAN:** Those opposite will do anything not to give credit to the health Minister's record infrastructure spend on hospitals across this State. From Byron to Wagga Wagga and Hornsby to Blacktown, we are delivering better services and infrastructure for patients across New South Wales. Those opposite will do anything not to talk about the record infrastructure spend, which is transforming the New South Wales economy. They do not want to talk about it because they do not want to give recognition to the Premier for transforming New South Wales. As well, it is a painful reminder of their abject failure when they were in government. We all remember their shameful record. We all remember that 13 train lines were promised but not one was delivered.

**Dr Geoff Lee:** What about the Rozelle metro? How much was lost?

**Mr MATT KEAN:** We all remember the Rozelle metro—half a billion dollars was spent but not one millimetre of rail was laid. What a disgrace. We all remember the dismal infrastructure record of those opposite.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! I call the member for Kiama to order for the first time.

**Mr MATT KEAN:** But since the change in its leadership, the new Labor Party that is seated on the Opposition benches has a new plan. The plan, which is called "A Better Way", states, "Luke Foley and Michael Daley have today outlined their priorities for New South Wales under Labor's fully funded, fully costed infrastructure plan, which makes modest commitments." In order to gauge how modest those commitments were, I went to the Parliamentary Budget Office to look at the budget impact statements. Over four years Labor is going

to spend \$1.7 billion. On this side we are spending \$73 billion; on the other side \$1.7 billion. They are absolutely right, it is a modest plan and it has a lot to be modest about.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! I remind the member for Castle Hill that the member for Hornsby has the call.

**Mr MATT KEAN:** That is Labor's proposal: a modest plan with a lot to be modest about. This Government is going to get on with the job of transforming this State, building infrastructure and improving the lives of every citizen in New South Wales.

## LOCAL GOVERNMENT AMALGAMATIONS

### Consideration

**Mr GREG WARREN (Campbelltown) (15:46):** My motion should be accorded priority because the people of the bush deserve to have a voice in this place about council amalgamations. The people of Cabonne and others made their feelings known loud and clear last Saturday about the Liberal and The Nationals forced amalgamation of Blayney shire, Cabonne and Orange city councils. Cabonne may be a small community, but it is a strong community.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! Members will cease interjecting. The member for Campbelltown has the call.

**Mr GREG WARREN:** The people are opposed to the Liberal and The Nationals position on council amalgamations. Swings of over 40 per cent or 50 per cent, and even over 60 per cent in Molong, Canowindra, Cumnock and Manildra make that crystal clear, but The Nationals are not listening. The National Party members opposite know exactly how much of a lame duck this amalgamation policy is. The Nationals got into bed with the Liberals to make a policy that puts an imposition on every man, woman and child who seeks democracy in local government in regional New South Wales. The Leader of the Opposition challenged the former Deputy Premier to a town hall debate about this very matter right across the road from the Cabonne Shire Council premises in Molong—The Nationals and the Liberals are hell-bent on destroying that council—but the former Deputy Premier was not able to attend. Why? Because like those of us on this side of the House, the people know that the Liberal-Nationals policy on council amalgamations is a basket case. It is a dog's breakfast and it has failed the democratic test.

Those on this side of the House are not too afraid to get up and say something about it. Cabonne shire is just one of many mergers that this Government is hell-bent on ramming through with no concern for the residents affected. The list of amalgamations in regional New South Wales that The Nationals are allowing the Liberals to get away with is huge: Dungog shire and Maitland city councils; Conargo shire and Deniliquin councils; Corowa and Urana shire councils; Cootamundra and Gundagai shire councils; Boorowa, Harden and Young shire councils; Gloucester shire, Great Lakes and Greater Taree city councils; Murray and Wakool shire councils; Jerilderie and Murrumbidgee shire councils; and the list goes on. It is also affecting my hometown of Dubbo, which is to be merged with Wellington Shire Council.

The contempt with which The Nationals have treated this debate has been at the cost of democracy in those regions. People in those regions have been forgotten. The Nationals are arrogantly immune to the concerns of the people in the bush, as shown by their continued acts of contempt, and they are ignorant of the prosperity that the people in the bush seek and, indeed, deserve. They say that they are listening. They might be listening but they are not hearing anything that people are saying. I commend the motion to the House.

**TEMPORARY SPEAKER (Mr Lee Evans):** The question is that the motion of the member for Hornsby be accorded priority.

**The House divided.**

Ayes .....44  
Noes .....34  
Majority..... 10

### AYES

Anderson, Mr K  
Bromhead, Mr S (teller)  
Constance, Mr A  
Dominello, Mr V  
Goward, Ms P  
Henskens, Mr A

Aplin, Mr G  
Brookes, Mr G  
Coure, Mr M  
Elliott, Mr D  
Gulaptis, Mr C  
Hodgkinson, Ms K

Barilaro, Mr J  
Conolly, Mr K  
Crouch, Mr A  
Gibbons, Ms M  
Hazzard, Mr B  
Humphries, Mr K

## AYES

Johnsen, Mr M  
 Maguire, Mr D  
 O'Dea, Mr J  
 Perrottet, Mr D  
 Provest, Mr G  
 Sidoti, Mr J  
 Stokes, Mr R  
 Tudehope, Mr D  
 Williams, Mr R

Kean, Mr M  
 Marshall, Mr A  
 Patterson, Mr C (teller)  
 Petinos, Ms E  
 Roberts, Mr A  
 Skinner, Ms J  
 Taylor, Mr M  
 Upton, Ms G  
 Williams, Ms L

Lee, Dr G  
 Notley-Smith, Mr B  
 Pavey, Ms M  
 Piccoli, Mr A  
 Rowell, Mr J  
 Speakman, Mr M  
 Toole, Mr P  
 Ward, Mr G

## NOES

Aitchison, Ms J  
 Car, Ms P  
 Crakanthorp, Mr T  
 Doyle, Ms T  
 Harris, Mr D  
 Hoenig, Mr R  
 Lalich, Mr N (teller)  
 McDermott, Dr H  
 Mihailuk, Ms T  
 Parker, Mr J  
 Warren, Mr G (teller)  
 Zangari, Mr G

Atalla, Mr E  
 Catley, Ms Y  
 Daley, Mr M  
 Finn, Ms J  
 Harrison, Ms J  
 Hornery, Ms S  
 Leong, Ms J  
 McKay, Ms J  
 Minns, Mr C  
 Piper, Mr G  
 Washington, Ms K

Barr, Mr C  
 Chanthivong, Mr A  
 Dib, Mr J  
 Greenwich, Mr A  
 Haylen, Ms J  
 Kamper, Mr S  
 Lynch, Mr P  
 Mehan, Mr D  
 Park, Mr R  
 Smith, Ms T  
 Watson, Ms A

## PAIRS

Baird, Mr M

Smith, Ms K

**Motion agreed to.**

## STATE INFRASTRUCTURE

## Priority

**Mr MATT KEAN (Hornsby) (15:56):** I move:

That this House:

- (1) Welcomes the Government's record \$73 billion infrastructure investment over the next four years.
- (2) Notes that only with a strong economy can infrastructure be built and services improved across the State.
- (3) Recognises that only this Government can keep New South Wales number one.

I am glad the House has accorded this motion priority because it is the only way we can get the Labor Party to talk about infrastructure and the strength of the New South Wales economy. The Labor Party avoids talking about infrastructure at all costs. The Labor Party avoids talking about how the Government is improving the lives of residents in Western Sydney by building WestConnex, and it avoids talking about how we are improving the lives of Central Coast and Hunter residents by building NorthConnex and removing half the traffic from Pennant Hills Road—the worst road in Sydney—every day of the week.

**Mr David Harris:** I supported that in the media.

**Mr MATT KEAN:** I note the interjection from the member for Wyong supporting the Government's infrastructure program and supporting NorthConnex. The Labor Opposition in my community does not support NorthConnex, so I am glad the member for Wyong's statement is on the record. The Labor Party avoids talking about how we are improving the lives of patients across New South Wales by building new and better hospitals, such as St George Hospital and Hornsby Ku-ring-gai Hospital—

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! I call the member for Oatley to order for the first time.



**Mr MATT KEAN:** —a hospital that was left to decay under those opposite. Whether it is a hospital in Hornsby, Western Sydney or western New South Wales, this Government is delivering infrastructure across the State and at the same time is growing our economy and creating more opportunities for every resident in New South Wales. That is what good governments do. We are delighted to talk about infrastructure and the economy—

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! The member for Rockdale will come to order.

**Mr MATT KEAN:** —because it means we also get to talk about Labor's record on infrastructure. I need not remind the House about the \$30 billion infrastructure backlog that those opposite left us when we came to government in 2011. I need not remind the House of the 13 promised and axed railways.

**Dr Geoff Lee:** Tell us.

**Mr MATT KEAN:** For the benefit of the member for Parramatta, I will. Members will remember the Bondi Beach rail link promised in 1998 and, surprise, surprise, not delivered. The high-speed rail link to Newcastle and the Central Coast would have been a great benefit to the member for Wyong, but when he was a member of the Cabinet did he see that delivered? No, that was axed.

**Mr Mark Coure:** What about the Hurstville to Strathfield railway?

**Mr MATT KEAN:** I was just coming to that.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! There is too much audible conversation in the Chamber.

**Mr MATT KEAN:** The member for Kogarah and the member for Rockdale are in the Chamber. Their communities would have benefited from the Hurstville to Strathfield railway line. In fact, it would have been built by now because it was promised in 1998. The high-speed rail link from Sutherland to Wollongong was promised in 1998. A lot went on in 1998. Bob Carr went berserk. It was like an infrastructure promise bonanza but like everything that Labor did, it was all spin and no substance. There was then the Parramatta to Epping rail link. At least we got half of the Parramatta to Epping rail link but at double the cost; it did not quite get to Parramatta under Labor. There was then the north west heavy rail link also promised in 1998. I was looking forward to that because I could have caught it to school every day but it has taken this Government to get it going.

There was the south west heavy rail link promised in 2004 that was axed and the CBD harbour crossing rail link promised in 2005 that was also axed. The north west metro was promised in 2008 and, surprisingly, axed. There was then my favourite, the CBD Rozelle metro, which I could talk about all day. Labor promised a rail link that was going to be the newest, most whiz-bang rail link ever. They spent \$500 million on it yet Labor delivered nothing. Not one millimetre of track was laid. There was then the west metro promised in 2009 and who can forget the western express promised in 2010?

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! I call the member for Oatley to order for the second time.

**Mr MATT KEAN:** Let us compare the record of delivery by the Government—WestConnex, NorthConnex, hospitals, schools and public transport—to Labor's record of abject failure. Labor members want to talk about everything but infrastructure. They want to talk about everything but the state of the New South Wales economy. We will use this priority motion to remind them of their failures and state that this Government is getting on with the job of delivering for the State of New South Wales. This Government is delivering jobs and opportunities for every resident in this State and that is why this motion deserves to be accorded priority.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! I remind the member for Oatley that he is on two calls to order. I remind the member for Prospect that he is on three calls to order. I remind the member for Keira that he is on three calls to order. I remind the member for Kogarah that he is on three calls to order. I remind the member for Bankstown that she is on three calls to order. I remind the member for Maroubra that he is on one call to order. I remind the member for Maitland that she is on two calls to order. I remind the member for Fairfield that he is on two calls to order. I remind the member for Swansea that she is on one call to order. I remind the member for Cessnock that he is on one call to order. I remind the member for Strathfield that she is on one call to order. I remind the member for Port Stephens that she is on one call to order. Members will cease interjecting. The member for Prospect will be heard in silence.

I direct the member for Rockdale to remove himself from the Chamber for a period of one hour.

*[Pursuant to sessional order the member for Rockdale left the Chamber at 16.02]*

**Dr HUGH McDERMOTT (Prospect) (16:02):** I oppose this arrogant and dishonest motion put forward by the Government and the member for Hornsby. This is typical hollow infrastructure that this disgusting

Government, the Baird Government and its policies, is pushing. It is all show but no substance. It builds a monolith to this Government's arrogance and ego. It is infrastructure spending on a grandiose scale while building projects vitally needed by people in New South Wales are ignored. Let us look at those vital projects. The Minister loves to get up here and say that he is spending so much money on schools. The reality is there have been cuts and if it was not for Gonski next to nothing would be spent on schools in New South Wales.

Where is the money for schools that have full enrolments, the money to get rid of demountables and put in proper infrastructure? Where is the money for air conditioning for most of the schools in New South Wales or money to fix up the maintenance backlogs? The money is going on the Government's egotistical, grandiose schemes—shallow and hollow pieces of infrastructure. One should not forget the limited funding for special needs classes so desperately needed throughout New South Wales, especially in Western Sydney. I turn now to hospitals. The Government loves to build the monoliths; they are going to do ghost wards at Blacktown and Mona Vale hospitals. There has been no public infrastructure funding for Fairfield Hospital in the last two budgets, nor for Bankstown Hospital in the last budget. Another \$300 million is needed for Nepean yet only \$1 million was allocated. That amount will not help the people of New South Wales.

I turn now to the Government's track record on transport. It has put tolls on the M4 when it promised no new tolls; it is a government of tolls. The tolls are rigged to rise by 4 per cent per year, up from the consumer price index, which is currently 1 per cent. Tolls will exist until 2060. The next generation, our children, will inherit these tolls for the next 42 years—more than \$2,000 annually, which will penalise hardworking families, tradespeople and commuters. I refer also to the long list of transport infrastructure and other cost blowouts: WestConnex, \$6.8 billion; Parramatta Light Rail, \$2 billion; Sydney Metro, \$1.5 billion; the Intercity Train Fleet, \$1.1 billion; CBD Light Rail, \$600 million; the Learning Management and Business Reform, \$269 million, which could have been spent fixing up schools; Northern Beaches B-Line, \$290 million; the Opal card system, \$63 million; the North West Rail Link Skytrain, \$49.7 million; Nepean Green Bridge, \$29 million and Tibby Cotter Bridge, \$13 million. This is the mismanagement and incompetence of the Baird Government.

The member for Hornsby has said that Labor in government did nothing. I will outline Labor's track record; I will give the truth rather than the arrogance displayed by the Government. Under Labor public transport projects included the Chatswood to Epping rail line, the Olympic Park rail line, the inner west rail line, Central to Lilyfield and initiating the Dulwich Hill extension, the rail clearways project, the Parramatta-Rouse Hill T-way, the Parramatta-Liverpool T-way, the Millennium and Waratah carriages, the introduction of Metrobus services, introduction of cleaner compressed natural gas vehicles into the bus fleet and commencement of the south west rail line, just to name a few. Labor also completed the airport rail line. This Government is on its way out. This Government is a rotting corpse and is starting to smell. It showed at the by-elections on the weekend and I am looking forward to watching a few more members of this Government fall in the next two years. There will be by-elections and they will be thrown out as well. I look forward to watching them all lose their jobs in 2019.

**Mr CHRISTOPHER GULAPTIS (Clarence) (16:08):** The member for Prospect is worthy of a medal for that speech, typical of those medals that he wears in here, fairly fake and disingenuous.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! The member for Prospect will resume his seat.

**Mr CHRISTOPHER GULAPTIS:** It was very disingenuous to talk about throwing us out at the next election. He was the rump of the Labor Party in 2011. He was kicked out because he was last. Labor drove New South Wales to the bottom of the table. This State was the laughing stock of the nation. With Labor's policy of A Better Way it would continue to be a laughing stock.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! The member for Clarence will direct his comments through the Chair.

**Mr CHRISTOPHER GULAPTIS:** Labor's infrastructure plan was \$10 billion over 10 years. This Government is spending \$73 billion over four years. How was Labor going to fund the \$10 billion? It was going to cut business for \$5 billion and use uncommitted Restart NSW funds. Those opposite criticise and object to the port leases but were going to use the money. Labor has no vision, no future and no idea. To make it even worse, the allocation for regional New South Wales from that \$10 billion for 10 years was \$1.576 billion, or 15 per cent. I thought that was generous for 30 per cent of the population. But when one goes through the document and turns to page 25 one sees that it states that \$810 million will be used to fund Hunter infrastructure projects and \$280 million will be used to fund projects in the Illawarra.

That leaves the rest of regional New South Wales with a balance of \$486 million over 10 years, which equates to \$48 million a year. Compare that to this Government funding a new Grafton bridge for \$240 million. It was promised by Bob Carr in 2007. He gave an iron clad guarantee. Members can read the headlines. That promise is rusting, just like the Opposition. The document indicates that \$4.3 billion would be spent on the Pacific

Highway with the State providing 20 per cent, that is \$860 million. It is an absolute joke that the people of regional New South Wales would have received \$480 million over 10 years from the Labor Party. It is an insult and regional New South Wales will not stand for it.

**Ms SONIA HORNER (Wallsend) (16:11):** I take the opportunity to talk about Hunter infrastructure and in particular the Glendale transport interchange and the results of the ports sale and privatisation of the lease. I have asked many questions about my pet project, moved notices of motion and made representations to the Ministers. The Glendale transport interchange is a priority project for all 11 Hunter mayors. It is the number one project. I ask the Government why it does not consider it a priority project? The Glendale transport interchange is recognised as the chief interchange project to benefit the Lower Hunter.

When I asked the Minister about funding for that interchange in the last budget I was told there was no money. When I asked the Minister about funding for the project last year there was no money. When I asked the Minister the year before about funding for the Glendale transport interchange there was no money. Guess what, when I asked the Minister the year before that about the number one project for 11 Hunter mayors and where the money was, I was told again there was no money. The port sold for \$1.75 billion, and was actually valued at \$2 billion. How much of that money returned to Newcastle and the Hunter? Less than one third. Was any of that money spent on the Glendale transport interchange? No.

The Government is now privatising Crown land. They have privatised electricity so Ausgrid workers on my patch will lose their jobs. The port has been privatised. Hunter public transport has been privatised and will become Transport for Newcastle. We will wait for the outcome of sale. Public housing is being privatised. The question I ask of the Government is what happens when it runs out of projects to privatise, what assets will there be and how will these projects be built? Finally, I will talk about unemployment: It is higher now than it was in March 2011 and youth unemployment in the Hunter is at a record high. It is not a surprise. There are no jobs in Newcastle because there are no building projects in the Hunter. Previously trains have been built in Newcastle but now they are bought from China, South Korea or India.

**Mr MATT KEAN (Hornsby) (16:16):** In reply: I was interested to listen to the member for Wallsend. No conspiracy theory is off limits or too far-fetched for the member for Wallsend. I will call Mulder and Scully.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! The member for Strathfield will cease interjecting. I do not require any help to manage the House.

**Mr MATT KEAN:** I acknowledge the member for Wallsend. I acknowledge the contribution of the member for Prospect, whom I like very much. I put that on the record.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! The member for Hornsby does not require the assistance of Government members.

**Mr MATT KEAN:** The member gave a detailed defence of Labor's program and attacked the Government's agenda. The member clearly put a lot of work into his speech. I am surprised that the member had any time whatsoever; I thought he spent all his time updating his Wikipedia page. I found the page when trying to cure my insomnia. It is not one Wikipedia page, it is not two, it is nine Wikipedia pages of extensive information on the member for Prospect.

**Ms Sonia Horner:** Point of order: My point of order is relevance. I fail to see the relevance of the member's last statement.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! I uphold the point of order. The member for Hornsby will return to the subject of the debate.

**Mr MATT KEAN:** I am speaking of infrastructure, the importance of the economy and the extensive research done by the member for Prospect. Of the nine pages, four of them are extensive updates to the page by the member for Prospect. The member has used the Harvard referencing method. It is academically correct.

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! The member for Hornsby will return to the leave of the motion.

**Mr MATT KEAN:** The Government is delighted to have a debate concerning infrastructure and the economy in this House. I am delighted the members for the electorates of Prospect and Wallsend have engaged in this debate concerning the Government's record infrastructure spend and delivery for the people of New South Wales.

**TEMPORARY SPEAKER (Mr Lee Evans):** The question is that the motion accorded priority be agreed to.

**The House divided.**

Ayes .....46  
 Noes .....33  
 Majority.....13

**AYES**

Anderson, Mr K  
 Barilaro, Mr J  
 Brookes, Mr G  
 Coure, Mr M  
 Elliott, Mr D  
 Gulaptis, Mr C  
 Hodgkinson, Ms K  
 Kean, Mr M  
 Marshall, Mr A  
 Patterson, Mr C (teller)  
 Petinos, Ms E  
 Roberts, Mr A  
 Skinner, Ms J  
 Taylor, Mr M  
 Upton, Ms G  
 Williams, Ms L

Aplin, Mr G  
 Berejiklian, Ms G  
 Conolly, Mr K  
 Crouch, Mr A  
 Gibbons, Ms M  
 Hazzard, Mr B  
 Humphries, Mr K  
 Lee, Dr G  
 Notley-Smith, Mr B  
 Pavey, Ms M  
 Piccoli, Mr A  
 Rowell, Mr J  
 Speakman, Mr M  
 Toole, Mr P  
 Ward, Mr G

Baird, Mr M  
 Bromhead, Mr S (teller)  
 Constance, Mr A  
 Dominello, Mr V  
 Goward, Ms P  
 Henskens, Mr A  
 Johnsen, Mr M  
 Maguire, Mr D  
 O'Dea, Mr J  
 Perrottet, Mr D  
 Provest, Mr G  
 Sidoti, Mr J  
 Stokes, Mr R  
 Tudehope, Mr D  
 Williams, Mr R

**NOES**

Aitchison, Ms J  
 Car, Ms P  
 Crakanthorp, Mr T  
 Doyle, Ms T  
 Harris, Mr D  
 Hoenig, Mr R  
 Leong, Ms J  
 McKay, Ms J  
 Minns, Mr C  
 Piper, Mr G  
 Washington, Ms K

Atalla, Mr E  
 Catley, Ms Y  
 Daley, Mr M  
 Finn, Ms J  
 Harrison, Ms J  
 Hornery, Ms S  
 Lynch, Mr P  
 Mehan, Mr D  
 Park, Mr R  
 Smith, Ms T  
 Watson, Ms A

Barr, Mr C  
 Chanthivong, Mr A  
 Dib, Mr J  
 Greenwich, Mr A  
 Haylen, Ms J  
 Lalich, Mr N (teller)  
 McDermott, Dr H  
 Mihailuk, Ms T  
 Parker, Mr J  
 Warren, Mr G (teller)  
 Zangari, Mr G

**PAIRS**

Davies, Ms T  
 Fraser, Mr A

Foley, Mr L  
 Smith, Ms K

**Motion agreed to.***Business of the House***SUSPENSION OF STANDING AND SESSIONAL ORDERS: ORDER OF BUSINESS**

**Mr ANTHONY ROBERTS:** I move:

That standing and sessional orders be suspended:

- (1) At this sitting to provide:
- (a) that no motions for the adjournment of the debate on the Biodiversity Conservation Bill 2016 and cognate bill be entertained;
  - (b) that from the commencement of Government business until rising of the House no divisions be conducted or quorums be called;
  - (c) that any division called be deferred and conducted at 1.00 p.m. tomorrow, and any business shall be interrupted and recommenced after any such division; and
  - (d) that the House may sit past 10.00 p.m.

- (2) On Thursday 17 November 2016, to provide for the following routine of business prior to 2.15 p.m.:
- (a) at 10.00 a.m. the Speaker takes the chair;
  - (b) giving of General Business Notices of Motions (General Notices) for a period of up to 10 minutes;
  - (c) general Business Notice of Motions (for Bills) for up to 20 minutes;
  - (d) general Business Orders of the Day (for Bills) for up to 60 minutes;
  - (e) consideration of General Business Notices of Motions (General Notices); and
  - (f) at 1.00 p.m., Government business for up to 30 minutes.

**Motion agreed to.**

*Bills*

**BIODIVERSITY CONSERVATION BILL 2016**

**LOCAL LAND SERVICES AMENDMENT BILL 2016**

**Second Reading**

**Debate resumed from an earlier hour.**

**Ms TAMARA SMITH (Ballina) (16:27):** I speak on behalf of The Greens in debate on the Biodiversity Conservation Bill 2016 and the Local Land Services Amendment Bill 2016. These are cognate bills. The Greens do not support the bills. There are no surprises there. The Greens proposed 60 amendments in the other place that attempted to redeem the legislation. That says much about the extent of the problems with this legislation. Even though 60 amendments were proposed, in an attempt to make a silk purse out of a sow's ear, not one of them was passed.

The Local Land Services Amendment Bill 2016 abolishes several key pieces of environmental legislation in this State. It abolishes the Native Vegetation Act 2003 and establishes a replacement native vegetation management system for private land that makes land clearing easier, in some cases without the need to obtain approval. The Biodiversity Conservation Bill 2016 abolishes the Threatened Species Conservation Act 1995, the Nature Conservation Trust Act 2001 and the plants and animals provisions of the National Parks and Wildlife Act 1974 and remakes elements of them in the new Act. It will expand biodiversity offsetting, change the way threatened species are managed and manage interactions between plants and animals. Both are inferior to the current laws and systems, which should be further strengthened and better resourced and implemented. There is no mention of climate change impacts on biodiversity, nor of the effects that land clearing has on increasing greenhouse gas emissions and exacerbating climate change. What a joke.

What we have under current legislation in this State are scientifically based principles, management and laws that protect our biodiversity from destruction. This is not a relative science or something that politicians make up; the State has a very high standard of science-based environmental laws in place. It is based on facts and the precautionary principle, which states that if an action poses a danger to a species that is threatened or of conservation value then we should not proceed with the action. That principle underlines the current legislation. The Government cannot talk its way out of it and argue that economic factors should outweigh that scientific principle. Underpinning the current protections afforded under the Native Vegetation Act and the Threatened Species Conservation Act and the plants and animals provisions of the National Parks and Wildlife Act is the scientific awareness that the biodiversity of our State belongs to everyone—including future generations.

**Mr Adam Marshall:** Even farmers.

**Ms TAMARA SMITH:** I will come to farmers. Under these laws that has gone. Short-term thinking and economic vandalism are the hallmarks of this legislation. The bill proposes the nonsensical idea previously put by a Labor Government that we can transpose, transplant or relocate biodiversity. We cannot recreate, transplant or transpose biodiversity. The nature and the science of biodiversity tell us that it is unique in situ—in its place—because it relies on the soil, the microorganisms and the unique and often chaotic accumulation of specific ecological factors that create it. I note that the submission of the Environmental Defenders Office to the threatened species review refers to the fact that under the proposal the direct like-for-like offsets have been relaxed and can be circumvented. For example, offsets do not need to be of the same species or vegetation type as the one being impacted.

Under this legislation the Minister has the potential to allow rehabilitated mining sites as environmental offsets. Let us contemplate that for a moment; let us just think it through. Mining exploration and extraction licences are given out dirt cheap, and communities have no say about the impacts of mining on their food security, water security or the health of the communities. But after the mine has made its money, had huge negative impacts

on the natural environment, jeopardised intergenerational resources and contributed to sealing the fate that looms before us on the hot planet—after all of that—the Minister can say, "You know what? Let's count regenerating that mine towards your environmental offset." The idea of that type of double-dipping is unbelievable; its logic beggars belief. Slam dunk, Minister, because that has to be the coolest sleight of hand I have seen in a long time.

This legislation comes from a Premier who is responsible for the biggest expansion in coalmine approvals in the State's history and from a government that approved the destruction of the Leard Forest for Whitehaven's mega mine and failed to solve the land use conflict between agriculture and mining. This Government abolished the Office of the Independent Western Lands Commissioner, which was supposed to protect the environment in the fragile western half of the State. This legislation comes from a government that has failed completely to take climate change seriously. This State ranks dead last in our nation for the supply of renewable electricity. This legislation has been panned by scientists and conservationists everywhere, including by the Government's own scientific adviser on the development of these laws.

**Mr Adam Marshall:** That is not true.

**Ms TAMARA SMITH:** Just because you have a wind farm in your electorate—

**TEMPORARY SPEAKER (Mr Lee Evans):** Order! The member for Ballina will direct her remarks through the Chair. The member for Northern Tablelands will remain silent if he wishes to speak in the debate

**Ms TAMARA SMITH:** I will not waste my time, Mr Temporary Speaker. So great is our impact on the planet as a species that mounting evidence collected by scientists supports the idea that human activity has pushed the planet into a new geologic epoch: the Anthropocene. The science tells us that we have spread aluminium, plastics, concrete, carbon particulates from burning fossil fuels, insecticide and radioactive particles released by nuclear bombs across the landscape and our oceans—all evidence favouring the declaration of a new Anthropocene epoch, during which human activity is the dominant influence. Hippies are not telling us that; it is the scientists. In the future people on archaeological digs will find those substances embedded in this planet forever.

Tragically, this legislation bears that out. There is no scientific presumption of the precautionary principle and no acknowledgement of climate change. It is dinosaur legislation pushed for by the dinosaurs in The Nationals and it is a travesty for this State and for the planet. The farmers I know understand that to degrade the land is counterintuitive. Member of the farmers alliance visited Parliament House and we know that hundreds of farmers in this State are very comfortable with the current laws. We know that most farmers respect and care for the land. My region, the Ballina electorate, is not only a biodiversity hotspot but also the home of world-class ecologically sustainable farming and rainforest regeneration. But it is the interests of a handful of magnates in the mega agricultural industry that could not care less about the future and the corporate owners of the mega mines that will be the beneficiaries of this legislation.

I turn to a statement from the Wentworth Group, which succinctly identified two major flaws in the legislation before us today. The first major flaw is the codes—activities allowable without formal application to government—that allow broadscale land clearing. Codes should facilitate farm management with respect to small-scale management actions, such as clearing to allow fencing buildings, not enable broadscale clearing. Codes that facilitate broadscale clearing should be removed from the legislation. If broadscale clearing is to occur, it must be consistent with the Independent Biodiversity Legislation Review Panel's report, which means that it follows the mitigation hierarchy: avoid, minimise and offset.

Under this regime in the bill you can just buy your way out of offsetting. How does that even work? How does a stand of remnant tropical rainforest with a unique species of tree frog in Federal, in my electorate, get offset by some caterpillars in dry sclerophyll land 300 kilometres away? It is absurd. The second flaw is the lack of mapping for areas of high conservation value that was recommended by the biodiversity review panel. Reports have consistently told government that to propose ways to get around the values or allow any assessment analysis of vegetation clearance, mapping was essential. Local councils on the North Coast are being hampered in their ability to deliver management plans and local environmental plans because this mapping is no longer there.

It is sad to see an environment Minister whom I respect delivering this kind of legislation at a time when Australia is the laughing stock of the world for our arrogance when it comes to playing our part and preserving our native forests and keeping carbon in the ground. Communities all over the State will punish this Government in the ballot boxes in two years time for a range of things, but this will be seen as its penultimate act of near-sightedness and environmental vandalism.

**Mr ADAM MARSHALL (Northern Tablelands) (16:36):** I support the Biodiversity Conservation Bill 2016 and the Local Land Services Amendment Bill 2016. I have been astounded by some of the statements and insulting remarks made, whether deliberately or subliminally, by those opposite. Members have alleged that

the passage of this legislation will lead to broadscale land clearing across country New South Wales. One member said that country New South Wales would become a veritable moonscape. That is false. It is also false to accuse farmers of being environmental vandals. We must examine the issues that have arisen under the current regime.

Those opposite argue that we should not support this legislation as the status quo—the current regime—is very good. If we measure only the environmental outcomes—the biodiversity outcomes and not the social and economic impacts, which the bill seeks to bring into the equation—we see that the current regime has been an abject failure. That is irrefutable. The regime that this legislation seeks to amend, repeal and replace that farmers have endured like a millstone around their necks since State environmental planning policy 46 has led to the degradation of biodiversity in this State, not its improvement or the maintenance of the status quo. It has seen biodiversity in this State go backwards. The "lock it and leave it" principle has proved to be a failure. Anyone who has visited the Pilliga forest in recent times will have seen that in its most obvious form. We cannot lock up land and not manage or care for it in the belief that it improves biodiversity. It does not; it reduces biodiversity.

There has been some criticism of the self-assessable codes that have been in place for a number of years as well as the codes in the bill. The codes are there to ensure that there is an offset. It is self-assessable but it is an offset. The NSW Report on Native Vegetation 2013-14 from the Office of Environment and Heritage states that in 2013-14 more than 200,000 hectares of native vegetation were conserved or improved across the State. In contrast, around 900 hectares were approved to be legally cleared where environmental values were maintained or improved through mechanisms such as the use of offsets. In 2013, under a system that members opposite have criticised, 900 hectares were cleared and 200,000 hectares were conserved, maintained or improved across the State.

The codes work because they enable primary producers to clear portions of their properties to greatly increase productivity, which helps our economy. It also helps us to feed the growing populations of this country and of the world. In addition, the code system offsets other pieces of native vegetation and ensures that they are properly conserved. It is not a matter of locking it and leaving it. It improves biodiversity because the areas will be actively managed not left unmanaged, which is the philosophical view of members opposite. They think to lock up, leave and not manage land is good for the environment. It is not good for the environment.

The bill not only allows the codes to continue and further strengthens them but also provides incentives through stewardship payments so that primary producers are compensated to actively manage the tracts of native vegetation that they are offsetting. In a typical situation in country New South Wales where someone might clear an extra 50 hectares of their property to improve the productivity of their land they may offset up to 200 hectares under the new regime and actively manage it under the provisions. I make that point because it is important that those who contribute to this debate are aware of the background as well as the provisions in the bill.

It would be completely wrong to suggest that farmers are unwilling to shoulder some of the burden of maintaining native vegetation and reducing the nation's greenhouse gas emissions. Farmers are not unrealistic; however, under the regime of the past 20 years they have been asked to bear the lion's share of these burdens with no compensation. To penalise the productivity and viability of one sector but neglect to apply the same standards to other sectors—as occurs under the current regime—is simply unfair. To do it without any form of stewardship payments or compensation is an absolute outrage. It is to its shame that Parliament passed that legislation in 2003.

If any government wants to build a highway through someone's living room there is a discussion about compensation and the public interest. It is the same for water rates, mining and the timber industry. All of those industries have been subject to proper compensation and structural adjustment packages. But, according to members opposite, that is not good enough for the farming sector. They think we should keep the millstone around farmers' necks because they do not deserve to have stewardship payments or to be on an equal footing with everyone else who contributes productively to our economy and to feeding our nation. That mindset has restricted what a generation of farmers can do and has vastly contributed to poor biodiversity outcomes in this State. Members on this side of the House are determined to see the end of it.

Until very recently in our history clearing land was considered a heroic endeavour. Now we know that is not the case. It added to the prosperity of the country. Farmers do not clear land because they like destroying native vegetation. They clear land because they have bought or inherited land with the assumption that it is theirs to make a living from. They believe it is theirs to make productive so they can contribute to the community and to the bottom line. Although our society values native vegetation—I know every member in this House does—the current regime has never accorded any economic value to that native vegetation. Again, that is a significant flaw in the Act that the changes in this bill will address. Native vegetation is important to many farmers who are trying to make a living. It is important to have an element of sustainability on their properties. However, that must work hand in hand with desired social and economic outcomes while ensuring that farmers can be productive.

Climate change and carbon accounting may have put some form of economic value on native vegetation in the form of sequesters and stores but, to date, even that opportunity has been mostly denied to farmers. Whilst Australia is trying to meet its international targets, the Commonwealth has laid claim to the carbon stored in vegetation that has grown since land clearing rates began to slow in the early 1990s. Again, farmers have received no compensation for those foregone carbon rights. It is safe to say that the current regime in State Environmental Planning Policy 46 has created a bureaucratic morass. The system has been unworkable, too complex and inconsistent throughout the State. The penalty system does not scale well. It heavily penalises those who try to do the right thing but who make a mistake and it often lets major infringers off the hook. We can no longer allow that to occur.

I am proud to support this new framework on which Minister Blair, former Deputy Premier Troy Grant and environment Minister Mark Speakman have worked so hard. These bills represent the delivery of a longstanding commitment that The Nationals and this Government made to the people of country New South Wales. This legislation will bring about a more equitable and effective arrangement for land management and the preservation of native vegetation in rural areas. It is a great improvement on the current legislation, which is complex and prescriptive and has been a millstone around the necks of too many people for too long. I commend the bills to the House.

**Mr TIM CRAKANTHORP (Newcastle) (16:46):** I speak against the Biodiversity Conservation Bill 2016 and the land clearing reforms that the Government is proposing. Unfortunately, the bill will lead to the return of land clearing and an increase in the deaths and extinction rates of native animals. It will undermine attempts to reduce carbon emissions in New South Wales. The Baird Government has raised the white flag on protecting our native plants and animals, soils and water into the future and given the green light for broadscale land clearing to resume across New South Wales. The report from the Government's review of biodiversity legislation in New South Wales argued that there was too much red tape and proposed repealing the Native Vegetation Act 2003, the Threatened Species Act 1995, the Nature Conservation Trust Act 2001 and parts of the National Parks and Wildlife Act 1974. While Labor is not opposed to the creation of a single biodiversity conservation Act, it will not take a backwards step on biodiversity protection.

The current suite of biodiversity legislation that the Carr Government introduced put a stop to broadscale land clearing and mass biodiversity loss in New South Wales. As Bob Carr said, we have an obligation to pass on "the State's natural heritage to future generations in the best shape possible". There has been widespread concern amongst scientists, environmentalists and farmers since the publication of the Government's proposed Biodiversity Conservation Bill in May this year. Analysis by peak conservation bodies such as the World Wildlife Fund and the Nature Conservation Council concluded that the proposals would: increase extinction pressures on the State's 1,000 already threatened species; threaten clean, reliable water supplies and degrade fertile farmlands through erosion and salinity; put landmark trees and bushland in towns and suburbs at greater risk of land clearing; and limit efforts to reduce carbon emissions.

The proposed laws abolish the legal requirement for clearing to "maintain or improve environmental outcomes"; give much broader allowances for self-assessed clearing of native vegetation, with no off-limit areas for land of high conservation value; remove the requirement that offsets must be replaced with "like for like"; and completely ignore the aggregated impact of clearing on climate change. The Nature Conservation Council is strongly and widely petitioning the Government to develop an approach that: protects and enhances our pure water supplies, healthy soils, productive farmlands and the health, abundance and variety of our wildlife; rules out a return to broadscale tree clearing; rules out clearing bushland critical as endangered wildlife habitat; pays farmers who protect wildlife, healthy soils and pure water supplies; rules out offset schemes that let developers destroy wildlife habitat in exchange for cash or dissimilar types of habitat; maximises carbon pollution capture and storage by native bushland; and maps all the State's 1,500 vegetation types so that we can protect them properly. From the perspective of my electorate, I place on record comments made by Naomi Hodgson from the Wilderness Society. She said:

The people of Newcastle will be directly and indirectly impacted by these laws. Whilst we may not see koalas in ... [the] backyards [of Newcastle residents], these and other unique creatures form part of our national identity. 1,000 species are currently on the vulnerable or endangered list, including 60% of our native mammals. To allow their extinction on our watch would be devastating to people here, and right across Australia. The laws Mike Baird's Government is attempting to push through would mean there would be virtually no stop on rolling extinctions in NSW during our lifetime.

We live in an era of dangerous climate change and many other compounding ecological crises. Our society does not exist in a vacuum, we rely on functional ecosystem services to maintain the health of our own human systems. Biodiversity collapse is a critical issue for the long-term survival of ... [everyone]. We need trees as carbon sinks, we need trees as habitat for biodiversity, we need trees as part of the farmland landscape to support healthy water cycles, prevent salinity and erosion and contribute to sustainable productivity of our vital food producing regions.

There is a long history of the New South Wales Government requiring private landholders to obtain consent to clear native vegetation. The first piece of legislation to directly regulate land clearing was State Environmental



Planning Policy 46—Protection and Management of Native Vegetation. In 2002-03 the Wentworth Group of Concerned Scientists released the "Blueprint for a Living Continent" and "A New Model for Landscape Conservation in New South Wales". The group recommended a change in natural resource management in New South Wales, with a focus on individual property holders. In contrast, this year the Wentworth Group criticised the Baird Government's proposed legislation. It wrote that the changes would risk "reinstating broadscale land clearing, resulting in more integrated land, more damage to river systems, increased carbon emissions, and the loss of habitat critical to the survival of threatened species."

The introduction of the Native Vegetation Act was accompanied by a \$37 million package funded by the NSW Environmental Trust to compensate farmers adversely affected by the introduction of the Act. The package included \$12 million for farmer exit assistance and \$15 million for sustainable farming grants. The Native Vegetation Act was the result of an agreement between farmers, government, scientists and environmentalists. The NSW Farmers Association was a key party to the negotiations. Broadscale land clearing was prohibited unless it could be demonstrated that the clearing would "improve or maintain environmental outcomes", usually by the farmer offsetting other bush on the land. The Coalition Government is now intent on delivering something that no-one supports. The Threatened Species Act and Native Vegetation Act have played a crucial role in the protection of biodiversity and management of climate change in New South Wales.

The introduction of similar legislation by the Newman Government in Queensland resulted in a near doubling of remnant vegetation clearing between 2012 and 2014. Analysis conducted by Dr Martin Taylor on behalf of the WWF suggested that 200 threatened animals and plants lost 211,820 hectares of habitat under the Newman Government laws, including the loss of 40,312 hectares of koala habitat. In 2000 Australia was the fifth largest land clearer in the world, and New South Wales was second to Queensland.

**Mr Christopher Gulaptis:** Take a Berocca.

**Mr TIM CRAKANTHROP:** Yes, I do need a Berocca. An article in the *Sydney Morning Herald* of 13 October 2016 reported:

The study by consultants Eco Logical Australia examined how the potential impacts of proposed changes to the Equity Code as part of the ... [new laws] would ease limits on some vegetation clearing.

It found the elimination of existing controls—such as curbs on properties smaller than 100 hectares and where protected vegetation makes up less than 10 per cent of holdings—would open up 8 million hectares of forests to clearing.

That total, which amounts to about 38 per cent of the state's woodlands, also includes 2.2 million hectares of koala habitat or roughly 10 per cent of the state's tally ...

Koalas may be threatened by proposed changes to land clearing. In the same article Francesca Andreoni is reported to have said:

We are staring down the barrel of broadscale land clearing in NSW ... Under what's proposed tree clearing will be out of control.

A number of different councils, associations and others have expressed their united stance in a joint submission. They are gravely concerned that, if implemented, the proposed reforms will lead to significant increases in land clearing; reduce habitat for native flora and fauna, including threatened species; reduce water quality; and increase carbon emissions. It is worrying that these lead groups, including the Australian Museum Research Institute, the Australian Network for Plant Conservation, Birdlife Australia, Bushwalking NSW, the Colong Foundation for Wilderness and the Ecological Consultants Association of NSW, hold such grave concerns and have some very important things to say on this issue.

The environmental record of the Liberal-Nationals is not great. I am concerned that these bills will lower that record even further. The Government has done so many things that have not contributed positively to the environment, but there are too many to list in the 14 seconds remaining of my contribution. In conclusion, the people of Newcastle may not see the impact of broadscale land clearing in their everyday lives but they will know all about it when our iconic native species are gone forever, our food prices spike and climate chaos sets in and there is no recourse anywhere.

**Ms KATRINA HODGKINSON (Cootamundra) (16:57):** I am delighted to address the very important and long-awaited Biodiversity Conservation Bill 2016 and cognate Local Land Services Amendment Bill 2016. Many farmers, including my dear old dad, rued the day in 1997 when the State Environmental Planning Policy [SEPP] 46 was passed by this place. For months, if not years, he continued to berate the Carr Labor Government for what it was doing to farmers in our great State. When the Native Legislation Act replaced the SEPP 46 a few more words were added to my vocabulary in our household. Dad served on the environment committee of the NSW Farmers Association. I acknowledge in the gallery today president Derek Schoen, chief executive officer Matt Brand, and committee members of the NSW Farmers Association. It is great to see them here.

For the past 20 years we have run the gauntlet of the legislation. I have no doubt that farmers across New South Wales will be elated to see these bills passed. I am reminded of farmer Peter Spencer from Cooma—members may remember him—who launched a case against the Commonwealth. He embarked on a 52-day hunger strike because he believed the Crown had given away his property rights. So many people around New South Wales felt the same way. I support the Local Land Services Amendment Bill 2016, which amends the Local Land Services Act—legislation that I was very proud to introduce to the House in 2013 and which brought together regional services delivery, catchment management authorities, rural lands protection boards and sections of the Department of Primary Industries into one organisation. While its establishment was always going to be tough, I believe the Local Land Services is serving our community extremely well and that it will go from strength to strength. The reforms before the House today herald an important paradigm shift for biodiversity in New South Wales. For the first time ever, we have before us legislation that will deliver a transparent and consistent approach to biodiversity assessment and offsetting in New South Wales.

An important component of the biodiversity reform package is the biodiversity offset scheme. In my electorate, a number of people have asked me about the biodiversity offset scheme, how it will work and, basically, what is in it for them. They want to know if it is just another trick. I had thought that I would use this opportunity to talk about the offset scheme, but I will first explain biodiversity offsets. Biodiversity offsets are conservation measures that offset or compensate for the impacts of native vegetation clearing, habitat loss or certain other impacts on biodiversity values. In other words, offsets will benefit biodiversity by compensating for the adverse impacts of an action elsewhere, such as clearing for development. For example, if an area of native vegetation needs to be cleared for development to proceed, another area of native vegetation can be permanently protected, enhanced and managed. The biodiversity offset scheme will set out the rules for ensuring that the loss of biodiversity in one place will be balanced by the gain in another.

To date, offsetting has largely only been available in relation to development under the planning framework. In addition, there has been a multitude of complex methods for assessing the biodiversity impact of development and vegetation clearing. We are improving this system for the better. Consistent and transparent biodiversity offsetting will now be available under the land management framework set up by these reforms, as well as under the existing planning framework. Under the proposed biodiversity reforms, we will now have a new scientifically robust method for assessing biodiversity impacts. This will be known as the Biodiversity Assessment Method [BAM]. The BAM will set a no-net-loss standard and will consolidate and replace multiple, existing methods into one methodology and simplify how impacts on biodiversity values are assessed and quantified. This new methodology will assess and quantify the impacts a proposed development or activity will have on biodiversity values. It will also calculate the biodiversity credits required to be retired to offset residual impacts on biodiversity values. Residual impacts are those that remain after measures have been taken to avoid or minimise the impacts of the development or activity.

A risk-based approach has been adopted for certain development, so that the methodology is only applied to that development if it is likely to significantly affect threatened species. Importantly, it will provide clear guidance to those seeking to remove vegetation or undertake development on how impacts on biodiversity can be avoided and minimised before offsetting any remaining impacts. The offset scheme recognises that there are some types of impacts on biodiversity that are not acceptable to the community. These are termed "serious and irreversible impacts" and will be determined in accordance with guiding principles set out in the regulations and statutory guidelines.

Non-major projects that are likely to have a serious and irreversible impact on biodiversity values will not be permitted to proceed. However, for State significant development and State significant infrastructure, the consent authority will have a discretion to grant approval even if the proposal is likely to have a serious and irreversible impact. It is intended that the biodiversity offsets scheme will encourage a hierarchy approach. Proponents should first seek to avoid or minimise impacts on biodiversity values. Any remaining impacts will need to be offset by securing and retiring biodiversity credits which are "like for like". [*Extension of time*]

In instances where it is not possible to secure biodiversity credits that are like for like, the offset rules may allow for a varied offset requirement to be used, including conservation measures. This approach will provide landholders and proponents with up-front certainty while aiming to ensure that the impacts of development and vegetation clearing on biodiversity values are appropriately avoided, minimised and offset where necessary. Importantly, it will ensure the same rules apply to urban developers as apply to farmers. No longer will there be double standards in our regulatory regime. One of the most critical aspects of any offset scheme is determining how offset obligations can be satisfied. We need a scheme that is transparent and equitable for all, and we need a scheme that allows landholders to participate in the offset market. To date, this has not been possible. The reforms before the House make this a reality.

Under the reforms, offset obligations can be satisfied by purchasing and retiring biodiversity credits on the market, creating biodiversity credits by establishing a biodiversity stewardship agreement and retiring them or by payment into the Biodiversity Conservation Fund. Biodiversity stewardship agreements are voluntary and will allow landholders to enter into agreements with the Minister for the Environment to permanently protect and manage an area of the landholder's land to improve biodiversity. These improvements are represented as biodiversity credits, which can be sold and retired to offset biodiversity impacts from development. Selling the credits generates profit for the landholder as well as funding for ongoing management. Not only will this help drive and sustain environmental outcomes, but it will establish a positive market that landholders can opt in to.

As I mentioned earlier, both developers and rural landholders will have the option to pay into a fund to satisfy a biodiversity credit retirement obligation rather than finding and retiring the credits themselves. This will make it easier for developers to meet their obligations and support a more strategic approach to investment in offsets. I cannot say enough how important this legislation is to country people. The amendments that I have just outlined will prove to be extremely beneficial for farmers who wish to develop new areas in order to provide for their children and grandchildren for generations to come. I thoroughly congratulate the NSW Farmers Association on its professionalism in its proceedings with the Government over many years in relation to this legislation. The association has been highly professional in its work with the Government. I thank the members of the association for their patience and support.

The fund will be administered by the new not-for-profit Biodiversity Conservation Trust. The new biodiversity offset scheme will deliver a more transparent and consistent approach to biodiversity assessment and offsets than has ever been seen before in this State. It is but one component of a comprehensive package of reforms that will truly balance social, economic and environmental outcomes. These reforms will improve biodiversity outcomes and, importantly, provide for a flexible, adaptive and productive agricultural sector that will drive economic development in our regions. At the outset, I said that the introduction of the SEPP 46, followed by the Native Vegetation Act, was very upsetting to many farmers, including my father. My father passed away 11 years ago this year. I know that he would be thrilled to see this legislation finally pass through the House. It is a sensible outcome that balances the environmental needs of people living in the regions and those who live in the cities. People living in cities do not have to deal with such serious restrictions on development as do those who live in regional New South Wales and who must comply with the Native Vegetation Act. It has been an extremely unfair situation.

A few weeks ago, I was invited to address year 9 at Frensham school on civics, as part of the school's Jamieson program. One of the questions I was asked was, "Do you get to vote on everything in the House and do the people in the cities get to vote on everything in the House as well?" I said, "Yes, of course." They said, "But there are very few members for such a huge geographical area in the regions. How is it that the members in the city get to vote on things that happen on farms?" I said, "We vote on things that happen in the cities as well." They said, "But it is always going to be an unfair advantage to the people in the metropolitan areas and a disadvantage to farmers if they do not understand how the legislation works in the regions."

I thought that was a very intelligent point to be made by those 14- and 15-year-old girls, but that is the system. Fortunately, we have a great Minister in Niall Blair, who was determined to see the native vegetation reform take place. The former Leader of The Nationals, Minister Troy Grant, also showed great commitment and was determined to see these reforms introduced. I also note the commitment of the Minister for the Environment, Mark Speakman, a man whom I hold in extremely high esteem. I thank the Premier and Cabinet for making sure that this bill is before us today. We cannot change the past, unfortunate as it has been for many people like Peter Spencer, Cameron Roundtree from Walgett, and other farmers across New South Wales who have had to deal with restrictive laws over the past 20 years. This is a great time to be a member of the Government in New South Wales. I am very proud of this legislation and pleased to give it my full support. I commend the bills to the House.

**Ms JENNY LEONG (Newtown) (17:11):** I make a contribution to the debate on the Biodiversity Conservation Bill 2016 and the Local Land Services Amendment Bill 2016. I acknowledge that the member for Ballina, my Greens colleague in this place, has already spoken at length on behalf of The Greens and has highlighted our serious concerns with these bills. Also my Greens colleagues in the other place Dr Mehreen Faruqi and Mr Jeremy Buckingham and others raised concerns about these bills in the early hours of the morning when the bills passed through the other place. Dr Mehreen Faruqi said that the new legislation involves a massive expansion of land clearing, the release of millions of tonnes of greenhouse gases, adding to the climate change emergency, and an acceleration in the loss of already threatened species in this State.

The member for Cootamundra spoke about a discussion she had at a school she attended as to whether or not city members of Parliament get to vote on legislation relating to regional areas and similarly whether regional members get to vote on matters relating to the city. It is important we all have a say because the environment and land of New South Wales are in the interests of us all. When the Government chooses to spend

\$16.8 billion on a polluting WestConnex motorway in the city that impacts the area I represent, that is roads funding that will not go to black spots in regional areas. Similarly, when talking about land clearing and the destruction of the environment in regional areas, people in the electorate of Newtown have grave concerns about the protection of the environment.

It is incumbent on all of us in this place to consider what is in the interests of all communities in New South Wales and to protect them and our environment. Unfortunately, we do not see that with this legislation today. The Local Land Services Amendment Bill 2016 abolishes the Native Vegetation Act 2003 and establishes a replacement native vegetation management system for private land which makes land clearing easier, some even without approvals. The Biodiversity Conservation Bill 2016 abolishes the Threatened Species Conservation Act 1995, the Nature Conservation Trust Act 2001 and the plants and animals provisions of the National Parks and Wildlife Act 1974 and remakes these elements into the new Act.

It will expand biodiversity offsetting, change the way threatened species are managed and manage interactions between plants and animals. Both bills are inferior to the current laws and systems, which should be further strengthened and better resourced and implemented. We should be concerned about any bill that seeks to abolish the Threatened Species Conservation Act and the Nature Conservation Trust Act. The Baird Liberal-Nationals Government is engaging basically in a war on trees, on the environment and on green space. There is no mention of climate change or the impacts of biodiversity on climate change in these bills. Also, there has been no discussion of the impacts that land clearing will have on exacerbating climate change.

Just yesterday in this place, Kiribati women involved in the Kiribati Climate Action Network visited the Parliament. I acknowledge that the member for Summer Hill hosted those visitors and brought members from across the political spectrum to hear their stories. Those young women were in tears as they shared their personal stories. Anyone wishing to see the real and personal impact of climate change—new and dirty, polluting coalmines, land clearing and the failure to act—need look no further than the personal impact it is having on the lives of those women and their families. It is clear from what Premier Baird is doing across this State that he is not convinced of the need to protect our environment. For some bizarre reason he is engaging in a widespread war on trees. He is bulldozing trees at a rate that is unbelievable, even in our city areas. We are seeing the destruction of natural environments.

We have seen 100-year-old fig trees destroyed along Anzac Parade. The member for Coogee and his constituency would no doubt be aware of concerns about the light rail, which is destroying trees along its route. That should not be allowed. Just this week the Langton Clinic fig tree was destroyed as a result of the light rail route. That was not necessary. The City of Sydney had a plan but the Government does not listen; it just bulldozes trees. The Government destroyed the last remnants of the Cooks River ironbark forest, a critically endangered ecological community. It did so not for a piece of critical infrastructure such as WestConnex. It was done just to build a temporary worksite to assist the construction of WestConnex. I repeat: the Government destroyed a critically endangered ecological community in the Cooks River ironbark forest not to build WestConnex but just to erect a temporary worksite for the WestConnex project. This piece of endangered forest was so important that any previous construction was built around it. It is outrageous.

This level of critically endangered ecological forest cannot be replaced. These ancient trees and ecosystems are irreplaceable. Once genetic material from an ecologically endangered community is gone it is gone forever. People cannot go down to the local nursery, buy a plant and plant a few more trees in another area to somehow match the loss that was effected there. Most plants bought from a commercial nursery come from a very limited genetic pool. In commercial horticulture, thousands of plants are grown from a single parent plant and all have an identical genetic make-up. In contrast, wild ecosystems depend on a complex and varied interplay of genetic variation and adaptation to a local area.

Ironbark trees from the banks of the Cooks River are perfectly adapted to that environment. They are completely different in nature from the ironbark trees one buys at a nursery. Diversity in our ecosystem allows them to be resilient to the changing climate. That is why biodiversity offsets are a completely flawed concept. One biodiverse area cannot be replaced with another. Nothing will bring back the Cooks River ironbark forest. Those plants and animals are gone forever. The Baird Liberal-National Government has demonstrated that it cannot grasp biodiversity because it got rid of the ironbark forest at the Cooks River for a temporary WestConnex construction site. It is disgusting and disgraceful. It is important that we remind the Baird Liberal-Nationals Government that the land and environment are not theirs to destroy. No-one owns them and it is not for the Government to destroy them. That is why The Greens oppose these bills.

I acknowledge the constituents from the electorate of Newtown and the many thousands of people who made submissions during the laughable consultation process. Thousands of people said they wanted stronger protections. Instead, there will be a weakening of the laws. Karen in Stanmore said, "I would be deeply alarmed if the State was to follow the path taken by Queensland." James from Newtown said, "I am worn down by the

present situation facing this civilised nation. OMG. And how they want to facilitate the blanket destruction of swathes of habitat of native fauna and flora." Patricia from Surry Hills and Ellen from Stanmore expressed deep concern about the reality of the actions of the Baird Liberal-Nationals Government. What is happening now is a destruction of the earth, and it is shameful and despicable.

**Mr KEVIN ANDERSON (Tamworth) (17:21):** I support the Biodiversity Conservation Bill 2016 and the Local Land Services Amendment Bill 2016. I have listened to the debate this afternoon. I am astounded by the Labor members' amnesia. Those opposite are pinning themselves to anything that supports them. In 2003 Bob Carr introduced a regime of control and its legacy was to shut down small communities on the back of what his Government was trying to achieve. As The Greens members who represent Newtown and Ballina spoke passionately about their opposition to the bill, the Labor members nodded assent. That paints a picture of strange bedfellows and dangerous liaisons. The Greens eat the food and wear the fibre produced by our farmers but they do not seem to grasp the idea of where it comes from. To them, it is fantasy, fairies and marshmallows. They need to get their heads out of the clouds and look at what farmers do to create a living off the land.

Those who have worked the land for generations are the best conservationists we know. They look after the land to ensure that for generations the land is sustained and is able to produce the food and fibre that The Greens and Labor so enjoy. I will address the myth being propagated that the bills will reintroduce broadscale land clearing in New South Wales. It could not be further from the truth, but it will create a headline in Newtown and Ballina. Quite extraordinarily, they must have exchanged notes as they walked into the Chamber. The member for Newcastle has a selective memory. There will be no return to broadscale clearing under these reforms because the new system gives landholders the opportunity to improve the productivity of a property and does so in exchange for ongoing commitments to conserve biodiversity on their property in perpetuity.

The new code-based system puts limits on the level of clearing that can occur and the rate at which it can occur. The maximum possible clearing using the equity code over a three-year period is 625 hectares. There are checks and balances and rules and regulations in place. Clearing native vegetation is expensive and most landholders will only undertake it if it makes economic sense to do so. They want to sustain their properties. The Government can suspend the operation of a code in a region if the amount of clearing is judged to be too high. There will be no return to broadscale clearing in New South Wales. Invasive native species and isolated paddock trees that farmers were unable to touch for such a long time caused angst and impeded their right to make a living. The Government is making it easier for them to earn a living from the land and provide the community with food and fibre.

Permitted clearing is limited by the property size and the proportion of regulated vegetation. The codes include the range of exclusions and restrictions for sensitive land and vegetation, which will further limit clearing. The high impact codes are designed such that for every hectare cleared two to four hectares are expected to be set aside and managed for biodiversity. As to the mapping that will take place, Local Land Services will sit down with landholders and discuss any areas of country they have that are of high biodiversity value. They will be able to use that as part of the conservation plan and be rewarded for it. They were probably previously unaware of the land, believing it was rubbish country they could not graze and were unable to use. Under the mapping system, in consultation with Local Land Services, they will be able to look at areas that may have high biodiversity value, get a return and use an area of country that they may not have been able to use before. The consultation and communication process between Local Land Services and landholders will be welcome. It is a good outcome. It provides an incentive to landholders to actively manage and rehabilitate land which will increase biodiversity value and resilience.

Farmers will need to weigh the benefits of increasing the area under protection with the requirement to set aside another area on their property for conservation. One thing is certain, the greater the number of landholders who take up the codes the greater the area of land that will be set aside and actively managed for biodiversity outcomes. Farmers are doing it now. They are custodians of the land. To say there is broadscale land clearing is a sweeping generalisation which is an insult to the farming community. We need only look at the range and scale of agricultural enterprises in the Tamworth electorate, ranging from the east where there are small holdings for lucerne or silage for haymaking to the west where there is cropping such as cotton, sorghum and sunflowers. No one size fits all. That is the beauty of being able to specifically manage an area. In 2003 Bob Carr traded with and sidled up to The Greens, clinging for life—just as Labor is doing now. Labor did that in the Tamworth electorate Brigalow Belt South Bioregion. Labor had an infrastructure buyout package with the Forestry Corporation.

A number of mills took that package and moved on. Others tried to remain open. Unfortunately, the legacy of 2003 is still being felt. Families in small communities in and around the Brigalow Belt South bioregion are struggling to survive now in the forestry industry because Labor, under the Carr Government, did deals to get The Greens into seats in Sydney, to try to secure government. They locked up the land, which slowly squeezed the life out of rural communities in that area. People in those communities are now unable to make a living from

the land, whether through agriculture or forestry. Locking up the land is not the answer. There is no biodiversity value or benefit to locking it up.

As recommended by the Independent Biodiversity Legislation Review Panel, the reforms provide for greater flexibility in managing native vegetation on individual farms. This is not Queensland. I know Opposition members are saying, "It will be just like Queensland. Look out! We are heading for the Dark Ages." The codes implemented under this legislation will place limits on the amount of land clearing that can be undertaken. There are further safeguards, in the form of lands set aside and offsetting requirements. It appears that most of the narrative surrounding these bills is about land clearing. I encourage Opposition members to read the detail on that. Under some codes, land will be required to be set aside in exchange for clearing. All lands set aside will be listed on a new public register and will bind current and future landholders.

It is a completely different environment. There is greater scrutiny and greater awareness of what is expected. The Greens are sidling up to Labor in a dangerous liaison, as they have done in the past. They are living on fairy floss, with their head in the clouds. They have no grasp of what we are trying to achieve here. This is good reform. It is difficult to get everyone to agree, but we are close. This reform has been welcomed by the farming community. There is still work to be done and we will do that. This is good government policy.

**Dr HUGH McDERMOTT (Prospect) (17:31):** I oppose the Biodiversity Conservation Bill 2016. The Baird Government, under pressure from the underperforming New South Wales Nationals, is seeking to repeal Labor's environmental legacy. For the entire time that the Labor Government, under the leadership of one of our State's greatest Premiers, Bob Carr, legislated to protect the natural environment of New South Wales—that is the national parks, the coastline, the areas that we cherish—The Nationals reserved their anger and disapproval for the day when they were finally in government. After decades of progressive and positive legislative reform by New South Wales Labor, dedicated to environmental protection, the Hon. Niall Blair, MLC, Minister for Primary Industries, a man who enlists the assistance of magical water diviners in policy development, has introduced the Biodiversity Conservation Bill to destroy environmental protections and threaten the wonderful natural and protected environments in our State.

The broad-sweeping Biodiversity Conservation Bill 2016 seeks to repeal three pieces of Carr era legislation, as well as one from the Askin years. On the chopping block are the Threatened Species Conservation Act 1995, the Nature Conservation Trust Act 2001, the Native Vegetation Act 2003, and provisions relating to animals and plants in the National Parks and Wildlife Act 1974. Labor's reforms delivered significant achievements by stopping broadscale land clearing, protecting against salinity erosion and drought and having a significant impact on carbon emissions. The Baird Government's track record on the protection of the environment is disgraceful.

The Opposition continues to receive complaints from various individuals and groups justifiably outraged at the Baird Government's destructive environment policies. The Wentworth Group of Concerned Scientists, the World Wildlife Fund, the Royal Zoological Society of New South Wales and 650 farmers across the State have all publicly opposed this bill. I turn to submissions and comments of each of these groups. The Wentworth Group of Concerned Scientists opposes the bill because it risks the following:

... returning NSW to an era of unsustainable environmental damage by reinstating broadscale land clearing, resulting in more degraded land, more damage to river systems, increased carbon emissions, and the loss of habitat critical to the survival of threatened species.

The Worldwide Wildlife Fund criticised the Baird Government for the proposed loosening of land clearing controls that could threaten a third of the State's woodlands. That includes prime koala habitat. This legislation ties in with the Government's flawed Crown land reforms that leave 42 per cent of New South Wales potentially up for sale. The Royal Zoological Society criticised the removal of the requirement for a licence to kill native animals. The society claims that the bill will lead to the neglect of three-quarters of protected fauna in New South Wales. This is a horrifying provision. The legislation is no longer about feral animal control; it is about killing anything that gets in the way, with disregard for the long-term environmental impact. The 650 farmers who made submissions to the Opposition argued that modern farming does not require the kind of land clearing and land management practices that this bill would legalise. That 650 farmers, experts in the industry, would say such a thing shows how backward The Nationals in New South Wales are.

Labor opposes this bill, with good reason. A number of factors need to be introduced into the legislation to make it reasonable. They include the reinstatement of "maintain or improve" tests, the inclusion of impact statements on greenhouse gas emissions and climate change, a limitation on the discretion of the Minister and inclusion of no-go zones where offsetting cannot occur. Labor would improve the legislation by ensuring that offsetting follows the like-for-like principle, ensuring that the laws cannot commence until mapping is complete and codes are finalised. Labor would prohibit the use of mine rehabilitation sites as offsets, close loopholes that

allow the reduction of offsets, ensure consistency between the Biodiversity Conservation Bill 2016 and the Local Land Services Bill 2016 and reinstate licences for landowners who propose to harm native wildlife.

Further provisions would include ensuring that double-dipping on offsets cannot occur and ensuring that voluntary stewardship agreements are recognised as much as offsets. Labor would reinsert the deleted provision of the Threatened Species Act that allows the listing of local populations. Labor would allow third-party appeals against land categorisation decisions. It would close the loopholes and the discretion that allows Ministers to dispense with the rules. It would increase to five the number of members on the native vegetation panel and change the operation of the panel. It would reinstate strict liability for failure to comply, including illegally clearing land or harming native wildlife. The Nationals in New South Wales do not agree with the Opposition. They would much rather see the environment destroyed to protect a handful of donors in rural New South Wales. In the process they will hold Mike Baird's coalition hostage until these potentially disastrous reforms are pushed through. This is a dirty little deal to protect the interests of The Nationals. As the Orange by-election has shown, it is The Nationals that are the threatened species facing extinction.

**Mr Kevin Anderson:** Point of order: My point of order is taken under Standing Order 73. The member is talking about the Orange by-election and dirty deals. I ask that he return to the leave of the bills.

**TEMPORARY SPEAKER (Mr Bruce Notley-Smith):** Order! I uphold the point of order. The member will return to the leave of the bills.

**Dr HUGH McDERMOTT:** It must be hard for Mike Baird, who cannot decide whether he is for or against protecting the environment. It must be tough for him, coming from Manly, having to fit into the small void between being a sensitive surfer and a cold-hearted neoliberal conservative. The reforms advocated by The Nationals are ridiculous. They want to dispose of the Native Vegetation Act without implementing clear environmental baselines, aims and targets. They want no ban on private broadscale land clearing. Nor do they want assessments of the salinity of soil and water. They want to make biodiversity offsets so flexible and indirect that someone could destroy any bushland they wanted to.

Offsets would no longer be on a like-for-like basis and would be paid instead in cash. It is almost like The Nationals in New South Wales believe the State Government's coffers are as good for the environment as actual bushland. Then this bill introduces the biodiversity assessment method that does not even need to be accepted by the Minister or consent authorities such as government departments. What is the point of having assessment methods when they do not have to be followed? Additionally, consultation processes will not be required, which appears to be a running theme of the Baird Government.

The government body responsible for overseeing land clearing, Local Land Services, is unlikely to be resourced properly. Furthermore, the legislation is contradictory. Provisions carried over from threatened species laws will contradict the Local Land Services Bill 2016. Ultimately, under this legislation land clearing wins and the environment loses. Also the proposed bio certificate scheme removes the requirement to maintain or improve environmental outcomes. This means that effectively environmental standards will be lowered. Additionally the bill delivers uncertain compliance, enforcement, monitoring and reporting standards. This shows the ineptitude of the Baird-Barilaro Government in introducing a whole string of new regulations, offences and penalties, without mention of who will be in charge of monitoring and enforcing them. In introducing this legislation about land clearing, the Baird-Barilaro Government has no idea how much land will actually be cleared under the new self-assessable codes. [*Extension of time*]

Finally, the bill does not address or consider the cumulative impacts on climate change. The biggest projects with the biggest impact, categorised as State significant development, will receive exemptions and discretion. Vulnerable ecological communities are excluded from the definition of "threatened species" and mining gets a free pass in some circumstances. Given the enormous flaws in this legislation, it cannot be allowed to progress in its current form. The Baird Government, with all its continued arrogance, mismanagement, waste, ecological vandalism and, since the recent by-election, reduced life span, has shown its true colours in this awful legislation.

If the Baird Government had any respect for the environment it would have accepted New South Wales Labor's opposition to this bill and amended it in the upper House with all of the Opposition's recommendations. However, it did not. But it is this arrogant Baird Government that will listen only to itself because it wants life to be easy and not to have to govern like a government should, instead thinking that New South Wales should make land clearing great again. These bills are a disgrace and will lead to nothing short of environmental vandalism in New South Wales. I oppose the bills.

**Ms JULIA FINN (Granville) (17:42):** I speak against the cognate bills, the ironically named Biodiversity Conservation Bill 2016 and the Local Land Services Bill 2016. These bills are a disgrace,

a reactionary step that will take New South Wales back to the days of broadscale land clearing not seen in this State since the mid-1990s and will accelerate species extinction and reduce biodiversity. Frankly, I find it hard to believe the Minister for the Environment was even referring to these cognate bills in his second reading speech when he talked about the critical need to protect biodiversity and the urgent need to address species decline. Increased funding will not counteract the loss of biodiversity that these bills will directly facilitate.

These bills repeal important legislation that protects biodiversity in New South Wales, the Threatened Species Conservation Act 1995, the Nature Conservation Trust Act 2001, the provisions relating to flora and fauna in the National Parks and Wildlife Act 1974 and the Native Vegetation Act 2003. There is no need to repeal these Acts; rather we should review them with a view to ensuring they still deliver maintained or improved biodiversity and make sure compliance is not unduly difficult. There is no need for a complete repeal. However, given what we have before us, and this Government's war on trees, the Threatened Species Conservation Act should be amended to recognise the Baird Government itself as a key threatening process. Make no mistake, these bills take Baird's war on trees statewide.

We have seen what happened on Anzac Parade, along the M4 corridor and at the Cooks River where the critically endangered Cooks River Castlereagh Ironbark Forest, which is a powerful owl habitat, was bulldozed for a temporary car park for WestConnex on Threatened Species Day. These bills are before us only two days after the ABC *Lateline* program aired serious allegations that the Office of Environment and Heritage is turning a blind eye to illegal land clearing and deciding not to prosecute alleged offenders, even when they are clearing travelling stock routes for crops, essentially stealing public land.

Obviously the Government is paying more attention to the record breaking 35 per cent swing against it in the seat of Orange than the capacity or willingness to enforce the law in relation to land clearing. One would hope that the coldblooded ambush and murder of Glenn Turner while upholding these laws, the laws of New South Wales, would embolden a Government to increase its enforcement efforts in relation to illegal land clearing. Instead, it is changing those laws to make land clearing easier. But this was not even a big issue in the Orange by-election, even though change is supported by the Shooters, Fishers and Farmers Party.

I grew up in Canowindra in the Orange electorate; it is a place I still visit frequently. I keep in touch with friends and relatives there and recently talked to many people on the ground about election issues. I went with the Labor candidate, Bernard Fitzsimon, to a candidates forum and this issue was not even raised—not like council amalgamations, the greyhound racing ban, the lack of parking and palliative care at Orange Hospital—

**Mr Kevin Anderson:** Point of order: My point of order is Standing Order 73, relevance.

**TEMPORARY SPEAKER (Mr Bruce Notley-Smith):** Order! The member for Granville will return to the leave of the bills.

**Ms JULIA FINN:** It is not a big issue in the Orange electorate. This legislation is too little too late for the people of Orange, not that they were screaming out for it at all. And yet it is half baked—the mapping that needs to support this legislation has not been prepared and its quality and who pays for it has not yet been determined. The Minister is well aware of this. He told *The Land* about stakeholder concerns and expressed a lack of sufficient confidence in its accuracy.

Labor is rightly proud of its record on environmental protection in New South Wales, including the introduction of the Native Vegetation Act. It was and remains the right thing to do, to protect our unique biodiversity, not just within the National Parks estate but on private and leasehold land as well. It promoted ecological sustainability and more sustainable, modern farming practices which are now widespread. The changes to rural landscapes and soil health have been enormous.

The Native Vegetation Act is not some radical green legislation dreamt up in an inner city coffee shop, as the extreme end of The Nationals party would have us believe. It was a collaboration between government, scientists, farmers and environmentalists, following a review led by Ian Sinclair. It resulted in a compromise that has delivered biodiversity improvements and reduced species decline across New South Wales. It significantly reduced the mortality of native animals. It is estimated that 53,000 fewer mammals are killed each year—a 14 per cent reduction. It is estimated 300 fewer koalas die each year as a direct result of the protections enshrined in these laws.

Under the current Native Vegetation Act, landholders can clear and manage native vegetation without approval if the clearing is permitted, such as clearing for routine agricultural management activities, and they can also submit property vegetation plans for approval which describe how native vegetation will be managed on their property. It is not impossible to clear land now, but there is an application process and a proper assessment process, much like any other process to alter what is on the land in urban areas. And it requires consideration and



justification. Any changes should make the application process for land clearing more like the processes in planning laws, not less. This was the finding of the Biodiversity Legislation Review Panel.

The report "New South Wales clearing ban saves native mammals" by Professor Christopher Dickman from the University of Sydney and conservation scientist Dr Martin Taylor estimates the New South Wales Native Vegetation Act has saved 265,000 native mammals in just five years. The report found there has been a massive 88-fold reduction in areas approved for clearing from 80,000 hectares per year, from 1998 to 2005 to 911 hectares per year from 2005 to 2013. This is a success, not a failure. Australia has one of the highest rates of land clearing in the world. Yet land clearing restrictions passed by Labor Governments here and in Queensland were the major contributing factor to Australia meeting its Kyoto greenhouse gas emission reduction targets.

As we all know, the Newman Government in Queensland overturned Labor's restrictions on land clearing, with devastating results. According to the *Brisbane Times*, the Queensland Government's statewide Land Cover and Trees Study indicates that 296,000 hectares were cleared in Queensland in 2013-14, three times as much as in 2008-09. This tripling of land clearing rates immediately followed the Newman Government's decision to suspend native vegetation investigations and prosecution. And do not believe for a second that it will not happen here. While the Minister for the Environment says, "If you want to be a cowboy, go to Queensland", key elements of the Local Land Services Amendment Bill, the clearing codes, are a direct cut and paste from Queensland.

In both States western area fodder harvesting can be approved at a level of 50 per cent of the total area in a 10-year period and the efficiency codes are almost the same. In Queensland the clearing of islands of vegetation and straightening of irregular shapes is permitted with approval. New South Wales will allow the same thing and more, permitting with approval clearing of paddock trees, islands and peninsulas, clearing woody vegetation to promote groundcover, and clearing any vegetation for efficiency. These codes will permit far more land clearing. There are no clear environmental targets, aims or baselines; no restrictions on broadscale land clearing; no mandatory soil, water and salinity assessment; and no requirement to maintain or improve biodiversity. Offsets will become a complete farce. As the Hon Mick Veitch said in the other place:

It is a menu from which you can determine how to clear. There is no statement here on the value of native vegetation to the health of our soil, our rivers, and the future of our rural communities. In these respects, it is silent. And this speaks volumes.

So why make these changes? They fulfil a commitment this Government made to the NSW Farmers Association but, oddly, this is not a focus of most farmers in New South Wales. It is a focus of farmers in only a small part of the north-west of the State but the changes allow easier land clearing across the State. A group of more than 650 farmers from across New South Wales have run a counter campaign to that of the Farmers Association and stated:

As farmers, land managers and food suppliers, we are alarmed at the Baird Government's proposed changes to land management laws. The changes will lead to wide scale land clearing and land management practices that have no place in modern farming.

Land clearing becomes easier and protections for native vegetation become weaker, but it will not be less bureaucratic. The new system is more complex but has fewer protections for native vegetation. Where is the scientific support for these changes? The most well-respected scientists in this area—even those that have been working with the Government to modernise biodiversity legislation—oppose these bills. The Wentworth Group of Scientists has warned:

These retrograde changes risk returning New South Wales to an era of unsustainable environmental damage by reinstating broad scale land clearing, resulting in more degraded land, more damage to river systems, increased carbon emissions and the loss of habitat critical to the survival of threatened species.

Conservation biologist Professor Hugh Possingham resigned from the Government's expert panel on the biodiversity review, stating that his advice was being ignored and the codes that have been inserted will lead to broadscale land clearing. The World Wildlife Fund found that the loosening of New South Wales's land clearing controls could leave more than a third of the State's woodlands exposed to bulldozers, including prime koala habitat. Of particular concern is the Royal Zoological Society of New South Wales has warned that removing the licence to kill native animals will cause the neglect of three-quarters of protected fauna in New South Wales and "will almost certainly miss the species that are sliding towards threatened status". [*Extension of time*]

That is from an organisation not known for political activism. They also believe that the mapping done thus far is likely to be only 30 per cent accurate. Thirty per cent is a ridiculous rate of accuracy when the Government is considering making changes that could devastate our biodiversity. These bills are a disaster for biodiversity in New South Wales. The Leader of the Opposition stated today that he is deeply saddened by them. I am angered and disgusted by them. They will lead to a return of broadscale land clearing, increase Australia's greenhouse gas emissions and reduce biodiversity at a time of critical acceleration in species extinction worldwide and yet they fail in their real aim—to prevent the extinction of The Nationals in rural New South Wales.

**Mr GREG PIPER (Lake Macquarie) (17:52):** I say at the outset that I will not be making reference to the Orange by-election in my contribution to debate on the Biodiversity Conservation Bill 2016 and Local Land Services Amendment Bill 2016. I will not dwell on the problems of The Nationals over the past weekend because these bills were prepared well before that debacle. I understand it is a sore point. I offer my commiserations to The Nationals.

I oppose the significant and complex Biodiversity Conservation Bill 2016 on a number of grounds but acknowledge that there is a need to address areas of failure within the existing legislation and the complex web of regulation and State environmental planning policies that provide the framework for environmental and biodiversity protection in New South Wales. In the relatively short period since European settlement we have had a huge impact on the natural environment and only relatively recently have we taken serious steps to try to address it. A big step towards doing that was the introduction of the Native Vegetation Act 2003 by the Carr Labor Government.

Some Government speakers have levelled quite a lot of unfair criticism at that Act and at Bob Carr, a Premier who at least for his understanding of and action on the environment should be hailed rather than derided. I believe that in that period Bob Carr changed our mindset about caring for the environment, even though we could argue about the way in which it was done. The Native Vegetation Act was widely consulted on and enacted with the best of intentions. Indeed, contrary to some claims, it has delivered significantly to protect endangered flora and fauna. Could it be better and does the suite of environmental protection legislation need updating? Of course. No-one would argue otherwise.

I acknowledge that the Government has engaged widely with the community in a bid to find a balance between key stakeholders, the competing demands of a modern world and the needs of our natural environment. However, I do not believe this bill achieves that balance. It does not reflect the substantial amount of advice and feedback the Government received during the public engagement process. I would go as far as to say that while the Government consulted it did not listen to a great deal of the advice and feedback it got.

Despite the best of intentions—and I believe that we all have good intentions in regard to this matter—no-one has found a sure way to sustain our farming and food growing interests, protect and restore our failing environment or reverse the rise in the number of species lost forever. The New South Wales State of the Environment Report told us in 2015 that the numbers of species and ecological communities facing obliteration were continuing to increase. At the end of 2014 there were 999 fauna and flora species and 108 threatened ecological communities listed under the State's threatened species legislation. We know that figure is continuing to climb.

Lake Macquarie is one of the largest and fastest-growing council areas in New South Wales. Western Lake Macquarie is taking much of the growth in the Lower Hunter, which is placing a great strain on it to accommodate that growth while protecting the environment. The pressing need for conservation in western Lake Macquarie has only increased since the release of the Lower Hunter Regional Conservation Plan in 2012. That plan identified the area as "supporting a diverse range of vegetation communities, most of which are not yet adequately represented in..." reserves or parks. It went on to say "...the area provides critical corridors for these species between the Watagan Mountains and Lake Macquarie" and acknowledged "additional conservation areas in west Lake Macquarie are clearly the next highest priority for the future".

With the exception of some minor improvements there has been no further significant action to conserve and protect major tracts of land with high environmental value. That is despite significant pushes from the community to do so, particularly in the Awaba district. I have never been a great supporter of biodiversity offsets within planning instruments. There is a need to address the problems with the provisions that in some cases seem like a shell game and do not provide the benefits to the environment for which they are so often lauded.

I note the findings in successive New South Wales State of the Environment reports that show the extent of the deterioration in native vegetation in this State. As the last report shows, only 9 per cent of native vegetation in New South Wales is regarded as being close to its original condition. To a degree I accept the comments from the Minister for Primary Industries, and Minister for Lands and Water, the Hon. Niall Blair, who told the other place that "the burden of protecting biodiversity on privately owned land will no longer be borne by farmers alone". I agree that the burden should not be carried by one particular group. I also agree that existing native vegetation laws do not provide enough incentive to landowners to improve and protect biodiversity on their land. This bill goes some way towards improving that with the provision of carrots, but its other provisions risk environmental protection because of a lack of so-called sticks.

In August we learned that the amount of land being cleared for crops and pasture is accelerating at a rapid rate in New South Wales. More than 13,500 hectares of land were cleared in the three years to 2014, yet 59 per cent of it was unexplained clearing. No doubt the vast majority of farmers do the right thing and I know that there

are many who are passionate conservationists when regulation does not improve the outcome on their property. However, clearly some landowners are not doing their bit for conservation. Land clearing is the overwhelming concern for the many individuals and groups that have contacted my office about this legislation, and I share their concern. These bills will significantly expand the potential for private landowners to clear their properties of native vegetation—that is inarguable. I believe the use of code-based land clearing provides a system that increases significantly the types of clearing that can be carried out without oversight.

Land that is categorised as "blue" or "exempt" fails to consider that land cleared 25 years ago may have been rehabilitated at some stage and therefore offers a new conservation value. Just because a parcel of land was cleared 25 years ago for some farming purpose does not, and should not, automatically qualify it as land that can be cleared again without any checks and balances. When similar legislation was passed in Queensland—the Government does not want this comparison to be made but inevitably it will be—the rate of land clearing tripled in just five years. That legislation is now regarded in many quarters as an unmitigated environmental disaster. It is now widely argued that code-based land clearing should apply only to small-scale, low-impact land clearing and not as a blanket, one-size-fits-all rule—and I agree.

As to biodiversity offsets, I am particularly concerned at the removal from existing laws of the "maintain or improve" standard. This standard rule requires the environmental cost of any land clearing to be offset by improvements elsewhere on the same property. We need new regulation to repair and restore our biodiversity and to conserve what we have left, so this is truly reflective of the shortfalls in this legislation. I understand the need for a balanced approach to land use but the continuing loss of native vegetation, or maintaining the status quo, is simply not sustainable and creates a very bleak outlook for future generations. Indeed, the creation of new State parks and reserves has stalled significantly since the Government's election in 2011, and there has been very little investment in areas that are currently protected. In 2016 our environment is suffering. We should not need to debate environmental protection continually. We know that plant and animal species are disappearing and we know that large tracts of land are being decimated, but this legislation does not give adequate attention to any future impacts on the environment from climate change. [*Extension of time*]

More than 100 species have disappeared from this State over the past 200 years. If we continue down this path, 1,000 others will go the same way and even more species will be added to the endangered list. Everyone apparently loves a koala, and koalas are being pushed to the edge. As sad as the impact on that emblematic species is, the loss is much wider and more critical than that. This Government, like all governments, has an obligation to protect what is left for future generations. It has the opportunity to make the tough calls and start repairing and restoring some of the damage caused by those governments that came before it. This legislation certainly has elements that are worthy of inclusion in a biodiversity strategy, such as addressing compensation for landholders so that any financial burden of conservation is shared, but it will potentially result in a regrettable return to large-scale and unwarranted land clearing.

This legislation is a radical change to the status quo and if the Government has got it wrong the impact on our flora and fauna will be huge. The Government has the numbers to advance the bill and by the time we leave here tomorrow the bill will have passed both Houses. Many farmers and landholders will be delighted, and I wish them no ill will. I trust that, having received the outcome many of them sought, they will prosper but that they collectively ensure that the natural environment also benefits and prospers. In closing, I am frustrated that our environment is once again a political football driven by deep ideological convictions and rifts. Indeed, our future generations, and the environment we are leaving them, deserve more. This legislation does not strike the right balance between competing demands on land uses and it will not deliver the positive environmental outcomes that the Government is so proudly proclaiming. I am swayed by the contributions to this debate by the peak environmental groups, scientists and many farmers who share a very different view from that promulgated by proponents of this legislation. I oppose the bills.

**Ms JO HAYLEN (Summer Hill) (18:04):** The Biodiversity Conservation Bill 2016 and the Local Land Services Amendment Bill 2016 repeal and consolidate a number of Acts that govern the protection and management of our bushland, particularly on private land. If passed, the legislation will lead to broadscale land clearing by abolishing property vegetation plans and replacing them with a system of self-assessment, with no environmental targets, baselines or aims. Without question, this legislation will turn back the clock on conservation. It will destroy native habitats, increase erosion, acidification and salinity, threaten our vital waterways, and reverse longstanding protections designed to create sanctuaries for our native animals. In short, this legislation will decimate and irreversibly damage our native ecology. But the Government should be under no illusion because we will fight tooth and nail to protect our native wildlife. The community, environmental groups and those on this side of the House will fight to stop the Baird Government's environmental vandalism dead in its tracks.

The World Wildlife Foundation has warned that the global wildlife population has declined by almost 60 per cent since the 1970s, and that figure will hit 66 per cent by 2020. In Australia alone, close to 1,000 native bird, animal and plant species are currently threatened with extinction. That equates to 59 per cent of all mammals, 40 per cent of all reptiles and 30 per cent of all birds, and includes the peppered tree frog, red-tailed black cockatoo, smoky mouse and long-footed potoroo. According to the International Union for the Conservation of Nature, Australia tops the list of developed countries when it comes to mammal extinction—that is not a prize we should be pleased about. We are losing too many of our distinctive and unique species, and if we do not act to preserve and protect habitats we cannot expect that trend to change. Bush Heritage Australia has noted:

For every 100 hectares of bush destroyed, between 1,000 and 2,000 birds die from exposure, starvation and stress.

Land clearing drives dry land salinity, causing untold damage to bush and agricultural lands. It decimates the food and shelter available for wildlife and it increases sedimentation, which destroys our precious waterways. Land clearing intensifies greenhouse gas emissions. This contributes to climate change, which in turn destroys our fragile ecosystems through storms, floods, drought and bushfires. Labor understood the threat that land clearing and other practices exposed our ecology to. In 2003 the Carr Government introduced bold and visionary legislation that protected habitats and got the balance right between landowners and conservationists. The legislation was painstakingly negotiated with stakeholders, including the NSW Farmers Association, scientists and conservationists. Importantly, it set an environmental test by which decisions around land clearing might occur.

The Native Vegetation Act put the onus on landowners to demonstrate that clearing would have a positive environmental outcome, including offsetting lost vegetation. The proof of the pudding is in the eating because before the Native Vegetation Act we were losing 100,000 hectares of land each and every year. After it was implemented, this dropped to 12,000 hectares a year. Labor's laws saved 116,000 native animals from dying as a result of land clearing. Those victories were not the result of legislation itself. They were hard won by landowners and farmers, who understand better than most that improving environmental standards is in the best interests of agriculture. Our farmers understand the critical importance of balancing productivity with ecology. Indeed, they understand far more than we city folk ever could about what happens.

More than most, farmers are susceptible to the extremes of climate change. They live with the threat of flood, drought, storms and pest infestation—all of which are proven to be exacerbated by global warming. They understand the danger of degrading our soil and water, of decimating our biodiversity, and the impact of even the smallest tear in the fragile ecological web. Rather than pitting farmers against greenies, the Government—and The Nationals, in particular—would do well to think of what the Carr Government did before them and work closely with farmers, who are breaking new ground when it comes to innovative and sustainable practices. The Government should work with conservationists, scientists and experts and take a considered approach to these bills.

Instead, as usual, the Government is rushing the bills through in this final session of Parliament for the year, without proper scrutiny. It is a very disappointing practice of the Government. Whereas the Carr Labor Government worked to bring stakeholders together and to get the balance right, unfortunately this Government is taking the quick route—the lazy route—and forcing these bills through. The Government would rather capitulate and tip the balance away from conservation, even if it comes at the heaviest price of all—our planet, which we share and should care for. In this, the Baird Government has form: At every turn, the Government has shown contempt and utter disregard for our natural and urban heritage.

The Government has butchered trees across Sydney, including century-old fig trees along Anzac Parade. The Government has given the green light to pumping raw sewage into Sydney Harbour, despite the fact that we have spent decades trying to clean it up. The Government has ripped up remnant bushland at Wolli Creek for WestConnex and it has sliced into precious open spaces such as Sydney Park and the Reg Coady Reserve in Haberfield in my electorate. The Government continues to condone the reckless butchery of trees across the State by Ausgrid and is trying to fatten the pig for the sale of our poles and wires. It is incredibly devastating that the Government has refused to lift a finger to save heritage parklands and estates, such as Callan Park and Yasmar, from dilapidation. Instead, the Government would rather move heaven and earth to line the pockets of developers.

This is a government that cares for nothing but money. Nothing will stand in the way of this Government helping the big end of town make a buck. When it comes to protecting our native wildlife and vegetation, it is clear that we cannot adopt these laws. We must say no and that we should go back to the drawing board and not rush these bills through Parliament tonight. We must preserve the land-clearing laws implemented by the Carr Government, which saved 82,000 hectares of bush, creeks and rugged wildlife each year. We must reject any move towards the path taken by Queensland. Some members who have spoken on these bills today have discussed how terrible that approach has been. We must find a better balance between our needs as an economy and our responsibilities as custodians of this land.

Labor always has been the party to achieve that balance by negotiating with the relevant stakeholders in a constructive way. We are very proud of our record on land clearing and on protecting the environment. We will continue to fight to protect our native wildlife and to protect our rivers, beaches and wild places. I am very disappointed with this legislation, which represents reckless vandalism after all the good work we have achieved in New South Wales. I oppose the bills.

**Ms MELINDA PAVEY (Oxley) (18:12):** I make a brief contribution to debate on the Biodiversity Conservation Bill 2016 and the Local Land Services Amendment Bill 2016, which are very important to country people. I listened to the member for Summer Hill with an ache in my heart because we are all striving for the same thing—for better biodiversity. But, at the same time, we need to feed the State and the country, and 70 per cent of what we grow in this country is exported. It has been a long and difficult process for our Government to restore some balance following enactment of the native vegetation legislation introduced in 2002-03.

I remind the member for Summer Hill that we are removing threatened species from State forests and relocating them in national parks in other parts of the State. The 2003 legislation was not perfect, which is why we have not achieved the biodiversity outcomes that we would like to see as a State and as a nation. But we must go forward with respect. I note that the Nature Conservation Council and others walked away from the process during deliberations on the legislation. There are people in my community who claim that every tree on the coast of New South Wales will be ripped out. They are not aware—and neither is the Nature Conservation Council—that there is a 50-kilometre exclusion zone on the coast. Opposition members should regard that exclusion zone as a positive, but none of them knows about it because people walked away from the process.

I was fortunate to be able to take the Minister for the Environment to the top of the Dorrigo Mountain—a magnificent place that is still wilderness, where forest and national park rangers and farmers collaborate and learn from each other and where people with different perspectives coming together and learn from each other. I took the Minister to a property owned by Neville Beaumont. The Beaumont family is a famous family in the Dorrigo—smart and innovative beef and potato farmers. They have a produce store and are great contributors to the local economy. But for about 15 years Mr Beaumont and his family have not been able to clear about two acres of scrubby bush in the middle of their farm, which would make their farm more productive and more efficient. Mr Beaumont has been waiting and waiting for our Government to act and I am so pleased that today we are doing that. But we are doing it in the interests of achieving a balance between biodiversity and the interests of farmers.

I want the koala population in my region to flourish and expand. Fifteen years ago an enormous koala population around the Maria River was destroyed by bushfire because, some will claim, not enough hazard reduction had been carried out in our national parks. We must admit that when the Indigenous Australians came from Africa 60,000 years ago, they changed the landscape of this country. We no longer have the sorts of fires that occurred before European settlers arrived because we have changed the landscape: We now put out fires to protect farms and homes. There are crowning fires that cause enormous damage. We must respect and listen to each other a little more because we are trying to achieve the best outcomes. There are good people in regional New South Wales who have been affected very badly by the results of current laws—for example, the invasion of woody weeds in western New South Wales.

We need to bring some common sense to the process. I applaud the work of the Minister for Primary Industries and the Minister for the Environment, who came together during a difficult process. There is still much to be made clearer in the regulations and in the mapping, but I wish that there was a little more respect on all sides of this debate because the legislation is designed to achieve better outcomes. Just because a law was passed in 2003 does not mean it cannot be changed. Even Bob Carr has embraced some of the ideas that are now being discussed in relation to Indigenous Australians and fire. He has moved along in some of his thinking on this and recently wrote a foreword to a very important book.

We cannot stand still. We must listen. I ask that we be respectful because our communities deserve it and regional communities want to flourish just as Sydney has been able to flourish. I applaud the Government for introducing the bills. I will work with private native forestry, in particular, because that important area contributes many jobs and much activity in my communities and the legislation still has some work to do in that respect. I commend the bills to the House.

**Mr JAMIE PARKER (Balmain) (18:18):** In speaking to the Biodiversity Conservation Bill 2016 and the Local Land Services Amendment Bill 2016, I acknowledge the fine contributions of the member for Ballina, who led for The Greens in this debate, and of the member for Newtown. I also acknowledge the contributions of many other members who have spoken on these bills. In his contribution the member for Lake Macquarie outlined clearly, as others have, that the balance in the bills is not right and they should not be supported by this House. I note the contribution from Mr Jeremy Buckingham in the other place, which outlined the politics behind this

legislation—where the legislation has come from, whom it provides support for and whom it pretends to provide support for.

Representations have been made to me from a range of farmers and organisations concerned about the legislation. The Local Land Services Amendment Bill 2016 abolishes the Native Vegetation Act 2003 and establishes a replacement native vegetation management system for private land that makes land clearing easier, some even without approvals. The Biodiversity Conservation Bill 2016 abolishes the Threatened Species Conservation Act 1995, the Nature Conservation Trust Act 2001 and the plants and animals provisions of the National Parks and Wildlife Act 1974 and remakes elements of these into the new Act. It will expand biodiversity offsetting, change the way that threatened species are managed and manage interactions between plants and animals. In our view, both bills are inferior to the current laws and systems, which should be further strengthened and better resourced and implemented.

I do not stand here to defend the record of previous governments. The Greens stand in support of science—the best evidence—and recognise that, while the measures introduced by the former Carr Government were a significant step forward, much more can be done to acknowledge those farmers who are making a commitment to biodiversity conservation and native wildlife. However, compensation must be a key focus and there should also be proper implementation and strengthening of the existing arrangements. Nobody here is against farmers; we all acknowledge that farmers feed us and have taken care of the land for many generations. However, a range of protections is necessary to ensure that the biodiversity loss experienced and the increase in threatened and endangered species are arrested and reversed. That is done not through a laissez-faire approach but through proper regulation. Unfortunately, the bills—which are inferior to the current arrangements—do not take that step forward.

Sadly, there is no mention of climate change impacts on biodiversity, nor of the effects of land clearing on increasing greenhouse gas emissions and exacerbating climate change. That is a core concern with this legislation. The fact that it is silent on those matters demonstrates that the Government is taking an ideological approach rather than a science-based approach. I shall deal first with the Local Land Services Amendment Bill 2016 because the repeal of the Native Vegetation Act 2003 means there will no longer be any legislative commitment to end broadscale clearing in New South Wales. Formerly, the clearing of native vegetation was required to "improve or maintain environmental outcomes" through property vegetation plans. The new bill does not apply to the Sydney metropolitan, national parks or other environmental areas where the State Environmental Planning Policy (Urban Vegetation) 2017 applies. It is not yet written, we understand, but it is expected to cover most urban areas.

Division 2 establishes a native education regulatory map to divide the State into two regions. This has generated a great deal of concern for environmental organisations and farmers, in particular. Category 1 relates to exempt land and category 2 relates to regulated land. Category 1 land will not be regulated at all and is land that is considered cleared of native vegetation as at 1 January 1990. Category 2 land is all other land that will be regulated. There is an additional subcategory of category 2, which is vulnerable regulated land, that has some additional restrictions and includes riparian land and steep and highly erodible land. In these areas regulation extends to non-native and dead vegetation. Even though the bills are being rammed through Parliament, there is no mapping to show what areas will be covered by the different categories in the legislation. No bill should be passed until this mapping is developed.

The Government has made a commitment to do the mapping within a matter of months, but I find that difficult to believe considering the history of this mapping and deep concern about the ability to develop maps that can categorise land accurately as category 1 or category 2. Considering the definitions are so strict, finding divisions between categorisations will be incredibly difficult. Clearing can occur in category 2 and there is theoretically a pathway to clearing almost anything. In many cases, landholders will be able to simply apply to their Local Land Services and satisfy the flawed biodiversity offset requirements to proceed with clearing. Division 6 establishes a Native Vegetation Panel that can approve clearing on land that is unable to be cleared under the codes. A three-member panel without any oversight from the Office of Environment and Heritage or the environment Minister, and with limited transparency, is incredibly problematic.

Self-assessable codes will be developed to allow landholders to clear land for a variety of purposes and in many cases require only notification to Local Land Services, which may also include the reservation of set-aside areas. The codes also allow for more extensive clearing to be undertaken under approval from Local Land Services and may require larger set-aside areas or biodiversity offset credits. The proposed safeguards are inadequate. The fact that the role of the Office of Environment and Heritage will be providing only the mapping, with Local Land Services taking on all roles, is problematic.

The Biodiversity Conservation Bill 2016 expands the offsetting program, which we are most concerned about, and sets priorities for threatened species conservation. I will address biodiversity offsetting, about which

other members have spoken in detail. Our concern is that the biodiversity assessment method [BAM] will be based on the NSW Biodiversity Offsets Policy for Major Projects. There is no clear objective to protect biodiversity or achieve a net positive outcome. This policy and the principle behind it represent the lowest standard for biodiversity offsetting. For example, instead of funding offset sites that match ones that will be destroyed—the like-for-like principle—proponents will find broadly similar areas and undertake very vague conservation actions. Whilst the legislation says that the biodiversity assessment method must lead to no net loss, this is impossible for an offset system to achieve in practice. The BAM will be finalised next year and of course we have not seen the details, which is concerning considering that the bill is being rammed through Parliament.

Division 6 establishes that proponents can now satisfy offsetting obligations in their consent conditions by paying into the new Biodiversity Conservation Fund, which places the onus of locating equivalent offsets on the proposed Biodiversity Conservation Trust—a public organisation. Even if the trust is unable to locate an equivalent offset, clearing can take place regardless, which will result in biodiversity loss. In short, even if an area cannot be offset, it can still be destroyed simply by paying money into a fund. In our view that is an incredibly unsatisfactory outcome. It gives the development approval authority, such as a local council, new powers to discount the offset requirements if they think the development or clearing has social, environmental or economic benefits. We shall wait to see that provision implemented and gauge the outcomes. Discounting biodiversity credits is clearly open to abuse and even corruption. That is a very serious problem with the legislation.

Existing private conservation mechanisms will be consolidated, and I shall not go through those in detail. However, it is clearly unacceptable that land that is subject to a private land conservation agreement, or that has been conserved with public funds, is categorised as regulated land, which is land that can be cleared in accordance with an allowable activity or code under the proposed Local Land Services Amendment Bill 2016. The Greens are concerned that many people will want their private land conservation agreements to remain in perpetuity. I conclude by addressing some issues that are outside the direct purview of the legislation but that were raised in the Minister's second reading speech. The Government has committed \$240 million over five years—\$70 million per annum—to private land conservation. However, it is clear that that is outside the legislation. There is no direct legislative obligation on the Government to provide funding and we believe it is not nearly enough to compensate for the environmental damage being caused. It should be used to strengthen the existing system. If additional cash is available, we should be strengthening the existing system rather than introducing a new, flawed system.

The major projects offsets policy allows mining companies to use mine site rehabilitation as a biodiversity offset. What a disgrace. This double dipping should not be allowed and mine sites should be rehabilitated as a matter of course. The Greens in the other place moved a range of amendments to the bills that were not supported by the Government. The Greens do not support the legislation. We believe the balance is wrong. We believe this is political, ideological legislation rather than legislation based on the science, and we call on members to oppose it.

**Ms YASMIN CATLEY (Swansea) (18:28):** I contribute to debate on the Biodiversity Conservation Bill 2016, which, as we have already heard, seeks to repeal the Threatened Species Conservation Act 1995, the Nature Conservation Trust Act 2001 and the provisions relating to animals and plants in the National Parks and Wildlife Act 1974. The bill is being considered cognately with the Local Land Services Amendment Bill 2016, which seeks to repeal the Native Vegetation Act 2003. I state at the outset that this legislation, like the recent Crown Land Management Bill 2016—which the Government rammed through this House just last week—is another example of appalling legislation from an appalling Government. Once again, it would appear that nothing is sacred to this Government—not our native habit, our precious protected lands, our soils or our water.

Not even our protected and endangered native flora and fauna are safe. It is shameful. These two bills are nothing more than a political fix aimed at gutting biodiversity and other environmental protections implemented by the previous Labor Government. In order to win back votes from the constituency they abandoned The Nationals have added this dot point to their achievement sheet. The fall of Troy Grant and the decimation of The Nationals at the Orange by-election last weekend is an indictment of this Government's recent policies, including council amalgamations and the greyhound racing ban. It is a rejection of a National party that refuses to stand up for the bush.

The Nationals sit idly by while the new Deputy Premier guts the TAFE sector and they sit on their hands while regional and rural youth unemployment goes through the roof. Amongst other things, these bills will rip up the current scientifically based assessment method required for land clearing and replace it with self-assessable codes, exemptions and increases in so-called discretionary clearing. There are no clear environmental baselines, aims or targets. There is no ban on broadscale clearing, no mandatory soil, water and salinity assessment, and no maintain or improve standards to ensure environmental outcomes, either at the site scale or at the landscape scale. This is likely to result in significant clearing increases in New South Wales.

The Biodiversity Conservation Bill carries over provisions of current threatened species laws such as listing threatened species and ecological communities by a scientific committee. The Local Land Services Bill 2016 will actually serve to increase known threats to those species. The bills fail to tackle the conflict between reducing the impact of listed key threatening processes to biodiversity and permitting more land clearing via self-assessed codes and discretionary development applications. This legislation drops the current requirement that any offsets need to be undertaken on a like-for-like basis. There is also the option to pay money in lieu of any actual offset. That is just the beginning. The proposed changes have met with resounding criticism. Scientists, local governments and conservation organisations have all criticised the changes for the environmental and ecological destruction they will enact. It is not alarmist to surmise that these changes are likely to push threatened species, such as koalas, quolls and pygmy possums, to extinction. The National Parks Association chief executive officer Kevin Evans has said:

Only 9 per cent of the bushland we have left is in good condition—the rest has been degraded by overgrazing, feral animals, weeds and soil erosion,...

Yet the Baird Government is going to allow eight million hectares of bushland to be potentially cleared through these new laws. That's more than the entire national park system currently.

Kate Smolski, who is chief executive of the Nature Conservation Council of New South Wales, said:

These laws have little to do with biodiversity conservation and everything to do with fast-tracking land clearing and property development.

Many in the farming sector are opposed to these changes. The group Farming Future responded to the proposed changes:

The proposed changes are not in the interests of long term sustainable farming.

With soil loss and degradation at a record high in New South Wales, we cannot afford policies that encourage the removal of yet more native vegetation, and cause significant damage to New South Wales farmer reputation as responsible producers of food and fibre.

One would think that comparisons to the failed one-term environmental horror movie that was the Queensland Newman Government would have this Government rethinking its approach to dealing with land management, but apparently not. That is the comparison being made by many in the New South Wales scientific field concerning the bills before us today. When the disastrous one-term Premier Campbell Newman introduced legislation not unlike the bills before this House, Queensland had a tripling of land clearing that saw land and soil quality affected, rising carbon emissions and the State's overseas reputation in tatters. The Liberal-Nationals Government has a disastrous record with regard to protecting the environment. Nature conservation in New South Wales took a cliff dive following the election of this Government in 2011.

The former O'Farrell Government had declared only 12 hectares of new national parks after six months in office. In its six years of Government, the Coalition has added just 0.43 per cent or 343,904 hectares to the New South Wales national parks estate. During Mike Baird's premiership just 0.03 per cent or 24,270 hectares have been added to the New South Wales national parks estate. In 2014, the Government slashed the budget of environmental agencies by \$83 million. New South Wales environment agencies have been stripped bare by so-called efficiency dividends implemented by this Government. In 2015 alone \$20 million of internal cuts were forced on environment agencies, while in the past four years combined the cuts have reached a total of more than \$80 million. To date, the Government has underspent the State's Environmental Trust by \$133 million, resulting in fewer grants for environmental conservation and rehabilitation and less funding available for the acquisition of land for national parks.

The solution for this Government is clear: abandon this approach and allow Labor to do what is right for our environment, our land, our native flora and fauna, and our farmers. It is Labor that consistently has balanced the interests of the environment with the needs of our farmers to work the land. Labor has protected precious land in New South Wales. It is only Labor that can effectively strike a balance between economic prosperity and environmental conservation, ultimately securing the future of this great State for all. The Wran Government passed the Environmental Planning and Assessment Act and the Coastal Protection Act and established the Land and Environment Court.

Labor helped to save the northern rainforests, expand the national parks system and ban sandmining in coastal national parks. As the Minister for the Environment, Bob Carr championed the Wilderness Act. As Premier, Carr added one million hectares to our national parks estate, introduced the world's first greenhouse gas reduction scheme and launched the building sustainability index. Labor in its last term saved the river red gums and created the Yengo National Park. It was Labor that reduced logging in New South Wales and supported a transition from old growth to sustainable plantations while helping workers to transition into sustainable industry. Federally, Labor has a long record of acting to protect our environment.



It was Hawke and Keating who protected the Franklin, Kakadu, Daintree and Antarctica. It was Labor that ended 30 years of conflict over the Murray-Darling Basin. It was Labor which, two decades before the Greens Party even existed, had a platform on climate change. The bills before the House are terrible bills that will benefit the few against the interests of the many, both now and into the future. The only point to these bills is the ideological obsession of the right-wing Liberal and Nationals parties, which are determined to allow large corporate agricultural interests do whatever they please, with no regard to process, science or the broader interests of the community or, indeed, the planet. The two bills are truly "let it rip" bills that will tarnish the reputation of farmers, set environmental protection back decades, and sell out the interests of future generations. I oppose the bills.

**Ms TRISH DOYLE (Blue Mountains) (18:37):** This legislation, the Biodiversity Conservation Bill 2016 and the Local Land Services Amendment Bill 2016, is biodiversity conservation in name only. I acknowledge the input and contributions to this debate at the public exhibition stage from peak environmental groups that include the Nature Conservation Council of New South Wales, the New South Wales Wilderness Society, the Environmental Defender's Office, the Total Environment Centre, the Blue Mountains Conservation Society, the Colong Foundation, the Blue Mountains Bushcare Network, the Blue Mountains Bird Observers, and the Wentworth Group of Concerned Scientists. Labor's shadow Environment Minister in the other place, the Hon. Penny Sharpe, has worked with these environment groups and other stakeholders to prepare Labor's response to these bills and to advance the case for sustainable environmental legislation in New South Wales.

I acknowledge my colleague the Hon. Mick Veitch, who is the shadow Minister for Primary Industries in the other place, for his efforts on behalf of Local Land Services. I am not an expert, but as the member for Blue Mountains I have an obligation to speak on behalf of my community, one which takes a particular interest in these policies and bills because of the unique environment that we love and call home. I note that dozens of my constituents made submissions to the public consultation process that was run by the Office of Environment and Heritage. Labor has a very strong record of protecting the environment and delivering significant, long-lasting reform of environment legislation and policy in New South Wales. It was the Carr Labor Government that first prioritised nature conservation in New South Wales. In 1995 the Carr Government prevented logging in parts of south-eastern New South Wales.

Between Batemans Bay and the Victorian border, Bob Carr established the South East Forests National Park to stop vast tracts of land being cleared. He went on to gazette 120,000 hectares of old-growth forest and wilderness areas in new national parks between 1996 and 2005. I am aware that this point has been made many times in this place today. It is important that I make it again. In 1999 alone, more than 100 new national parks were declared between Nowra and the Bega Valley. On coming to office in 1995, Labor enacted an immediate ban on the removal of old-growth vegetation on farmland. It introduced pricing for rural water and an environmental allocation for the State's river systems. As the Leader of the Opposition said so eloquently and passionately earlier today, in 2003 Labor introduced the Native Vegetation Act. This curbed the removal and clearing of significant amounts of vegetation and was a deliberate legislative effort to mitigate the impacts of anthropogenic climate change.

Labor also launched the first emissions trading scheme that year, the Greenhouse Gas Reduction Scheme, which set a limit on the carbon emissions of electricity retailers. It was the world's first carbon trading scheme. It is impossible to note those Labor achievements without paying tribute to the considerable record of achievement of one of my predecessors, a former member for Blue Mountains, Bob Debus. He was the Minister for the Environment and was the Minister of almost every portfolio in this place at some point. Bob was the longest-serving environment Minister in any Australian jurisdiction. During his tenure, the national parks estate in New South Wales grew by more than one-third. He was instrumental in the restoration of inland rivers and the establishment of the unbroken chain of protected areas and conservation lands that stretches 2,800 kilometres along the Great Dividing Range of eastern Australia. The Labor Environment Action Network [LEAN] has reflected on environment policy in the context of Labor's core values. Bob was involved in the establishment of LEAN. The organisation said:

No other party has consistently acted to protect our natural assets. Now it has started on the path to addressing the catastrophic challenge of climate change ...

Environmental decisions are rooted in social justice as it is inevitably the poor who pay most for environmental degradation. They impact economically as smart economies gear up to capitalise on the clean energy future. They have a patriotic face as the beauty of Australia's natural assets remain at the heart of our conception of ourselves and our pride in this place. And increasingly they are central to our survival.

LEAN went on to say:

Human induced climate change threatens our future. Environmental systems collapse ... [take] many forms—including extinctions, water degradation, increasing toxicity—[and] threatens life. The environmental imperative reaches beyond class, ethnicity and gender ...

Delivering protection for the environment is core Labor business because it is the right thing to do.

They are the values Labor brings to this debate. I pay tribute to LEAN activists, in particular Felicity Wade, Declan Clausen and Susan Elfert in my electorate. Biodiversity is not just Labor business; it is of striking significance to the Blue Mountains community. Ten per cent of all threatened species in New South Wales can be found in my electorate. The Blue Mountains is home to more than 65 threatened animal species and 30 threatened plants, including a number of plant and animal species that are not found anywhere else in the world. The high level of biodiversity in the Blue Mountains is due to significant amounts of high-quality bushland, both within the Blue Mountains National Park and, importantly, on private land.

In the drafting of these bills, the Baird Government implies that the existing legislation is somehow deficient, that it lacks clarity, that it is too restrictive and that it places unjust burdens on landowners. While there is no such thing as perfect legislation, it cannot be disputed that the laws that Labor enacted—the laws that the Baird Government seeks to replace today—have produced very successful environmental outcomes for the State of New South Wales. Those laws work very well. The biggest issue facing landowners is the funding cuts to the department that have created delays in processing approvals for acceptable levels of land clearing. This means not that the current laws are ineffective but that the system has not been resourced adequately.

This was a system that was designed by the Carr Labor Government after exhaustive consultation with farmers, scientists and environmentalists. The outcomes of Labor's legislation were considerable and they were positive. Approved clearing fell from 80,000 hectares per annum to 811 hectares: an 88-fold reduction in approved clearing. The mortality of native animals has fallen dramatically. It is estimated that 53,000 fewer mammals are killed each year—a 14 per cent reduction—including 300 fewer koalas killed by logging. These laws also allowed Australia to meet its Kyoto Protocol commitments by slashing the carbon pollution associated with high rates of clearing. I do not accept that those laws are in need of reform. The laws that Labor enacted are very good. They should be strengthened and expanded upon, not undermined, as is the ambition of the Baird Government today.

According to the Wentworth Group of Concerned Scientists, there are three major flaws in the proposed legislation. First, instead of facilitating small-scale farm management actions, the proposed codes allow broadscale land clearing. Secondly, high conservation value land parcels are not protected. Thirdly, the \$240 million attached to the proposal for new private land conservation, instead of funding private landholders to restore lands, will provide a taxpayer subsidy to compensate for the additional land clearing resulting from weakened clearing controls. The scientists said:

These retrograde changes risk returning NSW to an era of unsustainable environmental damage by reinstating broadscale land clearing, resulting in more degraded land, more damage to river systems, increased carbon emissions, and the loss of habitat critical to the survival of threatened species.

In the words of Dr Brian Marshall from the Blue Mountains Conservation Society:

Our Federal and NSW Governments are rushing headlong towards environmental oblivion through expedient, stubborn and even dictatorial obsessions. Our only hope is to lessen their capacity before it's too late.

*[Extension of time]*

Professor Hugh Possingham, the Government's own expert panellist on the legislation's review committee, found that position problematic. He resigned his post in disgust at the direction this Government is taking with its deliberate pursuit of legislation that will allow for broadscale land clearing. That is an alarming indictment of the Government. It is evidence that the Government has allowed right-wing political ideology to take precedence over expert advice and scientific expertise. It is not just environmentalists and conservationists who are saying those things. The failed Deputy Premier came in here earlier to deliver a spray against Labor for attacking farmers and those who make their living on the land. We are not attacking farmers. I come from farming stock. I grew up in the dry paddocks and shearing sheds of the Riverina. Labor stands with the many hundreds of farmers who have banded together to campaign against this Government's laws. Those New South Wales farmers said: As farmers, land managers and food suppliers, we are alarmed at the Baird Government's proposed changes to land management laws. The changes will lead to wide scale land clearing and land management practices that have no place in modern farming.

It seems that not only was the member for Dubbo a very poor Deputy Premier but people living and working in the bush also reckon he would be a pretty lousy farmer too. We will not be lectured to by boofheads like the member for Dubbo. We will not take on board his contribution because he has demonstrated through his words, actions and poor record that he does not know the first thing about good legislation or good government. These bills represent a seriously backwards step for environmental law and policy in New South Wales. Rather than repealing current legislation and opening the door to near unchecked land clearing, I urge the Government to adopt a more balanced approach by strengthening existing legislation and improving upon it.

I once again refer to the Hon. Bob Debus, the best environment Minister this State has ever had. We are in a time of great crisis, he recently said. We are witnessing an assault on conservation legislation. Habitat loss is causing more damage than climate change and we must protect our landscape. This has never been more urgent and we have not had a government such as this lot which could care less. Labor opposes these bills. It opposes legislation in this place that is driven by right-wing ideology and a craven deference to big business interests. That drives much of the Baird Government's legislative agenda. Labor is the only party with a record of tangible achievement in protecting the environment and combating climate change, and we will not stand by and allow this Government to trash that legacy without opposition.

**Ms JENNY AITCHISON (Maitland) (18:51):** I speak to the debate on the Biodiversity Conservation Bill 2016 and cognate bill. When I was in Broken Hill recently, I felt a sense of coming home as I walked on the flat ground of one of the more arid landscapes in New South Wales. It took me back to my many years as a tour operator—bushwalking and following, in a car or a tour bus, the journeys of early European explorers of this country. I often did so while reading their accounts. While traversing the very landscapes that those men saw with such different eyes to mine, I saw the beginning of the conflicted approach of attempting to control the land rather than working with it, which the Leader of the Opposition referred to in his speech earlier today.

Those historical accounts talk of men who saw the diverse and rich landscapes of the interior rural lands of our continent as barren wastelands. The lands had no alignment with their experiences of life in the rural villages of England and Europe, where many of those men came from. They did not understand our flora and fauna, which have adapted so well to the unique climactic conditions of our continent. They did not understand the weather patterns of our seasons, the wet and the dry. They were not used to a landscape that could change from dry plains to flooded rivers in a matter of days, weeks or months. This is a land where maps change in a moment, where inland seas are created in a series of heavy rains and where drought is often the default season. Australia is a land of contradictions that cannot be tamed and will not be mastered—a land that invites those who listen to share her bounty.

Eventually those early explorers were replaced by timber-getters who did the vast amount of work of clearing land in our communities and left the largely cleared land to farmers who, over successive generations, either learned to work with the land they farmed or succumbed to the challenges it threw at them. The story of coastal New South Wales shows that as one drives north and into Queensland it was all about timber and then dairy and then farther north there was sugarcane. Farther out to the west, we have seen innovations in farming practices over generations as farmers learned the capacity of their land, the water and the climate: But these agricultural practices have not always been successful. Sometimes the land that was left to our farmers was irreparably damaged. For example, through the large-scale clearing of the banks of the Hunter River in my electorate, Europeans shortened the river by some 23 kilometres. It changed the path of the river and made many areas more susceptible to flood, which has impacted on our farms. Our decisions around the clearing of land often have irreversible impacts.

Sometimes our early colonists got it right. I think particularly of Goyder's Line, which was developed by George Goyder, then Surveyor-General of the colony of South Australia. Running roughly east-west across the State, it delineated those areas of the State where the annual rainfall is usually too low to support cropping and is only suitable for grazing. This line has proved remarkably accurate over time, but there is acknowledgement that over time and with the current warming and drying trend of South Australia's climate, there will be a need for a downward shift on Goyder's Line towards the south. There is no doubt that our landscape in this country is a complex living and changing environment. Just as generations of farmers have worked this land and have learned their lessons, so too do future generations need to learn the lessons of the past and farm their lands with respect and understanding.

Fundamentally, our biodiversity must be protected to provide environmental and economic benefits to all in our State. This is an issue that we in this country have been struggling with for generations. There have been moments where we have made great strides forward in understanding and rising to meet the challenges with respect to our landscape and biodiversity, and where we have brought together all the elements that provide our farmers with an economic life while protecting their land into the future. One of those moments was in 2003 when the Carr Labor Government passed the Native Vegetation Act. The Carr Government acted to address the wholesale over-clearing of native bushland that had taken place in the past. Our legislative initiatives have benefited the whole State by protecting our natural resources and supporting sustainable agriculture, thereby making sure that our farmers have a long-term future on the land. Good environmental legislation protects farm businesses and rural jobs and ensures those who work with our irreplaceable natural resources have productive land to pass down to the next generation.

As the World Wildlife Fund acknowledged, these laws "were put in place in 2003 because over-clearing of native vegetation in the past has been a prime cause of soil erosion, degradation of rivers, release of greenhouse

gases and the loss of the State's biodiversity." Even today, Australia's biodiversity is under threat. More than 1,700 species and ecological communities are known to be threatened and at risk of extinction. As degradation of our environment continues to escalate, many ecosystems are increasingly vulnerable to collapse. Balanced biodiversity is crucial. When we have a large number of diverse plant species, our agricultural industry thrives. When we have a great diversity of food crops and other biological resources, such as the medicinal plants used for pharmaceutical drugs, our agricultural industry thrives.

Likewise, greater species diversity ensures sustainability for all life forms. A diverse and healthy ecosystem can better withstand and recover from human-induced and natural disasters. Today we have watched as The Nationals members swaggered into this place and talked about karma and payback and getting back control of "their" land. They talked about ownership of the land as a legal right, not as a relationship that will continue over the coming generations and determine the productivity and the survival of the arable land that they hold in custody. They understand the delicate balance of our rural environments as poorly as they understand the concerns of the people in our rural communities. They do not own the land and they do not own our rural communities. They have no respect for science or for the fundamental basis of our land management programs and legislation, some of which has been in place for more than 40 years.

I recently visited the electorate of the member for Barwon. From what I heard, he is not as in touch with his community as he claims. He told us in this Chamber that farmers know best, that they are conservationists, that they have correctly managed the land and that they do not need governance of their farming practices. We know that this has not always been the case. While there are farmers who have very strong conservation values and practices, that is not always the case. We have seen farmers and regions fight over water rights. We have seen farming innovation and practices in some sectors that have disadvantaged farmers in other regions. The member for Barwon is right about one thing, which is that the vast majority of farmers do farm responsibly. That is shown in the objections of many hundreds of farmers to this legislation. They farm responsibly precisely because of our laws that protect our land not just for the farmers but also for their neighbours, children and those who will farm their land in the future. Our laws also protect those who are down river and in other States.

In an increasingly global environment of land ownership where even in boutique farming communities like mine absentee landlords from other countries are buying up our farming land, we need to ensure we have a clear set of rules to protect that land. We need to ensure that the new custodians do not have to start from scratch to learn about how to work with our land and that they do not replicate the mistakes of our colonial farmers from two centuries ago. Many people in my community complain about the lack of weed management and appropriate farming practices on some properties. There are ongoing complaints and disputes in my area about the management of the levee bank in Maitland where new farmers who have no understanding of the way the Hunter River works get into the ear of under-resourced Local Land Services staff and make significant changes that have very negative impacts on farmers who have worked with the river for generations. [*Extension of time*]

There are land conflicts between agriculture and mining and agriculture and development all over the Hunter. This bill will undermine the ability of farmers to argue for the retention of prime agricultural land when the very management of that land from an agricultural perspective has been walked back in regressive and environmentally destructive legislation. Farming these days is a business and the complexity of this legislation adds more red tape and regulation on those businesses. In something as vital as the protection of the productivity of our land we need to ensure that the rules are clear and understood by everyone. This legislation does not achieve that.

Over many years and in consultation with stakeholders from all sides, the Labor Party has cherished our unique natural assets and put in place valuable checks and balances that have sought to protect the environment. Just as importantly, we have acted to protect those living and working on the land and to provide them with a clear pathway to farm successfully. The Carr Government left a legacy that showed Labor's understanding that land is eternal and that it endures. It is not just about an owner or about my land or your land. The land belongs to all of us and our relationship with it will continue through generations. We must protect it for all future custodians of our country.

These bills repeal a number of Acts. I will not go through all of Labor's criticisms because this has been a long debate and my colleagues have made extremely good contributions highlighting the deficiencies of these bills. I will end by saying that these laws will increase broadscale land clearing. They will lead to further extinction of native animals, drive up greenhouse gas emissions and represent a complete capitulation to the most extreme elements of The Nationals. Through these bills the Government is bowing to those who see things only from their own perspective and have no regard for the long-term sustainable productivity of our lands. We must act to protect our biodiversity and our environment not just for today but also for future generations. If Government members really care about rural communities and the capacity of our land to feed the people of our State, country, and the rest of the world, I urge them not to support this regressive and shameful legislation.

**Ms KATE WASHINGTON (Port Stephens) (19:08):** I join with my colleagues in this and the other place to express my fierce opposition to this Government's irresponsible and regressive changes to our native vegetation laws. It is ironic that I should be speaking on the Biodiversity Conservation Bill 2016 and cognate bill on a day when I have been responding to media requests to discuss another land clearing travesty occurring in Port Stephens as I speak. In November last year I stood in Bundabah on the shores on Port Stephens with Ross and Barbara Griffiths. A couple of years ago Ross and Barbara made a tree change to their weekender property in Bundabah, which is surrounded by the coastal bush and pristine marine park of Port Stephens. They hoped to enjoy their retirement in the tranquillity of the Port Stephens bush.

Then the bulldozers started. Ross and Barbara live next to a spectacularly beautiful tract of land that juts out into the Port Stephens Marine Park on the northern edge of the bay and is called Fame Cove. The entire spectacular peninsula is now in the hands of a developer whose plans for the site have been vague and numerous, although the end goal appears to be a large resort. Port Stephens is sadly accustomed to property developers flouting the law. Unfortunately, this developer has proved no different.

Before any rezoning was approved or development application had been made the bulldozers started up and the trees started coming down. Broken tree limbs were bulldozed into a creek that separates the two properties, causing the stream to bank up and turn into black, foul smelling slime. This creek is a marine park sanctuary zone. When I walked beside the creek I was shown the path made by the grader through that marine park sanctuary zone. The then Great Lakes Council issued an \$8,000 on-the-spot fine for the clearing, saying the developer had "jumped the gun". Such dismissive language ignores the fact that the same developer was fined \$200,000 in 2012 for different breaches of environmental law.

It is plain to see that we have a significant problem with land clearing in New South Wales. The last thing we need is to take a backwards step in our regulations. The problem is not the Native Vegetation Act; it is the mindset of developers and landholders who believe they can ignore the law, bulldoze whatever they want and threaten those people who stand up for the environment or get in their way. The murder of Office of Environment and Heritage officer Glen Turner was an awful tragedy. I extend my deepest sympathies to Glen's family and friends. It was a disappointing state of affairs when somehow responsibility for the murder of Glen was placed on the law as opposed to the man who shot him. Somehow the tragedy has been distorted into blaming a poor legislative framework instead of the man who squeezed the trigger. We have the police Minister sitting side by side with those who blamed this man's death on bad legislation rather than the man holding the gun. It is not just Malcolm Turnbull who is held hostage by the right wing of his party; Mike Baird has also caved into the fringe elements of The Nationals—and not for the first time.

Let us examine the environmental record of members on the Government side of the House. One of the first things the O'Farrell Government did in 2011 was abolish the Department of Environment, Climate Change and Water. That was a top priority. Then there was the infamous allowing of hunting in State forests and national parks, which was quickly overturned. In 2013 this Government removed restrictions on line fishing from beaches and headlands at 30 marine park sanctuary sites in New South Wales, only to immediately reinstate the restrictions at 20 sites a year later due to the significant risk of harm to marine life. In 2014 the Government slashed the budget of environmental agencies by \$83 million. That was on top of so-called efficiency dividends that amounted to \$20 million of internal cuts and were forced on environment agencies last year. It came at the same time that the Government was increasing national park fees by 15 per cent and selling assets such as staff accommodation. Seventy-six National Parks and Wildlife Service jobs have been cut since 2012, bringing current staff levels down to the same as they were six years ago in 2010.

Not even koalas escape this Government's cuts. There have been drastic reductions in funding for koala protection, not to mention the recent sale of the Mambo wetlands core koala habitat in Port Stephens. This Government completed that sale. It is concerning to read the submission of the Friends of the Koala group about this legislation, which says:

Friends of the Koala truly believes that if this legislation is implemented the future of our iconic koala in the wild will be at high risk of extinction. We urge you to withdraw these proposals and to commit to strengthening laws that will protect our koalas and not leave us to pick up the pieces of poor legislation and poor decision-making. I might add to that we will also be picking up the koalas that find themselves on the roads in Port Stephens due to a loss of habitat. The World Wildlife Fund also has raised concerns, stating that these laws would:

... discredit the Baird government, damage NSW's reputation as a good environmental custodian, and damage Australia's reputation as a clean, green provider of commodities, merely to appease a handful of primary producers and property developers, and for trivial financial benefit."

Not even farmers agree that this legislation is any good. One farming group said:

The proposed changes are not in the interests of long term sustainable farming.

With soil loss and degradation at a record high in NSW, we cannot afford policies that encourage the removal of yet more native vegetation, and cause significant damage to NSW farmer reputation as responsible producers of food and fibre.

Restrictions on land clearing in New South Wales have existed since the Western Lands Act of 1901. The Carr Government's introduction of the Native Vegetation Act achieved a sustainable package of legislation to protect the environment while also supporting sustainable agriculture. No legislation is perfect. Indeed, there are worthy arguments for incorporating the multiple pieces of environmental legislation into one overriding piece of legislation and, given recent news about the restrictions on enforcement activity, there may even be an argument that the current legislation should be strengthened to take into account new technologies. But instead this Government wants to see us return to the days of mass land clearing across New South Wales.

Before the Native Vegetation Act was introduced, Australia was the fifth greatest land clearer in the world and New South Wales was second only to Queensland. Since the Act was introduced there has been a 20 per cent reduction in actual clearing of remnant bushland; a 14 per cent drop in native mammal deaths, which equates to 53,000 extra mammals being alive each year; and a reduction in land clearing from 80,000 hectares to around 900 hectares per year. Environmental offsets created under this legislation have also seen the protection and restoration of 61,000 hectares of environmentally sensitive land. This legislation seeks to unwind the advancements that we have made. It will return us to the days of mass land clearing, condemn native species to extinction and undermine efforts to combat climate change. What do we get in return? A bit less paperwork? Not even that; the complexity has not been reduced.

Once again the Baird Government is asking us to trust it. However, the clear message from each of the by-elections held last weekend is that people do not trust it—rightly so, with such a poor environmental record. I would prefer to place my trust in someone who cares about the environment—someone who cared enough to work with the Government to create a legislative framework that meets the aims of conservation and sustainable land use. Hugh Possingham, a Queensland University conservation biologist, was advising the Baird Government on its proposed changes to the native vegetation laws. His credentials and knowledge suggest that his opinion could be trusted. What are his views on the native vegetation laws being proposed by this Government? Not much. He quit his role as an adviser to the Government in protest, warning the plans could lead to a doubling of broadscale land clearing in this State. He said, and I quote:

It's not what we agreed to. If you increase the quantity and quality of land clearing, you increase the chances of extinction.

That is an opinion that is difficult to ignore. Sadly, the Government did ignore Hugh Possingham's opinion. He has left and we are left with a harsh regressive step in conservation and sustainable land use. The Government has failed entirely to strike any balance with this legislation.

I am honoured to represent and to live in one of the most beautiful areas in New South Wales. Like many residents of Port Stephens, I moved there because of its natural beauty and all it has to offer. The residents of Port Stephens care deeply about the environment in which we live. We care deeply about the habitat that is home to an array of amazing flora and fauna. We are hurting already because our local koala population is in massive decline due to overdevelopment and loss of habitat. I cannot support legislation that opens the door to more land clearing and that will see less protection for all that we hold dear. When Labor wins office in 2019 we will fix this backward step to ensure that our children's children can still see koalas in the wild. This legislation fails one of the most basic tests we face in this House: Will it leave a better planet for our children? On that test alone, these bills clearly fail. I oppose the bills.

**Mr DAVID HARRIS (Wyong) (19:13):** I acknowledge at the outset of my contribution to debate on the Biodiversity Conservation Bill 2016 and cognate Local Land Services Amendment Bill 2016 the difficult position of the Government in trying to get legislation passed that will please all parties. In 2008 I chaired the Standing Committee on Natural Resource Management (Climate Change). In that committee's inquiry into climate change we took evidence from a range of groups, including farming and environment groups, and individuals. In that inquiry consensus was very difficult. At that time I worked very closely with then Minister for Planning, the Hon. Frank Sartor, as he tried to get through the coastal management legislation. That was also fraught with difficulty. So I understand what the Minister has gone through in trying to come up with legislation that will please all parties.

I also place on record that part of my wife's family are on the land. They own farming property at Hillston in the western Riverina. I have seen the difficulties they face on a day-to-day basis, particularly in times of drought. People hear about drought but they will never properly understand its effects until they have actually witnessed drought. Unfortunately, this legislation will probably alienate more people than it pleases. As the member for Wyong I have to look at how it will affect the people in my electorate, which is a growth area. Since my return to this Parliament I have observed that land clearing has been one of the biggest issues, particularly when it comes to wetlands. I heard the Minister speaking about this legislation on ABC Radio, and I acknowledge that he has the best intentions. I know that he meant what he said in his second reading speech on these bills and he will no doubt

make further comments in his speech in reply. I am not concerned about what the Minister or the Government will do but I am concerned about how other people will exploit this legislation.

On the Central Coast a large amount of marginal land—that was zoned environmental to the point where the current owners were unable to erect—has been bought by developers following a rezoning process. This has caused a lot of friction. The 10/50 vegetation clearing rule is another example. This was brought in for the right reasons but on the Central Coast in particular it was exploited by people taking the opportunity to cut down as many trees as they possibly could. We also had a situation in which a lot of our green spaces were rezoned operational by the local councils in an effort to sell them off. Myriad groups were then formed to fight for their local parks. I fear we will see similar outcomes as some seek to exploit this legislation, particularly those in the development community.

Wetlands act as the biological kidneys of the landscape by filtering any water that would otherwise run into a water system. On the Central Coast a series of wetlands—the Wyong River and Wallarah, Ourimbah and Tumbi creeks—flow into Tuggerah Lakes. Part of this area is known as the Central Coast Wetlands Pioneer Dairy. Indeed, from the time of the first Indigenous people, those wetlands have filtered that water and made the Tuggerah, Budgewoi and Munmorah lakes the jewel of the Central Coast. However, with the rezoning that is going on, those wetland areas are basically being built out.

It has really upset local people on so many levels. Unfortunately, the Government has been party to it because the former Wyong council, like the wampum of the Native American Indians in the United States of America in the early days, convinced the Government that there is a site at Kangy Angy that is good for a rail maintenance yard. That area floods, not just a little bit but a lot. It is like a sponge and soaks up water in times of flood—and it is heavily environmentally sensitive. The Government will build a rail yard there, which means a lot of those wetlands will have to be filled in to prevent the area from flooding. That will then impact not just on the lakes but also on all the residents who are downstream. I have seen the mapping done by the councils, which shows the increased likelihood of flow rates in a potential flood, if that land is filled in.

So many of the issues that people have been talking about with this legislation are in microcosm on the Central Coast and are happening now. It appears that there may be mass land clearing—although I do not believe it will happen to a massive extent because farmers are generally sensible people—and there will be some people who will seek to exploit these laws. We need to ensure when we pass legislation in this place that, overall, we get a net improvement. I heard the member for Lake Macquarie speak about his issues with biobanking and those sorts of things whereby someone takes one part of the bush and says they are going to develop it, so they will give you some bush in another part. On the Central Coast we have seen how that has been exploited, how it does not work, and how people lose because they do not get a net gain in environmental outcomes. What happens then is that they get to the land that has been set aside, the rules are changed again, and they lose that land as well.

On the coast, in particular, we saw recently that the area of two developments, one at Chittaway Point and one known as the Old Mardi Farm, had been protected. The people who owned that land tried for decades to have it rezoned and were knocked back. Since the change of government in 2011 and a whole lot of environmental protections were removed by the current Government, we have seen both of those areas rezoned and they are going to become major housing developments. Nobody who lives in that area, particularly if they have lived there for a long time and understand how flooding works there, could possibly agree with how those areas have been rezoned. That is the problem with legislation: we keep shifting the boundaries further and further back; we keep weakening what we have got in place, and there is a net loss to the community. The whole community suffers in the long run because they end up, as we have on the Central Coast, spending millions more dollars putting in artificial wetlands in order to compensate for the wetlands they got rid of. And therein lies the problem: once these things are gone, you cannot get them back. [*Extension of time*]

I cannot support these bills because overall I cannot see that there will be a net improvement. All around the coast we are constantly fighting battles to try to save the environment, which is the reason people move there. People have said that people own the land and they should be allowed to do what they want to do, but overall there is a net loss of habitat and a net loss of biodiversity. We have to look at the whole picture. It is not only about what one person is doing on their property; it is how that impacts on the whole ecosystem. On the Central Coast we tried to get green corridors that were connected from the lakes through those wetlands to the Watagan Mountains to ensure that there were wildlife corridors and those sorts of things. The council at the time put all those things in place. It had a strong environmental committee and, after changes, the environmental committee was abolished and those green spaces were gone.

That is why I am saying with this legislation that whilst there may be the best intentions, when other people get hold of the same legislation sometimes there are different outcomes. As I have said in debate on other bills, whilst I would trust the current Minister I might not trust the next Minister, so we have to ensure that the legislation is very tight in relation to protections. A lot of things are taken out in relation to targets and other things

in this legislation and I think that, overall, it weakens the picture. With a different person in charge of the legislation there could be a whole lot of different outcomes.

Recently we passed the Crown Lands Bill 2016, the Independent Commission Against Corruption Amendment Bill 2016, and we have these bills today. None of those bills can be taken in isolation; they are all interconnected. In relation to those two developments I mentioned on the Central Coast, the people who own those properties funnelled donations through the Free Enterprise Foundation and then rezonings occurred. I have spoken to the department about this and I have said that when the community looks at this sort of thing they ask very serious questions. They think, quite rightly, that if people have enough money they are able to get policies changed in their favour and have decisions go in their favour that are not to the overall benefit of the community. I am sure that, unfortunately, with this legislation that sort of thing will continue.

Like others on the non-Government side of the House, I cannot support the bills. They wind back a lot of the important protections. As I have said, I have seen pre-2011 and since how the areas have changed, and I believe these bills will be a boon to developers and will push the attack on our environment even further. The Opposition and The Greens tried to move amendments to strengthen the bills but the Government would not accept those amendments. That being the case, unfortunately, the Government will stand condemned for pushing this legislation through as it is, despite that many key groups oppose the bills. With many of these bills, as people look at them in more detail they become more and more worried about the consequences of their passing. The way the Government is pushing these bills through at a great rate of knots does not give people confidence that the Government is doing things for the right reasons. Some people will be happy, but I think most people will not be happy. I know on the Central Coast I will be watching very carefully to ensure that our important environment is protected and that it does not become wall-to-wall houses, which seems to be the aim of some people in the development industry. I oppose the bills.

**Mr ANOULACK CHANTHIVONG (Macquarie Fields) (12:28):** I make a contribution to debate on the Biodiversity Conservation Bill 2016 and the Local Land Services Amendment Bill 2016. For those who strongly value New South Wales's precious environmental and ecological systems, today is distressing and disappointing for them, particularly the Friends of the Environment movement and farmers, who value sensible and sustainable land management practices for themselves, for their families and for their future. This is another example of a Baird Liberal partisan approach to public policy, but this time it is an unnecessary attack on an existing and balanced environmental management framework that was developed in the spirit of cooperation and compromise between the National Farmers Federation and environmental groups.

The Biodiversity Conservation Bill 2016 and Local Land Services Amendment Bill 2016 is not a win for reasonable farmers who understand the precarious nature of the land that surrounds them and it is most certainly not a win for the environmental movement or the public interest. In its current form, this bill allows poor land management practices to thrive and it swings the pendulum too far in favour of landowners who undertake unwarranted large-scale land clearing at tremendous public cost with long-lasting, if not permanent, adverse effect on the quality of the soil, increased salinity, and an impact on water quality. Moreover, it incentivises reasonable farming practices to change for the worse.

The bill has more than 230 pages but the guiding principles of the Biodiversity Conservation Bill 2016 are clearly written in part 1 proposed clause 1.3—Purpose of the Act. I will compare the subclauses in that bill to subsections in the Act it seeks to replace, the Native Vegetation Act 2003. The contrast could not be greater and is evidence of why the Biodiversity Conservation Bill 2016 and the Local Land Services Amendment Bill 2016 do not maintain the sustainable environmental equilibrium that so many stakeholders worked so hard to achieve under the Native Vegetation Act 2003.

The verbs used in part 1 clause 3 of the Native Vegetation Act 2003 are very telling. Without reading every word in each subclause I will cite some of the Act: to provide for, encourage and promote the management of native vegetation; to prevent broadscale clearing unless it improves or maintains environmental outcomes; to protect native vegetation of high conservation value; to improve the condition of existing native vegetation; and to encourage the revegetation and rehabilitation of land. "Protect", "prevent", "promote" and "improve" are the verbs that should be central to any biodiversity legislation, if that legislation has the central aim of maintaining the environmental balance for farmers, environmental groups and the public at large. The common interest in preserving and protecting native vegetation and threatened species as a common good is for the benefit of all of us.

I now look for the same verbs in part 1, proposed section 1.3 of the Biodiversity Conservation Bill 2016. Sadly, they are not there. Let us go through some of the verbs that are there because they tell us everything about how unbalanced and unfair this bill is for all stakeholders: to maintain the diversity and quality of the ecosystem; to assess the extinction risk of species and ecological communities; to regulate human interactions with wildlife; to support and guide prioritised and strategic investment in biodiversity; to establish market-based conservation



mechanisms; and, my favourite, to slow the rate of biodiversity loss. The last point is particularly salient because it accepts and assumes that biodiversity loss is a given and that reversing the trend is not feasible. All hope is considered lost for biodiversity and we should just accept a fatalist environmental mindset. I—and no doubt many others—disagree with that assumption and we do not accept that biodiversity loss is a given.

Where are the positive verbs in proposed section 1.3—the purpose of the Act—which in this bill clearly should be about protecting, promoting, preventing, encouraging, and improving environmental land management practices that help our native vegetation and our endangered and threatened species? They are not there. The reason they are not there is that the central aim of the Biodiversity Conservation Bill 2016 is not about maintaining environmental balance. This bill wants self-assessment and market economics to rule over a common good and a valuable public good. As we all know, self-assessment is primarily guided by self-interest, which in turn often leads to a reduction in the public value of a common good. Incentives in this bill for self-regulation—unfair and incomparable offsets for environmental loss and a weak measurement, monitoring and compliance methodology—lead only to a worse environmental outcome.

To my mind, this bill will just lead to a tragedy of the commons on our native vegetation and ecological system. There are so many losers under this bill, but there also are some winners. This is a win for those who believe that science and evidence in landscape management is optional. This is a win for those who deny facts. This bill, in moving from proper science and an evidence-based method of impact assessment to self-assessing codes, exemptions, and an increase in discretionary land-clearing, is a 180-degree change in direction. This bill is not a modification; it is a reversal. Sadly, the bill runs against what every common sense farmer knows and implements in their farming practices—that is, to sustain productive landscapes and to produce long-term profitability, farmers have to nurture and sustain, not rip and tear.

In 2003 the Native Vegetation Act was built on a framework of agreement and trust between key representatives of the farm lobby and the environment movement. It was hard fought, it was negotiated, but it was always based on the common principles of improving environmental outcomes. This bill does the opposite. Let me be clear: I am strongly of the view that the overwhelming majority of farmers in this State care for their land. The evidence demonstrates that the majority of farmers incorporate practices that are about sustainability and quality improvement. They are reasonable people who are sensible in their approach. They know that unless they nurture and protect their land, they run the risk of destroying it for their children and their grandchildren. In fact, it was that sense of reasonableness and that common-sense approach that created the common ground back in 2003.

People as diametrically opposed as Jeff Angel, who is the President of Total Environment Centre, and Mal Peters, who is a former President of the NSW Farmers Association, found common ground and worked together. In contrast this bill enjoys no bipartisan support. This bill is a political fix by a terrified Nationals party pandering to the extreme elements in the bush. I predict that, in time, this bill will serve to do more harm and cause more frustration to good, decent and hardworking farmers because this Government has pushed the pendulum of reasonableness way too far. The pendulum always swings back. By pandering to the extreme elements in the farm lobby, the sensible middle ground inevitably will feel the push back by the equally extreme elements in the environment movement. Throwing out a common-sense approach built on sustainability and replacing it with an act of environmental vandalism helps no-one. I call on the Government to restore the reasonableness that was imbedded in the Native Vegetation Act 2003 and not proceed with the legislation. I am delighted also to say that a future Labor government will restore the environmental equilibrium and restore the trust, cooperation and agreement between farmers, environmental groups and the public.

**Mr JOHN BARILARO (Monaro—Deputy Premier, Minister for Regional Development, Minister for Skills, and Minister for Small Business) (19:37):** I make a brief contribution to this landmark debate for not only The Nationals in New South Wales but also farmers across regional New South Wales. The Biodiversity Conservation Bill 2016 addresses more than two decades of what we perceive as an unfair playing field for many landholders in the way they manage their land. If the current legislative framework were providing the biodiversity outcomes claimed by members opposite, we would not be here tonight debating this legislation. Claims that somehow The Nationals and our constituency in regional and rural New South Wales are hell-bent on destroying the environment shows the ignorance of those opposite, who do not understand the importance of land management to our communities and especially our farmers.

Some 95 per cent of farms in this nation are family farms. Most of our farmers have inherited farms that have been handed down through the generations, and the last thing they want to do is destroy the biodiversity of their land. Farmers are often good environmental managers. Those opposite show their ignorance by claiming that changing the framework legislation for managing biodiversity and environmental outcomes while maintaining our agricultural sector's productivity record somehow will lead to the destruction of our environment. Our farmers and landholders understand that biodiversity and environmental outcomes can work in harmony with maintaining

land productivity. Those opposite are spreading a fear campaign that this legislation will lead to environmental degradation, as has happened in Queensland. This legislation will not lead to similar environmental outcomes in this State.

Our landscape is diverse. For example, in my electorate of Monaro we value our grasslands. I know that we manage those grasslands differently from how areas in the west of the State are managed. Since my election to Parliament in 2011, I have been in contact with constituents and landholders in my electorate who are advocating for changes to the punitive Native Vegetation Act. There is no question that that Act caused problems for landholders throughout the State. In addition, the Act was not properly thought through before it was debated and passed by those opposite when they were in government. I believe amendments to the Act were made while they were in government, but at the end of the day the Act has not produced the outcomes that non-Government members claim.

Those opposite have labelled us as environmental vandals, but again that claim shows their ignorance. They do not understand that this legislation will both deliver productivity gains for family farmers and protect our unique biodiversity. The member for Macquarie Fields said that NSW Farmers does not support the Government on this complicated legislation. That is incorrect. This week NSW Farmers came out in support of the Ministers for achieving such significant reform. Those opposite are spreading fear about this legislation, rather than facts.

**Mr Adam Marshall:** They've never met a farmer.

**Mr JOHN BARILARO:** That is right. Some non-Government members have never met a farmer or been on a farm and so they do not understand the issues. As an integral part of our commitment to ensure that all options are available to get the balance right between productive land use and environmental protection, the Government is funding biocertification trials—one of which will be in the Monaro. We recognise the importance of high-value grasslands to biodiversity and to unique areas of the State. I am also very conscious of the importance of land management reform that allows the proper use of land while protecting against the invasion of exotic pests such as African love grass.

In this legislation we recognise that the rules that govern land management also must deliver environmental outcomes, and that makes this legislation different from legislation that has preceded it. We have not surrendered on protecting the environment—if anything, this bill will introduce a proper framework and we believe there will be better outcomes for protecting the environment and biodiversity. Land management and good environmental outcomes are not mutually exclusive. In the Monaro we will harness the knowledge of local farmers and ensure that we have workable reform that delivers both outcomes. The biocertification trails, funded by the Government, will explore all options to ensure that productive land is available for farmers' use while making sure that we can protect our valuable grasslands.

This significant legislation shows we have found the right balance between good environmental outcomes and productive land management. In decades to come this legislation, unless it is dismantled by some future Labor government, will clearly demonstrate our belief that the State can enjoy the benefits of this balance into the future. I thank the Minister for the Environment and Ministers Blair and Stokes for delivering this landmark reform that will survive long after the hypocrisy of those opposite is forgotten. Bob Carr introduced the native vegetation legislation.

**Mr Daryl Maguire:** Bushfire Bob.

**Mr JOHN BARILARO:** Bushfire Bob enacted legislation that was driven by ideology, not by evidence. It was introduced to garner political favour at an election rather than delivering for both the environment and the farmers. I congratulate the Ministers. I believe the bills deliver balance. I look forward to the trial in the Monaro and discovering how the grasslands are managed. With any significant policy or legislation changes there will be exciting new approaches to managing biodiversity and farming. It has taken many Ministers many years to make this possible. I commend the bills to the House.

**Mr MARK SPEAKMAN (Cronulla—Minister for the Environment, Minister for Heritage, and Assistant Minister for Planning) (19:45):** In reply: I thank all members for their contributions to this debate. Environment groups, farmers, industry and developers all agree that the continuing loss of biodiversity is a major concern and that action is needed to slow down this trend. But obviously there are very different views about how it should be achieved. At the end of the day, despite their narrative, members across the table failed to recognise the need to improve the quality of vegetation on private land. Opposition arguments have failed to address this issue. Those opposite are singularly focused on restrictions on clearing, despite current worrying trends.

The reforms are not a return to broadscale clearing, nor a move to a Queensland-style system. They are a new and appropriate middle way, which will restrict clearing whilst addressing biodiversity loss on private land. The Biodiversity Conservation Bill 2016 and Local Land Services Amendment Bill 2016 will strike the right

balance by protecting our environment for future generations and facilitating ecologically sustainable development. The object is consistent with the independent panel's report, which said at page 1 that the aims of the review were to recommend simpler, streamlined and more effective legislation to improve the conservation of biodiversity. The objects set out in the bills, in particular to conserve biodiversity, reflect the Government's desire to slow down, arrest and ultimately reverse biodiversity decline.

There have been suggestions that the bills have been rushed through Parliament. The development of this reform package has been ongoing for two years. The whole process has been transparent and rigorous. To claim that this Government is trying to rush these bills through is ludicrous. I remind the House that the independent panel undertook extensive public consultation during its review prior to the release of the final report in December 2014. Since then, the Government has had targeted consultation with stakeholders on the design of the legislation. The Government exhibited a draft consultation package for eight weeks during May and June this year. The Government refined the bills in response to feedback and is confident that the bills will modernise and transform the way that biodiversity is valued and conserved in New South Wales.

A number of members have referred to Professor Hugh Possingham, who has made a substantial contribution to the reform. His expertise and advice is valued and respected. Ultimately, his is a dissenting voice on the four-member independent expert panel that advised the Government. The Government has crafted a package that remains true to the spirit and intent of the panel's recommendations. Professor Possingham was a party to the 43 recommendations that the Government is adopting. I do not want to verbal Professor Possingham; he can speak for himself. My understanding of his position is that he accepts the framework of investing strategically in private land conservation while accepting the possibility of loss of some biodiversity at a site scale through liberalisation.

His argument is with the metrics that have been selected, but, as I understand it, he accepts that the current system is broken and that we need to do something to arrest the decline in biodiversity in this State. He accepts that we need a strategic approach rather than the piecemeal one of locking up existing parcels of native vegetation, and doing nothing about restoring and reconnecting vegetation and revegetating. His concern is about the numbers we have chosen but, as I will outline later, his concerns have been addressed. This is not a move to a Queensland-style system, and our package has the support of the majority of the independent panel.

We have constantly heard "Look at Queensland!" and declarations that these reforms will be devastating for the environment and lead to a resumption of broadscale land clearing in New South Wales. These declarations simply are not true. These reforms will not follow the path taken in Queensland. In New South Wales the simple baseline remains that you cannot clear to expand agricultural enterprises as a matter of right. In Queensland vast swathes of the State covered by native vegetation were deregulated for clearing without any safeguards, but the baseline here in New South Wales is for land covered by native vegetation.

The proposed codes are based on principles of ecologically sustainable development. We have been upfront and acknowledge that there could be a loss of biodiversity at a site, and the independent panel acknowledged this too. But the land management codes will not be open slather. There will be checks and balances, including limits on the amount of clearing that can be undertaken, restrictions for sensitive land and vegetation types and requirements to provide set-aside areas. These set-aside requirements under the codes can be onerous. Under the most permissive of the codes the ratio is between 2:1 and 5:1. That imposes on farmers short-term costs, long-term costs and obligations that did not exist in Queensland. It is an important price signal to farmers in what they choose to do with any land clearing and is a brake on development. At the higher end of the scale through the planning system there will be biodiversity offsets if you cannot avoid or minimise the impact on biodiversity, with a statutory standard of no net loss.

Compared to what we took to consultation, there is an expanded list of sensitive lands covering important ecological values and features where the codes do not apply. That list includes—despite what we have heard about the threats to koalas—core koala habitat, sensitive and vulnerable lands, old-growth forests, Ramsar wetlands, critically endangered communities and more. On top of that we have the Commonwealth overlay. Actions that are likely to have a significant impact on a matter of environmental significance require approval under the Commonwealth's Environment Protection and Biodiversity Conservation Act 1999. Each of the codes will provide that, where Local Land Services considers that proposed clearing may require Commonwealth approval, Local Land Services cannot turn a blind eye. It will only be able to certify the clearing after being reasonably satisfied by the landowner that Commonwealth approval is unnecessary or, alternatively, that Commonwealth approval has been given. Management will build carbon capacity and biodiversity outcomes.

Since we exhibited the draft bills, the Government has also included a new ministerial power in the Local Land Services Amendment Bill 2016 that can be used, if necessary, to limit the issuing of code-compliant certificates. Our commitment is to a middle way—a very different path from Queensland—and we have promised that, if there are unintended consequences, the settings will be updated. We have focused on how we can conserve

biodiversity more strategically. Consistent with the panel's recommendations, we are focusing on conserving biodiversity at bioregional and State scales. We have achieved this through record targeted investment in private land conservation with a record commitment of \$240 million over five years and \$70 million per annum thereafter for new private land conservation programs on top of our unprecedented investment of an additional \$100 million for the Saving our Species program. The difference between what we propose in New South Wales and the position in Queensland could not be more stark.

From time to time reference was made in the debate to self-assessable codes, as if the codes provide carte blanche to land clearing and farmers may decide to do what they like. Under the codes, routine agricultural land clearing such as clearing along fence lines and around houses is allowable. Clearing does not go through the planning system. It is assessed under the codes. At the lower end of the scale the Local Land Services [LLS] will have to, at the very least, be notified. At the more significant end of the scale, clearing will have to be certified by LLS. It is not open slather. The system does not allow for self-regulation.

I will reply to a number of specific points. One is the report by the World Wildlife Fund [WWF] on the farm equity code, which was raised by the member for Newcastle. The figures in the report simply do not add up. The authors of that report admit that their projections do not include any of the environmental protections and limits contained in the allowable activities or codes. The report is alarmist in the extreme. The report's self-confessed limitations in not considering the caps, not considering the limits to clearing on properties, not considering exclusions such as core koala habitat and critically endangered ecological communities, not considering the requirements in the draft code to set aside more land for conservation in perpetuity and not considering restrictions on highly cleared properties make the numbers fanciful and impossible.

I give the example of a 5,000-hectare farm with 11 per cent vegetation. The landowner could clear eight hectares, using the equity code. The WWF report would count that as 11 per cent of 5,000—that is, 550 hectares. That is an overestimation by greater than 6,800 per cent. The WWF report does not factor in the economic cost of clearing, including the requirement to set aside and conserve many more hectares of land in perpetuity—and not just set it aside but actively manage it—for every hectare cleared. The majority of the eight million hectares identified in the WWF report are in the western district, where clearing is largely not economically viable. Only a tiny fraction of the total land identified may be considered for use under this code.

A number of members have raised concerns about climate change. They suggested that the bill does not deal with climate change. The Biodiversity Conservation Bill 2016 contains an appropriate object to support biodiversity conservation in the context of a changing climate. We have recently released a new climate change policy framework committing New South Wales to the aspiration of achieving net zero emissions by 2050, helping us to become more resilient to a changing climate. Opposition members suggested that this package of reforms runs counter to that goal, and that we have a grand aspiration and no plan to achieve it. Private land conservation, biodiversity offsets, setting land aside and not locking up land but requiring it to be rehabilitated and revegetated, operating as a carbon sink, will go some way to meeting our aspiration by 2050.

It is not the case that we have the aspiration to achieve zero net emissions by 2050 and no plan to do it. We have released the Climate Change Fund Strategic Plan. We plan to spend \$500 million in pursuit of that goal to, among other things, double our renewable energy capacity in New South Wales by 2022. Our plan to save energy and money has been described by the chief executive officer of the Energy Efficiency Council as top of the class—the best energy efficiency scheme in Australia. Why is that important? The International Energy Agency's bridge scenario, from current national pledges to 2030, shows energy efficiency delivering 49 per cent of global emissions reductions.

Across the globe we expect almost half of emissions savings to come from energy efficiency. We in New South Wales have an energy efficiency plan that has been described by the chief executive of the Energy Efficiency Council as the top plan in Australia. Contrary to the assertion made by Opposition members, the plan is in place to achieve our aspiration. Contrary to the assertion made by the member for Ballina, we are not at the bottom of the class on renewables capacity. At the moment about 14 per cent of our electricity comes from renewables. We have a plan to double our renewables capacity by 2022.

The Leader of the Opposition described the Government's private land conservation approach as "cash for trees". He said that it was a poor return for taxpayers, and that there were no guarantees. We know that business as usual under the current legislation is a guarantee of failure. That is what we have seen with the Native Vegetation Act since 2003, with another 100 species being added to the threatened species list. That is one guarantee we can give: We will fail if we do not do something differently. The investment of a record \$40 million in private land conservation will be driven by a biodiversity conservation investment strategy that will be publicly exhibited next year. This strategy will be developed with the best expert advice available to ensure that the public gets the best environmental outcomes it can at the best price through market-based mechanisms, which are well

known to deliver outcomes such as reverse auctions. An expert conservation trust will be responsible for that function, and it will become a centre of excellence in private land conservation practice and offsetting.

I will respond to criticisms about offsetting. I reiterate that the International Union for Conservation of Nature—the global authority on the status of the natural world and the measures that are needed to safeguard it—has stated that a well-designed biodiversity offsets policy can contribute to positive conservation outcomes. It is not talking about avoiding or minimising damage but achieving positive conservation outcomes. The scheme designed under this legislation will do just that. Contrary to the claim of some members, the biodiversity assessment method is a scientifically and peer-reviewed tool. The legislation provides for a statutory no net loss standard, which is an improvement on the current framework for biodiversity assessment.

The offset scheme has been designed to achieve clear biodiversity conservation outcomes, and there will be further consultation on the rules for the offset scheme. A number of members, including the member for Balmain, criticised this and said that all people will need to do is pay into a fund, which will not secure offsets. However, the same offset hierarchy that a proponent will be obliged to follow if he, she or it wishes to find their own offset will need to be followed by the biodiversity conservation trust. It is not a trading scheme, nor will anyone earn brownie points or credits. The trust will be required to work through the hierarchy of at least initially seeking like-for-like offsets. Only after having done that will they be able to look for alternatives. That is how the Government will deliver triple bottom line decision-making in New South Wales. It will be taking a pragmatic and realistic approach to deliver ecologically sustainable development in this State.

There has been debate about the references in the bill to serious and irreversible impacts, and whether the legislation should refer to "serious or irreversible impacts" or "serious and irreversible impacts". The Biodiversity Conservation Bill 2016 provides that ultimately these impacts will be determined according to principles outlined in the regulations and supported by guidelines published by the chief executive of the Office of Environment and Heritage. The Government has intentionally left this element to be dealt with in the regulations to ensure there are further consultations on this key part of the reforms.

I was interested to hear members opposite criticise the Government for including the concept of serious and irreversible impacts. For the first time, serious and irreversible impacts will operate as a red flag to part 4 non-State significant development. The members who touted their support for having some impacts reflagged or off limits never introduced a measure like this when they were in government. Notwithstanding what we have heard from the Opposition about urban biodiversity, these are the first red flags in New South Wales for urban development, and they have been delivered by this Government.

In respect of State significant development and State significant infrastructure, there will be flexibility to allow the consent authority to act in the best interests of the community by considering serious and irreversible impacts as a relevant matter when weighing up the economic, social and environmental implications of a development before determining whether to approve it or to give consent. Where warranted, the scheme will allow the consent authority to impose additional biodiversity offset requirements to further mitigate any serious and irreversible impacts on biodiversity values. Concerns were expressed about wildlife management. This new legislation will carry over the existing protections afforded to native animals and plants—that is, it will remain an offence, without an appropriate exclusion, to harm, buy, sell, trade, import or export native wildlife. While the bill retains the Government's role in protecting native animals and plants, it provides the flexibility needed to manage our native wildlife differently. This new framework does not weaken protections for wildlife but rather increases the penalties to further strengthen existing protections, and delivers increased transparency through a public register of all biodiversity conservation wildlife licences. To avoid any doubt, let me reiterate that a person using the new scheme will still need to comply with animal welfare obligations under the Prevention of Cruelty to Animals Act 1979.

In relation to urban trees, the member for Maroubra and member for Summer Hill alluded to various projects that are involved in the modification of vegetation in an urban context. Of course, as a government we recognise the value that our community places on urban vegetation. That is why conditions of consent for these major developments have stringent conditions requiring extensive replanting to replace and to increase tree coverage in affected areas. None of the changes proposed in the bills before the House will diminish the protection of urban trees. The new provisions for serious and irreversible impacts in fact mean there will be tighter restrictions on what can be approved in a rural and urban context.

Under the proposed new State environmental planning policy [SEPP] on urban vegetation, councils will continue to manage the protection of local vegetation. They will also continue to issue development consent for some clearing and to issue permits for other clearing in the same way as they do now. The urban vegetation SEPP will provide new tools to councils to do this important work to protect urban vegetation that is so valued by local communities. These tools include the powers to issue permits, subject to conditions for mitigation of vegetation loss and other matters. This SEPP will also increase protection of biodiversity across the urban landscape by

ensuring that the biodiversity offset scheme applies to all clearing of native vegetation in urban areas that exceed scheme thresholds.

There has been a high-profile focus on certain cases, such as tree removal to facilitate the light rail network, but more trees will be planted to compensate for this. For example, as part of the light rail project, we have recently seen the replanting of semi-mature and mature fig trees at Heffron Park in a huge effort to mitigate impacts. Similarly with WestConnex, to which the member for Newtown referred, there will be no net loss of biodiversity through an offset for the 1.4 hectares of ironbark forest which will be removed. The member for Newtown incorrectly stated that the last remaining Cooks River Castlereagh Ironbark Forest was being lost due to WestConnex. WestConnex will remove 1.4 hectares from approximately 1,000 hectares of that forest remaining in the Sydney Basin. The approval for that removal requires an offset. The most significant remnants of that forest are at Castlereagh Nature Reserve, Windsor Downs Nature Reserve and Wianamatta Regional Park. To suggest that the forest community is being driven to extinction by WestConnex is simply ludicrous.

The Leader of the Opposition was wrong when he suggested that the Natural Resources Commission had been sidelined. That commission continues to provide independent advice to the Government about the management of natural resources to sustain both production and conservation. The Leader of the Opposition criticised the replacement of catchment management authorities with the Local Land Services, including the suggestion that the new Local Land Services contains inexperienced staff. The regionally-based Local Land Services has taken on the role of the catchment management authorities, as well as biosecurity functions, and will continue to provide extensive services to landholders. We will make sure that their capability to support their additional functions will be enhanced under our land management and biodiversity conservation reforms.

The member for Lake Macquarie, who characteristically makes an important contribution to all debates in this House, suggested that clearing has increased. Five annual reports on native vegetation clearing have been published. The most recent reports show that, between 2009 and 2013, 8,000 hectares per year of woody vegetation have been cleared from agricultural activity. Preliminary but not yet published data from 2013-14 appears to be at similar levels. The member for Lake Macquarie questioned the difference between illegal clearing and unexplained clearing. Unexplained clearing is a subset of agricultural clearing and includes lawful routine agricultural management activities and clearing of regrowth. It may also include illegal activity, which can only be determined by the courts. The member for Lake Macquarie argued that park acquisitions have stalled. This is not true. In 2015-16, we saw the 70 hectare Cobaki Nature Reserve added to the national park estate. In 2015-16 there were 22 additions to the national park estate, equalling 7,849 hectares. So far in 2016-17 there have been 11 additions, equalling 2,766 hectares.

I will turn now to compliance and enforcement. The independent panel recommended that the Government complement the reforms with a strong and effective compliance enforcement regime. The member for Prospect said that the Government has not defined monitoring and compliance. That is incorrect. The Government has said that the Office of Environment and Heritage will be its compliance and enforcement agency. It is a credible agency that is well placed to continue this core role. The bills before the House provide the basis for a robust compliance program. The bills contain tough penalties to deter people from doing the wrong thing. Contrary to the suggestion of the Leader of the Opposition, the penalties are not weaker under the new framework. In fact, they are stronger. Let us do a comparison.

The maximum monetary court penalty for harming animals or picking plants that are a threatened species or part of a threatened ecological community will increase from \$220,000 to \$1.65 million for a corporation and \$330,000 for an individual. The maximum monetary court penalty for knowingly damaging the habitat of threatened species or an endangered ecological community will increase from \$110,000 to \$1.65 million for a corporation and \$330,000 for an individual. For harming animals or picking plants that are a vulnerable species or part of a vulnerable ecological community, the maximum monetary penalty will increase from \$55,000 to \$440,000 for a corporation and \$88,000 for an individual. The maximum monetary court penalty at the moment for picking a protected native plant or harming protective native fauna is \$11,000. Under the Biodiversity Conservation Bill, the maximum monetary court penalty for harming a protected animal or picking a protected plant will increase to \$110,000 for a corporation—increasing tenfold—or \$22,000 for an individual, which has doubled.

The member for Swansea, among others, said there had been cuts to resourcing of the environment in Government. A common tactic among those on the other side is to cherry-pick. When one looks at the overall spending record of environment and heritage, it has never been larger in nominal terms and real terms. Overall, this Government is spending more on environment and heritage in real terms than any other New South Wales Government in history. It is sometimes said that Coalition governments do not sell their environmental message and achievements, despite the enviable list of achievements. In New South Wales, the Coalition founded the National Parks and Wildlife Service. The Coalition created, and subsequently returned the teeth to, the

Independent Environment Protection Authority to protect the health of our citizens and nature from pollution and degradation.

Since the 2015 election and between 2011 and 2015, this Government has made great strides for the environment and stands proud of that record. Let us look at what has happened since the 2015 election. At the National Environment Protection Council last December, involving environment Ministers from across the country, New South Wales was the driving force for the development and adoption of tough national air particulate pollution standards. Those standards are among the toughest in the world. For the most dangerous form of particulate pollution, fine particle pollution, New South Wales has driven Australia to have the toughest standards anywhere in the world.

It is this Government that announced and legislated the biggest ever anti-litter initiative in this State, the 10¢ refund container deposit scheme. It will not only tackle litter but also improve recycling rates and address beverage containers that make up 49 per cent of the litter stream. Despite jumping on the bandwagon at the last minute, for 16 years members opposite did absolutely nothing about introducing a container deposit scheme. I recently announced a four-year \$337 million extension of the Waste Less, Recycle More initiative. It means that over nine years this Government has committed more than \$800 million to two stages of Waste Less, Recycle More to divert 75 per cent of waste away from landfill to reduce litter and combat illegal dumping. The extension will fund the construction of new and upgraded waste recycling infrastructure, local government waste and resource recovery programs, litter prevention and enforcement, and the Environment Protection Authority illegal dumping prevention and enforcement program.

We are rolling out our Saving Our Species program, which experts have acknowledged to be a world-leading program to secure each of our native species in the wild over the next 100 years. On top of that we have an approximately \$40 million rewilding program to reintroduce into parts of New South Wales locally extinct species that have not been seen for 90 years. In March I announced flora reserves on the far South Coast covering almost 120 square kilometres that are managed by the National Parks and Wildlife Service and protect the habitat of the last known 50 or 60 koalas on the far South Coast. This Government has created nine new parks including the Dharawal National Park and made significant additions to existing parks including Wianamatta Regional National and Kalyarr National Park. We also added The Drip to the Goulburn River National Park, which members opposite wanted to hive off for a pittance.

Since the election we have expanded the Energy Savings Scheme, raising its target by 70 per cent and expanded it to include gas. More recently we announced a net zero emissions by 2050 aspiration for New South Wales in line with the Paris agreement, which was heralded nationally and internationally. We are swinging the heft of the New South Wales economy behind this transition, creating jobs and growth and securing additional benefits of clean air and poverty alleviation from the energy revolution. We are embedding climate change into Government decision-making to account for carbon opportunities and risk. I have already made comments about those plans.

We are the Government that for the first time is consulting on a clean air plan for the whole of New South Wales. We are not bringing in piecemeal approaches for better air quality but will be implementing a strategy for the entire State. We have now set up a new framework to establish through private land conservation a program that will become our State's equivalent of the national parks estate on private land. It will be, with our parks estate, a pillar of conservation in New South Wales. It is a framework that is flexible and dynamic. We can adjust the settings where we have to. Private land conservation will deliver enormously for nature in New South Wales for decades and centuries to come.

In the often vexed debates about environment policy such as the one we have seen today, the substance of delivery by this Government has been significant. Long-term and far-sighted measures such as private land conservation and a commitment to net zero emissions by 2050 are the sorts of things that we are told governments are not capable of doing anymore in our political climate. They defy the narrative so often told of short termism, media obsession or an inability to grapple with complex problems and provide sophisticated, long-term responses. It is a testament of the success of this reformist Government that it can be so expansive in such a short time across the Environment portfolio. In laying down more of the long-term pillars of conservation, Premier Mike Baird will be added to the list that already includes Tom Lewis, Nick Greiner and Tim Moore. I commend the bills to the House.

**TEMPORARY SPEAKER (Ms Anna Watson):** The question is that these bills be now read a second time. A division having been called, in accordance with the earlier resolution, the division is deferred until 1.00 p.m. tomorrow.

**INDEPENDENT COMMISSION AGAINST CORRUPTION AMENDMENT BILL 2016****Returned**

**TEMPORARY SPEAKER (Ms Anna Watson):** I report receipt of a message from the Legislative Council returning the abovementioned bill without amendment.

*Private Members' Statements***DENG ADUT, NSW AUSTRALIAN OF THE YEAR**

**Mr JIHAD DIB (Lakemba) (20:19):** Tonight I congratulate and recognise Deng Adut, this year's NSW Australian of the Year, and to reflect on his journey as an example of the many great refugee stories we see in this country. Many years ago I had the great honour of being one of the judges at the Australian of the Year awards and I can attest to the inspirational people who are nominated. Deng's story is pretty well known thanks in large part to a Western Sydney University advertisement, which has been viewed well over 2.5 million times. According to Deng, the story of his early life in troubled South Sudan is, tragically, not an unusual one. It is almost unbelievable to listen to his story of forced conscription at the age of seven into a violent army, of terrible deprivation and for him—and no doubt for many of his fellow citizens over many decades—serious personal trauma. But what is unusual, and indeed remarkable, is Deng's ongoing story—it is ongoing as he is still only 33 years of age. Last week an article in the *Sydney Morning Herald* reported:

How the illiterate Adut, shot in battle at 11, becomes part of the third Sudanese family to be resettled in Australia, opens a law practice, has his portrait hung in the Archibald Prize and evolves to in-demand media star nominated for NSW Australian of the Year is a tale beyond remarkable.

In Deng's autobiographical book called *Songs of a War Boy*, which has just been released and which I am really looking forward to reading, he talks with amazing, practical detail of the difficult but extraordinary opportunity of being accepted in the Australian refugee program and of moving here. He writes about being hungry on the plane and not eating because he was unsure how to open the plastic packs of food. He writes of his fear that the Sydney suburb of Blacktown must surely be another desolate refugee camp where black refugees are dumped. He writes of the strangeness of everything—food, the weather, crossing the road and being stared at. He writes of the utter confusion of attending school in Australia aged 15, for the first time in his life, and not speaking the language.

Deng also talks about some of the other experiences that enabled him to build his confidence and made him feel as if he could belong. He talks of the kindness of people in Western Sydney—people like Bob Harrison and his wife, Christine, from Marist Care whose simple but heartfelt smiles filled him with warmth. He talks of the experience of being able to start intensive English classes at Bankstown TAFE. I take this opportunity to note that earlier today I met with students from the Bankstown intensive English class. Those 50-odd students are new to the country with their heads full of dreams and their hearts full of hope. They have been here for one year and they want to make a difference to their lives. Deng also talks of his experience of finding an activity that transcends language—sport, and especially playing soccer with the Fairfield Bulls.

For a lot of kids sport provides the perfect combination of structure, fun, physical release and social development. Indeed, I have mentioned previously a young man named Sam who I had the honour of once teaching. He had a very similar background to Deng. He came to our school at 15 years of age from Sierra Leone. There was no mum and dad on the scene and we did not ask any questions. He stood out as the first of our refugee kids in the school and the one thing that helped him to adapt was that he could play sport. The kids helped him with his language. As I have said before, one of my greatest honours was being asked to hold Sam and his wife's first child. Deng regarded the opportunity to play with the team and the kind leadership of men, including a former Soccerroo, as a critical part of his integration.

Deng went from strength to strength. Not only did he teach himself to read while working in casual jobs but he also graduated with a law degree from Western Sydney University. He is now studying for his second master of laws, this time in criminal prosecution, at the University of Wollongong. His law firm is situated across the road in Sydney and he often helps troubled kids in Western Sydney through pro bono cases. His story is a powerful reminder of the importance of education and its ability to transform lives. When I say "education" I am talking about early childhood, schools, TAFEs and universities, as well as life's education where people give you a helping hand. His story tells us of the kindness of strangers and people who want to give support—whether emotional, financial or practical support—to those most in need.

Imagine for a moment, had we not given shelter and a home to Deng, what the world would have missed out on; how much poorer Australia would have been for it. I am proud to call Deng a friend, but he is much more. He is an inspiration; an example of the best of our nation's citizens. He is a reminder of what we can do, as a relatively wealthy nation, to make sure that people like Deng are not seen as numbers or demonised, but rather, are seen as the people they are within.



**Mr JOHN SIDOTI (Drummoyne) (20:24):** That was one of the best speeches of the member for Lakemba. He said it all. Deng is an inspiration and stories like his must be told continually because often as human beings we are not considerate. Sometimes we are pessimistic but Deng is a remarkable individual. As the member for Lakemba said, he is an inspiration to all.

### REGIONAL JOBS AND SERVICES

**Ms JENNY AITCHISON (Maitland) (20:25):** In recent months I have spent some time with local people in towns all over regional New South Wales—towns like Broken Hill, the Central Coast, Orange, Goulburn, Wollongong, Singleton, Tuncurry and Queanbeyan. In all of these areas, just like in my own electorate of Maitland, there is a growing dissatisfaction with the Government's lack of regard for people in regional Australia. People are sick of the privatisation of their hospitals. They are angry at seeing their State taxes going to pay for infrastructure in Sydney when they have no public transport and terrible roads. They are desperate to stop the violence against women and children in their communities, when they are experiencing domestic violence rates sometimes 2½ times the rate across the rest of the State. When I went to Orange the other week I was expecting to be wowed by the fact that this area has had the safety action meetings [SAMs] and the It Stops Here Safer Pathways rolled out in that community. I was expecting to see a best-practice model of how we deal in this State with issues of domestic violence. I was saddened, shocked and devastated to see that that community does not even have a functioning refuge for women escaping domestic violence.

**Mr Stephen Bromhead:** Point of order: Under the standing orders, private members' statements should be about a member's own electorate, not other electorates.

**TEMPORARY SPEAKER (Ms Anna Watson):** Order! The member is being relevant to her electorate and relevant to her shadow ministry. The member for Myall Lakes will resume his seat. There is no point of order.

**Ms JENNY AITCHISON:** In my own electorate and across New South Wales people are outraged by the centralisation of government departments and services, the closure of regional offices, and the reduction of hours at Service NSW offices, which is taking jobs out of their communities. In my electorate, at places like Port Stephens, the community is having to build its own refuge, because there is nothing available for people there. That refuge will serve women from Maitland, who will be going there to escape domestic violence. People are very concerned about this. I am concerned about the greyhound bans. There has been a backflip but to date there has been no repeal of the ban. Hairdressers in my electorate are very concerned. The Minister for Innovation and Better Regulation told them that they would no longer be required to have the qualifications that are essential to the health and safety of workers and hairdressing clients in every town and village across this State. That is impacting on the community that I represent in Maitland.

And what about commercial fishers? There are people in my community who are commercial fishers. Today we saw the tabling of 10,000 signatures on a petition about the reforms in this area. I spoke to the Deputy Premier about this last weekend as we shared some time at a polling booth in Orange. I told the Deputy Premier that it was time that he, as Minister for Small Business, turned his attention to the fishing industry, and that it was time to halt the crazy process which has been going on for so long and causing such angst in the fishing community. So how has he responded? Niall Blair is now the Deputy Leader of the Nationals. Let us just hope the Deputy Premier uses their new close relationship to work with him to pause the process for commercial fishers.

I am extremely concerned about issues in my community. Schools in my electorate are underresourced to the tune of nearly \$14 million in maintenance backlogs, most of them in the Hunter. The education Minister has promised \$330 million in maintenance funding over the next two years, but he has only committed to spending 2.6 per cent of that on maintenance for schools. One school in my electorate has no access to good-quality sewerage; it has a septic tank that leaks, and that is causing sickness amongst students and teachers in that school. That is appalling but the Minister will not meet with me, which is why I am so concerned about how this Government is dealing with regional areas like mine. Students are studying in a substandard environment. In the past five years that school reached capacity but the Government has done nothing to increase capacity. I am not the only member in this place representing rural and regional Australia. Many of those members sit opposite but their communities are feeling let down by them. I look forward to more messages from regional Australia.

**Mr JOHN SIDOTI (Drummoyne) (20:30):** In complete contrast to my response to the first private member's statement tonight, I say that people have a short memory. As I alluded to earlier, people can be very pessimistic which is sad because the greatest enemy of rural New South Wales for the past two decades has been the Labor Party. That is based on facts. One has only to talk to any regional member of Parliament to discover that hospitals across this State were left desolate by the Labor Government.

**TEMPORARY SPEAKER (Ms Melinda Pavey):** Order! I remind the member for Maitland that she is on two calls to order. She will be called to order for the third time if she continues to interject.

**Mr JOHN SIDOTI:** I forgive the member for Maitland because this is her first term in Parliament and it is convenient to forget the sins of those before her.

#### **MYALL LAKES ELECTORATE INFRASTRUCTURE FUNDING**

**Mr STEPHEN BROMHEAD (Myall Lakes) (20:31):** Tonight I call on the Minister for Roads, Maritime and Freight, the Hon. Duncan Gay, to fund the Cedar Party Bridge, the main bridge leading into Wingham, and also to provide some funding for other bridges and roads in my area. I have been speaking with the Minister for quite some time now. The MidCoast Council, the new merged council, has put together a good submission relating to funding for Cedar Party Bridge, Bula Creek Bridge, Bobin Creek Bridge and for some roads. As I said, Cedar Party Bridge is the main bridge leading into and out of Wingham, a substantial historic town. That narrow, wooden bridge goes underwater during times of flood and the Wingham community is completely cut off. I raise this issue tonight and call on the Minister to listen to me, to my community and to the new merged council which is doing an outstanding job. The Minister should visit this area, look at these bridges and roads, and provide funding that is desperately needed.

Up to this point the Minister's efforts have been outstanding. In this Government's first term in office funding to Greater Taree City Council was increased by 261 per cent—a phenomenal amount of money. We have built new bridges—Malee and Duffs bridges—and upgraded Wallanbah Road and Lakes Way. The Federal member assisted by providing funding for Dyers Crossing Bridge and Dickenson's Creek Bridge but we really need to replace Cedar Party Bridge. Consideration must be given to constructing an overpass over the bridge rather than a railway crossing which will cost about \$12 million. I implore the Minister to hear our call.

I was going to talk about hospitals but I decided instead to talk about education. It is fantastic that New South Wales was the first State to sign up to important Gonski reforms. Myall Lakes electorate received \$4.5 million in 2014, \$11.5 million in 2016 and will receive \$14.5 million in 2017 in needs-based funding. Local Schools, Local Decisions will ensure that every dollar that is spent is based on need, such as remedial teaching. Local Schools, Local Decisions is all about literacy and numeracy. When this Government came into office the schools maintenance backlog was more than \$1 billion but it is now down to \$750 million. Recently the Government allocated \$330 million over two years to alleviate the maintenance backlog.

What does that mean for Myall Lakes? It will mean financial assistance worth \$5.9 million to my electorate, including funding allocations for the Great Lakes College and the Taree High School. Recently the Labor Party ran a story in the local newspaper about the Great Lakes College, but the Baird Government already had announced an allocation of \$5.9 million. However, that did not stop Labor from rolling out the story and suggesting that there was an issue.

Most school maintenance is done during school holidays when the children are not at the school. It is important to remember that a maintenance backlog does not comprise scoped and quoted works that are itemised and costed. Most of the cost associated with maintenance is depreciation. When contractors undertake a scope of works, they sometimes find that although they had estimated that the work was worth doing now, it could be several years before it really has to be done. Sometimes, when the work is scoped and an estimate is given, the contractors find that the cost is less than has been estimated in the depreciation schedule. Labor is engaging in a smoke and mirrors trick by circulating false stories. It is fantastic that schools in my electorate of Myall Lakes, particularly the Great Lakes College and the Taree High School, will receive increased funding.

Since 2011, \$24 million has been spent on capital works and maintenance in the Myall Lakes electorate. As I pointed out earlier, the New South Wales Liberal-Nationals Government inherited a maintenance backlog estimated to total \$1 billion. The New South Wales Government has pared that back to \$750 million, and the Government has allocated a further \$350 million to address the backlog, which will assist in creating jobs. All the maintenance work in my electorate is done by local tradesmen and local workers.

There is more great news: construction of stage one of the new Manning Base Hospital, which is worth \$20 million, will commence shortly. I will be fighting for Cabinet approval for stage two. The Government has increased recurrent funding to the hospital, which will mean more doctors, more nurses and more equipment. It is unbelievable the amount of work that has been undertaken at the Taree TAFE college to provide a new customer service hub, a new library, upgraded training facilities for automotive and primary industries, refurbished facilities for the delivery of nursing and allied health professionals' training facilities, and the Aboriginal Learning Circle.

#### **KU-RING-GAI SCHOOLS**

**Mr ALISTER HENSKENS (Ku-ring-gai) (20:36):** In a previous private member's speech on this topic, I detailed how fortunate the electorate of Ku-ring-gai is to be a centre of outstanding public, Roman Catholic and independent school education in our State. Today I will speak about my ideas regarding our future priorities for education. It is critical that we provide equitable educational opportunities that will equip our children for the

future world in which they will live. This involves both the intellectual and social preparation of our children while ensuring that they have coping and other skills to deal with the emotional challenges that lie ahead.

There is no doubt that this Government is doing great things to equip our public schools to provide excellent education, not only in Ku-ring-gai but also throughout the whole of this State. In 2017 Ku-ring-gai public schools will have funding under the resource allocation model of \$4,842,180, which is an increase over the last four years of \$2,616, 448. But all too often recently the education debate has turned into a divisive public school versus private school discussion. A strong public education system is essential for students to enjoy the kind of opportunity that I have enjoyed in my life. But it is equally important that in a free society people are given a reasonable choice with regard to their children's education. This is a choice that is frequently taken up in Ku-ring-gai.

Of the approximately 20,000 school students in Ku-ring-gai, about 12,000 or them, or three-fifths, are in non-government schools. It should not be forgotten that non-government school students often have parents that pay tax at the highest marginal tax rate. According to the "Report on Government Services" by the Productivity Commission in 2016, total State and Federal funding for Catholic and independent school students is, on average, only half of the average State and Federal funding that goes to public school students. If the students in the independent and Catholic schools suddenly all returned to the public school system, there would be a massive increase in the cost to government of our education system.

Instead of this public versus private school funding debate, we should be talking about what should be taught in our schools, which I strongly believe needs to be continually evaluated against our changing future. Technological disruption is not limited to the rideshare industry with Uber and GoCatch or travel accommodation with Airbnb. Technological disruption is rapidly coming to many other occupations and will necessarily impact on the skills our children need in the future. Advanced skills of memory and the application of facts to problem-solving currently result in strong Higher School Certificate [HSC] results and in turn help students to follow careers in disciplines like medicine or law. But those skills will soon be much less important. For the first time in hundreds of years, traditional occupations like law and medicine are under a serious challenge from technology. Artificial intelligence already is a reality and in the near future it will become widely accessible.

For example, the IBM Watson supercomputer combines artificial intelligence and sophisticated analytical software as a question answering resource. Watson's artificial intelligence means that it is capable of improving from experience like a human brain does. Medical trials are already underway where historical medical data is being input into computers with artificial intelligence. The objective is that computers will be able to give a clinical diagnosis that is equal to or better than the most experienced and competent medical specialists. This has exciting possibilities for the delivery of quality medical services in regional areas and to bridge the city- country divide. A capacity for disciplined creative thinkers to work effectively with the powerful resource provided by artificial intelligence computers will become more important for humans to work and succeed in the future.

This is the substance behind the political slogan of "innovation". With the pace of technological change, a world of computer-based artificial intelligence is what our current primary school students are likely to face when they finish school. Our education system needs to prepare them for that reality. They will need to excel in logic-based disciplines like maths and science, together with subjects that inspire their creativity like music, drama, dance, poetry and literature. These are the same subjects that the Greek philosopher Plato thought more than 2,500 years ago that young people should be taught.

The Liberal Party was founded by Sir Robert Menzies, who attended a small country school. He went on to top the State in the HSC, excel at university and become one of the greatest lawyers and Prime Ministers this country has known. Only the Liberal Party can put aside the class envy that Labor brings to the education debate to try to focus on the bright future that a good education and technology promises. Only the Liberal Party knows how important it is to have a free market of opportunity in education. It is time to seize back control of the education debate and refocus it. The future success of our nation depends upon it.

#### **SHELLHARBOUR HOSPITAL**

**Ms ANNA WATSON (Shellharbour) (20:39):** I thank the member for Sydney and the member for Granville for their indulgence tonight. In my last private member's statement I spoke about the Save the Shellharbour Hospital community rally held recently, when more than 1,500 members of the public delivered a clear message to the Baird Government to keep our public hospital in public hands. The weekend by-election results in Canterbury, Orange and Wollongong have also sent a very clear message to the Baird Liberal Government. The Government would be wise to listen very carefully to the message the community has sent. In today's *Illawarra Mercury* online the member for Kiama is quoted as saying about the Orange result that it is:

A reminder that members of parliament need to first and foremost be a voice for their community.

The article goes on to quote the member as saying:

It's not your political party that puts you into parliament, it's your community and I will always stand up for my community.

Perhaps if The Nationals representatives in that electorate had done the same, they might not be in their current position. I suggest that, as a Government member and a member representing the Illawarra, the member for Kiama reread his wise words. It is time for the Government of which the member for Kiama is a leading member in the Illawarra, to listen to and heed the message sent to it at the Wollongong by-election last Saturday. There remains widespread opposition to the Government's plan to privatise Shellharbour public hospital. I record in *Hansard* a concerning message posted last Sunday on the Save Shellharbour Hospital Facebook page by Glenn Hayes, one of our region's finest nurses. In it he records a question he put to the member for Kiama. He said:

I have asked him why was the decision—

referring to the Shellharbour public-private partnership—

announced 1 month or so after the Federal election?

Mr Hayes goes on to say:

Mr Ward admitted that he knew in March 2016 ...

Given this extraordinary admission, it is time that the member for Kiama came clean on what he knew about the Government's Shellharbour Hospital privatisation plan and when he knew it. If it is indeed accurate that he knew of the Government's plan to privatise Shellharbour public hospital in March this year, why did the Government not take the community into its confidence at that time? The Government knows that the communities affected by its hospital privatisation plans do not buy its political spin. That is why Government members kept their privatisation plans a secret in the lead-up to the last Federal election. This Government is simply scared of the local community. It will not face up to its responsibilities to communicate with affected communities and have one-on-one discussions.

Rather than listen to the community on a range of issues, from health care to forced council amalgamations, the Government continues with its arrogance and hubris. The member for Kiama may think his weasel words read well in the *Illawarra Mercury* and that soothsaying will fool the people in my electorate and the Illawarra. If the Government is true to its word that it has finally heard the message of discontent and concerns of the community at the three by-elections last weekend, it must abandon its plans to privatise our hospitals and force our local councils to amalgamate. If it wants people to believe it has heard the message, the Government can announce its backflip this weekend. I again urge the Government to do so. I call on the member for Kiama, in particular, to walk the talk.

#### UNITINGCARE CASINO TRANSPORT TEAM

**Mr CHRISTOPHER GULAPTIS (Clarence) (20:45):** I wish to inform the House of the great work of the UnitingCare Casino Transport Team [UCCTT]. In 1998 Shirley Smith was driving for Northern Rivers Community Transport and observed that a great number of Casino residents were not going to their medical appointments for a range of reasons. Some would not leave a message on the answering machine, some could not afford the cost of transport, many did not drive, and many of those who could not get to their doctor were carried out of their homes in a box.

Shirley spoke with Mrs Noeline Olive about this shortcoming, and Noeline asked Shirley to raise the matter with her church people. Shirley inquired and two other ladies agreed to drive with her, and so she continued her preparations to deliver a volunteer transport service. Permission was sought from UnitingCare to use its name and permission was also granted for insurance coverage. Taxation arrangements were put in place, and on 8 November 1999 the team did their first trip. That first year the team did 77 trips. There was no funding; just a very small donation towards the cost of the fuel was requested. Most people were obliging, but of course some could not even afford that. The team's aim was to see that no person went without medical care and treatment when transport was their only need, and the team made that part of its constitution.

The following year five persons were prepared to drive, and the team had also received some donations to commence fuel reimbursement. This reimbursement started at 20¢ per kilometre; today it is 60¢ per kilometre and there are 39 volunteer drivers. The team noticed that the number of trips doubled each year. Clients treated the team as family, and one client who had no family left all her belongings to UCCTT when she died. A roster was set up for taking telephone calls between 4.00 p.m. and 9.00 a.m. Volunteers dealt with all the after-hours calls and contacted volunteer drivers before the office opened the next day. Shirley recalls early on calling all the volunteers—about 12 at the time—and advising them that there were insufficient funds to reimburse their fuel costs. The volunteers were invited to leave if they wished, and all of them decided to continue driving for their

community regardless of the lack of reimbursement. They drove for two weeks with no reimbursement. At that time they received 20¢ per kilometre and this gradually increased over the years to the present rate of 60¢.

During the 2007-08 the team realised that need was outgrowing its financial capacity. There were 27 volunteer drivers doing 2,099 trips covering 177,906 kilometres. This was an average of 174.92 trips per month. In August 2008 the team set up a subsidiary support committee named United Transport Support Group for the sole purpose of fundraising. This group is responsible for all the raffles, the annual trivia night, the lamington drive, the pie drive and the movie afternoon in the Uniting Church hall. The group has been the charity of choice for the car boot market in Lismore and the Catholic Church invites the group to operate an annual justice table at the church. Gradually the group built a team of volunteers who could do the record-keeping required and by 2009 the group had appointed a coordinator, two deputy coordinators, a treasurer and approximately four to six others in the office—all volunteers.

The group has received some New South Wales government funding in the past. In 2011 the group received \$20,000 from the Department of Motor Transport for a dual service provided by the local taxi service and the UCCTT. The funding was split between the local taxi service and the UCCTT. A further \$7,000 was given to UCCTT later on, and the project was completed in 2013. Funding has always been an issue for this volunteer group. In 2013 a not-for-profit group in Queensland that was closing down and wanted to purchase a vehicle for the UCCTT purchased a Volkswagen Caddy and had it converted to a wheelchair-friendly vehicle. The support group has undertaken to keep this vehicle on the road as its part in supporting this team.

In late 2014 the coordinator resigned because of family illness. The current coordinator took over in 2015 and has now announced that the workload is too great and she will be resigning in February 2017. They have not had an assistant coordinator since the current coordinator took over but have relied on a large number of office volunteers to service their needy clients. This is an incredible organisation providing an enormous service to the most vulnerable in their community—those who are sick and need health services. I met with Shirley, Carrie and Russell only a few weeks ago and they are amazing.

Russell is in his late 70s and Shirley and Carrie are in their 80s. They still want to volunteer but are overwhelmed by the demand and need in their community and the lack of funding for such a cause. In the last financial year they undertook 4,967 trips and travelled 328,468 kilometres, and their 39 volunteers spent 8,952 hours in voluntary service. I am absolutely amazed at their dedication to their community for such a worthy cause. It costs them about \$200,000 to run this volunteer service. They receive about one third from their clients and one third from donors, and they have to raise the remainder. I would urge the Government to provide them with a level of assistance that will enable them to continue to deliver this much-needed service.

### RINGROSE PUBLIC SCHOOL

**Ms JULIA FINN (Granville) (20:50):** I bring to the attention of the House the imminent problems faced by the school community at Ringrose Public School, Greystanes. Ringrose is a great local school with a supportive school community. Since 2010 it has housed an office of the Department of Education in eight classrooms and two of the school's three car parks. At that time, the school had a little over 200 students and plenty of space for these temporary arrangements. The then principal advised the parents that it would only be temporary and the department would leave if the school grew. I note that the department staff support the Ultimo district and are not working with local schools.

Since then, student numbers have more than doubled to 450. The department wants the school to incorporate three multi-categorical support classes for up to 40 students, and a separate fenced-off play area for the support unit students. The school community welcomes a support unit at the school as it will make things easier for local families with children at the school and other children who need support classes. There is not enough space with the department occupying eight classrooms for its Ultimo district offices. I have had a number of meetings with the parents and citizens association about this issue. I thank the shadow Minister for education for meeting the school community. I commend Heather Nicholas and Lisa Harvey for their advocacy.

The Greystanes area is undergoing demographic changes, like much of Sydney, which the Department of Education time and time again fails to anticipate and accommodate even though it has four or five years notice of possible future enrolments. Much of the suburb was built in the 1960s as farmland became suburbia. The people who built those homes then started families. A generation ago Ringrose was the largest primary school in New South Wales, with more than 1,000 students and demountables everywhere. As Greystanes is a great place to live, most people have stayed in the area after their children grew up and are only now moving on and being replaced by another generation of young families.

On top of that, many of the homes are being replaced with duplexes, thereby increasing the overall number of households. The suburb of Pemulwuy next to Greystanes was built with no schools at all, putting more

strain on schools in Greystanes. So it is no surprise the school's population is rapidly growing. This year, enrolments grew by 21 per cent. There are no empty learning spaces—six have been identified but all are in use. The support classes will take over the audiovisual room, computer room and uniform shop to house the current enrolment. If enrolments grow again next year, as they have every year since the department moved in, there will not be enough space. The other three learning spaces house the out of school hours service [OOSH].

The department's preferred solution to accommodate the support classes is to close down the OOSH. The OOSH is run by Cumberland Council and has nowhere else to go in the local area. It would close or move into the school hall, displacing after school activities. This much-needed service is essential for working parents. Some parents even choose Ringrose because it has a great OOSH on site. The school needs some major changes to accommodate the support classes. Most importantly, it needs locked gates—the department's staff car park gate is almost never closed and presents a security risk to the school. This will be of more concern if the support unit is established at the school.

Not only do they not close the gates of the car parks, but many of the staff park on the street instead of using the car park. This makes the morning drop-off and afternoon pick-up more difficult for parents. While it makes sense for the department to use empty classrooms instead of paying rent for proper offices, this should not be at the expense of education. They need to relocate as soon as it becomes apparent that their offices are needed as teaching spaces.

It makes no sense to spend money on building demountables when the department is taking up existing classrooms for free. Demountables are not an ideal learning environment, since suburban schools are not exactly desirable office workplaces either. The problem is not unique to Ringrose, even though the parents and citizens association has been told it is. The same situation is being played out at Bondi Public School, where surging enrolments can only continue to be accommodated if the department moves its offices off the school grounds or after-school care closes—and that is happening. This week we heard that the department will vacate its offices at Bondi Public School next year. The same thing needs to happen at Ringrose.

Demountables could be built to support increased enrolments. They are not really suitable for the support unit because disability access becomes problematic, but why spend that money when there are permanent classrooms at Ringrose Public School not being used for education? Demountables are not a good solution. The department needs to move. The temporary arrangement is not viable anymore. I call upon the Minister for Education to urgently intervene in this matter and assist in relocating the department's Ultimo region staff to make room for the much-needed support unit.

### DIGITAL TECHNOLOGY ECONOMY

**Mr ALEX GREENWICH (Sydney) (20:55):** Digital technologies are creating a new economy based on ideas, intelligence and innovation, and my constituents want New South Wales to equip its workforce with the skills for innovation and growth so that we do not fall behind. The "Australia's Digital Pulse 2016: Developing the digital workforce to drive growth in the future" report by Deloitte Access Economics forecast digital technology's contribution to the Australian economy to grow by over 75 per cent from \$79 billion in 2014 to \$139 billion in 2020.

New technologies like cloud services, social media and mobile devices will be used by more industries, sectors and occupations. New technologies will represent a greater share of the work, like 3D printing and manufacturing, drones in the construction industry and driverless vehicles at mining sites. Information communications and technology [ICT] jobs are already undergoing rapid growth, reaching 628,000 workers in 2015, much higher than the 2014 "Australia's Digital Pulse" report projection of 605,000 workers. But we are not keeping pace with our global competitors, and Australia slipped to 18 in its 2015 Annual World Competitiveness Centre rank, with its two infrastructure areas of greatest decline being technological and scientific infrastructure.

Technological change creates challenges and opportunities for the economy and the recent Jobs for NSW "Jobs for the Future" report identifies skilling up for the knowledge economy as a strategy to achieve the target of 1 million rewarding jobs by 2036, including through supporting the integration of those skills in schools. The report recognises the need to support and accelerate New South Wales schools' current reforms of what children learn at school and the way they learn, arguing that children need greater interactive, science, technology, engineering and mathematics skills to fully participate in the workforce of the 2030s.

But there is significant concern among ICT professionals that New South Wales is falling behind the rest of the country in equipping school leavers with the necessary digital skills. New South Wales is the only jurisdiction not adopting the Australian digital technologies curriculum. Teachers will not be able to use the vast resources produced across the country to support the Australian curriculum because they will be teaching to

a different syllabus. Teachers will need to modify the Digital Technologies Hub resources which are mapped to the Australian curriculum.

The New South Wales "Science and Technology K-6 Draft Directions for Syllabus Document" treats science, digital technologies and design and technologies under the same umbrella, whereas the Australian curriculum treats them separately, resulting in a greater emphasis on digital technologies. At the State secondary stage 4 level there are seven technology subjects available but only one is being revised. There is no draft directions document for the technology subjects taught in years 9 and 10, even though the announcement said that K-10 technology syllabuses were under review. Technology [Mandatory], which is taught in years 7 and 8, makes compulsory the study of five contexts: agriculture technology, digital systems, engineering principles and systems, food technology and materials technology. This reduces the focus and time on digital technologies to one fifth, whereas the national curriculum splits digital technologies from design and technology. Although New South Wales is adding digital technologies into other contexts, these could get lost.

Technology teacher shortages are a real problem, with State school vacancies at 157. Many unqualified teachers have to teach these subjects and there is a lack of expertise in the digital systems, engineering principles and systems and agriculture for Technology [Mandatory] contexts. Only two institutions train teachers, and they cannot keep up with demand. Without good teachers, fewer students will go on to study science, technology, engineering and mathematics subjects at university. Currently, information and communications technology [ICT] graduates represent only 1 per cent of the existing ICT workforce. The Government should provide additional funding to promote the training of technology teachers.

Under the digital education revolution, all students received laptops. There is concern that school computer labs were allowed to become run down because schools expected the program to continue. Parents now have to purchase devices, which is especially difficult for less privileged families and families with more than one child. It creates an education equity issue. Schools cannot dictate the type of computer a parent buys. Parents are often convinced at the checkout to buy a cheaper model than teachers advise. This can make teaching difficult. Some say this has reduced the quality of technology education and that standards are lower than they were before the digital education revolution. Fast and efficient internet is not available in all schools. I welcome the Minister's commitment last week to provide \$46 million for upgrades in all public schools. If we do not address the shortfalls in technology education, the industry will increasingly source its digital workforce from other States. Our economy will suffer and school leavers will be left behind. I call on the Government to adopt the national digital technologies curriculum and help to skill our future workforce to innovate and expand the digital economy.

#### **SEVEN HILLS ELECTORATE INFRASTRUCTURE AND FUNDING**

**Mr MARK TAYLOR (Seven Hills) (21:00):** At the weekend I witnessed another superb example of the great community spirit and local engagement that is ever-present across the diverse electorate of Seven Hills. Tucks Road, which is at the heart of Toongabbie, played host to 150 residents. The community gathered to discuss a local planning proposal. That is exactly as it should be. Whenever a planning proposal is presented to residents of a neighbourhood, it is of the utmost importance that the community view is heard. Planning proposals are put forward and accepted under guidelines that assess the benefit to the local area. There is no better gauge of community benefit than the opinion of long-term residents themselves.

These 150 Toongabbie residents rallied to voice their views on the proposal pertaining to the rezoning of 21 and 21A Tucks Road. The manner in which they respectfully submitted their concerns is a great credit to all of them. I received their signed petition, which was addressed to me and other community leaders. Residents expect that we, as local members, are willing to hear their voice, advocate for their views and make representations on their behalf through the most appropriate channel available. When the community comes together on an issue like this, it is a timely reminder to us that we are here to represent them. I thank the organisers of the meeting, John and Wendy Lazanas. Their commitment to the area is unquestionable. It is always left to a few community-minded people to sow the seeds of commitment to action among other residents. The work of John and Wendy must be commended. I publicly acknowledge and thank them.

Another revelation arising from the afternoon meeting that struck a chord with me was the delight of residents at the upgrade of their local railway station. The upgrade of Toongabbie railway station is significant. As part of the Government's Transport Access Program, the upgrade plan will ensure that residents are able to make use of their railway station in a more comfortable manner. We promised to deliver this much-needed upgrade and we will. Toongabbie locals are stoked about that. The views of those residents were another good indicator of community sentiment about the Government's work on infrastructure right across the State.

A government's work should be judged by local residents, by whether their lives have tangibly improved and whether their satisfaction with the state of affairs is on the rise. I was heartened by the responses of these residents to our Government's agenda. I promise them that I will continue to spend every day in this place

advocating for them and delivering infrastructure and support that ensures the betterment of not only their lives but the lives of their children and grandchildren in the future.

Seven Hills public schools are included in the Toongabbie area and will benefit from a share of the record \$219 million in additional needs-based funding that will be provided in 2017. That is made possible by New South Wales signing the Gonski agreement. In 2017 local public schools will receive \$1,779,720 in additional needs-based funding. The New South Wales Government is delivering on its commitment to provide additional school funding based on student need. These extra resources will go directly to the schools in Seven Hills, allowing principals to better meet the unique needs of their students and the school community.

I have seen schools in the Seven Hills electorate employ additional teachers with the expertise to assist students who need extra support in key learning areas such as literacy and numeracy. Needs-based funding is distributed to New South Wales public schools under the resource allocation model, which uses information about student need to deliver resources where they are needed most, consistent with the Gonski recommendations. Toongabbie East Public School will receive more money than it received last year, as will Toongabbie Public School and Toongabbie West Public School. Toongabbie is nestled in the heart of my electorate at Seven Hills. It is a privilege to represent the wonderful residents of that area, and I look forward to enjoying the honour of serving them for many years to come.

### WYONG HOSPITAL

**Mr DAVID HARRIS (Wyong) (21:04):** Once in a political career, or once in many years, a politician is part of an issue-based campaign that truly galvanises their community. In retrospect, these issues can be inspiring stories, or they can be examples that are held up to show the power of a united and politically active community. Observing one of these campaigns as it is fought and when the result is not yet clear is far different to considering it after the event. The names that come to mind are not only those of politicians because the history has yet to be written. When I think about the ongoing struggle to save Wyong Hospital from privatisation, the names that come to mind are those of people in our community who have given up countless hours to fight with unflinching resolve for a cause they believe in.

I think of the silent workhorses who have gathered thousands of petition signatures; the union delegates who have rallied support in their workplaces; the parents, retirees and school kids who have circulated and collected petitions; and the doctors, dentists, podiatrists and other health specialists who put petitions in their surgeries. These people are undoubtedly the heroes of my community. They will be most affected by losing their community hospital, and too often they are forgotten in the history of community campaigns. What makes my community special is that I know the contribution made by these people will not be forgotten.

To this day, people still remember the miners, power workers, and hospital auxiliary members who raised money to build our hospital many years ago. Etched in our collective memory is a community that knows how to come together and fight back when Liberal governments attack their services. Minister Skinner and the Baird Government are already well aware of how the community feels about their unmandated, unprecedented attack on our community hospital. They just do not care. They have refused to take this issue to an election, and were it not for the community gathering petition signatures they would have continued to refuse to debate this terrible policy on the floor of Parliament.

What heartens me about our progress in this campaign is that the Parliamentary Secretary for the Central Coast seems to be able to see the rising tide. Despite his party's position, he has promised our community, both in person and on radio, that he will raise their concerns with the Minister. That is very different from the Minister's response; she has shown nothing but contempt for our community. This progress was achieved because more than 100 local residents and hospital staff came to Parliament to voice their concerns. Unlike the Minister for Health, Mr Scot MacDonald had the courage to face the community and hear their case. I respect him for that, but I will save any praise for when he convinces Minister Skinner to back down.

I am proud that my community has already moved the issue this far. I am privileged to have the opportunity to represent them in this House, and I thank them for that. It is only fitting that I accord them the special recognition which they may not want but which they certainly deserve. The names are countless, but I must thank Grahame Joel and his family in particular. Alone they managed to collect thousands of signatures. It would also be hard to look past the Thornton family. They have been present at every moment since this campaign began. This fight is personal to them as they are a family of health workers. Their lives and those of the people they have chosen to care for are dependent on our community hospital.

There are many others whom I would like to thank. They know who they are and they know that their contributions have been essential to forcing this unrepresentative Government to face scrutiny of its backdoor attempts to sell our community hospital. I am buoyed to raise this issue today, having received messages from



a large number of people who have been to the so-called consultation sessions that have been held at the hospital. They have asked many questions but they have received no answers. They are frustrated that the Government is touting what it says is a fantastic model but it will not answer their questions.

I read one of their very simple questions in the debate that still has not been answered by the Government. These people deserve to know what will happen after any privatisation of services at the hospital. Having fought against the Wallarah 2 coalmine I learnt that the first job of a member of Parliament is to represent their community, as was stated by the member for Seven Hills. I fought my own party for four years on the coalmine issue until at the eleventh hour I got a victory on behalf of my community, which unfortunately was not supported by the current Government. Other members who represent electorates on the Central Coast need to understand that they should represent their community first. If they only cite the Government's line, sometimes they are not doing the best thing for their community.

### STATE ECONOMY

**Mr JONATHAN O'DEA (Davidson) (21:09):** The ongoing vitality of the New South Wales economy is of strong interest to my Davidson constituency. The recent budget revealed a \$3.4 billion surplus in 2015-16, rising to \$3.7 billion in 2016-17. New South Wales has steadily accelerated above trend growth for most of the year, as confirmed in the ANZ Stateometer. Comparing 16 key economic indicators with every other State and Territory, the ANZ Stateometer has distinguished New South Wales every month since the measure's introduction in 2015. The October CommSec State of the States report echoes that in stating that "New South Wales has held on to the position as the best performing economy" for nine consecutive quarters.

This Government's sound economic policies have produced excellent outcomes for the people of New South Wales, with pleasing progress in areas such as employment, building activity, essential infrastructure and retail trade. I will now touch on each of these areas that are welcomed by constituents in my electorate. New South Wales has delivered a strong performance in employment growth. In the past 12 months, New South Wales created 68,900 jobs, the highest number of jobs out of any State and more jobs than all other States combined. The Government has added a commendable 154,000 jobs since the March 2015 State election.

The State's unemployment rate is currently just under 5 per cent, the lowest rate for any State for 16 months, and well below the national average as indicated by the Australian Bureau of Statistics [ABS]. Our growing services sector represents a high proportion of new jobs in New South Wales, marking New South Wales as a frontrunner in the race to transition from a resource-dependent to a service-based economy. New South Wales is experiencing robust residential building activity, valued by the ABS at \$19.4 billion. The Government is working to address the housing shortage in New South Wales by encouraging construction of new homes in strategic areas. More than 73,000 housing approvals are underway, a 16-year high and nearly 78 per cent above decade averages, as indicated by the ABS.

Furthermore, the latest Crane Index shows 647 cranes working on construction sites around Australia, with a leading 288 cranes dotting the Sydney skyline. The Government is judiciously investing in the State's essential infrastructure to support future generations, with a record \$73.3 billion spend on infrastructure over the next four years in addition to its \$20 billion Rebuilding NSW plan to transform the State. The Government is revitalising transport through projects such as the North West Rail Link, the CBD and South East Light Rail, and the NorthConnex and WestConnex motorways.

This Government is also committed to fostering public health through world-class developments such as the Northern Beaches Hospital, which will service much of my electorate. It is also prioritising education, including a new K-12 school at Lindfield. All this has greatly contributed to the strength of the New South Wales economy. Retail trade is also very healthy. The CommSec State of the States report recorded that New South Wales spending in the June 2016 quarter was 17 per cent above average decade levels, buoyed by lower unemployment, positive housing activity and higher home prices. New South Wales household spending achieved the highest quarterly and year-on-year growth rate of all States, with 0.9 per cent quarterly and 3.9 per cent annual growth respectively, as indicated through the ABS. This reflects positive consumer sentiment in September at 105.8 index points, above the national average of 101.4 index points.

In addition to this, the annual nominal State final demand in 2015-16 totalled 3.7 per cent, which is the highest growth since 2007-08. Economic activity in New South Wales grew a further 22.6 per cent above decade output averages. This aligns with growth forecasts predicted by the Deloitte Access Economics Business Outlook that the State final demand for New South Wales will increase by 2.9 per cent in 2015-16 and again by 2.3 per cent in 2016-17. Under this Government the economy of New South Wales is strong. My electorate looks forward to further economic progress in New South Wales.

### CAMPBELLTOWN ELECTORATE

**Mr GREG WARREN (Campbelltown) (21:14):** I am delighted to acknowledge some of the significant and many local residents in my electorate of Campbelltown who contribute so much to the community. I first ask the House to join me in acknowledging valued Campbelltown Hospital nurse Ms Beverley MacDonald on being a Stroke Care Champion finalist. She is acknowledged by her colleagues as being the first person on the stroke unit in the morning and the last person to leave at the end of the day. Beverley MacDonald is a stroke liaison nurse on the neurology ward at Campbelltown Hospital and is recognised as the glue that unites the team at the hospital.

Revolutionising care methods, Ms MacDonald established an outpatients' post stroke clinic, offering an all-inclusive program for the management and prevention of further strokes and medical complications. The Stroke Care Champion Award recognises work in improving the quality of life for stroke survivors and their families. Recipients have to demonstrate commitment within the past five years to stroke care or research. I ask this House to commend this local advocate. She modestly said of her achievement:

I am representing the amazing team at Campbelltown and Camden hospitals who are so dedicated to supporting stroke survivors in our district. I am inspired every day by the amazing people I meet who are so courageous in the face of acute stroke and the uncertainty of the journey ahead.

Next, I recognise Eagle Vale resident Sue Riley for her exceptional work in advocating for abandoned animals within the Campbelltown region. She has rescued numerous cats and dogs who most likely would not have found homes had it not been for her valiant efforts. Most of the animals that Sue has rescued are classified as seniors, but Sue believes an animal's age should not deter people from considering them as potential adoptees, especially as senior animals have fewer chances of finding a permanent home. Sue's efforts in compassion are commended throughout the Campbelltown area. Anyone looking to adopt a pet should consider an older animal to ensure those waiting in local pounds are not overlooked because of their age or because they are no longer the cute ones. In acknowledging Sue and those who share her passion, I ask the House to assist our four-legged friends in our regions, especially in the Campbelltown community.

Finally, I acknowledge the courage and no-nonsense, hardworking Australian spirit of Wayne Greenhalgh of Minto, and the entire Campbelltown community that has rallied behind Wayne. As members may remember, Wayne was allegedly attacked in his street earlier this year by a man armed with a knife. Wayne was left with severe injuries and was out of work for many months. Wayne is a kitchen cabinet cutter by trade and relies heavily on the use of his hands to earn a living. Immediately after the attack it was feared that Wayne would never regain the use of his hands.

Fortunately, Wayne's recovery has gone well and I am pleased to report that Wayne has regained partial use of his hands and his recovery is expected to continue. The allegations, as horrific as they may be, have also demonstrated how incredibly close Campbelltown is as a community. Immediately after the alleged attack, Wayne's neighbours risked their own lives by rushing to his assistance. One neighbour even broke off a paling from a nearby offence and used it to fend off the alleged attacker until the police arrived. In the days, weeks and months since the incident, the support of the local community for Wayne and his family has not wavered. His neighbours have helped out with the purchase of food and have performed household tasks like mowing the lawn while Wayne focuses on his recovery. Last month I was honoured to attend a community fundraiser organised by *A Current Affair* and Channel 9 and supported by countless local businesses that was incredibly successful in raising much-needed funds to support Wayne and his family while he was unable to work.

It is because of events like this that I could not be more proud to be part of my beloved Campbelltown community. In the face of an horrific act, our community stood up to protect and care for one of its own. Since the attack Wayne has been in constant need of support and our community has stayed strong and rallied behind him. I commend Beverley MacDonald, Sue Riley, that great bloke Wayne Greenhalgh and every other fantastic member of the Campbelltown community. They are nothing short of true local heroes. On behalf of the community and the Parliament of New South Wales I thank them all.

### WAGGA WAGGA INDUSTRIAL AREA

**Mr DARYL MAGUIRE (Wagga Wagga) (21:19):** Some exciting developments have taken place regarding the future of the industrial area in our great city and region of Wagga Wagga. I have spoken before about this Government's investment in infrastructure in communities across regional and rural New South Wales. In partnership with the Federal Government, which put forward \$14.5 million, our Government through the wonderful Minister Duncan Gay in the other place has contributed \$15.6 million to facilitate the construction of a new intermodal terminal and connecting infrastructure at Wagga. In total, more than \$30 million has been invested to renew the Eunony Bridge and build a connecting road and underpass from Byrnes Road to the Olympic Highway to allow heavy and mass load transport to access existing businesses such as Thiess. It will also

encourage investment in the site which Wagga Wagga City Council has identified to serve as the city's industrial area for the next 100 to 150 years.

This has come about because of a fantastic partnership between the Federal Government through our local member Michael McCormack, our State Government through its departments and the Minister and Wagga Wagga City Council. The establishment of the new industrial area has come about because we all believe in the importance of attracting jobs and investment to regional New South Wales. It would come as no surprise to anyone that the unemployment rate in the Riverina is now 3.2 per cent. That is one of the lowest unemployment rates in all of regional New South Wales and probably in Australia, but we believe it can go lower. The national average unemployment rate is around 5 per cent, we are at 3.2 per cent and we are determined to drive it down further.

One of the great success stories in the industrial area is Riverina Oils and Bio-Energy [ROBE]. It is the brainchild of D. D. Saxena, who is a businessman with global connections and experience who has built a vertically integrated company that processes, packs and distributes canola end products throughout Australia, the United States, India, New Zealand and South-East Asia. We know that Australia has the best canola in the world and the Riverina has access to a large amount of it. The ROBE plant, which cost about \$165 million, is now crushing some 200,000 tonnes of canola. As a result of the investment in the industrial area, it plans to take production to 600,000 tonnes, which means there will be 50,000 truck movements around the ROBE area. Our investment in partnership with council and the Federal Government was necessary in order to be able to unload trains bringing containers of grain as well as attract other businesses like ROBE that have plans for the area.

Indeed, Renewed Metal Technologies, another business in the industrial area, has had a development application to build a facility to double battery recycling. This will mean there will be more activity in that centre. In 2017 Robe will be marketing canola oil with its partner, LT Foods, in India. They have 250,000 distributors and within three years they expect to be selling canola oil in more than 100,000 outlets. The product is marketed as Wagga Wagga oil and is non-genetically modified. It is to the credit of Mr D. D. Saxena and his team that they are now marketing world's best product to a country like India through those outlets. This is a great vision for our city and I commend everyone involved.

#### GUN CONTROL LAWS

**Ms JO HAYLEN (Summer Hill) (21:25):** We must never become complacent about our gun control laws. Restrictions on the types of guns we can buy and possess are just as important now as they were in 1996 following the horror of the Port Arthur massacre. Each time we take a collective gasp at the news of the latest mass shooting in the United States of America we also take solace in the fact that it could not happen here and we do not need to fear losing our loved ones—our husband, partner, colleagues or children—to the mindlessness of gun crime every time they leave the house, as Americans do. Our gun control laws have become a hallmark of who we are as a country. We understand that the principal right we have as Australians is the right to feel safe, that the answer to violence is not further violence, and that there is no need for anyone in our community to have access to the kinds of automatic and semi-automatic weapons that can be purchased in American supermarkets.

Former Prime Minister John Howard's gun control laws were courageous, appropriate and necessary. I remember the shock and sense of dread that descended on the nation in the wake of the Port Arthur massacre. Thirty-five Australians were killed, including children, and a further 23 were wounded. The shooter, who was using an AR-15 rifle with a 30-shot magazine, was able to kill 12 people in 15 seconds. Even though we had seen gun crimes in the past, none in recent memory compared to this massacre. As a country we not only shared a collective sense of grief but also looked openly and honestly at how this was able to occur. This one event proved to be a fork in the road and, to his great credit, John Howard took us down the path of greater control, greater responsibility and a safer Australia. He banned automatic and semi-automatic long guns. He also introduced the national buyback scheme, which destroyed 650,000 firearms. The gun amnesties raised that figure to one million.

Data from the Australian Bureau of Statistics shows that the buyback reduced suicides by firearms by 67 per cent in the decade following the ban. Firearms assaults also declined, although not consistently each year. Most importantly, Australia has not had a single mass shooting since the ban was introduced. However, it is easy for us to become complacent about the protections afforded by our gun laws. Like all such protections, they were hard won but could be easily lost. Four Australian States have moved to rescind the 28-day cooling off period for purchasing a gun, which is concerning. Recent revelations show that some Australians have accumulated arsenals of firearms—one owner in New South Wales has registered more than 322 firearms. Indeed, one study conducted by the University of Sydney shows that the number of guns has returned to levels comparable to those before the buyback.

Critically, there have been moves to reclassify the seven-shot Adler, including by prominent members of this House. The Adler lies outside the Howard ban because it was classified as a self-loading shotgun, although

in effect it operates automatically because it allows eight shells to be fired in eight seconds. Abbott banned the seven-shot gun following the Sydney siege, yet New South Wales Nationals members had to be pulled into line by the Premier. Thankfully, despite allegations the Prime Minister bartered restrictions of the Adler to pass his Australian Building and Construction Commission legislation, the status quo has, rightly, prevailed.

The debate has revealed a concerning complacency around gun control. Australia is held up as an example of how a nation can work together to keep the community safe. We have come way too far to revert to weak restrictions that put guns into the hands of those who do not need them. Our laws are a powerful testament to the collective grief we shared after Port Arthur. We must not betray that grief and dilute these laws. They were enacted in the name of those we lost that day, and in the names of all those who have died from gun crime.

### **SAPPHIRE WIND FARM**

**Mr ADAM MARSHALL (Northern Tablelands) (21:30):** The construction of the Sapphire Wind Farm will shortly begin west of Glen Innes and east of Inverell. It is an amazing project which, when completed, will consist of 75 x 3.6 megawatt turbines that stand 200 metres tall to the blade tip, and have a total output of around 270 megawatts of clean energy each year—enough to power around 130,000 homes. This CWP Renewables project has a capital investment value of more than \$450 million and is expected to create 250 construction jobs.

This project, along with other similar installations in the area, will confirm the Northern Tablelands' status as the renewable energy hub of this State and the largest net exporter of renewable energy. The renewables industry will continue to have my wholehearted support and encouragement to expand. However, it is not all clear skies for this project. The Civil Aviation Safety Authority [CASA] has stepped in and put its metaphorical foot down. CASA's edict is that the project cannot proceed until aviation lighting is installed on all the towers at the Sapphire Wind Farm. This is despite an independent report supporting CWP Renewables' assertion that any such light is irrelevant to this wind farm development.

Two broad elements are at play. First, the lighting would create unwarranted impacts on the local community for a risk that is no greater than a wind farm having a tip height below 150 metres. Secondly, this will create a precedent that will apply across the sector and result in widespread community backlash. In the early 2000s CASA insisted lights be installed but these were eventually taken off towers because their continuous shining annoyed neighbours. The lights will also create an unnecessary expense—around \$500,000 for lighting that will become stranded lighting in the not-too-distant future.

In brief, the Sapphire Wind Farm is 19 kilometres from the nearest aerodrome—Glen Innes Airport. That aerodrome does not have a regular passenger transport service; it is just used for general private aviation and by agricultural spray contractors. It is beyond the obstacle limitation surface. Sapphire Wind Farm will not penetrate any prescribed airspace. CASA has formed an entrenched view that any wind farm above 150 metres requires night lighting. CASA's decision is heavily weighted by the need to ensure that the wind farm is conspicuous to aircraft that fly under visual flight rules [VFRs]. On the face of it that seems reasonable, but only VFR operates in and around Glen Innes, and one can only fly VFR during daylight when there are reasonable conditions. The wind towers, which have a height of 150 metres, will be very obvious for VFR aircraft. So it seems ridiculous to insist on night lighting when no planes will be flying at that height or anywhere near that height around Glen Innes because the airport operates only under VFR conditions.

It seems to me a ridiculous condition that CASA has put on this development. I am concerned not only about the construction of this project but also about the precedent this could set for other wind farm developments in my electorate and across this State. As the Parliamentary Secretary for Renewable Energy, I am concerned about the potential restriction on development of this industry across our State and in country New South Wales, preventing investment, preventing job creation and preventing this State from reaching its targets in line with the Paris agreement that has been signed by the Federal Government.

I implore CASA to reconsider its position on this issue, to look again at the independent report, to look at the situation around Glen Innes and to realise that a one-size-fits-all approach will impede a good development for the community without assisting safety in and around the wind farm or around the aerodrome, which is 19 kilometres away from the closest wind turbine. I fear this is an example of bureaucracy gone mad and I again implore the Federal Government and CASA to ensure that they do not stand in the way of what is a very good development for our region.

### **TAMIL COMMUNITY LITERARY AWARD RECIPIENTS**

**Ms JODI McKAY (Strathfield) (21:35):** I bring to the attention of the House four extraordinary leaders in the Tamil Australian community who were honoured at the 2016 Kamban Kazhagam Australia literary festival's tenth anniversary celebrations. Receiving the highest honour was Dr Kathirvetpillai Nadanachandran, who was

awarded the Maaruthi Award for his outstanding contribution to the Australian community. A neurosurgeon by profession, Dr Nadanachandran migrated to Canberra in the late 1970s. He became a member of the Royal Australian College of Surgeons and contributed as a lecturer. Dr Nadanachandran played a pivotal role in humanitarian efforts associated with the civil unrest in Sri Lanka.

Under former Prime Minister Bob Hawke, he was a member of the immigration Minister's advisory team and worked to increase awareness of race riots in Sri Lanka. His efforts resulted in the provision of humanitarian visas being extended to Tamil refugees. Dr Nadanachandran also assisted people affected by the 2005 South Asian tsunami, and he trained two local doctors in Fiji. Dr Nadanachandran was awarded the Medal of the Order of Australia (General Division) in 2015.

I also acknowledge three recipients of the Saantror Award, which is given to Tamil scholars who have made a significant contribution to Tamil language, literature, arts, culture and the community. Professor Gnana Kulendran served for 21 years as head of the arts faculty at the Tamil University in Thanjavur, Tamil Nadu, India. She was the first woman to hold the role. Professor Kulendran has published 13 books, with one of her works receiving an award from the Tamil Nadu Government. In 2003, Professor Kulendran was awarded the Women's Achievement Award by the American Biographical Institute. She has been a pioneer for the development of Tamil in Australia through her extensive research work.

Dr Kandiah Ganeshalingam is also a recipient of the Saantror Award. Dr Ganeshalingam is an electrical engineer and also a scholar in Shaivism philosophy and practices. He is the subeditor of a Tamil quarterly magazine and also the vice-president of the Indian Division of the World Hindu Society. Dr Ganeshalingam has contributed significantly to Tamil literature with 14 published works, including three poetry books. He has been an active contributor to Tamil television and radio programs and has also imparted his knowledge through classes in philosophy in Shaivism.

Dr Elamuraganar Bharathy is also a recipient of the Saantror Award. Dr Bharathy trained as a dentist and is a proud descendant of the great Sri Lankan poet, Navaalioor Somasundara Pulavar. Dr Bharathy has been an active contributor to Tamil communities in Australia and abroad. In Sri Lanka he was a member of the Jaffna Rotary Club and assisted in key projects including the professional development of women. Dr Bharathy has participated in allied health medical camps and has served as the chief adviser for the Tamil competitions. He is also the founder of the Festival of Tamil Scholars.

Mr Mahadeva Iyer Jeyaramasarma is a prominent contributor to Tamil theatre and is also a recipient of the Saantror Award. Mr Jeyaramasarma has written, directed and acted in more than 100 dramas and 20 dance dramas. He has also written 50 traditional songs called Villu Paatu, a traditional art form of storytelling. Mr Jeyaramasarma was an announcer with the Sri Lankan Broadcasting Corporation and has carried his expertise to Australia by serving as the co-editor and an adviser for Tamil newspapers and magazines in Perth, Melbourne and Sydney. Those four extraordinary leaders of the Tamil community deserve to be recognised by this Parliament—the oldest Parliament in Australia. I thank Kamban Kazhagan Australia for its support of the Tamil community and for the Tamil language, in particular. I congratulate the organisation on its tenth anniversary celebrations.

**TEMPORARY SPEAKER (Mr Adam Crouch):** I congratulate the member for Strathfield on her linguistic skills.

#### **FEDERATION OF AUSTRALIAN SHENZHEN COMMUNITY**

**Mr MARK COURE (Oatley) (21:39):** Recently I attended a gala dinner at The Star casino hosted by the Federation of the Australian Shenzhen Community. I acknowledge the President of the Federation of the Australian Shenzhen Community, the Consul General of China and a delegation from the Shenzhen municipal council, who also were present at the dinner. It was an absolute pleasure to attend the dinner and to represent the New South Wales Government. Because the Shenzhen community is so highly regarded for its family values and business skills, it is well respected and admired.

The community's cultural contribution to our society is also appreciated, as is the community's openness and generosity. It is an honour and a privilege to represent one of the largest Chinese communities in Sydney—a community that is known for its traditions and hard work, which is reflected in the successful businesses built and the contribution the community has made to the economy of the area I represent. The contribution that the Federation of the Australian Shenzhen Community makes spans business, culture, innovation, education, tourism and of course trade.

China is one of our State's largest trading partners, our State's largest source of international tourists and a key priority market for our State. The New South Wales Government is determined to build on this strong relationship. Of course, the city of Shenzhen has played an important role in that relationship. What began as

a small market town of 30,000 people has grown over the past approximately 40 years to become a city of 18 million, with its own stock exchange and a number of leading high-tech companies. It is also one of China's busiest ports. China is a priority trading partner, with two-way trade between New South Wales and China already exceeding \$27 billion a year—trade that is growing at an astonishing rate of more than 29 per cent each year. Exports from New South Wales to China exceed \$6 billion, with mining, agribusiness and advanced manufacturing leading the way in export products.

China is also our State's largest and most valuable tourist market, with more than 300,000 visitors annually from China, which is a 97 per cent increase in Chinese tourists compared with Chinese visitors to New South Wales in 2010. The number of Australian tourists visiting China is increasing, including the number of people who visit Shenzhen for both business and leisure. Over the past seven or eight years I have had the privilege of visiting Shenzhen twice. The New South Wales Government has a tradition of making annual visits to China. Earlier visits were led by former Premier Barry O'Farrell, in 2011, and subsequent visits have been made by our current Premier, Mike Baird. It is important for the city of Shenzhen to be included in visits by those representing the New South Wales Government in the future. The New South Wales Government appreciates the many contributions of Chinese Australians to the cultural, economic and social life of our State. Our excellent relationship has been built over generations. I am confident that it will continue to grow with future generations.

**TEMPORARY SPEAKER (Mr Adam Crouch):** Order! The member for Kiama will resume his seat.

**Mr MARK COURE:** The relationship has been strengthened by organisations, such as the Federation of Australian Shenzhen Community, that offer a platform for cultural and business exchanges between Australia and China. On behalf of my electorate of Oatley and the New South Wales Parliament, I wish the Federation of Australian Shenzhen Community all the very best of for the future. Xie xie.

#### **GREATER HUNTER MAKERS FESTIVAL**

**Ms JODIE HARRISON (Charlestown) (21:43):** I recently attended the Greater Hunter Makers Festival with my colleagues the member for Port Stephens, the member for Swansea and Mr Scot MacDonald, MLC. The festival was organised by the Australian Industry Group and brought together people and ideas. It also showcased the Hunter region's world-class engineering and manufacturing capabilities.

*[Interruption]*

It seems that other members in the Chamber are excited about the Hunter's manufacturing capabilities.

**TEMPORARY SPEAKER (Mr Adam Crouch):** Order! Members who wish to have private conversations will do so outside the Chamber. The member for Charlestown will be heard in silence. There is too much audible conversation in the Chamber.

**Mr Gareth Ward:** It is just rude.

**TEMPORARY SPEAKER (Mr Adam Crouch):** Order! I call the member for Kiama to order for the second time.

**Mr Mark Coure:** Kick him out!

**TEMPORARY SPEAKER (Mr Adam Crouch):** Order! I remind the member for Oatley that he is on two calls to order. There is too much disorder in the House. Members who wish to have private conversations will do so outside the Chamber. The member for Charlestown has the call.

**Ms JODIE HARRISON:** On display was the latest in manufacturing technologies, machinery and equipment. The next generation of manufacturers, builders and engineers was there providing interactive activities for university and TAFE students and science, technology, engineering and maths—STEM—students from local high schools, including St Mary's High School in my electorate. The Hunter has always had a proud history of manufacturing. For decades the people of Charlestown and the region have manufactured steel at BHP, crafted ships at Forgacs and fashioned aluminium at Tomago. The manufacturing sector has played a crucial role in our development but it is no secret that lately the manufacturing industry in the Hunter has been struggling.

The 2014 "Future of Manufacturing Report" by the Hunter Research Foundation produced the alarming statistic that 80 per cent of its sampled manufacturing companies only traded in the Hunter, not even the rest of Australia. With the downturn in the mining industry, this showed how vulnerable the Hunter's manufacturing is, and was. This vulnerability has only been amplified by work being offshored. This Government is certainly part of that phenomenon. The Liberal Government's ludicrous decision to award a \$2.3 billion contract to build an inter-city train fleet for New South Wales to a company in South Korea saw the Hunter lose hundreds of jobs. It is a shame the Premier did not look to our neighbours in the south. Trams in Melbourne pass by with "Made in Melbourne, for Melbourne" stamped on the side, worn as a badge of honour.

But no matter how poorly the Liberals treat the Hunter, we are resilient people. We know that in order to stay competitive one has to think differently. The Greater Hunter Makers Festival showcased the Hunter's transforming manufacturing industry. The showcasing businesses had learnt that in order to survive in this ever-changing economy they have to diversify their business model, products and markets. Tom Woods is the chair of the Australian Industry Group Hunter Business Leadership Group and Managing Director of T.W. Woods Construction—one the Hunter's innovative businesses and an employer of my constituents. In opening the festival Tom said:

We are a manufacturing and engineering region which has faced the challenges of globalisation, the loss of government orders, economic downturn and needing to keep pace with the internet of Things and higher skilling.

Tom's company was one of many at the Greater Hunters Makers Festival showing off their innovative designs and products. T.W. Woods manufactures the world's first autonomous traffic management vehicle, which works simultaneously with a roadside vegetation slasher. Scheduled for release in the first half of 2017, these autonomous vehicles are designed specifically for traffic management, with the added benefit of having compartments for tools and witches hats for emergency purposes. These drones are programmed to trail either side of a vegetation slasher, advising drivers to slow down, stop or go. As these are digital, potentially any message can be displayed. In his opening Tom Woods went on to say, and I certainly back his request:

I would like to enlist the NSW Government's support to develop a strategy to recognise our engineering and manufacturing strengths and to help us to further embrace globalisation so we can develop our niche opportunities.

Manufacturing is vital to the future prosperity of our region. I commend the work of Adrian Price, the Australian Industry Group Hunter and the Greater Hunter Makers Festival for showcasing the talent in the Hunter region and providing an eye-opener of our capabilities. They are indeed innovating and I support their call for the New South Wales Government to provide more support for manufacturing businesses in the Hunter—businesses that provide much-needed jobs for people in my electorate of Charlestown.

### BUSHFIRE SEASON

**Ms PRUE CAR (Londonderry) (21:48):** As we come to the end of the year, communities across New South Wales begin to prepare for the bushfire season—an unfortunate reality of the Australian summer. On the outskirts of our city in Western Sydney we are no strangers to bushfire and the devastating impact it can have on properties, lives and communities. Indeed, our neighbours in the Blue Mountains have witnessed some of the worst bushfires in memory. The October 2013 bushfires in particular had shocking impacts on communities in the lower mountains, with homes and businesses in the area reduced to ashes in a matter of days. But from these tragic experiences we have also seen that our communities are capable of remarkable strength and resilience. We see the worst side of Mother Nature but the best side of human nature when disaster strikes.

It is because of this threat that communities across New South Wales are constantly vigilant and prepared for bushfires every summer. This is why we are so grateful for the work of our firefighters, who do a truly remarkable job of keeping us, our homes and our families safe from the threat of bushfire. The brave men and women of the NSW Rural Fire Service [RFS], the State Emergency Service and Fire and Rescue NSW cannot ever be thanked enough for putting their own lives on the line to protect our communities. It is especially important to recognise the 75,000 volunteer RFS members across New South Wales, who are true heroes in our communities.

Last week firefighters battled one of the first major bushfires of the season in my electorate of Londonderry in Western Sydney. On Friday 4 November, an out-of-control grassfire that started in Cranebrook later spread to Llandilo and had hundreds of firefighters battling it throughout the day and night, with the aid of water-bombing planes and helicopters to get the blaze under control. It was a truly scary event for my community. As recently as Sunday this week, an out-of-control bushfire in Londonderry had 250 firefighters battling to protect homes after a grassfire broke out in the Castlereagh Nature Reserve. On that day, the dangerous and difficult circumstances that our firefighters faced were revealed when we learned that 24-year-old Nadia Knox, a volunteer RFS firefighter, was injured when a burning tree branch dropped eight metres and fell onto her as she worked to contain the blaze.

As we learned from another member of this place who spoke of this incident earlier today, thankfully Nadia escaped with only a broken collarbone and she is now on the mend. I can report that no lives were lost in either fire, although in the first fire four homes were lost. It takes serious guts to battle 50-foot walls of fire, and not many of us would be up to this task. I want to put on record my thanks to all of the RFS volunteers as well as members of Fire and Rescue NSW and our police who worked over these two days to contain the fires and stop them from getting out of control. The police arrested those who were accused of deliberately lighting these fires. I offer a huge thank you to the community members who cooperated with the directions of emergency service personnel and provided support on the day.

### SOUTH COAST TOURISM INDUSTRY

**Mr GARETH WARD (Kiama) (21:52):** On 30 October this year I was delighted to join my parliamentary colleagues the member for Heathcote and the member for Keira to welcome representatives from the Royal Caribbean passengers and crew of *Radiance of the Seas* to our wonderful region. This is the first cruise ship ever to arrive at Port Kembla, and I sincerely hope it is the first of many. The decision by Royal Caribbean to add the Illawarra to its distinguished list of ports of call is as much an exciting opportunity as a resounding endorsement of what our amazing region has to offer.

New South Wales is number one in Australia for visitors, visitor nights and visitor expenditure, with regional tourism contributing \$6.7 billion to our State and employing approximately 73,900 people. I commend the Minister for Trade, Tourism and Major Events, and Minister for Sport, Stuart Ayres, for his fabulous work and his commitment to regional tourism. Carrying up to 2,400 visitors and 800 crew members on each trip, the *Radiance of the Seas* provides a significant boost to regional tourism and an injection into our local economy. The Australian cruise industry has grown by almost 10 per cent per annum over the past 10 years. With Sydney Harbour struggling with demand, Port Kembla is well positioned to take advantage of this future growth, due to our close proximity to Sydney whilst offering experiences that are memorable, exciting and unique to the Illawarra.

It is estimated that this maiden voyage will bring almost \$1 million in direct economic benefit to the region, but this commitment by Royal Caribbean brings so much more than that. Royal Caribbean's commitment to our region has seen tourism operators all over the South Coast take great strides to improve their businesses to ensure they take maximum advantage of this visit. These efforts will benefit our visitor economy not just today but every single day of the year—and not just in Wollongong but in the Shoalhaven, Kiama, Shellharbour and the Southern Highlands. Royal Caribbean also brings with them an impressive international network—and what better way to position the South Coast as a priority tourism destination than through this exciting new network? Whether it is through Royal Caribbean's networks of travel agents around the world, their social media following or their passengers and crew, Royal Caribbean's reach in the tourism industry and commitment to this region will see the South Coast increasingly recognised as a world-class tourism destination both domestically and abroad.

The arrival of *Radiance of the Seas* to Port Kembla should be no surprise to locals who love to live in a region with striking beauty and diversity like no other part of our State or nation. We know the Illawarra has something special to offer to the 2,400 new visitors and travellers who docked on our shore on 30 October. From the pristine beaches that stretch all the way to Ulladulla, to the amazing escarpment that frames the Illawarra region, we truly have a first-class tourism product which is simply the world's best. Passengers had the opportunity to visit some of our most iconic attractions, including: the Nan Tien Temple, one of the largest Buddhist temples in the Southern Hemisphere; Symbio Wildlife Park, with its myriad of animal exhibitions and wildlife; the iconic Sea Cliff Bridge, which hugs the shores of our beautiful escarpment; the Kiama blowhole; local wineries; and the historic Aviation Restoration Society Museum at Albion Park Airport—the list of offerings is endless.

As part of the maiden voyage celebration, Destination Wollongong and partners established a welcome precinct for the cruise ship at Lang Park. The marketplace was open to the public and was designed to showcase the region's local produce, arts and craft and entertainment. In addition, IRT and Destination Wollongong worked together to mobilise 400 volunteer ambassadors to welcome passengers and provide them with the information required to make their visit to this city a memorable one. I enjoyed joining these volunteer ambassadors alongside Lord Mayor Gordon Bradbury. The welcome offered to passengers and crew was remarked upon as the best that anyone had seen.

I thank the volunteers, IRT and Destination Wollongong for their commitment to ensuring that the passengers of *Radiance of the Seas* have a truly extraordinary time in the Illawarra. I also acknowledge that today's arrival would not have been possible without the support and commitment of NSW Ports, the Ports Authority of NSW and AAT Terminals. In particular, Lachlan McDonald and Sandy Rae from NSW Ports and Lana Howell from AAT have been instrumental in making this and future cruise ship arrivals happen. I applaud the outstanding vision and advocacy of Councillor Leigh Colacino from Wollongong City Council, who has been instrumental in attracting Royal Caribbean to our shores. I commend Mark Sleight from Destinations Wollongong and his wonderful team for their tremendous efforts in coordinating the visit.

The lease of the port has opened up these new business opportunities for the region, and this diversification will continue as these new endeavours prove successful. Again, I extend my thanks to Royal Caribbean for making Port Kembla and the Illawarra a new port of call and I look forward to the future growth and development of this exciting new industry in the Illawarra. This was an important day for the Illawarra. We were delighted to diversify the tourism market. I pay tribute to Destination NSW and thank Minister Stuart Ayres for his tremendous advocacy for regional tourism.



### NEWCASTLE CARPARKS

**Mr TIM CRAKANTHORP (Newcastle) (21:57):** Car parking in Newcastle is fast becoming one of the most urgent issues that needs to be addressed in the city's revitalisation. While the Premier and the Government will have us believe that Newcastle will open up again with all the work that is happening in the city, there are growing cries from workers, locals and businesses that this city on a thin peninsula is starting to lock them out. In my final week as councillor at Newcastle City Council, we were asked to vote on the rezoning of the rail corridor. The Government had failed to provide an evidence-based and integrated transport plan that demonstrated that this corridor was no longer required. Despite a lord mayoral minute and two council endorsed motions calling on the State Government to do this, no plan was presented and no plan is coming soon. In the past few weeks the light rail project has been undertaking preliminary investigations along Hunter Street. When this is complete approximately 250 car spaces along just one street in the central business district will be taken.

I began speaking with Hunter Street businesses as soon as I realised the state of the strip when the light rail was introduced: one lane of traffic on each side of the road and one dual track for the light rail with no car parking on the shoulder. For businesses in the bridal district of the Hunter, this is dismal news. People from all over northern New South Wales travel to Newcastle for its ease of parking, the wealth of bridal stores and the accessibility of courier drop-offs and pick-ups. With this parking gone, businesses fear they will lose customers and ultimately have to close their doors. They are not the only ones. Representatives from different industries—real estate, fashion, cafes and specialty stores—have come together and are predicting dire futures. In fact, Hamburger Haven has recently announced it is closing.

In addition, there was the sale of Lee Wharf car park at Honeysuckle which provides parking for 257 cars. Following the announcement of the sale, there were murmurs from workers in Honeysuckle wondering where they were going to park in the future and from Honeysuckle business owners who raised the issue of car parking for their customers. With the Honeysuckle waterside dining industry booming, businesses are questioning where their customers will park during busy trading periods as the car parks disappear. Businesses know that diners will take the option of going to a venue with car parking rather than driving around looking for a park for 30 minutes or more.

When the Minister for Planning visited the University of Newcastle campus on Hunter Street, he commented that he would support the university's proposal to expand and develop on the car park that backs onto the former rail corridor in Honeysuckle. Never mind the upcoming parking crisis that the university students are currently rallying against: the NeW Space campus does not have parking attached to it. Now the Government wants to take away more parking without providing any additional spaces. Newcastle is set to lose about 1,000 car parks in the coming years. The Government will say that it is encouraging Novocastrians to use public transport. But people are driving because the Government has ripped up the rail line and the promised interchange and light rail are still to be delivered. The Government has shown a complete lack of planning for this project and the future of our city. There has been talk of a parking study, after the news that 1,000 car spaces would disappear. It has all been done backwards. There has been no future planning, just policy on the run.

Commuters want a convenient, reliable and efficient integrated transport system. In this city, unfortunately, the Government has failed to deliver such a system. Quite simply, there is not enough public transport and the services are not frequent enough, and that results in commuters driving their cars. The Government has thrown its hands up in the air at the problem and has decided to privatise all of Newcastle's public transport, including the ferries, the new light rail and the buses. The Government had a great opportunity to fix the problem when it sold the Port of Newcastle. Instead, it chose to send more than two-thirds of the proceeds to Sydney. The Government could have used this money to get commuters out of their cars and onto public transport by building an integrated world-class public transport system, but it chose not to do so. When will the Government finally listen? Expert reports have said the current light rail plan will cause chaos—as the Government calls on its developer mates to buy up all the available land in Newcastle. The question remains: How will Novocastrians access this new city with no new parking and no parking station slated for the Wickham Transport Interchange? Newcastle may soon be accessible by only the very few.

### CABRAMATTA WHITE RIBBON DAY WALK

**Mr NICK LALICH (Cabramatta) (22:02):** On Monday 14 November I attended Cabramatta Whitlam Library along with my Federal colleague the member for Fowler, Chris Hayes, to sign a banner to raise awareness of domestic and family violence. This banner was created in advance of the upcoming White Ribbon Day Walk through Cabramatta on 25 November. White Ribbon Day is one of the most important community events each year as it brings awareness of the plight of victims who have nowhere else to turn. Domestic violence is not only devastating for the victims but also affects family members, loved ones and friends and, of course, the perpetrator. Monday's event at the Whitlam Library was organised by the Cabramatta Local Area Command with assistance from Fairfield City Council staff. I congratulate Cabramatta Acting Commander Darren Newman and NSW Police

Multicultural Community Liaison Officer Quynh Truong for organising Monday's event, as well as other men and women of the NSW Police Force who were in attendance and the hardworking staff of the Whitlam Library.

The banner was created by students from Navitas Cabramatta College. It was created primarily by women from various backgrounds in their art class. Navitas Cabramatta College Operations Manager James McAnna said the college wanted to contribute to the event in a meaningful way while teaching students about the important message behind the campaign. The class ran over three Fridays. The first class was spent teaching the fundamentals of art, for example, how to hold pencils, crayons and pens. The students learned to produce line drawings and colouring and shading sketches of simple objects. They then learned about different types of paper and other mediums. The second class was largely a brainstorming session for White Ribbon Day imagery. The students were also shown how cloth differs from paper as an art medium. They practised placing captions and applying colours and shading. These students, all of whom study English as a second language, then created dozens of vivid and powerful posters that are now proudly on display at the library.

Possibly the most powerful part of Monday's event was hearing from four young students of Canley Vale Public School. Each bravely read out poems that they had written about the importance of respecting women and loving one's family. The smiles on the faces of these young ambassadors would give courage to anyone in the most hopeless of situations. I urge all members in this Chamber and in the other place to take part in White Ribbon Day activities on 25 November. There is no nobler cause than to make sure that women and families are safe from violence at home. I urge members to stand up and speak out against violence.

### **HORNSBY NORTH PUBLIC SCHOOL**

**Mr MATT KEAN (Hornsby) (22:05):** In the 1950s the face of Sydney was rapidly changing, and Hornsby was no different. The population was expanding and housing was in short supply. The Hornsby north area was part of the Government's release of selected parcels of land to accommodate suburban expansion. Located close to the railway line, the Hornsby-Asquith areas were hotly targeted by developers for urban subdivision. The expansion of the area meant a dramatic increase in the number of young families and children needing access to local schools. At the time Hornsby Public School, which is now the home of Hornsby TAFE, was bursting at the seams. After a devastating bushfire in 1957 caused major damage to the school, the Department of Education was forced to look at alternative options. Thus began an extensive search for a suitable site for the new school.

The first site to be considered was located at the intersection of Ida and Ethel streets. The department had plans to locate either a girls or boys campus on one side of Ethel Street and an infants campus on the other. Another plan was to locate all the classrooms on one side of Ethel Street and the playing fields on the other. This proposal was rejected by Hornsby Shire Council which, although supportive of a new school in the area, did not want the school to be intersected by a public road. A second site was considered, located on the corner of Amor Street and Old Berowra Road. However, the Department of Education determined that the land was unsuitable because of the steep slope. It was therefore unsatisfactory. Finally, in 1961, a site at the end of Ida Street was purchased for a grand total of £18,000. On 12 June 1964 the Minister for Education, Mr E. Wetherell, announced in the New South Wales *Government Gazette* that approval had been given for the establishment of a public school at Hornsby North. The announcement read:

The establishment of a Public School pursuant to section 34 of the Public Instruction Act of 1880.

Construction commenced in 1966. The school comprised four classrooms, an administration building, a toilet block, a flagpole and an incinerator. It was not until the following year, on 31 January 1967, that the school opened its doors and welcomed 90 pupils, including Melissa Herden, nee Burne. Mel was one of the original 22 students, the first group at the school to go from kindergarten to year 6. She was instrumental in compiling information on the history of the school, and she was an amazing help in preparing my speech. The original students were under the watchful eye of principal Mr F. Gibbs and three teachers, Miss West, Miss Norton and Miss Lewis. Although the school gates opened in 1967, it was not until 1971 that the school was officially opened. The opening ceremony was a big community event, drawing hundreds of attendees, including the member for Hornsby and Minister of Justice the Hon. John Maddison.

The event gained national media attention because the Minister used his opening address to lend support to the proposed South African sporting tours in the midst of the apartheid era, before unveiling a commemorative plaque and planting two trees at the front gates of the school. The trees are still there today, albeit they are much larger. By that stage the school enrolment had grown to 285 students and a teaching staff of eight. From the beginning, the school fostered a wonderful sense of community. That is still very much alive today. An active parents and citizens association was formed and the ladies auxiliary began fundraising and building that sense of community. The parents and citizens association's main fundraiser, the annual fireworks extravaganza, was one of the biggest events in the district. It was the highlight of the June long weekend. The event would start with

a fete in the afternoon before the fireworks display in the evening. Admission was \$1 for adults 1 and 50¢ for children.

Today the school has more than 800 pupils. While much has changed at the school over the past 50 years, one thing that has not changed is its commitment to quality education for every student. For more than half a century, passionate and highly dedicated professionals have supported, nurtured, and inspired the learning and education of our local students. The strong academic program at Hornsby North has seen students excel in the classroom, while the diverse co-curricular offering and pastoral care has enabled countless numbers of local children to explore their full potential. In my opinion, Hornsby North Public School sets the benchmark when it comes to delivering an outstanding all-round education. I am constantly impressed by the academic results as reflected in the National Assessment Program—Literacy and Numeracy. However, I am always blown away by the talent on display in the band, the choir, the arts, or the various sporting activities provided by the school. It is remarkable. No doubt that is why so many students have gone on to achieve success in their chosen fields. Notable former students include Olympic water polo player Geoff Clark; Olympic gymnast Lisa Barnes; and most recently Anthony Moyes, who was the official referee in the sevens tournament at the Rio Olympics.

Hornsby North Public School is the type of school that empowers all students to reach their full potential and to achieve their dreams. This is a great credit to the teachers, many of whom I know personally and admire greatly. I particularly acknowledge Jeanette Butterworth; Calise Butterworth, also a former student; Julie Hall; Sharon Gates; Anne Moyes; Sandra Reeves, and the rest of the fabulous staff. Of course, any great team needs a great leader, and Hornsby North Public School has the best. Maree Sumpton is an exceptional woman. She is adored throughout the school and across my community. She is one of those rare principals who knows every child individually and who cares for them as if they were her own. In my opinion, she represents the very best of our education system and the very best of our community.

Another thing that sets Hornsby North Public School apart is the wonderful sense of community that exists. It is the type of school where they all know one other and genuinely care about their neighbours. When someone is doing it tough, people roll up their sleeves to help. I particularly thank the parents and citizens association for its work in supporting the school and fostering that sense of community. I thank the president, Katherine Milner, for her leadership and the work she does for our community. I thank Catherine Pedersen—the band coordinator—Christine Ashton, Sharon Schweifurth, Liz Charmon, Melanie Claydon, Gavin Hunter, Alexi Boyd, Chris Roberts, Belinda Greer, and the brilliant Lynne Slevin, for all they have done over so many years. Hornsby North Public School is a special place because of the education provided and the people who have helped to deliver it. I congratulate the school on its 50 years of service. It truly made a difference to our community—*[Time expired.]*

### RURAL FIRE SERVICE VOLUNTEERS

**Ms MELINDA PAVEY (Oxley) (22:12):** On Saturday 5 November, in awful hot and windy conditions, the volunteers and staff of the Rural Fire Service [RFS] shone in their work to contain rapidly escalating fires south and west of Kempsey. The smaller of the two fires, near the Spooners Avenue-Crotty's Lane area of West Kempsey, was intense and fast moving, and threatened homes and rural infrastructure in the area. Local RFS crews were able to prevent any major damage. Their efforts were given much-needed and welcome relief when a southerly change moved through.

However, another fire south of Kempsey on Ravenswood Road, Kundabung, which fire crews were working on, escalated in bushland after a southerly change. A major multiagency effort was mounted involving RFS staff and volunteers, the Forestry Corporation, the National Parks and Wildlife Service, the State Emergency Service, and the NSW Police Force to bring the fire under control over the weekend and the next few days. At one stage in response to this fire more than 130 firefighters worked in unfavourable and variable conditions to continue back-burning and to try to contain spot fires that broke containment lines to the west and south of the main fire in the national park, the State forest and on private property. Ground crews were supported by heavy plant and six aircraft. The Pacific Highway was closed for a short period as smoke and flames affected the roadway. The railway line was closed later in the afternoon for a short time.

RFS crews from further afield—the Clarence Valley and the Northern Tablelands—arrived to help the Kempsey-Macleay volunteers. On behalf of the Macleay community and the local RFS brigades, I offer my sincere thanks to these volunteers from out of town who left their families and day jobs to travel down the coast to help put out a major fire. It was difficult to do over the next few days with many spot fires and breakouts occurring, with wind changes and heavy bushland making the job even harder, but eventually they got on top of it and kept the fire within containment lines. At one stage the fire encircled a major highway fuel service station. There were some anxious moments. The fire ultimately burnt 4,700 hectares and had a 60-kilometre perimeter; there were no reports of property or livestock loss.

My congratulations to Lachlan Ison, the Rural Fire Service Incident Controller, on his professionalism and that of his staff, and all the group captains and their brigades. Thankfully, 15 to 25 millimetres of rain fell across the fire ground on the Thursday afternoon helping control enormously. The fire coming close to a service station was a scary event for those involved in the incident. The fire went through one of the roads within the community where there were 12 properties, but the management of that fire was extraordinarily good. All those properties were saved. I give my heartfelt thanks to and salute those Rural Fire Service volunteers with their local brigades and controller Lachlan Ison who made a big difference to people's lives in very precarious circumstances.

*Matter of Public Importance*

**MIRACLE BABIES FOUNDATION**

**Ms MELINDA PAVEY (Oxley) (22:14):** It is my pleasure to highlight the work of the Miracle Babies Foundation, an extraordinary organisation that supports premature and sick newborns, their families and the hospitals that care for them. Every year approximately 48,000 newborn babies require the help of a neonatal intensive care unit or special care nursery. Twenty-five thousand of those babies are born premature, and up to 1,000 babies lose their fight for life—an extraordinarily traumatic time for any family.

This week a member of Parliament that I have known for a long time—I will not say publicly who it is—was dealing with such a circumstance after his daughter gave birth to a baby who was 12 weeks premature. It is a difficult time. As I say, 48,000 families across Australia also face similar circumstances. This is an important discussion for parents and young families to have when they are looking forward to the joy of childbirth. I remember when my husband, Warren, and I were looking forward to the joy of experiencing the birth of our first child, Jack, who is now 17 years old. We had a family group meeting to learn about the experience of childbirth. A nurse told us that one in 100 babies do not go home—either because they are pre-term or because of other reasons. Having a child is a difficult experience which mostly works out perfectly but sometimes it does not. My husband and I were lucky to have a discussion about what might happen if things did not go according to plan.

For every miracle there are probably a lot of stories of heartache. Since 2005 the Miracle Babies Foundation has been helping families to deal with that heartache. It has been passionate about developing and providing vital programs and resources to support and enhance a family's experience. This can include assistance with a threatened pregnancy, the hospital journey with a premature or sick newborn, or the transition to home and beyond. When I was Parliamentary Secretary for Health I had the privilege of going through the magnificent NICU at Newcastle Hospital. Many families experience the first one to six months of their child's life at that unit where they are supported and protected. At night they go back to their homes and in the morning they return to the hospital to be with their child. When they take that precious little bundle home after that journey there are a lot of emotional scars and other issues that have to be dealt with. I acknowledge the work of the Miracle Babies Foundation in helping families on that journey.

I had a beautiful conversation with my friend Melanie Gibbons, who had her first day back in this Chamber after the birth of her child. Baby Audrey was not preterm; she weighed 4.5 kilograms at birth. I am happy for Melanie. She told me that this foundation is incredibly important to her because it is located within her electorate and she has had a lot to do with it. She would have loved to have introduced this matter of public importance but she has gone home to baby Audrey, as she should, because baby Audrey is only five weeks old. Melanie was able to share some of the stories of the Miracle Babies Foundation. She is proud of the work that it is doing in her electorate, helping families achieve healthier outcomes for their newborns.

The foundation is not only about the baby but also about families that are challenged by the prematurity or sickness of their newborn. Its objective is to support and assist families and their newborns at all stages of their journey to achieve healthier outcomes through a national 24-hour helpline, in-hospital parent support sessions and an out-of-hospital play and support group. It is taking families and their babies on an admirable journey. It should be proud of the work it is doing. I acknowledge the beautiful paper cranes that are adorning this Chamber. A magical and beautiful exhibition of those cranes is in the foyer of Parliament House, which sends a special message. I thank the foundation for its work. I am proud to participate in this matter of public importance.

**Ms KATE WASHINGTON (Port Stephens) (22:20):** When a new life is growing inside a woman it is difficult for her to contemplate any scenario other than leaving the hospital with her new baby. Anything else is too awful to contemplate. Each year another scenario plays out for 48,000 Australian women, which must be one of the most confronting experiences for them and their partners. Those 48,000 women have babies that require the help of a neonatal intensive care unit in order to survive. Of the 25,000 babies that are born early, tragically, 1,000 of them do not survive. I am pleased to recognise tonight, as a matter of public importance, World Prematurity Day which will be observed on 17 November. Prematurity is the term used to describe a baby that is born early—before 37 weeks gestation. Given the prevalence of preterm births, most people would know someone

who has had a premature baby, or experienced that frightening scenario themselves. Any woman can have a preterm baby.

Thankfully, in Australia we have support available for families who are faced with this frightening scenario. The Miracle Babies Foundation is one of the organisations providing practical support for those families. The Miracle Babies Foundation was founded by a group of mothers who had premature babies. The foundation was initiated in 2005 by Melinda Cruz, with the help of Liverpool Hospital's newborn intensive care unit. It was a privilege to hear Melinda speak today of her passion for the Miracle Babies Foundation and her delight at what it has become. Melinda's personal experience and those of the other founders have clearly driven the organisation to become what it is today, which is a compassionate provider of practical support and information for families who can find themselves adrift with fear, worry and stress, and in a fog of fatigue. I congratulate Melinda and the Miracle Babies Foundation board on providing much-needed support to families facing a frightening challenge.

In Parliament House today I was delighted to participate in the unveiling of the Miracle Babies Foundation art installation, featuring 2,500 hand-folded paper storks. Each stork represents 10 preterm babies, there being 25,000 preterm babies born in Australia each year. Installation artist Melanie Gray was inspired to create her soaring magical piece by the heartwarming and sometimes heartbreaking stories of premature and sick newborns. The installation, called Our Miracle Flock, is uplifting and I urge all members in this place to take a look at it to understand and contemplate the many miracles that those storks represent. Unlike other medical issues where prevalence rates are declining due to medical and technological advancements and public education, the rate of preterm births is increasing. Also often forgotten in the discussion about premature births is that babies who survive often face increased health risks such as breathing problems, cerebral palsy, intellectual disabilities and other challenges. The hurdles that families who have preterm babies face are far from over when they step out of the hospital.

I take this opportunity to recognise the clinicians, nurses and specialist staff who devote their working lives to caring for premature babies. If it were not for the expertise of neonatal intensive care unit and special care nursery staff there would be far fewer miracle babies with us today. Tomorrow on World Prematurity Day I ask everyone to think about those families who have endured the fear and anxiety of having a miracle preterm baby and give thanks for those who provide support

**Mr MATT KEAN (Hornsby) (22:25):** I am delighted to speak on this matter of matter of public importance on the eve of World Prematurity Day. World Prematurity Day increases awareness of preterm births as well as the deaths and disabilities due to prematurity and the simple, proven and cost-effective measures that could prevent them. Every year 15 million babies are born premature worldwide. More than one million of those babies tragically die and many more face serious and lifelong health challenges. Preterm birth is truly a problem that can happen to anyone irrespective of the country in which they live, their culture or their socio-economic status.

I am delighted to acknowledge the outstanding work of the Miracle Babies Foundation, which is Australia's leading organisation supporting premature and sick newborns and their families, and the hospitals that do such great work in caring for them. Every year in Australia around 48,000 newborn babies require the help of a neonatal intensive care unit or special care nursery. Approximately 25,000 of those babies are born premature and up to 1,000 of them lose their fight for life. The Miracle Babies Foundation has been passionate about developing and providing vital programs and resources to support and enhance the experience of a family going through that traumatic and difficult time. They include programs related to a threatened pregnancy, the hospital journey with a premature or sick newborn and the transition to home and beyond.

Working with health professionals on the joint agenda of better outcomes for families, Miracle Babies provides informative education and insight on a family's experience and funding for equipment, resources and research. Its vision is to achieve better, healthier outcomes for newborns and their families challenged by prematurity or sickness. Its primary objective is to support and assist families and their newborns at all stages of their journey to achieve better, healthier outcomes. Premature births affect us all, which is why the work of the Miracle Babies Foundation is so important. Thousands of families will be touched by premature births this year and in the future. Organisations such as Miracle Babies should be supported and encouraged. I am delighted to acknowledge its outstanding work.

I also acknowledge Melinda Cruz, who founded Miracle Babies with the help of Liverpool Hospital Neonatal Intensive Care Unit [NICU]. Bonded by the NICU experiences, the group shares the common desire of wanting to support other families of miracle babies and give back to the wonderful hospitals that care for them. Tonight I acknowledge all families who have gone through the traumatic ordeal of a premature birth. I also thank the Miracle Babies Foundation for its outstanding work in difficult circumstances.

**Ms MELINDA PAVEY (Oxley) (22:28):** In reply: I thank the member for Port Stephens and the member for Hornsby for their contributions and their recognition of the work of the great Melinda Cruz, who has had three little miracles herself. The "Our Miracle Flock" art installation was launched at Parliament House today. I called them cranes but they are in fact storks. I thank Melanie Gray who created this beautiful art installation, which features 2,500 handmade paper storks. It takes someone special to help those who experience this trauma, and I suggest that Melinda Cruz is one of those incredibly special people. As a mother of three miracle babies she has shown strength in her experience at Liverpool Hospital and is able to shine a light for others. I congratulate all those who support the Miracle Babies Foundation. I also thank all members who made a contribution to this matter of public importance.

**The House adjourned, pursuant to standing and sessional orders, at 22.30 until  
Thursday 17 November 2016 at 10.00.**