



ELO Hansard Review

18-20 June

Autumn Session 2013

A weekly overview of environment related proceedings in the NSW Parliament

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Legislative Assembly Tuesday 18 June 2013

ASSENT TO BILLS

Assent to the following bills was reported:

Casino Control Amendment (Supervisory Levy) Bill 2013
Child Protection Legislation Amendment (Children's Guardian) Bill 2013
Education Amendment (School Providers for Overseas Students) Bill 2013
Energy Services Corporations Amendment (Distributor Efficiency) Bill 2013
Gaming Machines Amendment (Multi-terminal Gaming Machines in Clubs) Bill 2013
Independent Commission Against Corruption and Other Legislation Amendment Bill 2013
State Owned Corporations Legislation Amendment (Staff Directors) Bill 2013
Victims Rights and Support Bill 2013

PETITIONS

The Speaker announced that the following petitions signed by more than 10,000 persons were lodged for presentation:

Feral Animal Eradication Program

Petition opposing amendments to the Game and Feral Animal Control Act 2002 to extend the feral animal eradication program into New South Wales national parks, nature reserves and State conservation areas, received from **Mr Alex Greenwich**.

Discussion on petitions set down as orders of the day for a future day.

The Clerk announced that the following petitions signed by fewer than 500 persons were lodged for presentation:

Container Deposit Levy

Petition requesting the Government introduce a container deposit levy to reduce litter and increase recycling rates of drink containers, received from **Mr Alex Greenwich**.

The Clerk announced that the following Ministers had lodged responses to petitions signed by more than 500 persons:

The Hon. Brad Hazzard—Callan Park—lodged 7 May 2013 (Mr Jamie Parker)

The Hon. Chris Hartcher—Coal seam gas mining—lodged 2 May 2013 (Mr Jamie Parker)

Legislative Council Tuesday 18 June 2013

ASSENT TO BILLS

Assent to the following bills reported:

Casino Control Amendment (Supervisory Levy) Bill 2013
Child Protection Legislation Amendment (Children's Guardian) Bill 2013
Education Amendment (School Providers for Overseas Students) Bill 2013
Energy Services Corporations Amendment (Distributor Efficiency) Bill 2013
Gaming Machines Amendment (Multi-terminal Gaming Machines in Clubs)
Bill 2013
Independent Commission Against Corruption and Other Legislation
Amendment Bill 2013
State Owned Corporations Legislation Amendment (Staff Directors) Bill 2013
Victims Rights and Support Bill 2013

PETITIONS

National Parks and Wildlife Conservation

Petition calling on the Government not to do deals with the Shooters and Fishers Party regarding national parks, State conservation areas and wildlife, received from the **Hon. Cate Faehrmann**.

Container Deposit Scheme

Petition stating that a container deposit scheme will divert beverage containers from landfill, increase recycling rates and reduce carbon emissions, and calling on the House to support the Waste Avoidance (Beverage Containers) Bill 2012, received from the **Hon. Cate Faehrmann**.

NATIONAL PARKS AND RESERVES DEATHS AND INJURIES

The Hon. ROBERT BORSAK: My question without notice is directed to the Minister for Roads and Ports, representing the Minister for the Environment. Can the Minister advise the House how many people have died or been injured in New South Wales national parks and reserves in the past 20 years whilst participating in each of the following activities: bushwalking, skiing, canyoning, rock climbing, abseiling, paragliding, canoeing, swimming, horseriding, fossicking, camping, bird watching and any other outdoor-related activity that is allowed in a national park or reserve; and how many people have died or been injured whilst rescuing or searching for people needing assistance whilst undertaking those activities?

The Hon. DUNCAN GAY: I wish I had the answers to that question with me because I suspect they would be illuminating to the House. It is an important question and I suspect I understand the motives behind it, and that is a further reason to get a proper answer as soon as possible. I look forward to reading the answer onto the record in the House.

BYLONG VALLEY COAL EXPLORATION

The Hon. JEREMY BUCKINGHAM: My question is directed to the Minister for Roads and Ports, representing the Minister for Resources and Energy. The Minister may be aware that the Korea Electric Power Corporation [KEPCO] is seeking access to private land in the Bylong Valley for coal exploration and that the landholders are incurring considerable legal costs in the arbitration process. What will the Government do to protect landholders from excessive legal costs during arbitration?

The Hon. Dr Peter Phelps: Which valley was it, Jeremy?

The Hon. JEREMY BUCKINGHAM: Bylong—very rich.

The Hon. DUNCAN GAY: I thank the Hon. Jeremy Buckingham for his question. I take up his last comment: it is indeed a very rich valley; it is a beautiful valley. As the member would know, I know many of the landholders and worked with them when I was the shadow Minister. I have friendships and a lot of respect for them. Given that the question is directed to my colleague the Minister for Resources and Energy, I will refer the question to him and obtain an answer.

CLIMATE CHANGE

Dr JOHN KAYE: My question without notice is directed to the Minister representing the Minister for Resources and Energy. Given that the Climate Change Commissioner's report has found that this decade must set the foundations to reduce emissions rapidly to nearly zero by 2050 and that the earlier such action is underway the less disruptive and costly it will be, will the Minister outline the steps being taken by the Government to reduce emissions so we reduce costs and so it is less disruptive and less costly in the long term?

The Hon. DUNCAN GAY: I thank the honourable member for his question. He asked me for detail. While I do not have the detail, I am sure the Minister for Resources and Energy does. I will refer the question to the Minister for what will be a very good answer.

MINING INDUSTRY ECONOMIC BENEFITS

On 2 May 2013 the Hon. Robert Borsak asked the Minister for Roads and Ports, representing the Minister for Resources and Energy, a question without notice regarding mining industry economic benefits. The Minister for Resources and Energy provided the following response:

The New South Wales Minerals Council has rightly dismissed the report, noting that it contains "nothing new and is just a rehash of the same discredited anti-mining claims we have seen before, dressed up as a new report in an attempt to fool the media and the public".

If The Greens had their way—and, as we have recently learnt, the New South Wales Labor Party—and the New South Wales mining industry was closed down, the jobs and incomes of over 125,000 people would be in jeopardy. The New South Wales mining industry employs around 35,000 people directly and more than 90,000 people indirectly through the provision of both mine and non mine-related services. The majority of these jobs are in regional areas.

The honourable member may be interested to know that a recent Newspoll published in the

Australian revealed that over 96 per cent of Australians believe a strong mining industry is important to the Australian economy. Clearly the NCC does not represent mainstream views.

COAL SEAM GAS INDUSTRY

On 2 May 2013 the Hon. Jeremy Buckingham asked the Minister for Resources and Energy a question without notice regarding the coal seam gas industry. The Minister for Resources and Energy provided the following response:

The New South Wales Government has banned the use of evaporation ponds.

The Santos Narrabri project proposal for produced water gathering, storage and reverse osmosis treatment at the Leewood facility is consistent with New South Wales Government policy and the two approved water storage ponds are subject to appropriate operational conditions.

Legislative Assembly Wednesday 19 June 2013 **HUNTING IN NATIONAL PARKS**

Ms LINDA BURNEY: I direct my question to the Minister for the Environment. Will the Minister confirm that she has not been provided with a copy of the Dunn review of the Game Council New South Wales despite the fact that she is in charge of the rollout of hunting in national parks?

The SPEAKER: Order! Government members will come to order.

Ms ROBYN PARKER: I have not received a copy of the Dunn report.

PETITIONS

The Clerk announced that the following petitions signed by fewer than 500 persons were lodged for presentation:

Container Deposit Levy

Petition requesting the Government introduce a container deposit levy to reduce litter and increase recycling rates of drink containers, received from **Mr Alex Greenwich**.

Legislative Council Wednesday 19 June 2013 **GAME COUNCIL REVIEW**

Mr DAVID SHOEBRIDGE: My question is directed to the Minister for Roads and Ports, representing both the Minister for Primary Industries and the Minister for the Environment. Now that the Dunn report on the Game Council has been received by the Minister for Primary Industries when will it be provided to the Minister for the Environment and the public?

The Hon. DUNCAN GAY: I thank Mr David Shoebridge for his question. I inform the House that on 28 February the Government commissioned Steve Dunn, who as many members know is the former chief executive of NSW Maritime and in a previous life the Director General of Fisheries, to undertake a review of the governance of the Game Council. The report was to make recommendations on any aspect of the Game Council's governance, management, administration, organisation and operation that will enhance its service delivery and capacity to fulfil its statutory obligations. On Friday 14 June Mr Dunn provided the Government with a copy of his report. The Government currently is considering its response. Mr Dunn's report will be publicly released at the same time as the Government's response.

Mr DAVID SHOEBRIDGE: I ask a supplementary question. Will the Minister elucidate his answer by advising whether the Minister for the Environment has received a copy of the Dunn report?

The Hon. DUNCAN GAY: No, I cannot. I do not have that information but I will make it my job to find out and report back to the House.

Legislative Assembly Thursday 20 June 2013
GAME AND FERAL ANIMAL CONTROL AMENDMENT (PINK-EARED DUCKS)
BILL 2013

Second Reading

Debate resumed from 21 March 2013.

Mr JOHN SIDOTI (Drummoyne) [10.13 a.m.]: I thank the member for Sydney for introducing the Game and Feral Animal Control Amendment (Pink-eared ducks) Bill 2013 and indicate at the outset that the Government opposes the bill. The object of the bill is to remove the pink-eared duck from the list of approved native game birds. The few valid points made by the member for Sydney in his second reading are not entirely correct; in fact, in some instances they are misleading. I am considered by many to be a conservationist. I have a great respect for nature and animals. I can inform the House that the pink-eared duck has a large spatulate bill and is a relative of a now extinct duck that was found in New Zealand. It is quite striking to look at. It has a brown-black crown and black and white barred sides.

The SPEAKER: Order! The member for Baulkham Hills will come to order.

Mr JOHN SIDOTI: The pink-eared duck is also known as the zebra duck because of its distinct feathering. It is very mobile and highly adaptive to various conditions, particularly in areas of standing waters in dry inland regions where the annual rainfall rarely exceeds 15 inches. The contention by the member for Sydney that the pink-eared duck has no effect on grain farmers is a fallacy. It is dependent on plankton, crustaceans, molluscs and insects. It also consumes soft fruit, berries, leaves and shrubs, small aquatic insects, cereals and grains, flowers, nectars, fish, snakes and lizards. It is well-known that if this duck finds itself in an area that does not have the food it traditionally eats it will start consuming other things. It is this adaptability to varying conditions that presents a problem. Although the pink-eared duck is found widespread across Australia there were certain regions of Queensland where it was rarely seen. However, in recent times there have been many sightings of the pink-eared duck in

Queensland.

The pink-eared duck is an inquisitive animal that tends to congregate in water ponds and shrubs. The concaves it makes to nest in also become home to other birds. For example, it is similar to the Indian myna birds that are often at loggerheads with doves that are nesting in pine trees. I acknowledge that the member for Sydney is keen to protect this species of duck but it becomes an issue when it affects the livelihood of farmers. One only has to do a little research into the habits of this species of duck to understand its adaptability to varying environments and food sources. As I said earlier, the Government opposes the removal of the pink-eared duck from the list of approved native game birds.

Dr Andrew McDonald: I have ducks near my house.

Mr JOHN SIDOTI: I welcome the interjection of the member for Macquarie Fields.

Dr Andrew McDonald: I like ducks.

Mr JOHN SIDOTI: I am sure you do.

Dr Andrew McDonald: They don't do me any damage.

The SPEAKER: Order! The member for Macquarie Fields may contribute to this debate very shortly. It is fine for the member to have an opinion, and we look forward to hearing it, but the member for Drummoyne has the call.

Mr JOHN SIDOTI: It is like water off a duck's back. A number of native game birds were included in the schedule, so that if agricultural product is at risk from these birds they can be managed in accordance with the quota arrangements. That is an important point. I note that the member for Balmain is also concerned about this matter, and I welcome my neighbour into the gallery. The zebra duck can in fact cause damage to crops, and that is the whole issue I have with this bill. Those opposite will argue otherwise, but that is a fact. Talk to some farmers and you will quickly find out that the zebra duck can cause damage to crops as a result of their foraging activities and the muddying of rice bays, disturbing the establishment of the crop. As I said earlier, that creates opportunities for other bird species to harvest the crop and it attracts other ducks to the crop as well. So not only does the zebra duck cause damage; its activity invites other species into the area. The duck's conservation status is of least concern to the International Union for Conservation of Nature, so any culling under a native game bird management licence is unlikely to impact on this duck's sustainability and its numbers.

The Act now includes provision for a Native Game Bird Management Committee, shared by the Department of Primary Industries, with the Office of Environment and Heritage and Game Council as members, to set quotas based on the best available science. The Game Council of New South Wales will be responsible for administering the system. I have nothing further to say on the bill other than that the Government will oppose it. While I understand the arguments in favour of the bill put forward by those opposite, I do not think they have taken the time and put in the effort to look at both sides of the argument on this bill. I think their position has been purely on the basis that—

Mr Mark Coure: They are centred on Sydney.

Mr JOHN SIDOTI: Exactly. The Nationals in this place are very close to the land, and they understand the problems associated with this particular species. Anything that is not controlled can over time get out of hand. That is the problem with the sheer numbers of this species. If they were confined to one particular region, that would be one story. But the adaptability of the species will create problems right across the board. On that note, the Government will oppose the bill.

Dr ANDREW McDONALD (Macquarie Fields) [10.22 a.m.]: I note that the last speaker read a speech. He clearly did not believe what he said on a topic in which he has no expertise. I would like to know how those opposite would vote if given a conscience vote. If they were allowed a conscience vote, this bill would pass.

Mr Rob Stokes: On every bill there is a conscience vote.

Dr ANDREW McDONALD: I note that the member says that on every bill there is a conscience vote. I no longer believe in Father Christmas. The pink-eared duck is a harmless native species that does not eat grain; not one expert in the field believes it does. This is all about a deal with the Shooters and Fishers to sell the ports. That deal has been done against the wishes of the people of New South Wales so that the Shooters and Fishers will allow the sale of the ports. That is what this bill seeks to address. The pink-eared duck has been included in the list of species that may be shot simply because of a stuff up, not a conspiracy. This duck should be removed from the list of species permitted to be shot. I would like to know how many members opposite will even bother to speak in debate on the bill. There are 70 of them, and I want them to say when they last went duck shooting. None of them have. It is not a sport that people with any compassion for animals would actually follow.

These ducks do not do any damage to our community. I regularly spend a lot of time with ducks because there are a lot of ducks near my house; so I see more ducks than most members in this Parliament. This bill gives all members on the Government side who would like to support a bill to permit the shooting of the pink-eared duck an opportunity to say how often they have been duck shooting. Will they say that they support the continued shooting of a native species that does not do any conservation damage? They should listen to the experts, who say this duck should not have been included on the list of ducks that may be shot. It is as simple as that. They can say whether they have any expertise, or they can just read further speeches prepared by someone else, on a topic that they know very little about, and on a sport that they will never actually take part in. I think none of the members opposite have gone duck shooting or would want to go duck shooting. Only a very small proportion of the community want to go duck shooting. Their position is all about the sale of the ports. It has nothing to do with conservation and the pink-eared duck. The Opposition will support the bill.

Mr KEVIN ANDERSON (Tamworth) [10.25 a.m.]: I support the Government in opposing the bill introduced by the member for Sydney to remove the pink-eared duck, also called the zebra duck, from the schedule to the Game and Feral Animal Control Act, based on the claim that this duck does not cause damage to rice crops because the species is carnivorous. With all due respect, I wonder when the member for Sydney was last in a rice crop. When did the member for Sydney last put a foot outside the Sydney metropolitan region? When was the last time the member for Sydney stepped into regional New South Wales? When did the member for Sydney travel the Newell Highway? When did the member travel down to the

Riverina or up to the north-west of New South Wales? I wonder whether the member for Sydney has ever seen the damage wreaked by birds on crops. I wonder whether the member for Sydney realises that bird damage causes the agricultural and horticultural industries in New South Wales \$300 million a year. It is all well and good to remain in the confines of a safe Sydney, with its bright lights and great restaurants, but I encourage the member for Sydney to travel around New South Wales and get a bit of a feel for native game birds.

Dr Andrew McDonald: When was the last time you went duck shooting?

Mr KEVIN ANDERSON: I acknowledge the interjection of the member for Macquarie Fields. I last went shooting two weeks ago.

Dr Andrew McDonald: Duck shooting?

The SPEAKER: Order! Members will not conduct debates across the Chamber. The member for Tamworth has the call, and he will direct his comments through the Chair. The member for Macquarie Fields has had his opportunity to participate in the debate. The member for Baulkham Hills will have an opportunity to speak to the bill if he wishes.

Mr KEVIN ANDERSON: I had the pleasure of going shooting about two weeks ago, as a guest of the Bogabri Gunnedah Gun Club. About 30 or 40 people attended this recreational sporting event. We had an absolutely fantastic day shooting and down-the-line skeet shooting. I spoke to these sporting shooters about their industry and their favourite pastime. All told me that a lot of the problems we face these days relate to feral animals and of the need to control feral animals. We need to control—

Mr Jamie Parker: This is a native animal; it is not a feral animal.

Mr KEVIN ANDERSON: I acknowledge the interjection of the member for Balmain who said it is not about feral animals. We are debating the Game and Feral Animal Control Amendment (Pink-eared Ducks) Bill 2013. If The Greens and the Independents want to line up, that is fine.

Mr John Sidoti: There are no ducks in Balmain.

Mr KEVIN ANDERSON: I acknowledge the interjection from the member for Drummoyne, but there may be—perhaps a couple of sitting ducks. Bird damage is a significant problem. More than 60 bird species are known to damage horticultural crops, and the damage bill amounts to \$300 million annually. Some of those birds are cockatoos, starlings, raptors who prey, galahs, scarecrows, currawongs, blackbirds—the list goes on.

Dr Andrew McDonald: Not ducks, though.

Mr KEVIN ANDERSON: I would like to correct the member for Macquarie Fields. The zebra duck, otherwise known as the pink-eared duck, can also cause damage to crops as a result of its foraging activity by muddying rice bays and paddies, disturbing the establishment of the crop, creating opportunities for other bird species to harvest the crop and attracting other ducks to the crop. It is not just one duck; it is not just one mouse. A plague of mice causes destruction and complete devastation of crops. It is the same with any feral animal, such as feral pigs. A herd of pigs can damage crops to the extent that they wipe thousands

and thousands of dollars off the bottom line of an agricultural enterprise.

It is the same with ducks. When massive flocks of ducks forage, muddying rice bays and paddies, it impacts on the farmer's bottom line. The duck was assigned conservation status of least concern by the International Union for Conservation of Nature, so any culling under the authority of a native game bird management licence is unlikely to impact on its sustainability. It will not have any effect whatsoever. The Act established the Native Game Bird Management Committee, which is chaired by the Department of Primary Industries and comprises Office of Environment and Heritage and Game Council members, to set quotas based on the best available science. The Game Council New South Wales will be responsible for administering that system.

We must continue the game and feral animal control debate across New South Wales because feral animals are damaging our agricultural industry. We have had some pretty good seasons in regional New South Wales and wild dog numbers are increasing. The dogs are bigger and stronger, and they are devastating sheep flocks on the fringes of forests and national parks. They are a major problem. Pigs are starting to emerge on the Liverpool Plains around Tambar Springs and Mullaley. They are coming down from the ridges and onto the plains, devastating crops and then disappearing again. It is the same with birds. We must control the birds that can damage crops extensively.

We must stay on top of game and feral animal management. We can do that by making sure we do not let nonsensical bills such as this waste the Parliament's time. I have not yet heard why the member for Sydney is so passionate about the pink-eared duck and why he wants this particular bird removed from the list. I am waiting with anticipation to hear the member explain why he has such passion for the pink-eared duck. I invite the member for Sydney to come to the Tamworth electorate. I will be happy to take him for a drive out west to visit some grain and other crop farms that have been devastated by feral animals—whether they be birds, pigs, dogs or whatever. The offer is there. I am happy for the member to visit Tamworth any time he wishes; I am sure he would love a trip to the country. I am sure that members who represent electorates in the south-west of the State, around the Riverina where there are some rice paddies and other crops, would also welcome a visit from the member for Sydney—as they would from any member of Parliament.

We must take a balanced view and consider the impact of our decisions. When someone has an idea we must consider the ramifications. What are the ramifications of the Game and Feral Animal Control Amendment (Pink-eared Ducks) Bill 2013 introduced by the member for Sydney? Crop damage by game and feral animals is a significant problem and the pink-eared duck is part of that problem. Rice crops are particularly susceptible to damage by native water fowl. Different species impact on crops at various stages of their development. The black duck eats the grain upon sowing and the wood duck eats the shoots as the rice germinates. While some may think it is frivolous to talk about pink-eared ducks, this is a serious matter. It is about protecting our agricultural industry. Every day of the year farmers struggle to make ends meet. As legislators, we must pass laws that allow farmers to get on with their business. That is why the Government is standing up for farmers—as we do in most cases—and strongly opposing the Game and Feral Animal Control Amendment (Pink-eared Ducks) Bill 2013. We should protect our agricultural and horticultural industries in regional New South Wales by preventing game and feral animals from devastating them.

Mr JAMIE PARKER (Balmain) [10.36 a.m.]: I appreciate the opportunity to contribute to

debate on the private member's bill introduced by the member for Sydney. The Game and Feral Animal Control Amendment (Pink-eared Ducks) Bill 2013 is important not just because of the specific species to which it refers; there is a wider issue about how decisions are made in Parliament about the management of feral animals, in particular, and the arrangements that are put in place by the Government and other parties in this place. We are debating this issue today as a result of an arrangement, or deal, reached between the Government and the Shooters and Fishers Party. That is clear; it was announced publicly and the Premier has talked about it. There is no question that the Government needed to get its legislation through Parliament and so had to deliver something to the Shooters and Fishers Party. We understand that. As a member of The Greens, I know that governments negotiate. That is part of how arrangements are made.

The challenge in this case is that it was a poor decision. It is not in the interests of farming communities or the environment and it is definitely not in the interests of the duck species to which the bill refers. During the last week of Parliament in 2012 the Government passed the Game and Feral Animal Control Further Amendment Bill to allow the hunting of native birds, including ducks, on private land by persons with a native game bird management licence. I spoke strongly against the bill, highlighting that it had been brought before the House for purely political reasons—namely, the privatisation of Port Botany. Recreational shooting was banned in New South Wales in 1994 for animal cruelty reasons, particularly in the case of ducks. However, landholders could obtain licences from the Office of Environment and Heritage to permit the shooting of native birds on private property if those birds were a pest and causing damage. While recreational shooters could be hired to do the shooting, it was prohibited to hunt using a licence that had recreation and sport as its primary purpose.

Government members have talked about the impact of feral animals, and I emphasise and highlight the importance of those contributions. Feral animals have an horrific impact on the environment and on farming communities and thus a significant impact on the economy. But feral pests should be dealt with through integrated professional programs, not by allowing a few shooters into our national parks or State forests on the weekend and letting them shoot away. It is about professional shooting; it is about detailed, integrated eradication programs. That is why we have been debating this issue for some time. The legislation that passed last year allows duck hunting purely for fun, for recreational purposes, on private property and it puts, of all people, the Game Council—that discredited organisation—in charge of licences. The bill before the House today gives us an opportunity to make that legislation slightly less awful by removing the pink-eared duck from the list of approved native game birds. I emphasise that there is no sustainable agriculture argument that supports shooting this duck. One can make an argument about sustainable agriculture in relation to those ducks that feed on grains. That argument would be plausible—

Mr Daryl Maguire: How do you divide them up when they're all in one pack?

Mr JAMIE PARKER: The divide is that one species is carnivorous. Also, this duck is quite helpful. Chironomid larva has a major impact on rice crops and farmers use pesticides to control it. The pink-eared duck feeds on these larvae. We know that this duck is important because it does not impact negatively by feeding on the grain. It is not a grain-eating species and it does not cause the type of damage to grain stocks that others have highlighted. As we know, grain-eating birds cause damage to grain stocks, but this species is not in that category. If the Government is serious in its claim that it will only issue licences for the shooting of

ducks—

ACTING-SPEAKER (Mr Gareth Ward): Order! There is too much audible conversation in the Chamber. The member for Balmain will be heard in silence.

Mr JAMIE PARKER: —that harm agricultural crops it should remove the pink-eared duck from the list or at least make sure that the shooting of these ducks is not permitted during the rice-growing season. This is a very simple bill that the Government should support. The Government has claimed that its hunting legislation is for the purpose of controlling animals that harm crops. The Government should support this bill because that is a spurious argument in this case. If that argument is true it should amend the legislation to say that these ducks cannot be shot outside the rice-growing season. That would then prove this Government is serious about feral and pest animal control and is not just about delivering an arrangement to the Shooters and Fishers Party.

The Government argues that ducks can muddy the waters around rice crops and that can be a nuisance. Let us then ban the hunting of these ducks outside the rice-growing season. That is an obvious solution, but it is clear the Government will not do that because it wants to hold together the arrangement with the Shooters and Fishers Party. I understand the Government does not control the upper House in the New South Wales Parliament and that it will do deals in order to get its bills through, but the legislation the Government agreed to that allows recreational hunting of ducks—hunting for fun—should not be supported by the Government. It is not supported by the majority of people in New South Wales. The member for Sydney has responded to the obvious problem with the pink-eared duck being included in the list when it does not fit the criteria that apply to the other ducks. Those ducks obviously feed on grains and as a result damage rice crops. If the Government is serious, let it say that it will welcome a bill that excludes pink-eared ducks from being hunted for recreational purposes outside the rice-growing season.

Mr Kevin Anderson: Who is going to police that?

Mr JAMIE PARKER: The Game Council. Apparently it is an amazing organisation. Let us just knock them out; that is the best way to do it. I appreciate the fact that members are approaching the bill with goodwill but the focus needs to be on feral animals that are causing a problem and minimising any impact on those animals that are not causing significant problems in the farming community. On that basis the Government needs to get serious about feral pest control, not by allowing recreational hunters into national parks or allowing the shooting of these ducks but by managing our environment and farming communities. That means investment in integrated pest management control programs, which this Government is reluctant to do and which the former Government was hopeless at. It is important that members of Parliament focus on the fact that the pink-eared duck does not have the impact that other ducks have. It does not fit the criteria and therefore should be excluded.

I support the proposal by the member for Sydney. We often hear members from rural and regional New South Wales say, "If you haven't driven down the highway you have nothing to say about it." The philosophy and the facts stand alone. It does not matter whether one is on a highway in Broken Hill or on Macquarie Street outside Parliament House. We are here to represent the views of our community and I can tell members that my community is not in favour of the Government's legislation and therefore we are supporting the bill introduced by the member for Sydney. I commend the bill to the House.

Mr DARYL MAGUIRE (Wagga Wagga) [10.43 a.m.]: I respect the views of members and those of the member for Sydney in putting forward the Game and Feral Animal Control Amendment (Pink-eared Ducks) Bill 2013. The former member for Sydney quite often brought bills to this House that were unacceptable for the reason that little on-the-ground research had been done. They merely reflected the views of the member's electorate. That is the job of the member for Sydney; I understand that. The fact is that on this side of the House there are far more members of Parliament who represent a great land mass area that is agriculture based. I ask the member for Sydney to tell us when he replies what rice farm he went to in his electorate in the Sydney area to do some research and where he visited in regional New South Wales in the past 12 months to talk to farmers to find out about the impact of ducks and feral animals, particularly ducks.

I understand where the member for Balmain is coming from in some of the suggestions he made, but the fact is we are sick to death of bills being brought to this Parliament that exclude industries from red gum forests, for instance, and close down perfectly good industries that have been managed sustainably for 100 years or so, and that allow the inner-city Greens and the member for Sydney to debate the issues and close things down. Voila! Hundreds of people are thrown out of a job, industries close and rural towns are decimated. Members have only to look at the situation down Balranald way and at Dubbo and the Pilliga forest. That is the detrimental effect of well-intentioned people who live in the Sydney central business district but do not derive an income from rural-based economies.

The member for Balmain said he wanted to remove the pink-eared duck from the list. I ask him: How are you going to determine which are the pink-eared ducks that are destroying your crop and which are the other varieties of duck? The fact is ducks congregate. I live on the land near a river. There are enormous flocks of birds—galahs and parrots—and we encourage many of them. But some flocks have reached such proportions that they are destroying the city. The cockatoos are chewing the buildings to pieces and eating through electrical wiring, causing enormous damage. We cannot touch them because they are protected. When you plant or harvest a crop the cockatoos come in in their millions and from my back door to the river there is not a tree that is not covered by cockatoos. Then they land on olive trees and what do they do to the olive farms? They chew every olive off the tree and farmers are left with a pile of olives on the ground that would have been valuable. It is not just one tree; it is hundreds of trees.

Mr Dominic Perrottet: Everywhere.

Mr DARYL MAGUIRE: It is everywhere. That is what happens. Ducks descend en masse; they hunt in flocks. They will make their home in a dam in the corner of a paddock on a dry-area farm—they love it because the foxes cannot get them. They live on the dam and every day they go on an excursion. They toddle off—Mr Duck and Mrs Duck and all the little ducks—into the crop. They chew their way through the crop that you have spent money on to plant and hopefully harvest. It is not just one mother duck and one father duck and 10 or 12 ducklings; there are thousands of them. With rice crops, ducks dig down into the mud and disturb the rice. That creates the opportunity for other scavenging birds to descend and feed. You will see a rice crop absolutely black with ducks. When that is finished they move on. It is not just one rice paddock. Members can drive towards Deniliquin and the Murrumbidgee when there is water around and they will find ducks as far as the eye can see. They will lift off in a great flock and go to the next spot. That is what happens.

How can members opposite tell me that a farmer should not take action to try to reduce in some way the numbers of a bird that has been protected since 1995? Farmers are conservationists. Members should look at the work they have done to protect the landscape, in partnership with Landcare and catchment management authorities; they will see that farmers are conservationists. We are fencing the landscape and protecting the waterways, and this occurs daily. Just last week I went to the local Landcare organisation presentations, which I am passionate about. I do not want to see animals killed everywhere. But when we decided that we would not remove timber from the roadsides and would plant there we created a killing field for birds. Modern motor cars kill them. Such is the speed and quietness of a car that beautiful birds are being slaughtered on the roads. Our good intentions sometimes may not work as we might have liked.

I said to the member for Sydney in my opening remarks that we are sick and tired of people telling us what is good for us without fully understanding the impacts that a bill like this can have, whether it be on red gum forests or harvesting timber in the Pilliga forest or elsewhere. There is a real impact on families. It impacts their ability to earn an income and pay their bills. We members are lucky; we have an employment contract that has to be renewed every four years. Our pay is in the bank and we can go about representing the views of our communities.

Farmers and landholders do not have that luxury. They have to make a profit and the only way to do that on a farm is to plant a crop and reap the harvest. The market price of wheat or rice fluctuates, which is always a risk. If using appropriate sprays to protect crops reduces the risk, then the income will be maximised. In Griffith farmers planted a brilliant rice crop. We have finally had good rainy seasons and irrigators have water and are employing people. The rice mill has been reopened and is now processing rice. That is good news. Australia produces and markets the best rice in the world. For example, SunRice exports its rice and local farmers and people who rely on jobs in the community are making money.

Coleambally is a good example. The town was established in the late 1950s on the back of the rice industry. The town suffered enormously—it almost became a ghost town—when farmers lost their water allocations through buyback programs and other initiatives that resulted from decisions made by people who did not rely on water for their income. Coleambally is again actively processing rice. Farmers have jobs. They are employing people, receiving incomes, buying cars, and tractors and other machinery that were locked up and covered in dust and cobwebs are being repaired.

I respect the member for Sydney, but I say to him in closing that, although the bill is well intentioned, I cannot support it for the reasons I have mentioned. I am more than happy for the member for Sydney and the member for Balmain to consider the real impact that birds and feral animals have on the rural landscape and incomes. Flocks of ibis are causing enormous problems in parks and gardens in the electorate of Sydney. Although there are programs to control them, those flocks do not just stay in Sydney. They migrate to harvest in our paddocks. They are often seen near the river, on rice farms and in other places in my electorate. Birds migrate, so we must deal with the consequences. The reluctance to reduce their numbers means that the impact on our community is greater. Therefore, I cannot support this bill. The member for Sydney has good intentions in representing his community, but our community will suffer a greater impact. Therefore, I oppose the bill.

Mr ALEX GREENWICH (Sydney) [10.53 a.m.], in reply: I thank the member for Balmain, the member for Macquarie Fields, the member for Drummoyne, the member for Wagga Wagga and the member for Tamworth for their contributions to the debate. The member for Drummoyne made the astute comment that ducks are a mobile animal. I appreciate that contribution. In this debate we have heard a lot about different types of birds, mice and recently ibis. The discussion has focused on animals that cause damage to crops, but the pink-eared duck is not one of them because it eats pests. Because of the way the bill is structured, it cannot impact on crops. The Game and Feral Animal Control Amendment (Pink-eared Ducks) Bill 2013 gives the Government the opportunity to demonstrate whether its plan to let recreational hunters shoot ducks on farms is about pest management or about letting hunters expand their blood sport.

ACTING-SPEAKER (Mr Gareth Ward): Order! Government members will come to order. I call the member for Dubbo to order.

Mr ALEX GREENWICH: Unfortunately, it appears to be the latter. We know the public is opposed to recreational hunters being given more opportunities to shoot animals. Polls, surveys, petitions and protests constantly prove this. It was demonstrated in the recent city by-election when it was revealed there was a 6 per cent swing against the Government. A key comment repeated to me was outrage at the expansion of hunting in national parks. I do not support duck hunting. It was banned almost 20 years ago.

ACTING-SPEAKER (Mr Gareth Ward): Order! I have already placed the member for Dubbo on a call to order. The member for Sydney will be heard in silence.

Mr ALEX GREENWICH: I do not support duck hunting. It was banned almost 20 years ago because it is cruel. It is difficult to ensure that a clean shot will kill a duck instantly. Many are wounded and suffer a slow, painful death. Following a deal with the Shooters and Fishers Party last year, the Government supported the introduction of native game bird management licences, which allow the shooting of native fowl on private property. The purpose of the legislation was to permit duck hunting only for the purpose of sustainable agricultural management. Those claims have been totally discredited by the Government's opposition to this bill. The pink-eared duck does not eat crops; it eats animal-based foods, including known grain-eating rice pests such as chironomid larvae and ostracods. In fact, it helps rice farmers. The argument that pink-eared ducks should be shot because they muddy the waters with seeds and attract other ducks is a shameful response. Surely the fact that they eat the bugs that harm the crops is reason enough to delist them.

The member for Balmain made a good point: The bill that was introduced last year allows ducks to be hunted all year round, not just during rice season. I met with the Minister's staff and asked them to provide me with the research to back up the Government's opposition to the bill. I was told they did not have any but that I would be sent industry research. This did not happen and I am not sure whether such research exists. I am also concerned about the precedent that a native bird that is a valuable pest destroyer can be shot because of its association with a species that eats crops. The death-by-association logic is completely flawed. What other native animals will be targeted next? Will this process be followed again to achieve the support of the Shooters and Fishers Party to privatise yet another port? There are now 14 native species listed as "game" under the Game and Feral Animal Control Act 2002. It is in the best interests of the Shooters and Fishers Party to increase this number. The Shooters and Fishers Party no doubt has a long list of other native species that it thinks its

members should be able to shoot.

While the pink-eared duck is not a vulnerable species, shooting them is no less cruel. I am disappointed that the Government's opposition to this bill means that it will not be passed and the pink-eared duck will be killed under the native game bird management licences, despite its contribution to crop pest management. It is clear that the Government's legislative agenda is being held hostage by the Shooters and Fishers Party and its radical anti-animal welfare agenda. The pink-eared duck does not eat grains because it is carnivorous. It should not be killed in the name of sustainable agricultural management. I commend the bill to the House.

Question—That this bill be now read a second time—put.

The House divided.

Ayes, 23

| | | |
|--------------|-------------|-----------------|
| Mr Barr | Ms Hornery | Mr Rees |
| Ms Burney | Mr Lynch | Mr Robertson |
| Ms Burton | Dr McDonald | Ms Tebbutt |
| Mr Daley | Ms Mihailuk | Ms Watson |
| Mr Furolo | Mr Park | Mr Zangari |
| Mr Greenwich | Mr Parker | <i>Tellers,</i> |
| Ms Hay | Mrs Perry | Mr Amery |
| Mr Hoenig | Mr Piper | Mr Lalich |

Noes, 61

| | | |
|----------------|-----------------|-------------------|
| Mr Anderson | Mr Evans | Mr Patterson |
| Mr Annesley | Mr Flowers | Mr Perrottet |
| Mr Aplin | Mr Fraser | Mr Provest |
| Mr Ayres | Mr Gee | Mr Roberts |
| Mr Baird | Mr George | Mr Rowell |
| Mr Barilaro | Ms Gibbons | Mrs Sage |
| Mr Bassett | Ms Goward | Mr Sidoti |
| Mr Baumann | Mr Grant | Mrs Skinner |
| Ms Berejiklian | Mr Gulaptis | Mr Smith |
| Mr Bromhead | Mr Hartcher | Mr Souris |
| Mr Brookes | Ms Hodgkinson | Mr Speakman |
| Mr Casuscelli | Mr Holstein | Mr Stokes |
| Mr Conolly | Mr Humphries | Mr Stoner |
| Mr Constance | Mr Issa | Mr Toole |
| Mr Cornwell | Mr Kean | Mr Webber |
| Mr Coure | Dr Lee | Mr R. C. Williams |
| Mrs Davies | Mr Marshall | Mrs Williams |
| Mr Dominello | Mr Notley-Smith | |
| Mr Doyle | Mr O'Dea | <i>Tellers,</i> |
| Mr Edwards | Mr O'Farrell | Mr Maguire |
| Mr Elliott | Mr Page | Mr J.D. Williams |

Question resolved in the negative.

Motion negatived.

Bill not read a second time.

MURRAY-DARLING BASIN INTERGOVERNMENTAL AGREEMENT

Mr JOHN WILLIAMS: My question is directed to the Minister for Primary Industries, and Minister for Small Business. What is the status of negotiations on the Murray-Darling Basin intergovernmental agreement?

Ms KATRINA HODGKINSON: I thank the member for Murray-Darling for his question and commend him for his continued interest in this important matter. Disappointingly, progress on resolving the outstanding matters of concern between the Commonwealth and New South Wales is proceeding at a glacial speed. The New South Wales Liberal-Nationals believe strongly in the potential of regional New South Wales. We recognise the significant and vital contribution of irrigated agriculture not only to the economies of rural communities but also to the State and national economies. Our water management policies are focused on achieving true triple bottom line approaches. Instead of looking just at the environmental outcomes behind water policy, we are looking at the impact on the regional community and the economic impact on the State as a result of those policies. That is the cornerstone of what we believe in, and it is what is required from the intergovernmental agreement before we sign it.

The whole process has been a set-up to achieve a preconceived outcome from day one. It has already wasted hundreds of thousands, if not millions, of taxpayers' dollars, but New South Wales will maintain its focus to ensure good science and sensible measures are included in the Murray-Darling intergovernmental agreement. During this process we have been faced with fanciful aspirations in New South Wales. We are continually trying to bring the process back to earth to make the people in Canberra understand that what happens has a real and genuine impact on regional communities, particularly those in area that the member for Murray-Darling represents.

In our dealings with the Commonwealth, this Government has been consistent and firm. I have let the responsible Minister know, in no uncertain terms, what we require before we can sign the intergovernmental agreement. A few of these things include the issue that we have in relation to sustainable diversion limits on groundwater for the eastern porous rocks and the western porous rocks regions of New South Wales. The Chairman of the Murray-Darling Basin Authority did an enormous backflip on our earlier agreement. That is still an outstanding issue and one that is close to the heart of my colleague, the Minister for Minerals and Energy.

A key component is the commitment to recover water through infrastructure. The only way that communities will survive is if jobs are associated with this initiative. The Government does not support carte blanche water buybacks, which are referred to as "non-strategic buybacks". We support strategic buybacks, but non-strategic buybacks have had disastrous impacts on communities in the Murray-Darling area. The Commonwealth is offering the communities of New South Wales a slap in the face. New South Wales has 56 per cent of the basin area within its borders but it is being offered only \$28 million to adjust to reduced water allocations. South Australia has just 7 per cent of the Murray-Darling—one-eighth of the New South Wales component—but it is being offered \$24 million. That is fundamentally

unfair. This Government is working with the Commonwealth to implement sensible measures to recover the 2,750-gigalitire target that the Commonwealth set. Members opposite might not care about western New South Wales, but The Nationals and the Liberal Party do.

(...)

Ms KATRINA HODGKINSON: This is important because progress on this issue has been frustratingly slow.

(...)

Ms KATRINA HODGKINSON: We are very reluctant to sign up our communities to an intergovernmental agreement that is not realistic and that does not meet community expectations. If the Commonwealth commits to the high-priority infrastructure project at Nimmie-Caira, Menindee Lakes, some other identified environmental works and measures and the **sustainable diversion limit** offsets, then the water recovery targets set under the basin plan will be achievable within this State's preferred limit of 3 per cent per valley per decade, which I announced in a ministerial order on 15 January. Commitments to these projects are fundamental to the Government's further considering the intergovernmental agreement. It has consistently put forward sensible, cost-effective and widely supported water savings projects underpinned by good science and sound business cases. The staff of the New South Wales Office of Water are unbeatable in this area. [*Extension of time granted.*]

Those officers have an impeccable record in this area; they know their stuff extremely well and I stand by them. The New South Wales Government's position is clear: The intergovernmental agreement must move to a bottom-line approach. It is one year since the Government submitted its business case for Nimmie-Caira, but we still have not received the Commonwealth's due diligence assessment. We must be provided with strong evidence that the Murray-Darling Basin Authority's sustainable diversion limits will result in significant environmental improvements without devastating rural communities. That evidence has not yet been provided and it is highly unlikely that the Commonwealth will be able to meet the flow targets for the downstream reaches of the Murray River floodplain using regulated releases irrespective of the amount of water recovered.

Given what has happened to date, an observer could easily conclude that the Commonwealth has a clouded view when it comes to water management. It has very little appreciation of what value for money means and it has a low commitment to sustaining communities in regional New South Wales. I will continue to work closely with the Commonwealth Government as I have for more than two years. New South Wales is ready to resolve the issues that I have outlined and I encourage the Commonwealth to work quickly to meet our requirements.

PETITIONS

The Clerk announced that the following petitions signed by fewer than 500 persons were lodged for presentation:

Container Deposit Levy

Petition requesting the Government introduce a container deposit levy to reduce litter and increase recycling rates of drink containers, received from **Mr Alex Greenwich**.

LOCAL GOVERNMENT AMENDMENT (EARLY INTERVENTION) BILL 2013

Consideration in Detail

Consideration of the Legislative Council amendments.

Schedule of the amendments referred to in message of 19 June 2013

No. 1 Page 10, schedule 1 [41]. Insert after line 18:

438B Criteria to be considered by Minister

(1) The regulations may make provision for or with respect to the criteria to be considered by the Minister in issuing performance improvement orders (*performance improvement criteria*).

(2) A performance improvement order may be issued only after consideration of the performance improvement criteria.

No. 2 Page 13, schedule 1 [41], line 10. Omit "improve or".

No. 3 Page 13, schedule 1 [41]. Insert after line 13:

438I Criteria to be considered by Minister

(1) The regulations may make provision for or with respect to the criteria to be considered by the Minister in suspending councils under this Part (*suspension criteria*).

(2) A council may be suspended under this Part only after consideration of the suspension criteria.

No. 4 Page 15, schedule 1 [41], line 26. Omit "improve or".

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [3.30 p.m.]: I move:

That the House agree to the Legislative Council amendments.

The Government has taken a great bill and made it even better. I gave an undertaking when the bill was being debated in this House that I would look at the provisions in section 438. I have done that. As a result the amendments put forward by the Government in the other place, and unanimously agreed to, are designed to address concerns about potential abuse of the powers to issue performance improvement orders and suspension orders by future Ministers. The amendments to the bill provide that the regulations may prescribe criteria that the Minister is to consider prior to issuing performance improvement orders and suspension orders. The effect of the amendments is that the Minister will be able to issue orders only on the basis of the prescribed criteria.

The draft criteria proposed to be prescribed by the Local Government General Regulation

2005 was talked about in the other place and those draft criteria were tabled in the Legislative Council. We also removed the words "improve or" from clause 438H (1) to make it clear that the purpose of a performance improvement order is to restore the proper functioning of council. I will now place on record some of the comments made in the other place as to the extensive consultation that has taken place in relation to this bill. I appreciate also the kind words from the Opposition and the crossbenches in recognising the important reform processes that this Government is achieving and the consultation that has taken place. Mr David Shoebridge said:

The Minister and his staff engaged in widespread consultation with stakeholders after the initial bill was circulated. I give the Minister and his staff genuine due credit for introducing a bill on which, I accept, they consulted with Local Government NSW ... I accept that the Minister's consultation with Local Government NSW was genuine with the belief that that organisation had signed off on the amendments.

In a homely way the Hon. Paul Green said:

... to his credit [the Minister] put it in the oven and let it take its course and it has come out the perfect butter cake. I congratulate the Minister on this legislation which will enable councils to be accountable and to maintain the integrity of their functions in the valuable contribution they make to local communities.

The Hon. Sophie Cotsis even said:

I agree with most of the comments of the Hon. Paul Green.

It is relevant to note that the four government amendments we are now considering were unanimously supported in the Legislative Council. I commend the amendments to the House.

Mrs BARBARA PERRY (Auburn) [3.33 p.m.]: The Opposition notes that these amendments were agreed to in the upper House and we also agree to them. However, I understood that the Minister's undertaking was also to provide a definition of "dysfunction" as it appears in the legislation. It is of concern that that definition still does not exist.

Mr DONALD PAGE (Ballina—Minister for Local Government, and Minister for the North Coast) [3.33 p.m.]: I did indicate that I would do some research as to whether we could define "dysfunction" in the legislation. Currently sections 438A (4) and 438H (1) use the following expression:

... or restore the proper and effective functioning of the council.

That has now been amended. It may be argued that "dysfunction" has the opposite meaning to the "proper and effective functioning of the council". It has been the Government's position that the bill should not provide a definition of what constitutes the proper and effective functioning of council so that the Minister's discretion is not unnecessarily limited. There may well be circumstances when it would be appropriate to use these new powers but those circumstances are difficult to define and/or anticipate.

In line with the Government's position, the framework for implementing early intervention will contain the necessary criteria for the Minister to consider when making a decision. The bill specifically refers to the criteria, and the criteria the Minister must consider are specified in the regulations that have been tabled in the upper House. It is clear that the parameters of the criteria must be used by the Minister in determining whether a performance improvement order or a suspension of a council needs to be put in place. The Government has overcome the issue of how to define when the powers should be used.

Question—That the motion be agreed to—put and resolved in the affirmative.

Motion agreed to.

Legislative Council amendments agreed to.

Message sent to the Legislative Council advising it of the resolution.

COAL SEAM GAS EXPLORATION

Discussion on Petition Signed by 10,000 or More Persons

ACTING-SPEAKER (Mr John Barilaro): Order! I welcome guests in the public gallery, who I know are passionate about coal seam gas exploration. I ask them, as guests in this place, to show respect to other visitors, staff and members of Parliament. Commentary, applause or jeering from the public gallery will not be tolerated during the debate. I ask visitors to follow the rules.

Mr JAMIE PARKER (Balmain) [4.35 p.m.]: I support the petition of Northern Rivers residents opposing coal seam gas, gas from tight sands and unconventional gas. I acknowledge the campaign and supporters in the gallery, including those from Lock the Gate Alliance, which is the organiser of this petition, Carlos Beres Silva, Ian Gaard, Michelle Cullin, Isabel McIntosh, Jacinta Green and the many others who cannot be here but who helped to gather support for this very important petition. The almost 12,000 petitioners have united in their request that the Northern Rivers region of New South Wales, encompassing all river catchments from the Clarence River to the Tweed, be declared a coal seam gas, tight sands and unconventional gas mining free zone. They also request that the current licences and/or leases that allow any such activity be revoked, and that no such new licences or leases be granted. I welcome the Minister for Resources and Energy in the Chamber.

Coal seam gas has no social licence with local farmers, business people and residents across the political spectrum who are uniting to highlight the dangers of this industry to water, biodiversity and their lifestyle. This matter is way beyond party labels, with people from all political parties and independent people supporting this inspiring petition. It is fantastic to see such a strong consensus emerge in steadfast opposition to this damaging industry, which will leave a lasting legacy of pollution in our river catchments and in our air, above and below the ground. First, it is important to address the misconceptions. In their attempts to force coal seam gas mining on communities in New South Wales, both the industry and government are pushing the idea that New South Wales is facing a gas shortage. That is simply not true. For example, BHP Billiton President Mike Yeagar has acknowledged that the company has plenty of gas for sale to supply these close markets. He is quoted as saying:

"...the Bass Strait field still has a large amount of gas that's undeveloped," Mr Yeagar said. "We have a lot of gas in eastern Australia that's available. It's more important to let the citizens of Victoria and New South Wales, and to some degree, you know, even Queensland ... there's plenty of gas to supply those provinces for—you know, indefinitely."

There is no need for us to continue expanding this damaging industry—communities do not want it and the State does not need it. The coal seam gas industry's propaganda clearly is not working, with growing community opposition, including a poll yesterday that showed that 83 per cent of respondents are happy to pay more for gas to keep coal seam gas out of the Northern Rivers. Recently, 86 per cent of the people polled said that landowners should have the right to refuse access to their land for coal seam gas exploration. The truth is the gas is for export, which is why Metgasco also wants to build a pipeline north through the Lions Way and a section of World Heritage listed Border Ranges.

Another misconception is that this industry creates local jobs. It may bring a few jobs but the claim is untrue, especially when one considers the risk from this industry to other sectors in the community, particularly farming and tourism. The people of Northern Rivers have said "no". They also know that there are just a few shareholders of Metgasco, Dart or Red Sky Energy in the Northern Rivers. The vast majority of shareholders do not live in the local community—in fact, many do not even live in Australia. The people of the Northern Rivers are to be subjected to an industrialised gas field from which almost all the profits will be sent elsewhere. Evidence suggests that devastating and long-term damage created by this industry continues to grow, and residents are right to unite against it. The Government has already openly acknowledged the dangers of coal seam gas and has imposed a two-kilometre exclusion zone around residential areas. The Government has also protected horse studs and viticulture, but that protection is not available to farmers or to the people of the Northern Rivers. Yet it is available to many others in our community.

We know that coal seam gas threatens biodiversity, water resources, and agricultural and sustainable industries. We must safeguard our environment for the future instead of allowing powerful mining companies to exploit our resources and leave a negative legacy. I will mention the 10,000 plus voices behind this petition. They include organisations such as the Northern Rivers Guardians, Githeral Tribal Group Original People, Ngarokowol Original People—Uncle Henry Boyd, Kyogle Group Against Gas, Girls Against Gas, Knitting Nannas Against Gas, Keerrong Gas Squad, Stop CSG Fracking Lismore, Casino and Drake, Coast and Yaragir Alliance, Clarence Against Gas, Tweed Lock the Gate, Region Wide Gasfield Free Communities, Iluka Gasfield Free Communities, Northern Rivers Regional Alliance, Nimbin Environment Centre, Casino Environment Centre, Byron Gasfield Free Communities, Dunoon Gasfield Free Communities and Whian Whian Gasfield Free Communities.

This petition contains more than 10,000 petitions. This is the second petition presented on coal seam gas because communities are united against it. I hope the Government addresses the substance of this petition. What this Government does when it knows it is on the ropes—for example, the petroleum bill, which it cannot get it through the upper House, and the wheat bill, which does not provide protections—is focus on the politics, not the issues. I welcome debate around the science and the impacts on local communities. Whether one is a member of The Nationals, The Greens or the Labor Party, communities do not want coal seam gas in their area. This petition highlights that fact. The petition should focus the Government on the issues, not the politics, so it protects the environment and our communities.

Mr CHRISTOPHER GULAPTIS (Clarence) [4.40 p.m.]: Coal seam gas is a big issue in the Northern Rivers and in my electorate. I am neither for nor against coal seam gas. My position, and that of The Nationals, is that we have to regulate the industry to ensure that it

does not impact on our land or water. In New South Wales, 1.1 million rely on gas as a source of energy. We have a responsibility to ensure that those people can access gas at a fair price without compromising our environment. That is the approach the Government has taken. I am somewhat confused about the approach of The Greens and the former Labor Government on this matter. One minute they are for it and the next minute they are against it; one part of the party is for it and the other part of the party is against it. They have more positions on this issue than there are in the Kama Sutra. When Dr John Kaye came to the Northern Rivers area, leading the charge to stop TransGrid, he was reported in the local newspaper as saying:

The Metgasco find shows that TransGrid has failed to conduct a rigorous analysis of the need for the Lismore-Bonshaw high voltage powerline. The potential for local gas generation should be factored into any planning for the Far North Coast's energy strategy.

The report goes on to say:

TransGrid's planning dismissed any role for gas, renewable energy or demand management as a solution to the region's future electricity needs.

Mr Jamie Parker: Who said that?

Mr CHRISTOPHER GULAPTIS: Dr John Kaye said that. Later, when he was speaking in the House about electricity generation, he said:

Coal must be replaced by renewable and low-emission options, such as wind and solar energy as well as high-efficiency gas generation, and the distribution networks need to be redesigned to facilitate more efficient embedded generation options and incorporate smart load control systems.

He went on to say:

International best practice is in favour of high-efficiency gas-fired tri-generation systems that exploit the waste heat from the generation process to both heat and cool water.

That is just one extract from *Hansard*. Another *Hansard* extract shows that Dr John Kaye asked a question of the then Minister for Energy, the Hon. John Robertson. He said:

My question is directed to the Minister for Energy. Has the Minister received a letter from the Premier requesting that he "develop a comprehensive energy policy with a strong emphasis on clean energy"? Can the Minister confirm that either or both of the new baseload power generator proposals at Mount Piper and Bayswater B are now to be restricted to be gas-fired only and not coal?

Guess what the Hon. John Robertson said? I will cut to the chase, given the time constraints. He said:

What I will say is that gas is obviously a more competitive source of fuel for a prospective power station due to the Carbon Pollution Reduction Scheme—which is another reason why the Government supports it.

What is the position of those opposite?

(...)

Mr CHRISTOPHER GULAPTIS: Let us look at mining under the former State Labor Government. To get a clearer understanding of Labor's position on coal seam gas, one only has to look at the New South Wales Trade and Investment Resources and Energy website. More than 50 petroleum exploration licences were issued by the former State Labor Government. Sixteen of those licences were issued when the Federal member for Page,

Janelle Saffin, was a member of the New South Wales upper House. Three of the licences are within her electorate of Page, and she promotes this petition. She helped to create the problem and now she has jumped on the anti-coal seam gas bandwagon as part of her Federal election campaign. That is what this is all about.

At the same time as she is opposing coal seam gas in New South Wales, her Federal environment Minister, Tony Burke, approved a coal seam gas mine at Gloucester. This is at a time that Janelle Saffin is jumping up and down protesting. While she was opposing coal seam gas, the then Federal Minister for Resources and Energy, Martin Ferguson, released the Federal Government's energy white paper saying, "All jurisdictions must work to remove impediments to the timely development of domestic gas supply." While the Federal member for Page was opposing coal seam gas mining, her State Labor colleagues, colleagues she sat with in this Parliament, former mining Ministers Obeid and MacDonald, were starring daily in Underbelly 4 at the Independent Commission Against Corruption. There is a good chance there will be a sequel, Underbelly 5. That is how Labor and The Greens work. [*Time expired.*]

Mr RON HOENIG (Heffron) [4.45 p.m.]: On behalf of the Opposition I congratulate the residents of the Northern Rivers region on bringing this very important matter to the attention of the House. I know it is a matter of considerable effort to collect a petition of this size. It is the voice of the people that forces governments and oppositions to make proper, realistic assessments of decisions that have been made. The community's voice was heard by the O'Farrell Government when it made its decision recently in relation to coal seam gas and it was the voice of the people in March 2011 that caused the Labor Party to change its position. The Leader of the Opposition made it very clear when he said:

... we got coal seam gas wrong and it is time to set things right.

The Leader of the Opposition went on to say:

As leader, I am drawing a line in the sand and I do so again today. That is why I have personally directed Labor to change its position on coal seam gas exploration. Labor's new policy can be expressed very simply—it's farmers and local communities first, coal seam gas second. It's food and water first, coal seam gas second. Labor is listening and Labor is changing ...

That is the position the Labor Party has put on the record through its leader, and I support it. As a common lawyer I say in relation to mining and mining licences that there is something fundamentally wrong with a system that allows a licence to private organisations to walk onto private property. Police are not allowed to do so. Officers of the State cannot do so without warrant and, only about 20 years ago the High Court, in *Plenty v Dillon*, reasserted that age-old policy that a man's house is his castle. I know the argument that the minerals are owned by the people of New South Wales. However, we need to resolve that conflict.

One of the reasons the public have lost faith in relation to not only coal seam gas mining but so many issues in New South Wales is that they have lost faith in the planning system and the integrity of the planning system. The white paper is no solution, part 3A is no solution, and the Labor Party failed what was once a very good Act in 1979. Consequently, I say to members of the House that things are changing because of the work of the residents of the Northern Rivers.

Mr THOMAS GEORGE (Lismore—The Deputy-Speaker) [4.48 p.m.]: This is a very emotional subject. I recognise some of the people in the gallery who are from my electorate. I thank them for travelling all the way down to Sydney. Since coming to government we have

had the job of trying to bring this industry under control. For 16 years those on the other side of the House took the money for the licences and ran. They have now changed their story. The O'Farrell Government has been left with the job of cleaning up. For the information of those in the gallery who may not know, I am the member for Lismore. A lot of these contentious issues affect my electorate and that of the member for Clarence. I have never had one farmer or landowner who has exploratory wells on their property come through my door and say, "Get them off my property." I stand to be corrected, and perhaps the Minister can confirm this, but I doubt whether one person in New South Wales who has exploratory wells on their property wants them removed.

I have always maintained that we need to protect agricultural land, the environment and the community. It is all very well for the member for Bankstown to criticise but she has never come to the North Coast to take a look. The member for Balmain tabled this petition but he omitted one group that has consistently called my office: the Knitting Nannas Against Gas. The Government is fully aware of the coal seam gas issues we have in this State and its proposed policies have not been finalised. We are continuing to work on the issues. We have listened to the communities that have raised their concerns with the individual members around the State. These policies are being introduced to try to control the industry so that it can work in conjunction with the community and landowners. Indeed, the Government will continue to work on this issue, unlike those on the other side.

Mr CHRIS HARTCHER (Terrigal—Minister for Resources and Energy, Special Minister of State, and Minister for the Central Coast) [4.52 p.m.]: I seek leave to make a contribution to debate.

ACTING-SPEAKER (Mr John Barilaro): Order! The Minister is seeking leave. Is leave granted? Leave is granted.

Mr CHRIS HARTCHER: If one member objects leave is not granted. Let the record show that the member for Sydney objected.

ACTING-SPEAKER (Mr John Barilaro): Order! The people seated in the public gallery have travelled a long way to hear this debate today. I will ask the question once more: Is leave granted? Leave is granted.

Mr CHRIS HARTCHER (Terrigal—Minister for Resources and Energy, Special Minister of State, and Minister for the Central Coast) [4.52 p.m.], by leave: I have been the Minister for Resources and Energy for 2½ years. In that time I have received only one question on coal seam gas from the member for Balmain. I have received zero questions from the member for Heffron, who glories in the title of shadow Minister for Energy. When in government, the New South Wales Labor Party granted 44 exploration licences, covering 30 per cent of New South Wales. The Coalition Government has not granted a single exploration licence. In the nine months that John Robertson was Minister for Energy eight licences were granted or renewed. The Labor Party granted licences over metropolitan Sydney, urbanised areas, without a single environmental, water or land requirement. Which party gave its preferences to the New South Wales Labor Party to get elected in 2003? Which party gave its preferences to the New South Wales Labor Party to get elected in 1999? The Greens were responsible for putting Labor into power. How many questions about coal seam gas were asked by The Greens in the period from 2003 to 2011? The answer is none.

Mr Jamie Parker: We did not have a member in the lower House, so how could we ask a question?

Mr CHRIS HARTCHER: You had members in the upper House. The hypocrisy of those who sit opposite on this matter is extraordinary. For those opposite to now pretend to be looking after the farmers or other interested parties in New South Wales is a total joke. The O'Farrell Government imposed a moratorium that lasted 18 months and it has also undertaken a major review. In September 2012 we had a list of 27 requirements. Those requirements were regarded then as the most stringent in Australia. On 19 February 2013 the Government expanded and augmented those requirements with even more stringent ones. The O'Farrell Government has not granted a single licence. It has also imposed the strictest regime and as a result Planet Gas, Metgasgo and Dart Energy have withdrawn from New South Wales. In this State 1.1 million customers and 31,000 businesses are dependent upon gas. New South Wales produces only 5 per cent of its gas, so it is facing big challenges. The Government will respond to those challenges but it will also protect our farmland, water and environment.

Discussion concluded.

Legislative Council Thursday 20 June 2013 **LOCAL LAND SERVICES BILL 2013**

Second Reading

The Hon. DUNCAN GAY (Minister for Roads and Ports) [11.18 a.m.]: I move:

That this bill be now read a second time.

It is with a sense of pride that I introduce the Local Land Services Bill 2013. The reforms contained within this bill are the most significant in more than 60 years and they will reform the way our farmers and land managers access government agricultural advice, biosecurity and natural resource management services. The Local Land Services Bill 2013 will create a regionally based structure known as Local Land Services to deliver an integrated suite of services to farmers and landholders. These services will relate to agricultural production, biosecurity management, including animal and plant pests and diseases, natural resource management [NRM] and, importantly, emergency management. It will establish local boards for the purposes of devolving the operational management and planning functions to regional levels.

Local Land Services will provide improved coordination of activities and a single point of contact for its users within the regions. It will work closely with communities and make the best use of local knowledge and expertise to address regional priorities in the most effective and pragmatic way, and it will engage the community. Each Local Land Service will be required to develop local strategic plans that reflect local priorities and to report annually on the delivery of outcomes of their investment and activities. To provide assurances to ratepayers, farmers and the community that they are getting value for money, each Local Land Service will have its performance audited by an independent body. The Natural Resources Commission will be asked to be the independent performance auditor of Local Land Services for natural resource management activities in the first instance—as they do now for catchment action plans. Following consultation, I foreshadow that the Government will be moving some amendments. I commend the bill to the House and seek leave to have the balance of my second reading speech incorporated in *Hansard*.

(See balance of second reading speech [here](#))

The Hon. STEVE WHAN [11.21 a.m.]: The Local Land Services Bill 2013 is a combination of a process the Government has been going through over the past year. I differ from the Minister for Roads and Ports in several aspects of his initial comments on this bill. Reform and change is not always positive. The fact that the New South Wales system, particularly of extension officers working with farmers, was 60 years old—having been put in place in the 1940s—is not necessarily a bad thing. The system had been working well and it had been providing valuable independent—and "independent" is a critical word in describing this process—assistance and advice to farmers for a long time. The Government has decimated that system. I will return to that issue later.

This bill had its genesis in a single-page press release from the Minister for Primary Industries last year when she announced that Local Land Services would be formed, that catchment management authorities, livestock health and pest authorities would be abolished, and that extension functions would be rolled in from the Department of Primary Industries. As the Minister said, it was a historic reform. She said it was going to make services more efficient and that it was responding to concerns from farmers about the duplication of services. While I have never been a complete fan of livestock health and pest authorities and the model that we put in place after an independent review of them, I have never heard complaints from farmers about extension officers or the availability of extension officers, and I have heard a desire for that to change.

The Minister made a couple of statements to try to justify the major cuts to services that we see in this bill. She said that the Government had done a survey and that it revealed people thought there was a duplication of services and too many bureaucrats. When one looked into it one saw that that survey was a pretty dodgy piece of work; it was a very small sample of the people involved and the questions were leading, at best, or were designed to get people's superficial assessments. Anyone on the street who does not have an in-depth knowledge of the area would say that there should not be too many bureaucrats or that there is a duplication of services, whether or not that is factual. Farmers are no exception. If farmers are asked whether they think the extension officer from Cooma, the district agronomist or the sheep and livestock officer are needed they would say yes, they are very valuable. When they say they believe there are too many bureaucrats they do not include those people. Unfortunately, the Government did and with this bill we are seeing the biggest decimation of services to farmers in the history of New South Wales.

During the Committee stage the Opposition will move a number of amendments to the bill. I am interested to hear the Minister foreshadow Government amendments to the bill, which have not been provided to the Opposition for any discussion. Government amendments have certainly not been provided to my office. I provided my amendments to the Minister in the last couple of days when they were completed. It is rather disappointing that we have not had advance notice of Government amendments if it is serious about wanting this legislation to pass in a cooperative manner.

I have a fundamental concern about the model of this bill and for that reason the Opposition will be opposing it, but we will move amendments as we go through. I have just been handed the Government amendments, which I will be able to peruse after I finish speaking. This bill is lengthy. It effectively tops and tails a combination of existing legislation. Some aspects of

the bill do not cause concern and those aspects are the ones which, essentially, bring over, lock, stock and barrel, some previous provisions from the Catchment Management Authority Act and the previous rural lands protections bills. Those aspects are essentially the same in many cases, although I will come back later to one aspect relating to pest orders.

As I said, the Minister announced this legislation last year. At the same time, she undertook a process of cost cutting in the Department of Primary Industries. Those two things have served to make this an extremely difficult process for everybody involved. We saw the Minister appoint a consultative board, which undertook a number of consultations around the State. But the feedback that I received from many of those consultations was that in many cases there was no opportunity for people to have input in those consultations, particularly in relation to resourcing. For instance, people consulted were not able to have any real input into the basic structure of moving extension officers over to the livestock health and pest authorities and they were not able to have any real input into a number of fundamental questions. The most fundamental of those questions is whether it is considered that the roles that the catchment management authorities undertake and the roles that livestock health and pest authorities undertake go together. Can a board meet the combined objectives of those two organisations? I do not believe it can.

There are some fundamental objectives of catchment management authorities on the catchments overall and some environmental objectives which are not necessarily going to be the same priorities that the livestock health and pest authorities have had. In my view, the structure that the Minister has put forward with elected and appointed members is going to become factionalised very quickly and in many cases—I hope not in all cases—it will become extremely unwieldy and difficult. The elected board members, who are ratepayers under the old livestock health and pest authorities structure—which for the moment is staying with the 10-hectare minimum on rates and the same rating structure until a report comes from the Independent Pricing and Regulatory Tribunal—will have quite different objectives to those appointed directors by the Government. In my view, that is a fundamental flaw in this whole model.

Another flaw in the model is that it has not taken the opportunity to look closely enough at the alternatives for the livestock health and pest authorities in combining their functions with the weeds functions that are currently undertaken by Weeds County Councils and local councils. It would have been a smaller move and a move that certainly would not have yielded as much in savings, as the Minister has pointed out, but I believe it would have created a more natural harmony with its operations. The bill raises a number of issues. The Opposition has circulated some amendments which we will deal with in Committee, but I will outline the objectives of those amendments now. I have had discussions with some interested bodies. Landcare and the NSW Farmers Association have made a number of comments and I have also had discussions with extension officers and former extension officers around the State.

The Opposition amendments would make some small changes to the objectives to ensure that communities are involved in decision-making and seek to ensure that these organisations work with organisations with similar objectives, including groups such as Landcare. The amendments also seek to ensure that the need to adhere to environmental legislation is mentioned and they will clarify a number of details in that area. Changing the constitution of the local boards is another important objective. I am sure The Nationals are aware that the NSW Farmers Association has lobbied for equal numbers of elected and appointed members.

The Labor Party also believes that an Aboriginal person should be one of the appointed members on the board, as was the case on the old Catchment Management Authority boards.

The proposal is to change the current proposed boards of three elected and four appointed members to a chair appointed by the Minister, four members elected by the ratepayers and four members appointed by the Minister. The chair would still have the casting say, but there would be an equal number of elected and appointed members as ordinary board members. I can see some of the logic behind why the Minister has chosen to have the majority of the board made up of appointed members. The Opposition amendment retains the ability for that to happen, but it would be through the chair rather than the appointed members. An Aboriginal board member is specifically mentioned because although the Act makes a number of references to the importance of consultation with Aboriginal communities it does not specify that a member of the board needs to represent Aboriginal communities. That representation is important given the land management aspects of this and, in particular, the strong interest that Indigenous communities have in land management and things such as travelling stock reserves and remnant vegetation.

The Opposition also will move amendments which specify roles less generally than the Government has proposed. The top and tailing done by the Government in combining the old legislation is very general in a number of areas, particularly in the objectives and the roles. It is important to be more specific in highlighting some of the traditional roles of these groups and some of the roles that are important for the new organisation to undertake in rural communities.

In the strategic planning, which the Minister mentioned, I am concerned that there is no specific reference to catchment action plans. My fundamental concern is that these new bodies, which will be responsible for what Catchment Management Authorities did with catchment action planning, have now moved away from following catchment boundaries. Many of them cover multiple catchments or share catchments with other areas. In the Opposition's view it is still important to specify the work that needs to be done in a catchment action plan. It is still important to bring in and continue to work with the appropriate statewide standards currently set in that area by the Natural Resources Commission, which the Government is trying to eliminate.

It also is important that to specify that the catchment action plans are able to cross over boundaries. In other words, one of these new boards should be able to work cooperatively with another board to develop a catchment action plan for a catchment. They can choose whether they will do that. They might choose to work together on a catchment action plan or share a plan in some way. That seems logical to me and it would ensure that much of the work that has already been well done in many catchments by catchment management authorities in consultation with their communities can continue. The week before last I attended the regional communities conference in Narrabri. We heard that some of the best work undertaken in that area was done by the local Catchment Management Authority in consultation with the community.

The Opposition also suggests that the local strategic plans should specify that they must include plans to meet animal welfare, emergency biosecurity and pest control issues. It might be a single plan or a plan that is separate from the other one I just mentioned. I will suggest that they specifically include mention of vertebrate pest control. This includes wild dog strategies which say that best practice is to look at nil tenure approaches to wild dog

management. It is also important to include in this legislation specific reference to travelling stock reserves and stock watering places. That comes back to the previous references in bills to the role they play as habitat. The legislation should recognise that the management of those reserves needs to include appropriate stocking practices, conservation of wildlife—including the conservation of critical habitat and threatened species—and protection against soil erosion and diminution of water quality. Those things existed in the previous Rural Lands Protection Act and are valuable to include in the requirements for strategic planning.

References to a role for the Natural Resources Commission also need to be reintroduced in this legislation. The Natural Resources Commission had a strong role in the previous Acts, including the Catchment Management Authorities Act, in setting statewide standards for natural resources management. Its models have been used effectively by catchment management authorities to consult with communities and structure their planning. The Government has made a fundamental change and now the Minister will be able to approve a strategic plan from a local board without reference to any information from or consultation with the Natural Resources Commission. The Minister will only be obliged to consult with the Minister for the Environment. Given the Opposition's concerns about the Minister for the Environment, which have been mentioned many times in this place, that change takes away a valuable level of input.

The Opposition would like the Minister to be obliged to have regard to the Natural Resources Commission and its advice in the areas where it is relevant, which will be specified in the Opposition's amendments. The commission should go back to playing a role in the preparation of catchment action plans and other relevant matters. Those other relevant matters include things such as the management of travelling stock routes. The Opposition will also propose subsequent amendments relating to the Natural Resources Commission Act, and to some definitions.

The NSW Farmers Association has made a number of comments on this legislation including, as I mentioned, on the make-up of the boards. It would also like the board to elect the local chair. It has made a number of comments about advanced notice and permission obtained from landholders before people enter properties to undertake work. Further, it has raised some concerns about interim boards, which I will highlight. The Opposition will not move amendments to that aspect of the bill, but I hope the Government will note and respond to association's concerns. The manner in which interim boards will be set up essentially consists of chairs being appointed well before the elected members are appointed. In last weekend's newspapers the Minister advertised for the chair of chairs position and the chairs of local boards positions.

(...)

The Hon. STEVE WHAN: (...). I am sure the Minister would acknowledge the serious concern in relation to this issue. The concern expressed by NSW Farmers and a number of other people is that when an interim board is appointed it will take the first steps towards developing the priorities and direction of the new board. The interim board also will take the first steps to establish the culture that the board adopts. When elected members are appointed after that stage it is more difficult for them to have, as they would see it, equal influence in the culture establishment process. By that stage the interim board will have set some directions with the employed staff of the organisation and a number of planning aspects already would be underway. NSW Farmers are quite right to point out that in the long term, if

we want these structures to be successful with a combination of elected and appointed members, they should begin on an equal footing that gives them equal access to the process.

In the time frame sense that will be difficult because the Minister wants the boards to commence from the beginning of next year and the elections will take time to arrange. I hope the Minister during his reply will address the NSW Farmers concern about initial steps that will be taken by the interim board. NSW Farmers also raised a change in this legislation to interest rates that apply to overdue rates. The existing system is that the Minister sets a rate of interest at 2 per cent higher than the Commonwealth Bank's overdraft rate. I have not foreshadowed an amendment but I ask the Government to examine consistency in legislation. Later we will consider a bill introduced by the Minister for Resources and Energy.

The Hon. Jeremy Buckingham: Maybe.

The Hon. STEVE WHAN: Yes. That bill suggests that the Government will change to a system in which the Minister decides the rates. I suggest that the Government should adopt a consistent approach. In the Government's move to set a rate of interest in accordance with a commercial rate of interest or a rate set by the Reserve Bank—I do not know which would be more appropriate—there should be consistency across portfolios. Two pieces of legislation, with which this House will deal either this week or next week, show that the Government is adopting two different approaches, but it should adopt a consistent approach. Landcare has raised issues with the Opposition and the Government. I have not had an opportunity to examine the Government's amendments but I hope some of Landcare's issues have been addressed. Landcare wants changes to the objects of the proposed Act. On behalf of the Opposition I have suggested amendments to the objects that do not encompass all those suggested by Landcare. Some of the Opposition's amendments and Landcare's amendments overlap. Landcare also raised issues related to auditing, such as more frequent audits and snap audits. I hope the Minister will address those issues also during his reply. In relation to the concern of NSW Farmers about interest rates, section 202 (3) of the Rural Lands Protection Act states:

The rate of interest is that set by the authority or person concerned but must not exceed the rate specified for the time being by the Minister by notice published in the Gazette.

Section 566 (3) of the Local Government Act states:

The rate of interest is that set by the council but must not exceed the rate specified for the time being by the Minister by notice published in the Gazette.

As I stated earlier, the Government should adopt a consistent approach overall. However, more generally, I have been extremely critical of the manner in which this process has been undertaken, such as announcing a major change by press release while at the same time transferring staff, advertising for positions and cutting resources. It has been absolutely chaotic. I believe the process has been handled appallingly by the Minister and the Government. That has resulted in the loss of extremely valuable extension staff throughout New South Wales. Members know that on numerous occasions I have warned of the consequences of the loss to farmers throughout New South Wales of some critical long-term experience. More than 30 communities in rural areas have lost district agronomists as a result of the process, and not because they were about to retire, were no longer interested, or decided that better opportunities exist in the private sector.

(...)

The Hon. STEVE WHAN: (...) More than 30 communities have lost district agronomists who have gone because the new positions in local land services were generalist positions. There no longer were specialist positions for the matters they previously were engaged in; moreover, the positions offered lower pay and had lower qualification requirements. That sent a strong message to specialists who had been working in districts for many years that their skills were not valued by this Government. I am very well aware from widespread feedback of the concern expressed over the loss of specialist staff. All members witnessed the awful process associated with the departure of Paul Parker from Young and how he was treated, which is an example of the lack of thought that went into this process and the lack of oversight by the Minister.

I give the Minister credit by suggesting that she would not have wanted Paul Parker to have been treated in such a manner that private investigators were sent to investigate what were described as leaks—he had spoken to the local newspaper—and were wandering around the streets of Young, interviewing people at the local newspaper and putting pressure on people for information. Because that was all pushed off and given as a responsibility to the head of the department, the actions I have described are exactly what happened. Paul Parker was treated very poorly. I know that Government members agree with me. I also know that many Government members have been embarrassed by the manner in which he was treated. Paul Parker still deserves to receive a formal apology from the Minister. But that is just one case of a specialist deciding to leave his position because he felt he was not valued.

The same situation arose in Cooma. Luke Pope, a district agronomist who has been an incredibly valuable resource for the Cooma community, decided not to take the risk and left to join the private sector. During a number of bushfire outbreaks I worked with Luke and can say firsthand that he provided incredibly valuable assistance to farmers by advising them on how to care for their stock and obtain fodder. He had been working with landholders over a long period in relation to serrated tussock and African lovegrass and was intimately involved in strategies that had been implemented to tackle weeds infestation. He also provided advice to farmers in relation to the management of native grasses in the Cooma district. He is a person of immeasurable value, who was happy to accept public sector wages—all members know that they often are lower than wages in the private sector—because he was continuing with work that was so valuable to the community. He left because of the process that has been applied to district agronomists. Responsibility for the loss of such valuable staff is attributable to the process and is down to the Minister.

The other extension officer in Cooma has expressed his absolute dismay at the way the process has unfolded. In future there will be far fewer extension officers on the ground in various communities throughout New South Wales. I have received information from people who do not want to be named, but it is accurate information, about where the department is now going with extension officer services. The Minister claimed money is going to the new boards so they can employ additional extension officers. She says there is \$35 million in the Local Land Services Futures Fund, which will earn \$1.5 million in the first year. The information I have from someone very closely involved says that this gives each board about \$110,000, which will pay only the remuneration and travel fees of four appointed directors as an equivalent example.

The \$5 million for extension is an efficiency dividend. It is not clear how long that will continue. The estimate from the Minister is that each staff member will cost about \$100,000.

This person's estimate is that they are more likely to cost around \$200,000 if they are going to do their jobs well and have their vehicles and the information and education material that they need. The Department of Primary Industries new advisory services continue to go further and further towards breaking the link between research and advisory services. The information I have received from this very well-placed person is that in horticulture, for example, 19 advisory staff have been reduced to six; 14 leaders have been reduced to three; and there has been no change to senior management, which they thought was outrageous. They gave me as an example the fact that there are now in a number of commodity areas statewide commodity advisers: rather than having local people who can get to know local farmers there will be statewide commodity advisers. The example they gave was there will be one blueberry adviser for the State who, I understand, is actually a stone fruit expert.

The Department of Primary Industries funding cuts that have accompanied this have been really severe for rural communities. We have seen cuts to the resources which go to catchment management authorities and staff cuts to catchment management authorities. We have seen the loss of support jobs around the State, and that is directly against The Nationals' promises on rural jobs and the Decade of Decentralisation. We have seen cuts to biosecurity staff as well, and that impacts on a number of areas. Albury, Bega, Berry, Casino, Cooma, Coonabarabran, Coonamble, Cootamundra, Cowra, Deniliquin, Dubbo, Finley, Forbes, Glen Innes, Goulburn, Grafton, Griffith, Gunnedah, Hay, Inverell, Lockhart, Moree West, Narrabri, Nyngan, Orange, Scone, Taree, Trangie, Tumut, Wagga Wagga, Wellington, West Wyalong, Yanco and Young all lost agronomists because of the way the Government has handled this process. It should be an embarrassment to every Nationals member in this place.

Concerns have been raised with me that have not been addressed in these changes and which, unfortunately, are too complex for me to address by amendments. Concerns were not addressed in the consultation process about the effectiveness of pest orders and the difficulties in imposing pest orders, particularly for dogs and other vertebrate pests, when those pest animals can move so rapidly between properties. I put on record that if the Government wants to address that in more detail later I would, as shadow Minister, be happy to support further investigation into whether more effective action can be taken in that area.

We have seen a number of very upset clients during this process. The mayor of Bombala expressed his great displeasure with this model and the boundaries of the model. There are still some issues with the boundaries, although I suspect they are slightly better than the original ones. Farmers in some areas, as noted on *ABC Rural*, said they will boycott some of these local land services. I am not sure how they will manage to do that, but that demonstrates the disgust they feel. We have seen headlines in newspapers in Tumut, for example, that the local agronomist has decided to resign and move rather than apply for one of these positions which are generalist. That means that this vitally important fruit-growing area will not get the specialist advisory services it has had in the past.

This has been an appalling process. The Government, particularly The Nationals, should be embarrassed about the way it has been conducted. It was embarrassing to see Nationals members in the other place—instead of making serious contributions to this bill—just parrot the Minister's lines claiming it was a great achievement. Interestingly, it was mainly the first-term Nationals members. Those more experienced Nationals members in the other place kept fairly quiet about this. Richard Amery, a very long-serving agriculture Minister, spoke for the Opposition in the other place. Some Nationals members, instead of making positive contributions about this issue, threw insults at the member. For example, Troy Grant, the

member for Dubbo, suggested the member for Mount Druitt was a fool. I would suggest that the member for Mount Druitt knows an awful lot more about the agriculture industry in New South Wales than the member for Dubbo at this stage, although he will learn.

The member for Murray-Darling got closer to the point when he said, "I believe the reforms will create a great deal of angst amongst farmers and key stakeholders." He is right. I do not believe the consultation process that occurred was in reality a consultation process which had the flexibility and ability to give the guidance and direction needed. This model was essentially put in place for cost-cutting. This is not a model about better service; it is about cost-cutting, about sacking a large number of staff from the Department of Primary Industries. While I hope the objectives being outlined in this legislation are able to be successfully achieved in the long term, I am very concerned that the structure puts together two sets of objectives that are not necessarily at all times complementary. There are opportunities to improve the bill but it is not a bill that deserves the support of this place. As I said, the Opposition will move amendments and will oppose the bill at the second reading.

The Hon. JEREMY BUCKINGHAM [11.57 a.m.]: I speak this morning on the Local Land Services Bill 2013 on behalf of The Greens and the people of New South Wales. Perhaps to the Government's surprise, after wide consultation with people involved in natural resource management, agriculture, pest and weed management, The Greens will support the bill. We will also consider some of the Opposition's amendments, supporting some not others, and we will support the Government's proposed amendments. There is an inclination to believe that the motivation for the bill would be cost-cutting and slashing services, and that may be a motivation, but overall we need to set aside our scepticism and look at the opportunities that this model may bring. As someone who has studied agriculture and lives regionally I believe there are synergies that are important to facilitate and promote between natural resource management—how we deal with weeds and pests—and agricultural extension. The two are interconnected. The people managing our land for agricultural production could increase productivity by talking to those who maintain and enhance the health of our natural resources, our catchments and biodiversity. This Local Land Services model may go a long way to achieving that. I was sceptical; in last year's budget estimates hearings I might have given the Minister a hard time about the time frame.

(...)

The Hon. JEREMY BUCKINGHAM: I believe it was an ambitious program, but consultation on this type of reform will never please everyone. An adequate balance has been struck in these reforms regarding boundaries, board structure and objectives. Without doubt, this is an ambitious bill, which sets a foundation for regional government in this State. We need to consider that because the future role of Local Land Services may be expanded to incorporate other things, such as weeds, water and sewerage. What does this bill do?

The Hon. Matthew Mason-Cox: What do you actually do?

The Hon. JEREMY BUCKINGHAM: What do I do? I stand up for country people at every opportunity. This bill establishes Local Land Services and repeals two significant Acts: the Rural Lands Protection Act and the Catchment Management Authorities Act. Local Land Services will have significant functions in the management of pests. I hope, as would the people of New South Wales, that Local Land Services in the future suggests the declaration of deer, fox and other species as pest species.

The Hon. Duncan Gay: That is what the shooters have been trying to say for some time.

The Hon. JEREMY BUCKINGHAM: They do not say that. The Greens want a declaration of pest species. Certainly the Shooters and Fishers Party is calling for that, and we would support it. The bill sets out a number of functions and priorities for agricultural production, biosecurity, animal pest disease, plant pest disease prevention and a range of ambitious activities, but different stakeholders in the consultation process expressed consternation. The Government admits that this bill was only eight months in the making—a short period for such sweeping agricultural reforms. As the Minister admits, this is one of the largest reforms of agricultural services in living memory. Therefore, the Government should continue with trepidation and caution, be willing to adjust to stakeholders' suggestions and criticisms, and respond accordingly. To be fair, I think the Government has done that, as reflected in some of the latest amendments. We cannot predict whether this bill will do the job it sets out to do. We have to be mindful of the objectives and undertake the reviews to make sure that if this legislation is passed—which no doubt it will—Local Land Services operates appropriately and delivers results.

Farmers and rural communities already feel the pressure of increased input prices, transportation costs, extreme weather caused by a warming climate—nothing from Peter Phelps—and the downward pressure on farm gate prices caused by the supermarket duopoly and the historically high Australian dollar. Therefore, this reform comes at a critical time. It creates a single organisation to administer, deliver and fund programs and services associated with agricultural production, biosecurity, natural resource management and emergency management. We will see whether other services are incorporated. This is no small task. The challenge of this reform to combine separate organisations into a single one-stop shop has some benefits. That was evidenced by the Ryan review of the failure, dysfunction and inherent unsustainability of livestock health and pest authorities [LHPA]. It is time for reform. This is an opportune time to improve service delivery, but it must be done correctly if the Government is to address the slow decline in agricultural services.

Obviously, this is not the intention of the bill. I note the contribution of the Hon. Steve Whan outlining the loss of key extension services across broad areas of the State. We would like to see that stopped. We want increased funding in agricultural extension services and more people employed in that critical area as we seek to feed ourselves and the world. Some key players were involved in the stakeholder reference panel: the Natural Resources Commission, Mick Keogh from the Australian Farm Institute, the Department of Primary Industries, catchment management authorities, livestock health and pest authorities, NSW Farmers, Landcare NSW, Greening Australia, and the good people on Local Government NSW. Local Land Services replaces 14 livestock health and pest authorities, 13 catchment management authorities, and advisory services of the Department of Primary Industries and includes travelling stock routes [TSR], which are an important land tenure for agricultural production, biodiversity and threatened species—one of the largest interconnected networks of reserve in the State.

The Hon. Rick Colless: So you agree you can have cattle running on them and still maintain biodiversity?

The Hon. JEREMY BUCKINGHAM: Absolutely. There has never been any doubt about that. The name suggests it. That is just common sense. I do not know where you have been or

why you would be thinking cattle could not be there. Clearly, livestock health and pest authorities are the front line of public and animal health services in New South Wales. It will be interesting to see whether these boards can balance the needs of biosecurity with the other services that Local Land Services have to deliver and whether the people contributing the rates to these boards are willing to fund the biosecurity measures we need because they may not be served by those services. Overall, it is in all our interests to make sure we have a robust biosecurity regime. Another key question of the bill is assisting landholders in providing advice and assistance in eradicating declared pest species and managing travelling stock routes. Those routes provide pasture reserves for travelling or grazing stock. These reserves can be beneficial in times of drought, bushfire or flood, and also are incredibly important for public recreation, apiary sites and conservation. New South Wales has over 6,500 travelling stock routes, covering an area of approximately 740,000 hectares.

We will support the Opposition's amendment to include the clause that indicates clearly the role of travelling stock routes to the conservation of threatened species in this State. Clearly, this State has issues about how catchment management authorities have worked with landholders. It has not been the best relationship. I hope that combining agricultural extension with catchment management authorities, which really is one of the key elements of this synergy in Local Land Services and the reason The Greens support it, will benefit the productivity and biodiversity of this State. We need to make sure that they work together.

The Greens will be supporting the Opposition's amendments which ensure that draft strategic plans include catchment action plans. It is important that is explicit within the bill. Extension services are important. The Greens join Fiona Simpson, President of the NSW Farmers Association, in being cautiously optimistic about the impact of the bill. Landcare NSW is a group I have worked with closely and I sought their guidance on the bill. It has had concerns about the role of natural resource management and achieving a balance of representation on the boards. They will be skills-based boards and natural resource management must be reflected in the membership of those boards. It all comes down to money and funding must be maintained for those programs that ensure we have a healthy and sustainable environment. It will come down to the quantum of funding for those boards.

I will turn to the constitution of those boards. The Government has proposed four members be appointed by the Minister, with three members elected by ratepayers. There has been a lot of discussion about that. The Opposition has proposed amendments to increase that to a nine-member board. The Greens will not support that amendment. The Greens believe that money that would go to a nine-member board would be better spent on natural resource management, biosecurity and the provision of services rather than on board members. The four appointed members and three elected members will provide the skills base needed for the board. It is recognised that there will be a reduction in regions which will benefit the State, such as, the livestock health and pest authorities regions reducing from 202 to 80 under Local Land Services. That is something to be mindful of.

The Greens are keen to ensure that even though there is recognition of the need for a broad skills base on the board that the boards actually reflect that skills base. The Greens await the Government's appointments in good faith to see if they reflect the natural resource management view. The nature of these boards is that there will be a strong representation from the farming community in the elected positions, and that needs to be balanced by a diverse view provided by the appointees. That is reflected in section 27 of the regulations, which provides for the criteria to determine whether a person is eligible for the appointment.

Schedule 9 sets out the required skills. Those boards will be influential bodies in this State; they will set agendas and have an enormous impact on the State. The Western region, which has a large board of four appointed and five elected members, will be making decisions of huge significance to the State.

The Greens welcome schedule 9 and the introduction of electronic voting. It will increase participation and enhance community engagement and support for the Local Land Services because more people will be voting and democratically have their say. With the livestock health and pest authorities and catchment management authorities that was not happening at all. The community will hold these boards to account and be mindful of how their rates money is used. In relation to funding, the Independent Pricing and Regulatory Tribunal is undertaking a review of the rating framework and the complementary service pricing system for the Local Land Services.

The terms of reference of the review include the Independent Pricing and Regulatory Tribunal advising on efficient funding options to pay for Local Land Services as part of developing a funding framework, including a fee for service, rates, levies, grants and other government funding. The Greens would like these boards to become bodies that generate their own revenue stream. The Federal and State governments will have to contribute to those boards in order to ensure that they provide the services, otherwise we would be privatising an important part of service delivery in New South Wales. The Greens believe that the review must recognise that different land uses need different rating structures. We need to move to a system of incentivising biodiversity conservation. As I stated in the *Land* newspaper today, we should be recognising those people.

(...)

The Hon. JEREMY BUCKINGHAM: (...) Landowners that run cattle or are involved in intensive agriculture should have a different rating system because they clearly require extension, biosecurity and weed and pest management services more than more than someone—

(...)

The Hon. JEREMY BUCKINGHAM: (...) We need to incentivise the system so that those who enter into covenants and set aside land for ecosystem services and conservation are recognised by a reduction in their rates. That sends a clear message and it is something The Greens would like to see occur. The Greens support the Local Land Services Bill 2013. The Greens will be supporting some of the Opposition amendments and all of the Government amendments. We are cautiously optimistic that this bill will provide good reform and I commend the Minister and the Government for undertaking this major change.

The Hon. RICK COLLESS [12.17 p.m.]: I commend the Local Land Services Bill 2013 to the House. It is a fantastic new concept for rural and regional New South Wales. The Department of Primary Industries was developed in the early 1940s and has only had one major design change since 1981. It is time for change and the Liberal-Nationals Government will deliver it. New South Wales has over 42,000 farmers and landscape managers and the Government is aiming to make their lives easier with the creation of a modern, effective and efficient service delivery model. One of the main aims of the Local Land Services is to reduce the duplication of services that currently exist throughout the State.

Local Land Services will replace the livestock health and pest authorities and the catchment management authorities, as well as the Department of Primary Industries advisory services. Bringing these agencies together into one organisation means that programs and advice can better be tailored and delivered to meet the needs of our farmers and of our precious environment. Local Land Services was not an overnight decision. Extensive consultation was undertaken with those who would be most affected, the farmers of New South Wales. Local Land Services undertook extensive consultations over 18 months.

The stakeholder reference panel engaged widely with the community, with 22 statewide workshops attended by 1,500 people that received more than 2,000 online and written submissions. All those who attended these meetings and provided submissions have helped to formulate the structure of Local Land Services. The Ryan review of livestock health and pest authorities was also given serious consideration by the stakeholder reference panel and 21 of its 25 recommendations have been adopted.

Local Land Services will consist of 11 regions across the State which will mostly be aligned with local government areas. The 11 regions are Greater Sydney, Central West, Riverina, Murray, South East, Central Tablelands, North Coast, Western, Northern Tablelands, North West and Hunter. Having 11 region-specific centres will improve services within these areas and deliver expert assistance. The 11 regions will be managed through 11 local boards across the State. Each board will consist of seven members—with the exception of the Western region where there will be nine—who will manage and oversee the delivery of services within their respective areas.

Three local board members will be elected by ratepayers and four will be appointed by the Minister. Elected members must have their primary residence within a region and will not be limited to just ratepayers. In appointing the remaining members, if possible the Minister should select people who reside in the region. Local board members should hold particular skills and experience in areas such as leadership, strategic planning and management, community participation, biosecurity, natural resource or emergency management, and financial control and risk management so that they contribute effectively and constructively to the activities of the board and the needs of stakeholders.

The Local Land Services board, to be known as the Board of Chairs, will develop a State strategic framework for Local Land Services that will help guide the local boards in their strategic planning and operational activities. The Board of Chairs will also drive performance and ensure that uniform policies, procedures and processes are implemented across the State, especially those required under national or State imperatives such as the management of biosecurity risks. Members of the Board of Chairs will include the chair of each local board and an independent chair. The board will be answerable to the Minister and will be subject to a robust governance, reporting and auditing structure. This will promote transparency and accountability in the activities of Local Land Services, giving landholders the confidence that their levies are being used effectively and efficiently.

Breaking the State down into 11 regions will ensure that there is a local presence across the region that will provide services specific to local industries and needs. Local Land Services will provide advice on agriculture, agronomy, livestock, mixed farming, horticulture and irrigation. It will be able to discuss plant and animal biosecurity, veterinary and pest management and natural resource management. Local Land Services will assist with

emergency management and preparedness through assessment, recovery and preparation. Local Land Services will have links with Department of Primary Industries research and industry development. The staffing of each regional centre will be managed by a general manager who will be responsible for operational performance.

I address some of the comments of the Hon. Steve Whan in his introductory address. The Australian Labor Party presided over the gradual hollowing out of the Department of Primary Industries over 16 years, yet he chides the Government over staff numbers. The news for the Hon. Steve Whan is that with the savings from reduction in the duplication of boards, general managers and other back-office functions and the ability to use other funds, Local Land Services can actually employ more advisers than we have now and inherited from the former Labor Government.

The Hon. Steve Whan: There won't be more advisers; you know that.

The Hon. RICK COLLESS: That is the case; you do not fully understand. As a first step, Local Land Services will be able to use \$5 million worth of savings to engage agricultural advisers as required and determined at the local level. The boards will determine that, not the Government or the Hon. Steve Whan.

The Hon. Steve Whan: How many will they employ? Will they be contractors or permanent employees?

The Hon. RICK COLLESS: This \$5 million could translate to an extra 50 positions across the State in the first instance. That is an extra four or five per region over and above what is currently there. People have left the Department Primary Industries for as long as I have been in this industry. Over the years many of them have left the department and gone into private industry. The question is: What drove them to do that? I was an employee of the Government. I was an extension officer and I left the department because of the Labor Government's policy at the time which tried to turn me from an extension officer into a vegetation policeman. There are many policies that drive people out of their employment.

The Hon. Jeremy Buckingham: You were a vegetation policeman? Shame on you.

The Hon. RICK COLLESS: No, I was not. I resigned. I had the strength to take leave from the department and start my own business—and I did very well at it, I have to say. The board of each region is responsible for the hiring and retention of staff, yet members opposite do not seem to understand that. The public will be able access staff at key sites and there will be flexibility to meet priorities of both the clients and the local board. Local Land Services will be a return to a customer service focus whereas the previous Labor Government had a legislative focus.

Local Land Services will allow regional communities to take back the decision-making for their own areas, tackle issues and implement responses best suited to them. The funding for Local Land Services will come from ratepayers and the New South Wales and Federal governments. The funding will be allocated for specific purposes, for example, biosecurity or natural resource management projects. Local boards will be responsible for the performance of organisations. The formation of Local Land Services has given the Government the ability to create a \$35 million future fund, with a further reinvestment of \$5 million per year for agricultural advisory services. The \$35 million is the combination of the cash reserves of the

livestock health and pest authorities and catchment management authorities.

The amalgamation of these services is expected to see revenues of \$500 million in a four-year period. The large amount of money that will be flowing through Local Land Services requires highly trained, expert individuals to be involved in the running of the organisation, and this is the calibre of individuals who will be in charge. The Government's time line has Local Land Services operational from January 2014 in over 139 towns in New South Wales, reaching more regional communities than before, with an increase of 22 locations throughout New South Wales by bringing livestock health and pest authorities into the network. Local Land Services will provide a streamlined approach to the delivery of services and is an example of the Government's commitment to strengthening the economy of the State and helping our primary industries to prosper and grow. I commend the bill to the House.

Mr SCOT MacDONALD [12.27 p.m.]: I welcome the Hon. Trevor Khan as Deputy-President. The Local Land Services Bill 2013 is an important evolution in the stewardship of our land and the industries that rely on it. Very little had changed in this area for over half a century and I do not believe the old structures of livestock health and pest authorities, government advisory services or even the more recent catchment management authorities were up to the task. I attended the first Local Land Services consultation meeting in Yass and I think it would be fair to say the consensus was the old structures were overdue for reform. As someone who has used many of their services for more than two decades, I can attest to their value, but also to their complexity, the silo mentality, the unresponsiveness and from some quarters the lack of understanding towards agriculture.

Successful land management requires equally important social, environmental and economic strategies and the Local Land Services model delivers on that framework. Social acceptance will come through three elected directors across each of the 11 Local Land Services regions to ensure community ownership. In the Western region there will be an extra elected director to allow for the size of the Local Land Services. Critically, the Landcare movement was a member of the reference panel that developed the Local Land Services model. I am sure the new boards will recognise that a prominent role by Landcare will go a long way to ensuring community trust and confidence in their services.

Economic efficiencies will accrue from reducing 25 livestock health and pest authorities and 11 catchment management authorities to 11 Local Land Services regions. The number of directors in the old bodies was 202; that will reduce to 80 under Local Land Services. Ratepayers will benefit from the removal of duplicated structures amounting to around \$5 million per annum and the Minister foresees those savings being returned to frontline functions. Possibly the greatest part of the reform will be recalculating the rating formulae. The Independent Pricing and Regulatory Tribunal has been tasked with recommending a fair and effective funding structure.

The Minister has noted the new Local Land Services has a secure financial future, with more than \$500 million in revenue in its first full four years of operations. The challenge for the Independent Pricing and Regulatory Tribunal, Government, landholders and the wider community is to settle on what is a fair burden for ratepayers and general taxpayers. In the past we have paid lip service to concepts such as private good and public benefit. The Independent Pricing and Regulatory Tribunal is now asking us exactly who should pay for what functions. This will be a difficult task, but the transparent consultation process the Minister has initiated is the fairest approach.

The catchment management authorities have been a key platform for delivering State and Federal government environmental programs. They have done their best to build community confidence, but they have struggled with the perception of not being simpatico with productive industries in regional New South Wales. Now they will share offices and a mission with advisory officers, who have come across from the Department of Primary Industries, and the very hands-on livestock health and pest authorities. I think every farmer and every serious environmentalist knows sustainable agriculture and protection of natural resources are complementary. One cannot succeed without the other. That is why this reform is so important. For the first time, Local Land Services truly brings together the concurrent goals of improving agricultural productivity with sound environmental stewardship. With 85 per cent of New South Wales land use committed to agriculture and forestry, environmental management that does not partner effectively with our primary industries is doomed to failure. I am very hopeful the incoming boards and their organisations will have this uppermost in their minds.

In conclusion, I congratulate Minister Hodgkinson, her staff—notably Tim Scott and David Dawson—Parliamentary Secretary Troy Grant, the Department of Primary Industries, the Natural Resources Commission, the reference panel led by Dr John Keniry, and all the organisations and individuals who contributed to the development of Local Land Services. For too long we have danced around this issue and put up with incremental changes. Our farmers and the environment have not been served as well as they should. It will be challenging for industry as the true cost of services, including biosecurity, is exposed, costed and in future borne by the beneficiary. But this is the right structure to go forward and I commend the bill to the House.

The Hon. DUNCAN GAY (Minister for Roads and Ports) [12.32 p.m.], in reply: I thank all members for their contributions to debate on the Local Land Services Bill 2013 and for their general support of the bill. New South Wales has some of the world's finest primary industries and they are an important part of our economy. Our primary industries are a key source of employment for the people of regional and rural New South Wales and they generate billions of dollars for the economy of this State. [*Quorum called for.*]

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

Local Land Services will help to strengthen the productivity and sustainability of our valuable food, fibre and fishing industries. Local Land Services will do this by delivering quality advisory services to our landholders and the community on issues such as natural resource management, animal and plant health, emergency response and biosecurity. Local Land Services will combine the knowledge and expertise of these agencies into the one organisation, allowing the members of our regional and rural communities to access the programs, information and advice they require from the one convenient source.

In relation to the point raised by the Hon. Steve Whan, I can assure the House that catchment action plans are well and truly built into the model. The bill allows for strategic plans to address catchment areas through the State strategic plan and local strategic plans. It also allows local boards to work with each other to deliver services and programs in catchments across interlocking regions. In relation to elections, it is important to get interim boards established so we can hit the ground running in January. It is proposed to conduct elections early next year, and I can advise the House that a lot of work is currently being undertaken in

relation to the change process and the building of appropriate staffing and cultures across Local Land Services. The bill allows for elected members to be appointed as chairs of local boards; the Opposition's amendments do not. I can assure the House that the bill provides for snap audits if needed.

The provisions relating to pest control orders from the Rural Lands Protection Act have been carried across without changes. These provisions will be reviewed as part of the biosecurity legislation project currently underway. Local Land Services is a positive step towards improving the delivery of services to our regional and rural communities. Our farmers make an important contribution to the economy of this State, and Local Land Services is an important step in helping our primary industries prosper and grow. I commend the bill to the House.

Question—That this bill be now read a second time—put.

The House divided.

Ayes, 23

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| Mr Ajaka | Ms Ficarra | Mr Mason-Cox |
| Ms Barham | Mr Gallacher | Mrs Mitchell |
| Mr Blair | Miss Gardiner | Reverend Nile |
| Mr Borsak | Mr Gay | Mrs Pavey |
| Mr Brown | Mr Green | Mr Shoebridge |
| Mr Buckingham | Mr Khan | <i>Tellers,</i> |
| Mr Clarke | Mr Lynn | Mr Colless |
| Ms Cusack | Mr MacDonald | Dr Phelps |

Noes, 12

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|--------------|-------------|-----------------|
| Mr Donnelly | Mr Secord | <i>Tellers,</i> |
| Mr Foley | Ms Sharpe | Ms Fazio |
| Mr Moselmane | Mr Veitch | Ms Voltz |
| Mr Primrose | Ms Westwood | |
| Mr Searle | Mr Whan | |

Pairs

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|--------------------|-----------|
| Mr Pearce | Ms Cotsis |
| Mrs Maclaren-Jones | Mr Wong |

Question resolved in the affirmative.

Motion agreed to.

Bill read a second time.

Consideration in Committee set down as an order of the day for a later hour.

TIPPING FEES

The Hon. PAUL GREEN: My question is to the Minister for Roads and Ports, representing the Minister for the Environment. Given that the State Government has increased the level of fee for waste going into landfill by 16 per cent to \$107 a tonne, given this rise has caused councils to increase tip fees and given that a number of local councillors have expressed real concerns that people will dump dangerous and toxic waste into bushland areas simply to avoid these increased tipping fees, what steps is the Government taking to ensure that illegal dumping does not take place as a result of increased tipping fees, and when will the Government be reducing these fees and giving local government and ratepayers a fair go?

The Hon. DUNCAN GAY: I thank the honourable member for his question. It is important to acknowledge that under the reallocation of portfolios Environment is in the safe hands of The Nationals in the upper House. People will sleep soundly in this State. It is a very important question with a great deal of detail and I will refer it to the acting Minister for a detailed response.

COAL INDUSTRY

Mr SCOT MacDONALD [4.02 p.m.]: The Australian Labor Party does not understand the economy of New South Wales. On Sunday 19 May the Leader of the Opposition, John Robertson, said at a conference held at Kurri Kurri called "Beyond Coal and Gas Gathering":
Coal needs to be phased out. The Labor Party agrees coal needs to be phased out and the plan to do that is being developed. Luke is working on the plan.

Twelve days later the NSW Trade and Investment indicators report confirmed that coal is this State's single biggest export, worth \$13.9 billion in 2012. Coal accounts for around 80 per cent of New South Wales' mining by value. It is worth reminding the electors of this State what the consequences are of the Australian Labor Party outsourcing their policy platform to The Greens and Front Line Action on Coal. Mining provides New South Wales with around 85 per cent of its electricity; mining directly employs 80,000 people across New South Wales and coal accounts for over 21,000 of those jobs; mining indirectly employs another 280,000 men and women; mining contributes \$1.5 billion annually in royalties to the people of New South Wales; and mining companies spend over \$9.30 billion with local business and on wages each year.

But let us drill down to the economic regions so that the people of New South Wales can appreciate what are the consequences of the Opposition turning its back on the coal industry. The majority of people in New South Wales employed in mining are based in the Hunter—more than 17,000. The northern, north-west and central west areas have nearly 9,500 employees. The Illawarra, south-east and Sydney region have 5,000 workers in mining. That is a lot of people and their families that the Australian Labor Party has dismissed. Former Prime Minister Ben Chifley would be turning in his grave. That Labor icon stood up for the coal industry and drove the communists out of its ranks. His entire maiden speech was devoted to the value of the New South Wales coal industry and the conditions of its workers. The current New South Wales Labor leader is inviting the modern day equivalents of the communists to dictate their policy on coal, and that policy is to shut down the industry.

I take this opportunity to correct a mistake made by Dr John Kaye in our debate on The Greens' support for unlawful activities. Dr John Kaye said that New South Wales extracts 145

million tonnes of coal each year and I interjected that that was about 5 per cent of the world. Dr John Kaye responded, "That is not true. The member's statistics are totally out, but never mind." So what is the truth about New South Wales coal? In its latest figures for 2011 the World Coal Association states that the total world production was 7,678 million tonnes. Australia is the world's fourth largest producer at 414 million tonnes, which is 5.3 per cent—hence, my assertion of 5 per cent. But I overstated the case, because of course New South Wales is only part of this country's production. New South Wales produces 1.9 per cent of global volumes. I apologise to the House for over claiming our contribution. I think the figure is actually closer to 2 per cent, because the Minerals Council quotes production of saleable coal in New South Wales as 157 million tonnes in 2010-11. In that year we exported just over 121 million tonnes.

In other words, if New South Wales coalmines shut down, as the Australian Labor Party and The Greens hope, the world would have to fill a gap for less than eight days. More than likely that eight-day shortfall would quickly be made up by keen competitors, such as the world's largest exporter, Indonesia, whose low calorific product will almost certainly not improve world carbon emissions. Aside from the irresponsible, populist meanderings of the Labor Party or the irrationality of The Greens, what I find most offensive is the complete disregard for the most disadvantaged people on this planet by the Opposition and their Greens partners.

According to the World Bank, 1.2 billion people still do not have access to electricity; 2.8 billion people use wood for cooking and heating; and 3.5 million women and children die each year from respiratory diseases related to those fumes because it is women and children who are caught indoors. These deaths outnumber malaria and HIV/Aids combined. It is remarkable to think that connecting those 1.2 billion people to the grid would add only 1 per cent to world emissions.

The Labor Party and The Greens can repudiate coal in this State, but I do not and the New South Wales Liberal Party and The Nationals do not. We stand up for coal and communities such as the Hunter, Illawarra, Bathurst, Orange, Tamworth and Barwon; we stand up for jobs and opportunity. We do have rigorous environmental regulatory safeguards. I hope to see coal exports grow. I hope to see those 1.2 billion people dragged out of abject poverty. I hope to see the end of intellectual dishonesty from The Greens and the Australian Labor Party.

[NATIONAL PARKS](#)

The Hon. LUKE FOLEY (Leader of the Opposition) [4.07 p.m.]: As each month goes by New South Wales witnesses yet another assault on our precious national park estate, courtesy of the Liberal-Nationals Government. This Government has moved to allow amateur hunting in New South Wales national parks. This Government has moved to allow grazing in some New South Wales national parks. This Government has exercised its numbers on the Legislative Council inquiry into the management of public land in New South Wales to contemplate an increased range of activities in New South Wales national parks, a number of which will severely damage the environmental values in our national park estate. Those activities include timber cutting and grazing as well as recreational hunting.

In 2006 the Liberal-Nationals Coalition signed a memorandum of understanding with peak horseriding stakeholders, which seeks to provide more horseriding opportunities in national parks, including in wilderness areas and nature reserves. Since coming to office the

Government has moved to honour that commitment by releasing a document entitled, "Strategic directions for horseriding in NSW national parks". The document notes:

There are currently over 110 national parks across New South Wales where people can enjoy horse riding. The NSW Government is committed to increasing the level of access to allow horse riders the opportunity to experience a wider range of national parks.

The Minister for the Environment, Robyn Parker, is in charge of determining how recreational hunting will be regulated in New South Wales national parks. The Government has moved to allow amateur hunting and to extend horseriding in national parks. I advise the House that, under the risk assessment presided over by Minister Robyn Parker, the firing of a gun from the back of a horse will be allowable in New South Wales national parks. I respectfully suggest that discharging a firearm from the back of a horse is unsatisfactory from a safety perspective.

The Hon. Rick Colless: Who told you that, Luke?

The Hon. LUKE FOLEY: For the information of the Deputy Government Whip, I repeat: There is nothing in the Office of Environment and Heritage risk assessment which would prohibit hunting on horseback in a New South Wales national park. The Government has moved to both extend horseriding and allow amateur hunting in national parks. We know that the performances of the Minister for the Environment have been calamitous, but this truly makes Robyn Parker the Calamity Jane of New South Wales.

The PRESIDENT: Order! The honourable member will resume his seat. The honourable member is now reflecting on a member of the other House and is out of order and he knows it. He should not reflect upon a member in that way without making a notice of motion to censure the Minister.

The Hon. LUKE FOLEY: There is nothing in the Office of Environment and Heritage risk assessment that prohibits the firing of a gun from the back of a horse in a New South Wales national park. Perhaps the Minister aspires to be Annie Oakley, splitting an ace of spades nailed to a tree with a single shot. I call on the Minister for the Environment to move immediately to prohibit the carrying of a gun—never mind the firing of a gun—on the back of a horse in any New South Wales national park.