

LEGISLATIVE COUNCIL

Tuesday 14 October 2025

The PRESIDENT (The Hon. Benjamin Cameron Franklin) took the chair at 12:30.

The PRESIDENT read the prayers and acknowledged the Gadigal clan of the Eora nation and its Elders and thanked them for their custodianship of this land.

Bills

CHILD PROTECTION (WORKING WITH CHILDREN) AND OTHER LEGISLATION AMENDMENT BILL 2025

CRIMES AMENDMENT (INTIMATE IMAGE AND AUDIO MATERIAL) BILL 2025

ENVIRONMENTAL LEGISLATION AMENDMENT BILL 2025

LAND TAX (BUILD-TO-RENT CONCESSIONS) AMENDMENT BILL 2025

POLICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL 2025

Assent

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

Announcements

PARLIAMENTARY INQUIRY WITNESSES

The PRESIDENT (12:31): As members would be aware, last week the Premier's chief of staff, Mr James Cullen, through his legal representatives, initiated proceedings in the New South Wales Court of Appeal against me as President of the Legislative Council seeking relief in relation to the operation of the Parliamentary Evidence Act 1901. That step was taken in response to matters currently before the Privileges Committee. I inform the House that Mr Bret Walker, SC, Mr Thomas Wood, barrister, and a legal team from Corrs Chambers Westgarth have been engaged to vigorously defend the House in this matter. I will keep members informed of further developments.

Documents

REGISTER OF DISCLOSURES

The PRESIDENT: According to the Constitution (Disclosures by Members) Regulation 1983, I table the Register of Disclosures by Members of the Legislative Council: Ordinary Returns for the period 1 July 2024 to 30 June 2025, together with Discretionary Returns submitted since May 2025.

NSW HEALTH

Reports

The PRESIDENT: According to the Abortion Law Reform Act 2019, I table a report of NSW Health entitled *NSW Health Termination of Pregnancy Annual Report 2023/24*, received out of session on 30 September 2025 and made public on tabling this day.

INDEPENDENT COMMISSION AGAINST CORRUPTION

Reports

The PRESIDENT: According to the Independent Commission Against Corruption Act 1988, I table a report of the Independent Commission Against Corruption entitled *Public Inquiry Procedural Guidelines*, dated October 2025.

*Committees***PRIVILEGES COMMITTEE****Reference**

The PRESIDENT: I inform the House that, according to paragraph (3) of the resolution establishing the Privileges Committee, on 30 September 2025 I referred the following terms of reference to the committee:

Potential breach of the privileges of the Hon. Mark Latham, MLC, by a Racing NSW investigation

That the committee inquire into and report on whether the privileges of the Hon. Mark Latham have been breached by actions taken by Racing NSW in holding an investigation into the interaction between the Hon. Mark Latham and Mr Steve McMahon at Rosehill Gardens on 1 April 2025.

PRIVILEGES COMMITTEE**Reference**

The PRESIDENT: I inform the House that, according to paragraph (3) of the resolution establishing the Privileges Committee, on 3 October 2025 I referred the following terms of reference to the committee:

Alleged unauthorised disclosure of in-camera evidence to the Public Accountability and Works Committee

That the committee inquire into and report on the alleged unauthorised disclosure of in-camera evidence given to the Public Accountability and Works Committee on 19 September 2025.

*Motions***RURAL AND REGIONAL ROADS**

The Hon. EMMA HURST (12:34): I move:

- (1) That this House notes that:
 - (a) reliable roads and safe transport infrastructure are essential to the economic, social and personal wellbeing of residents in regional and rural New South Wales, including for emergency services, education, health access and general connectivity;
 - (b) as highlighted in recent coverage by *The Daily Telegraph*, regional and rural communities have reported serious concerns about road safety, road quality and infrastructure maintenance, particularly due to the proliferation of potholes, damage from wet weather and delays in repair and maintenance;
 - (c) a recent NRMA report estimated it would cost \$3.4 billion to bring council owned roads across the State up to standard after "an unprecedented wave of wet weather events over the past three years"; and
 - (d) while the Minns Labor Government has secured significant funding for potholes and repair, the scale of the problem remains large and requires urgent attention to keep regional and rural communities safe.
- (2) That this House calls on the Government to:
 - (a) ensure there are transparent mechanisms for regional and rural communities to participate in identifying priority roads, reporting dangerous road conditions and tracking progress of repair works; and
 - (b) increase and expedite road repairs in rural and regional areas, especially for highways, connecting roads and roads linking small communities to essential services.

Motion agreed to.

TRIBUTE TO RONNIE HEILER

The Hon. MARK BUTTIGIEG (12:34): I move:

- (1) That this House notes with sadness the passing of Ronnie Heiler.
- (2) That this House further notes that Ronnie Heiler:
 - (a) was a former official at the Communication Workers Union [CWU] Central Branch, whose life was marked by unwavering dedication to Australia's postal workers and the broader labour movement;
 - (b) began his journey with the then Amalgamated Postal Workers Union in 1955, joining as a mail officer with the Postmaster-General's Department at the Sydney GPO and, over the course of his distinguished career, held numerous honorary representative roles before being elected as a full-time branch organiser in 1982, a position he held with distinction through successive re-elections until his retirement in 1996;
 - (c) was universally respected by the members he represented, particularly those across Australia Post's processing plants and post offices, and his advocacy, even in the face of vigorous clashes with management, earned him admiration from both colleagues and adversaries alike;

- (d) played a pivotal role in defending workers' rights during Australia Post's decentralisation of its processing operations and his active involvement in campaigns opposing the deregulation of Australia's postal services, and his efforts helped safeguard universal access to an efficient and affordable postal service for communities and small businesses across the nation; and
 - (e) made an outstanding and long-lasting contribution to the union, recognised formally through his life membership awarded in 1998 and his significant service to the community, the union and the labour movement.
- (3) That this House expresses its sincere condolences to Ronnie's wife, Lorna; their children, Karen, Adam, Tracey and Jacqueline; and to his many friends and colleagues, including those at the CWU, through its National Secretary Shane Murphy.
- (4) Vale, Ronnie Heiler.

Motion agreed to.

ANTI-SLAVERY COMMISSIONER

Ms ABIGAIL BOYD (12:35): I move:

- (1) That this House notes that:
 - (a) the NSW Anti-slavery Commissioner is an independent statutory office holder established to advocate for and promote systemic and individual action to combat modern slavery, raise community awareness of modern slavery, support businesses in addressing supply chain risks, consult with victim-survivors with lived experience of modern slavery and make recommendations to government on key issues;
 - (b) the Office of the NSW Anti-slavery Commissioner receives, on average, four reports of slavery each week through the 1800 FREEDOM hotline;
 - (c) in a budget estimates hearing on Thursday 28 August 2025, NSW Anti-slavery Commissioner Dr James Cockayne told the committee that the office had to make the difficult decision at the beginning of 2025 to stop operating the hotline on a 24/7 arrangement due to a lack of resourcing, saying that a 24/7 reporting arrangement is "very important for vulnerable workers who may be trapped on the factory floor or in the fields during working hours. We had to move back to a business hours reporting arrangement ... the reason for that was simply that we have only three of us—myself included—who part-time work on the hotline. We didn't have the resources to pay for anyone, except myself, because I have executive pay arrangements and I don't receive overtime. We didn't have the resources to pay for other staff to take matters after hours, so I was taking all after-hours calls and it became unsustainable, frankly, from a matter of burnout. We don't have enough personnel operating this hotline. We can't meet demand at the moment";
 - (d) Dr Cockayne also told the budget estimates committee on Thursday 28 August 2025 that despite not being advertised particularly widely, the hotline has seen a steady increase in demand since it began operating, saying that "if we were to properly advertise this hotline, the demand would likely go through the roof and we would not be able to adequately support the people coming forward for support and assistance";
 - (e) Dr Cockayne makes the following assertions in the NSW Anti-slavery Commissioner's 2023-2024 annual report:
 - (i) "the complex requests for support and referral that we now receive – some of which involve active connections to organised crime, ongoing domestic violence matters, complex medical situations, and complex legal and immigration situations – clearly warrant more dedicated staff time";
 - (ii) "while my staff do everything we can to provide requested assistance and support, it is proving very difficult to sustainably deliver the function required by the Act, at current staffing levels, and without significant risks of staff burnout";
 - (iii) "this lack of resources is a clear constraint on our ability to provide New South Wales Government agencies the support they are seeking to meet their statutory obligations";
 - (iv) "more than half of surveyed government agencies have indicated a desire to receive support to train frontline staff. Yet the Office currently has no staff resources that we can dedicate to training frontline workers"; and
 - (v) "at present the NSW Anti-slavery Commissioner receives no dedicated funding in the NSW Budget Papers. The New South Wales Government should, starting in the FY2025–2026 Budget, give the Anti-slavery Commissioner a dedicated and independent funding allocation".
 - (f) the NSW Anti-slavery Commissioner is not the first statutory office holder to put on the record the Government's failure to adequately fund it to perform its statutory duties: the Ageing and Disability Commissioner has repeatedly and consistently asserted that the Government continues to provide the commission with such an inadequate and unsustainable budget that it was essentially set up to fail, and the NSW Electoral Commission has consistently called for an increase in funding from the Government in order to fulfil its most basic statutory obligations.
- (2) That this House recognises the important role that statutory office holders such as the NSW Anti-slavery Commissioner play, and thanks the Anti-slavery Commissioner and his office for their work in overseeing public procurement and combatting modern slavery in New South Wales.
- (3) That this House calls on the Government to commit to providing the Office of the NSW Anti-slavery Commissioner with the resources it needs to carry out its statutory duties and meet rising demand.

Motion agreed to.

OILSPLUS NORTH RUGBY COMPETITION

The Hon. SCOTT BARRETT (12:36): I move:

- (1) That this House notes that on Saturday 30 August 2025 the Molong Magpies defeated the Geurie Goats 22 to 11 to win the 2025 Oilsplus North rugby competition, a great achievement for Molong, who went undefeated throughout the season.
- (2) That this House commends the efforts of all players, coaches and support staff who have earned this grand final win together and, in doing so, did their community proud.
- (3) That this House acknowledges that:
 - (a) in 2025 the premiership trophy was named the Bob Sullivan Cup in recognition of Bob's involvement with Central West Rugby spanning four decades; and
 - (b) Bob has also been involved with Molong rugby since the 1970s, and is a life member of both organisations, a proud member of the Molong community and a genuine good bloke.
- (4) That this House celebrates country rugby, recognising that having a thriving rugby club in towns like Molong contributes to a strong social fabric and helps promote physical and mental health in the community.

Motion agreed to.

Committees

DELEGATED LEGISLATION COMMITTEE

Reports

The Hon. NATASHA MACLAREN-JONES: I table the report of the Delegated Legislation Committee entitled *Delegated Legislation Monitor No. 12 of 2025*, dated 14 October 2025.

I seek leave to make a short statement regarding the tabling of the monitor.

Leave granted.

The Hon. NATASHA MACLAREN-JONES (12:36): I draw attention of the House to a recommendation of the Delegated Legislation Committee as set out in the committee's *Delegated Legislation Monitor No. 12 of 2025*. The committee recommends the disallowance of the erratum published in the *Government Gazette* on 18 July 2025 and tabled in the House on 5 August 2025. The erratum amends the description of the land reserved as Tarawi National Reserve in the proclamation of the National Parks and Wildlife Act 1974 as published in the *New South Wales Government Gazette* dated 4 October 1996. As chair of the committee, I will give notice of a motion today to disallow the erratum. The committee's concerns have been outlined in the monitor, and I appreciate the Minister's constructive engagement throughout this process. I will provide further details during the debate on the disallowance motion.

Documents

TABLING OF PAPERS

The Hon. PENNY SHARPE: According to the Biosecurity Act 2015, I table the report of the Independent Biosecurity Commissioner for the year ended 30 June 2025.

Committees

LEGISLATION REVIEW COMMITTEE

Reports

The Hon. CAMERON MURPHY: I table a report of the Legislation Review Committee entitled *Legislation Review Digest No. 36/58*, dated 14 October 2025.

The Hon. CAMERON MURPHY (12:37): I move:

That the House take note of the report.

Debate adjourned.

SELECTION OF BILLS COMMITTEE

Reports

The Hon. BOB NANVA: I table report No. 39 of the Selection of Bills Committee, dated 14 October 2025. According to standing order, I move:

That the following bills not be referred to a standing committee for inquiry and report, this day:

- (a) Environmental Planning and Assessment (Planning System Reforms) Bill 2025;
- (b) Justice Legislation Amendment (Miscellaneous) Bill (No 2) 2025;
- (c) Liquor Amendment (Airports) Bill 2025; and
- (d) Local Court and Bail Legislation Amendment Bill 2025.

Motion agreed to.

Documents

AUDITOR-GENERAL

Reports

The CLERK: According to the Government Sector Audit Act 1983, I announce receipt of the following reports:

- (1) Performance Audit Report of the Auditor-General entitled *Alternative school settings and home schooling*, dated 25 September 2025, received out of session and published on 25 September 2025.
- (2) Performance Audit Report of the Auditor-General entitled *Revenue NSW's administration of hardship assistance*, dated 8 October 2025, received out of session and published on 8 October 2025.

AUDITOR-GENERAL

Reports

The CLERK: According to the Government Sector Finance Act 2018, I announce receipt of the report of the Audit Office of New South Wales for year ended 30 June 2025, received out of session and published on 9 October 2025.

Committees

JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

Reports

The CLERK: According to standing order, I announce receipt of report No. 3/58 of the Joint Standing Committee on Electoral Matters entitled *Appropriation for the Services of the NSW Electoral Commission for the 2025-2026 financial year*, dated September 2025, received out of session and published on 25 September 2025.

The Hon. PETER PRIMROSE (12:40): I move:

That the House take note of the report.

Debate adjourned.

**COMMITTEE ON THE OMBUDSMAN, THE LAW ENFORCEMENT CONDUCT COMMISSION
AND THE CRIME COMMISSION**

Reports

The CLERK: According to standing order, I announce receipt of report No. 2/58 of the Committee on the Ombudsman, the Law Enforcement Conduct Commission and the Crime Commission entitled *Appropriations for the services of the Law Enforcement Conduct Commission and the Ombudsman's Office for the 2025-26 financial year*, dated September 2025, received out of session and published on 26 September 2025.

The Hon. CAMERON MURPHY (12:41): I move:

That the House take note of the report.

Debate adjourned.

COMMITTEE ON THE HEALTH CARE COMPLAINTS COMMISSION

Reports

The CLERK: According to standing order, I announce receipt of report No. 2/58 of the Committee on the Health Care Complaints Commission entitled *Review of the Health Care Complaints Commission's 2023-24 annual report*, dated September 2025, received out of session and published on 29 September 2025.

PRIVILEGES COMMITTEE**Reports**

The CLERK: According to standing order, I announce receipt of report No. 101 of the Privileges Committee entitled *Draft Constitution (Disclosures by Members) Regulation 2025*, dated October 2025, together with submissions and correspondence, received out of session and published on 13 October 2025.

The Hon. STEPHEN LAWRENCE (12:42): I move:

That the House take note of the report.

Debate adjourned.

PORTFOLIO COMMITTEE NO. 3 - EDUCATION**Reports**

The CLERK: According to standing order, I announce receipt of report No. 54 of Portfolio Committee No. 3 - Education entitled *Children (Education and Care Services National Law Application) Amendment Bill 2025*, dated October 2025, together with transcripts of evidence, submissions, correspondence, and answers to questions taken on notice and supplementary questions, received out of session and published on 13 October 2025.

PORTFOLIO COMMITTEE NO. 1 - PREMIER AND FINANCE**Government Response**

The CLERK: According to standing order, I announce receipt of the Government response to report No. 66 of Portfolio Committee No. 1 – Premier and Finance entitled *Impact of the regulatory framework for cannabis in New South Wales: Final report*, tabled 20 June 2025, received out of session and published on 23 September 2025.

*Petitions***RESPONSES TO PETITIONS**

The CLERK: According to standing order, I announce receipt of the following response to an ePetition signed by more than 500 persons:

- (1) Government response from the Hon. Penny Sharpe, Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage, to a petition presented by the Hon. Scott Barrett on 9 September 2025 concerning national parks camping fees, received out of session and published on 13 October 2025.

*Documents***METROPOLITAN MEMORIAL PARKS CEMETERY SITES****Variation of Order**

The PRESIDENT: According to Standing order 53, I inform the House that on Wednesday 8 October 2025 Metropolitan Memorial Parks requested to vary the scope of the order for papers. The Acting President certified an agreement reached between the member who moved the order, the Hon. Tania Mihailuk, and Metropolitan Memorial Parks, which was published by the Clerk. I table an agreement, certified on Monday 13 October 2025, that varied the due date for a second return of documents from Metropolitan Memorial Parks to Wednesday 22 October 2025.

The question is that the varied terms of the order be agreed to.

Motion agreed to.

METROPOLITAN MEMORIAL PARKS CEMETERY SITES**Variation of Order**

The PRESIDENT: According to standing order, I table a request received on Wednesday 24 September 2025 from Metropolitan Memorial Parks to vary the scope of an order for papers regarding the consideration and selection of new metropolitan cemetery sites in Sydney, together with a response from the Hon. Tania Mihailuk, who moved the order, not agreeing to the request. I inform that House that, as no agreement was reached, the original order stands with the original due date. Details are available from the Clerks at the table and will be recorded in the *Minutes of Proceedings*.

WORKERS COMPENSATION LEGISLATION**Further Return to Order**

The CLERK: According to the resolution of the House of Wednesday 17 September 2025, I table a return received on Wednesday 24 September 2025 from The Cabinet Office stating that no documents that are covered by the terms of the resolution lawfully required to be produced are held.

EARLY CHILDHOOD EDUCATION AND CARE SECTOR**Further Return to Order**

The CLERK: According to the resolution of the House of Tuesday 18 March 2025, as varied on Tuesday 6 May 2025 and amended on Thursday 5 June 2025 and Thursday 27 March 2025, I table:

- (a) a return received on Thursday 25 September 2025 from The Cabinet Office, together with an indexed list of documents with certain privileged and personal information redacted as ordered; and
- (b) a return received on Thursday 25 September 2025 from The Cabinet Office of documents subject to a claim of personal information.

GREYHOUND RACING INDUSTRY**Further Return to Order**

The CLERK: According to the resolution of the House of Wednesday 10 September 2025, I table:

- (a) a return received on Wednesday 1 October 2025 from Greyhound Welfare and Integrity Commission, together with an indexed list of documents, and a corrected indexed list of documents received on Thursday 2 October 2025;
- (b) a return received on Wednesday 1 October 2025 from Greyhound Welfare and Integrity Commission of documents subject to a claim of personal information;
- (c) a return received on Friday 10 October 2025 from Greyhound Welfare and Integrity Commission, together with an indexed list of documents;
- (d) a return received on Friday 10 October 2025 from Greyhound Welfare and Integrity Commission of documents subject to a claim of privilege; and
- (e) a return received on Friday 10 October 2025 from Greyhound Welfare and Integrity Commission of documents subject to a claim of personal information.

NSW KOALA STRATEGY**Return to Order**

The CLERK: According to the resolution of the House of Wednesday 10 September 2025, I table:

- (a) a return received on Wednesday 1 October 2025 from The Cabinet Office, together with an indexed list of documents; and
- (b) a return received on Wednesday 1 October 2025 from The Cabinet Office of documents subject to a claim of personal information.

METROPOLITAN MEMORIAL PARKS CEMETERY SITES**Return to Order**

The CLERK: According to the resolution of the House of Wednesday 17 September 2025, as varied on Tuesday 14 October 2025, I table:

- (a) a return received on Wednesday 8 October 2025 from Metropolitan Memorial Parks, together with an indexed list of documents;
- (b) a return received on Wednesday 8 October 2025 from The Cabinet Office, together with an indexed list of documents; and
- (c) a return received on Wednesday 8 October 2025 from The Cabinet Office of documents subject to a claim of personal information.

WOOLLAHRA HOUSING DEVELOPMENT**Return to Order**

The CLERK: According to the resolution of the House of Wednesday 17 September 2025, I table:

- (a) a return received on Wednesday 8 October 2025 from The Cabinet Office, together with an indexed list of documents;
- (b) a return received on Wednesday 8 October 2025 from The Cabinet Office of documents subject to a claim of privilege;
- (c) a return received on Wednesday 8 October 2025 from The Cabinet Office of documents subject to a claim of personal information;

- (d) a return received on Friday 10 October 2025 from The Cabinet Office, together with an indexed list of documents; and
- (e) a return received on Friday 10 October 2025 from The Cabinet Office of documents subject to a claim of privilege.

TOORALE NATIONAL PARK WATER REGULATION

Return to Order

The CLERK: According to the resolution of the House of Wednesday 10 September 2025, I table:

- (a) a return received on Wednesday 8 October 2025 from the Natural Resources Access Regulator, together with an indexed list of documents;
- (b) a return received on Wednesday 8 October 2025 from the Natural Resources Access Regulator of documents subject to a claim of privilege;
- (c) a return received on Wednesday 8 October 2025 from the Natural Resources Access Regulator of documents subject to a claim of personal information;
- (d) a return received on Wednesday 8 October 2025 from The Cabinet Office, together with an indexed list of documents;
- (e) a return received on Wednesday 8 October 2025 from The Cabinet Office of documents subject to a claim of privilege; and
- (f) a return received on Wednesday 8 October 2025 from The Cabinet Office of documents subject to a claim of personal information.

JAMIE CLEMENTS

Tabling of Correspondence

The CLERK: According to the resolution of the House of Wednesday 10 September 2025, I table correspondence received on Tuesday 30 September 2025 from the Hon. Mark Latham, forwarded to The Cabinet Office, regarding compliance with the order for papers.

Petitions

PETITIONS RECEIVED

Boree Renewable Energy Projects

ePetition requesting that the House call on the Government to suspend assessment of Boree and nearby proposed renewable energy projects until a cumulative social impact assessment is completed, and introduce safeguards to protect State significant agricultural land, received from **the Hon. Mark Banasiak**.

Geurie and Wongarbon Renewable Energy Projects

ePetition requesting that the House call on the Government to suspend assessment of Boree and nearby proposed renewable energy projects until a cumulative social impact assessment within 30 kilometres of Geurie is completed, and introduce safeguards to protect State significant agricultural land, received from **the Hon. Mark Banasiak**.

Discovery Pass

ePetition requesting that the House call on the Government to reinstate the three-month and six-month Discovery Pass for regional travel, or introduce an equivalent long-term option, received from **the Hon. Aileen MacDonald**.

Kosciuszko Wild Horse Heritage Legislation

ePetition requesting that the House call on the Government to stop the repeal of the Kosciuszko Wild Horse Heritage Act 2018 and stop the slaughter of brumbies in New South Wales, received from **the Hon. Emma Hurst**.

Business of the House

WITHDRAWAL OF BUSINESS

The Hon. JEREMY BUCKINGHAM: I withdraw private members' business item No. 2290 standing in my name on the *Notice Paper* for today relating to the establishment of a Select Committee into Unsolved Murders and Missing Persons in New South Wales between 1965 and 2010.

The PRESIDENT: Order! According to sessional order, proceedings are now interrupted for questions.

*Questions Without Notice***WORKERS COMPENSATION LEGISLATION**

The Hon. DAMIEN TUDEHOPE (13:30): My question is directed to the Treasurer. Mr Chris McCann—who collaborated with the Treasurer as a whistleblower on icare in 2020—gave evidence to the Public Accountability and Works Committee on Tuesday 7 October 2025. During his evidence he stated that after he texted the Treasurer on 14 May 2025 seeking a discussion about his concerns with the Workers Compensation Legislation Amendment Bill 2025, he received a reply text on 30 May 2025 stating, in part, "I'm sorry to hear that you are feeling this way. Please call Lifeline if you have any problems." Why has the Treasurer refused to meet with Mr McCann, and does he consider his response directing him to call Lifeline appropriate?

The Hon. DANIEL MOOKHEY (Treasurer) (13:31): I thank the shadow Treasurer for his question. I understand that Mr McCann gave evidence in the inquiry last week. I respect Chris McCann, just as I respect all injured workers. I also respect their right to disagree with the Government's proposed reforms. As for the text message exchange that Mr McCann referred to, I am not going to canvass any person's—let alone an injured worker's—mental health circumstances in question time. When it comes to someone's mental health, including matters that are quite sensitive that have been expressed to me via text message, I always treat them with respect and act to ensure that a person in need of immediate mental health assistance gets it. My final point is that I am very grateful for the assistance of New South Wales public servants in responding to this matter.

The Hon. DAMIEN TUDEHOPE (13:32): I ask a supplementary question. Given that the Treasurer will not canvass the matter and his concern about Mr McCann, has the Treasurer followed up to check on Mr McCann's welfare or to engage with him on his concerns about the proposed legislation since 30 May 2025?

The Hon. DANIEL MOOKHEY (Treasurer) (13:32): I thank the Hon. Damien Tudehope for his question. When it comes to interactions with injured workers—which I have been engaging in for a very long time with a variety of different people and circumstances—I always take into account the totality of the circumstance. The member asked me whether I followed up. All I will say in relation to this matter is that when it comes to the interactions with this injured worker, I have acted on advice.

The Hon. MARK LATHAM (13:33): I ask a second supplementary question. Will the Treasurer elaborate on his answer on the day in question? Given that he used Mr McCann as his whistleblower and constantly sought confidential information that he leaked to the ABC, why did the Treasurer not have the decency to pick up the phone, talk to the man and give him a bit of comfort?

The Hon. DANIEL MOOKHEY (Treasurer) (13:33): I thank the Hon. Mark Latham for his question. When it comes to the interaction with this injured worker—whom I have known for quite a while—I will simply say that when interacting with injured workers, you do so carefully. On this matter, I have done that.

STATE CREDIT RATING

The Hon. GREG DONNELLY (13:34): My question without notice is addressed to the Treasurer. Will the Treasurer update the House on the State's credit rating and what it means for the people of New South Wales?

The Hon. DANIEL MOOKHEY (Treasurer) (13:34): I thank the Hon. Greg Donnelly for his question. I am happy to report that on 1 October, as New South Wales residents prepared for a long weekend, there was one more reason to enjoy Labour Day. It was that yet another global ratings agency—Moody's—reaffirmed the New South Wales triple-A credit rating. The State's fiscal discipline, large and diverse economy, and substantial liquidity were highlighted in Moody's opinion as key factors supporting the rating. The Minns Government's commitment to expense constraint was also flagged as an element in the decision. Moody's decision comes after Fitch also affirmed the State's triple-A credit rating following the 2025-26 budget. We are still waiting for Standard and Poor's determination. Let us see if we get a troika of rating agencies giving us a trifecta of ratings that we are able to maintain.

The PRESIDENT: Order! There are too many interjections from Opposition members.

The Hon. DANIEL MOOKHEY: Part of the reason we have held onto the credit rating is because we have lowered debt. Imagine a dark, alternative fantasy universe where the shadow Treasurer had gotten himself re-elected and implemented that last wonderful budget of his, in which he had a 24 per cent expense growth—the highest since 1974 of any government of any political persuasion. If at the same time he figured out a way to have paid for all the metros that he promised, without any money put aside for them, and he had actually figured out how to fund the \$9 billion of holes he left, we would be in a very different circumstance today.

I know that the shadow Treasurer has a press release ready to go to congratulate the Government on keeping Moody's triple-A rating. I am waiting for him to send it out and say, "Well done. You held onto it." Because the

shadow Treasurer was very clear in saying we would lose it. He was poised to strike if we lost it. He has been talking down the New South Wales economy and baying for the credit rating agency to take it down, to jack up our borrowing costs. Therefore I know he must be delighted—given how much he cared—that we have held onto the triple-A rating this year. A better credit rating means we pay less for our debt, which means we can spend more on essential services. I am sure the shadow Treasurer will agree.

COMMUNITY PRESCHOOLS

The Hon. SARAH MITCHELL (13:37): My question is directed to the Acting Minister for Education and Early Learning. Tomorrow community preschools across New South Wales will close, as early childhood teachers and educators rally in Martin Place and across the State to fight for increased funding and fair pay for the people who educate our youngest learners in community preschools. Why has the Government rejected the sector's proposal for increased funding and left more than 700 community preschools fighting to keep their doors open?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (13:37): I thank the member for her question. It is true: Community preschools, as we discussed in this place last time we met, do fantastic work each and every day in their communities. They provide excellent care, and I know that a number of members have had the benefit of their children attending community preschools. At a time of challenges across the early learning and early childhood sector, we know that parents trust community preschools as places at which to drop off their children. That is why we want them to do more. During the last parliamentary sitting, one of the announcements I made was for a program that the Deputy Premier has been working on for some time, which is a \$100 million fund for community preschools to expand their operations by providing, for example, longer hours, care to younger children or care for more weeks of the year.

We want to be able to support community preschools, but the Government is not the employer of community preschools. These are fantastic organisations that have often run for generations, but they are run by community organisations. They are the employers. Those employers and those workers are in the Fair Work Commission at the moment; they are undergoing that process. Our Government has a bit of experience with industrial negotiations, so I wish them well in their proceedings in the Fair Work Commission, but the Government is not the employer in this case.

We would support workers to negotiate fair wages, because we believe that workers should be paid fairly. We do provide funding, and that funding has increased under both the previous Government and our Government. As we discussed in this place when we last met, as a result, a number of them have significant cash reserves. I encourage them to use those to pay their workers as well. These are wonderful organisations, but they are in a negotiation at the moment between workers and the employers, which are the community-run preschools, and that process will unfold through the Fair Work Commission.

The Hon. SARAH MITCHELL (13:40): I ask a supplementary question. I thank the Acting Minister for Education and Early Learning for her answer. Will the Minister elucidate that part of her answer about the value of community preschools, and some of the funding support that the Government is providing them to expand and change their service delivery model? If preschools are taking the rather drastic action of shutting their doors in protest, does that not concern the Minister, and will she acknowledge it is a clear indication of the Government failing to properly recognise the value of those teachers in community preschools who give children the best start in life?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (13:41): I completely disagree with the many different parts of the supplementary question. I could not have been clearer in my original response. We think community preschools provide fantastic care for children each and every day, as they have for generations. We want them to continue to do that. I accept it is a big step for them to close their doors, but I encourage them to continue to provide that care. We have \$100 million worth of funding that is going to be opening up shortly; that will help community preschools to provide more care. That funding will also provide community preschools with short-term wage supplementation if they want to take up the program. This is how the more than 700 community preschools that currently operate can have access to more funding.

The Hon. Penny Sharpe: Point of order: The Minister has been asked a question, she is endeavouring to answer the question, and there are constant interjections and banter from members opposite that are deliberately designed to interrupt her ability to answer it. I ask that you call members opposite to order.

The Hon. Mark Latham: To the point of order: The reality is that the Minister could be clearly heard. The House was near silent. It is almost as if the Minister has a condition of reverse Tourette's, where she takes

long pauses that are very disconcerting when trying to understand what she is saying. Why can she not just speak like thousands of Ministers have done in the past?

The PRESIDENT: The Hon. Mark Latham made a helpful contribution to the point of order when he began speaking, but not when he concluded. Members will avoid making debating points when they take a point of order. I remind all members that interjections are disorderly at all times, but I also remind members that the House can be a little robust and that they should push through and continue their contributions. The Minister has concluded her answer.

Ms ABIGAIL BOYD (13:43): I ask a second supplementary question. Given that not all of the increase in funding that has been given to community preschools in the past has been able to be used for wages, and also that it was contingent on those community preschools not increasing their fees, and given that they are reliant on the State Government for their funding, how can the Minister talk about not being the employer of these teachers with a straight face?

The Hon. Greg Donnelly: How rude!

Ms ABIGAIL BOYD: Apologies. If that was seen as being rude, I will withdraw it.

The Hon. Greg Donnelly: It was.

Ms ABIGAIL BOYD: Then I have already apologised, Mr Donnelly. Will the Minister please elucidate how these preschools are supposed to fund any wage increase in those circumstances?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (13:44): I am not sure I can thank Ms Abigail Boyd for the second supplementary question, but I will provide an answer, which is that I am not a lawyer but my understanding of employment law is that the person who pays the wages is the employer. We do not pay the wages. Those 700 community preschools are community-run organisations. Their employer is the preschool itself. We are not the employer. We directly employ tens of thousands of teachers—it might be more. The Secretary of the Department of Education will correct me on how many teachers we have. The Deputy Premier negotiated an agreement that gave them a once-in-a-generation wage increase.

We are the direct employer of those teachers in public schools. We are the direct employer of teachers in public preschools. We are not the direct employer of teachers in community preschools. Therefore the Fair Work Commission has a process where the two parties are the community preschools and the workers. That is how industrial negotiations work. I am not an industrial lawyer, but that is my understanding, and that is how I can stand here and say to you that the New South Wales Government does not employ teachers in community preschools.

LEAD MINING WORK HEALTH AND SAFETY

Ms CATE FAEHRMANN (13:46): My question is directed to the Minister for Natural Resources. Answers the Minister recently provided to supplementary questions show that since 2019 the NSW Resources Regulator has received at least 92 notifications of blood lead levels in mine workers above 10 micrograms per decilitre. Of those, 20 are above 30 micrograms per decilitre, with most being notified this year. NSW Health states there is no safe level of lead exposure and that it is well established that blood lead levels equal to or greater than 10 micrograms per decilitre may have harmful effects on many organs and bodily functions. Does this not show that lead cannot be mined safely in New South Wales if the workers cannot be protected?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (13:47): I thank Ms Cate Faehrmann for the question. I acknowledge she did ask me a number of supplementary questions to budget estimates on this issue. It is a really important issue. We absolutely have to have a robust system to ensure that our workers are safe in any industry, but, for my particular responsibilities, and in the capacity in which the member has asked me this question, in our mines. I have been briefed extensively about this. I note the detailed and lengthy questions that the member asked me in relation to it. We provided a range of information on that. I would stress this point: We take the health and safety of all workers very seriously.

We have a robust regulatory framework to ensure that there is a stringent testing program in place. I know the member is aware of this but, for the benefit of the House, the system in place is mainly for mine workers and mine operators who are undertaking work that may involve lead risk. If a worker tests above a prescribed blood lead level, they are removed from that lead-risk work and are monitored until their blood lead levels subside. The Environment Protection Authority, the NSW Resources Regulator and NSW Health are in constant communication through this process to make sure that workers are safe and avoid serious lead exposure. The safety testing must be completed prior to commencing lead-risk work and also during lead-risk work.

As I have informed the member, there are different testing standards for females of reproductive age. The age of female reproductive capacity is considered to be between 15 and 44. Those women are required to be tested every three months. Males and females of non-reproductive age or capacity are required to be tested every six months. Again, there are very strict rules around the amount of lead that will be tested for. We have stringent testing in place, but my understanding is that most of those mines are mining multiple metals or multiple minerals. It is not just lead mining; the lead might be with copper, zinc, gold or silver. Those are the most common ones that I am aware of. It is natural that the testing occurs.

Ms CATE FAEHRMANN (13:50): I ask a supplementary question. Will the Minister elucidate her answer where she said that there is a robust regulatory system in place? As 92 workers have reported blood lead levels above 10 micrograms per decilitre, and recognising that NSW Health says that will have harmful effects on many organs and bodily functions, does that mean that the robust regulatory system is working and that those 92 workers are being sacrificed in the name of the lead mining?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (13:51): I thank the member for the supplementary question. I completely reject the idea that we are sacrificing any workers in any way. I have asked a number of questions to test whether this is a robust system. If the member has suggestions about how we can make that better—and we certainly take advice from the health experts about how we can do that—then we will take that on board. When I say that we have a robust system, I am happy to take constructive feedback about how we can make it better and protect workers. However, when the workers test at what the health experts tell us are unsafe levels, they are removed from the work until the level is reduced. That is the system that is in place. I think that is appropriate, but I am happy to get feedback. The member previously asked me, "Does this mean we should stop all mining?" No, I do not think we should stop all mining.

We have a system in place. We are testing workers. If health professionals or the member wish to suggest improvements, we will test those and check whether we should implement those improvements. There is a long history of mining in this State. Within the coalmining industry in particular, a range of safety measures are in place to keep workers safe. We have a responsibility to ensure that workers go home to their families at the end of each shift. We have a regulated system that allows our workers to work within a safe environment. If there are learnings from within the coal industry that should be transferred to the metalliferous industry, then I am open to that conversation as well. We want to make sure that our workers are safe. However, the system is that when workers are identified as having dangerous levels of lead, they are then removed from doing that work and the testing continues. This is an expanding industry, but the Government is keeping a very close eye on the regulatory responsibility.

PUBLIC SCHOOL INFRASTRUCTURE

The Hon. PETER PRIMROSE (13:53): My question without notice is addressed to the Acting Minister for Education and Early Learning. Will the Minister update the House on the Minns Labor Government's record investment in public school infrastructure as students return for term 4?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (13:53): I thank the member for a great question on a topic that is obviously going to make me smile a little more than the previous topic. I acknowledge that the Hon. Peter Primrose lives not far from where I was this morning, along with the Premier, to open the rebuilt Darcy Road Public School. That was an amazing experience. The school used to cater for 255 kids. Now, under the rebuild, it is going to—

The Hon. Sarah Mitchell: Who funded it?

The Hon. COURTNEY HOUSSOS: I am going to get to that, don't you worry. You just wait.

The PRESIDENT: Order!

The Hon. COURTNEY HOUSSOS: It is now going to be open for business for 1,000 students. That is a fourfold increase. Members opposite like to shout that they were the ones who announced it. Sure, they announced it. They announced a lot of things. What did they actually do? They lodged it and they talked about it, but they did not do much. They just talked about it. In 2018, then Premier Berejiklian announced it. What did this Government do? On 25 March last year, the Premier and Deputy Premier turned the sod and started the construction and, 18 months later, we delivered it.

The PRESIDENT: Order! There are too many interjections.

The Hon. COURTNEY HOUSSOS: It is all very well to make announcements and talk about things, but it is actually about delivery. I wish that I did not have to open the school this morning. I wish that, when

members opposite had the opportunity, they actually got the project going. They announced it in 2018. I wish they had delivered it at some point in the six years that they had to deliver it. They were too busy talking about it and not doing it.

The Hon. Wes Fang: You're having a shocker, Courtney.

The PRESIDENT: The Hon. Wes Fang will cease interjecting.

The Hon. COURTNEY HOUSSOS: The Deputy Premier actually delivered on the project. That is what happened for those parents today. There was delight and excitement on their faces. They know that members opposite put 13 demountables on the site, and they know that this Government is removing all 21 demountables by the end of this year. That is what this Government is about: delivering better public schools for local children.

The PRESIDENT: Order! The Clerk will stop the clock. The Minister will resume her seat. There are too many interjections. Hansard must be able to do its job, and it cannot do that if both Opposition and Government members continue to interject. I understand that this is the first sitting day in some time, and members are excited to be back. That is a wonderful thing. However, members will be a little more restrained. The Minister has the call.

The Hon. COURTNEY HOUSSOS: Some 45 new classrooms are open and available for learning. We could see the excitement on the faces of the children this morning as we cut the ribbon. It was wonderful. There are 45 new state-of-the-art classrooms and, most importantly, no teacher vacancies. That is what this Government is delivering across the State. There are more than 16 school upgrades across the Parramatta region. We are removing more than 200 demountables and replacing them with more than 300 permanent classrooms. That is what building a world-class education system looks like.

INSTITUTIONAL CHILD SEXUAL ABUSE

The Hon. JEREMY BUCKINGHAM (13:57): My question without notice is directed to the Treasurer, representing the Attorney General. In February 2025 the Standing Council of Attorneys-General agreed to consider potential reform options for institutional liability for child sexual abuse. The Victorian Attorney-General, Sonya Kilkenny, has announced plans to introduce retrospective vicarious liability laws by the end of 2025. Will New South Wales follow the lead of Victoria and extend vicarious liability laws so that churches can be held responsible for historical sexual abuse?

The Hon. DANIEL MOOKHEY (Treasurer) (13:58): I thank the Hon. Jeremy Buckingham for the question, and I commend him for his ongoing advocacy on behalf of victim-survivors of child sexual abuse and, in particular, victim-survivors of historical abuse. The member has previously asked me similar questions in my capacity representing the Attorney General in this place. The advice that I have from the Attorney General is as follows. The Government is carefully considering the implications of the High Court's decision in *Bird v DP* and whether reform in that space is possible, necessary or appropriate. As the member has said, the court confirmed in that case that a relationship of employment is required for vicarious liability at common law. The Royal Commission into Institutional Responses to Child Sexual Abuse shone a light on the truly awful abuse experienced by people in our community. Those who shared and continue to share their stories demonstrated extraordinary bravery and were a meaningful and important part of something that has led to real and significant change.

It is important to note that legislative reforms have already directly followed the work of the royal commission, especially when it comes to vicarious liability. In 2018 the Civil Liability Act 2002 was amended to prospectively extend the common law of vicarious liability so that it applies to not only employees but also those akin to employees, such as priests and volunteers. The Government also introduced a prospective statutory duty on certain organisations to take reasonable steps to prevent child abuse, with a reverse onus of proof. I note that the royal commission explicitly recommended that those changes be made prospectively only. Since that decision, the Department of Communities and Justice has provided detailed advice on the implications of *Bird v DP* and on proposals to extend liability to those in relationships akin to employment.

When it comes to the actions of other States, of course, it is for them to make those decisions, but the Attorney General has advised me that the Standing Council of Attorneys-General has met twice this year to discuss these matters, in February and again in August. Attorneys-General agreed to work together on the issue, recognising the importance of consistency across jurisdictions. The Government is monitoring those discussions as well as legislative developments in other States, including Victoria. I am advised that the Victorian Government is yet to introduce its legislation. It remains important that all jurisdictions are given the opportunity to thoughtfully consider potential reform options, as any approaches to change in this space would benefit from a uniform national approach, if possible, to ensure that victim-survivors across Australia have equal opportunities to seek justice.

I seek an extension of time.

Leave granted.

The Hon. DANIEL MOOKHEY: If progressed, any reform in this sensitive and complex area of law must also be developed in close consultation with key legal stakeholders and victim-survivors to ensure that there are no unintended consequences. New South Wales has already implemented major reforms in response to the royal commission and will continue to approach this issue with the care, coordination and respect that survivors deserve.

SYDNEY TRAINS NETWORK

The Hon. NATALIE WARD (14:01): My question is directed to the Minister for Transport. On 23 September 2025 the Minister stated that the \$423 million for a Sydney Trains asset renewal program to upgrade track signals, overhead wiring and drainage would be funded by the transport asset management fund. Which budgeted projects have been cancelled or delayed to divert that funding?

The Hon. Daniel Mookhey: None.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (14:02): I thank the shadow Minister for her question. The answer, as the Treasurer interjected in a quite unparliamentary style but, as usual, entirely accurately, is none. No projects have been cancelled. I understand why the Opposition is confused about the way that Transport Asset Manager [TAM] funding works, after its accounting shell game with the Transport Asset Holding Entity when in Government. There could well be some confusion, but the assets of TAM have been allocated to that project. Yes, there is some opportunity cost to that. It means that those unallocated assets will not be used for other things that the Government might ask TAM to do, but no projects have been cancelled. That money has been allocated to this important task, with \$423 million to upgrade tracks, signals, overhead wiring and drainage in flood-prone areas.

I would have thought Opposition members would be thanking us and cheering this investment on. I note that there is some critique of the Government in the paper today because it is finding more defects in the system. I give members a bit of background on this question. The Government is finding more because it is looking for more. When Labor came to government, the backlog on inspections was around 1,500. That was in the December 2022 quarter. It is now down to 13. We are scouring the network to look for issues. We are not doing it with binoculars and people on foot, as the former Government was. It refused to implement new technology. We are doing it with an automatic scan right across the network, implementing new technologies so we know where the defects are. The Opposition is critiquing us, rather than cheering us on, for finding the defects.

The Hon. Natalie Ward: Point of order: It relates to relevance. My question was specifically on the funding the Minister had spoken about and where it was coming from. It was not about the former Government or this Government using binoculars, or about the number of inspections. It was about the \$423 million, and I ask that he be drawn back to that specific question.

The PRESIDENT: I do not uphold the point of order. The Minister is being directly relevant to the first half of the question.

The Hon. JOHN GRAHAM: The \$423 million from TAM will be used in particular to fix wires. The one wire that I wish we had fixed earlier is the one that broke in May 2025 that was discovered by the former Government in 2020 but was never put into the maintenance program. The former Government went looking and found the defect but did not put it in the maintenance program. What a mad way to run the system! That is fixed, and it took this Government to fix it. We are using that technology to find defects, and we are then working through to fix them with that funding. The funding has been allocated. That investment has been brought forward to complete that task, and we have also started to put the trains that the former Government never got to on the tracks.

SYDNEY TRAINS NETWORK

The Hon. BOB NANVA (14:05): My question without notice is addressed to the Minister for Transport.

The Hon. Damien Tudehope: Here we go—the RTBU question!

The Hon. BOB NANVA: It is an important question. Will the Minister update the House on the Government's work to improve rail operations and reliability?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (14:06): I am delighted with that question. I am pleased

to advise the House that yesterday the Government was able to do what the previous Government failed to do: It got those new trains that were delayed for six years onto the Blue Mountains tracks. I can report firsthand that the Mariyungs finally went into service on the Blue Mountains line yesterday morning, and they gave a comfortable, reliable ride. I jumped on at Springwood at 7.55 a.m. and, apart from a single unfortunate encounter with a pigeon, we had a very smooth ride into Central. I acknowledge the member for Blue Mountains, Trish Doyle, and the previous Minister, Jo Haylen, for their work to get those trains on the tracks. This is a big moment for those communities.

The PRESIDENT: Order! There are too many interjections.

The Hon. JOHN GRAHAM: Those trains were six years behind schedule. Their cost blew out from \$2.8 billion to \$4.1 billion, and they did not fit the tracks, tunnels or platforms. It was quite remarkable. Getting them on the tracks now is an investment in reliability, replacing the older trains that have been running since the 1970s with newer, more reliable trains. As I indicated before, we accept that there is more work to do. Last month's independent rail review, as the Premier said, was sobering reading.

The PRESIDENT: Order! The Clerk will stop the clock. The Hon. Natalie Ward has spoken more than every Minister combined during this question time. She will cease interjecting.

The Hon. JOHN GRAHAM: We have accepted the recommendations, and we are getting on with the job of upgrading the tracks and wires. We have ordered new handheld laser devices to check wire thickness and replace those binoculars. We have changed key personnel and chain of command in the Rail Operations Centre. On communications, we have directed Sydney Trains to immediately implement a system that stops misleading information on passenger information boards when services are disrupted. Of course, the fact that the rail dispute has now landed will boost reliability. That is good news. We put those trains on the Blue Mountains tracks, which the Coalition promised time and time again, but it never happened in its time in government.

The Government has acknowledged the role of the former Government on the metro lines. The Premier in particular has been very generous on that. The trouble is that the former Government left the suburban workhorse behind. It left behind the ordinary rail system that so many people rely on. It ignored that reliability, and we are fixing it up. They never replaced the Tangara fleet. We had to invest nearly half a billion dollars just to extend its life. They left office with a maintenance backlog of 36,000 defects, with many more inspections yet to happen. They built the Rail Operations Centre but then scrapped the communications element that would have communicated to the platforms. Hard and detailed work is going on and action is underway.

The PRESIDENT: Before I call Dr Amanda Cohn, I thank the Hon. Natalie Ward for taking a 30-second pause before she started to speak again.

SOCIAL MEDIA AGE RESTRICTION

Dr AMANDA COHN (14:09): My question is directed to the Minister for Youth. Minus18 conducted a national survey of LGBTQIA+ young people which asked queer young people where they feel safe being out about their identity. A majority of respondents said they felt safe in online spaces. The Federal Government will implement its social media ban in the next two months. Of the surveyed LGBTQIA+ young people, 82 per cent believe a social media ban will leave them disconnected. What is the Minister doing to support and connect LGBTQIA+ young people, particularly in rural and regional areas, where in-person safe spaces for queer young people are either hard to access or non-existent?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (14:10): I thank the member for her question. Her valid concerns about the implementation of the social media ban have also been raised with me. New South Wales Government and Australian Government support for the social media ban comes on the back of an overwhelming weight of evidence which shows that much of the online interaction that young people experience in these places damages them—not all of it, but much of it. It damages their mental health and extends the bullying and bad behaviour that was previously confined to the schoolyard into homes, bedrooms and devices. Young people feel like they cannot escape.

There is a weighty set of evidence that demonstrates the damaging nature of the addictive algorithms used by a lot of social media companies to keep young people on their devices and on social media for extended periods. That is the context. This has not come out of nowhere. It has come from specific evidence which made this very clear to the New South Wales Government and the Australian Government. I recognise that young people have put forward the perspective that there are benefits to online engagement. One of those benefits is finding a tribe of people online.

I note that Dr Amanda Cohn is a member of a minority community in a place where that is not necessarily accepted. There are a certain number of commercial platforms run by global technology companies that do not have the interests of young people at heart. We are saying those platforms are not safe for under-16s to access. This includes organisations like Instagram and Facebook, which are run by companies that are trying to make money and exploit the eyeballs of young people. They do not have the interests and connections of young people at heart. This does not mean that young people cannot access the internet. There are other online places and spaces where those communities can be created.

I have met with young people who have absolutely raised some of these concerns. The Office for Youth has been doing a great job to bring the perspectives of young people to this conversation by giving them an open platform to raise their concerns and objections to some of the ways that the policy has been implemented. We are very open to exploring how safe, moderated spaces can be created online for young people who want to connect in a digital space with others where they can feel seen and heard, including for LGBTQI or First Nations youth. It does not have to be on one of those platforms like Facebook or Instagram. Those commercial, profit-driven, big tech companies can cause harm to young people. Young people are not banned from the internet; they are not banned from accessing safe spaces. [Time expired.]

Dr AMANDA COHN (14:13): I ask a supplementary question. In her answer, the Minister spoke about the value of safe, moderated online places and spaces other than large corporate social media platforms. What is the Minister doing to support LGBTQIA+ young people in particular to access those kinds of safe spaces?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (14:13): First of all, we are talking to them about what kinds of places and spaces they think would be useful. We are inviting them to be leaders in this conversation. Second of all, we are looking for opportunities to develop and fund these spaces. Both the New South Wales Government and the Commonwealth Government are engaged in conversation. We will have more to say about what resources might be available to build those digital platforms in the lead-up to 10 December, but at the moment we are asking young people.

Some organisations are already doing this. I give a particular shout-out to ReachOut, which is a youth-focused online mental health and wellbeing space. It already has moderated and safe online forums where young people can talk about their feelings, mental health and wellbeing while receiving support from others. Some of those spaces could be curated to provide private, safe and confidential spaces for LGBTQI young people, because they are not captured or impacted by the social media ban. Those kinds of places and spaces are still available, and we want young people to go to them.

I acknowledge that young people have said they found their tribe by engaging in the unmoderated and unregulated world of big tech, but they also receive a hell of a lot of hate, homophobia, bigotry and racism. They see content that promotes eating disorders, cutting and self-harm. There is a very heavy element to some of the content on those unregulated spaces. I think we will be doing a lot better for young people if we can support, fund and build places where we regulate and moderate those engagements so they can genuinely benefit from online digital engagements and find their tribe.

PSYCHIATRY WORKFORCE

The Hon. SUSAN CARTER (14:16): My question is directed to the Minister for Mental Health. In its judgement in *Health Secretary, Ministry of Health v Australian Salaried Medical Officers' Federation (New South Wales) (No 2)*, the Industrial Relations Commission noted:

The Secretary opposed the application for interim relief in its entirety.

It then observed:

... to not grant the allowance would likely constitute a negative signal and lack of appreciation which could have the effect of exacerbating the shortage and the associated problems facing the public health system.

Why did the Minister oppose granting an attraction and retention allowance to psychiatrists? How does the Minister respond to the Industrial Relations Commission finding that refusing to do so likely constituted "a negative signal and lack of appreciation" to psychiatrists?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (14:16): I welcome the findings of the Industrial Relations Commission. We asked the Industrial Relations Commission to consider the case of our staff specialist psychiatrists. We were a party in initiating these proceedings because we recognised that this was a special case which required special consideration. I reiterate what I have already said multiple times on record: We will adhere to the findings of the Industrial Relations Commission. This is quite an interesting perspective from the Opposition. The Industrial Relations Commission found that, on top of the 10 per cent onerous duties allowance

that NSW Health is already paying, staff specialist psychiatrists should be awarded a 10 per cent attraction and retention bonus for a period of 12 months while the broader Australian Salaried Medical Officers Federation award is being finalised. This would have been impossible under the previous Government. Its offer, not just to psychiatrists but to all public servants—

The Hon. Susan Carter: Point of order: My point of order is on relevance. I did not ask about the attraction and retention allowance. I asked why the Minister had opposed the allowance and sent a negative signal to psychiatrists.

The Hon. Daniel Mookhey: To the point of order: The member invited the Minister to set out her reasoning, and so the Minister has broad latitude to set out her reasoning. This includes what the Industrial Relations Commission actually said in the case and the ability of psychiatrists to bring the case forward. The Minister is responding in a manner that is directly relevant to the question.

The PRESIDENT: There is no point of order. The Minister has the call.

The Hon. ROSE JACKSON: I welcome the finding because it demonstrates that the system works. The Industrial Relations Commission has had its shackles taken off. It was able to make an order that we indicated we were happy to accept. The previous Government's offer to psychiatrists was 2.5 per cent, so I am not surprised that those opposite are raising questions and concerns with the finding. Presumably it is because they think 10 per cent is too much. That is the only conclusion that can be reached, based on their history of 2.5 per cent being fair—

The Hon. Daniel Mookhey: It was 0 per cent.

The Hon. ROSE JACKSON: Indeed, 0 per cent for some years.

The PRESIDENT: Order!

The Hon. ROSE JACKSON: I assume that the Opposition is asking these questions about the finding because it is very concerned to see the Industrial Relations Commission doing its job, with the shackles off—

The Hon. Susan Carter: Point of order: My point of order is, again, on relevance. It is fascinating to know what the Minister thinks the Opposition is thinking, but the Opposition is asking why did the Government oppose the retention and attraction allowance?

The PRESIDENT: On this occasion, I uphold the point of order. I do not see how this particular line of discussion about the Opposition is relevant to the question at hand. The Minister has the call.

The Hon. ROSE JACKSON: As I was saying, the commission was considering the dispute between the New South Wales Government and the staff specialist psychiatrists as to the best way to resolve the shared understanding of the impact of a decade of wage suppression. We put on the table the Government wages framework. That is what we had put on the table consistently and repeatedly—3.5 per cent, 3.5 per cent, 4 per cent, plus the 10 per cent onerous duties allowance that we were already paying. That is the position we put on the table. The staff specialist psychiatrists put a 25 per cent wage increase, paid in perpetuity, on the table. We opposed that. I do not resile from the position of the New South Wales Government that a 25 per cent pay increase paid in perpetuity for psychiatrists was not one that we supported. I have been up-front that we did not support that. We have been clear that the Government wages framework represents our approach to these matters. But we were also clear that, in the circumstances of a lack of agreement, we asked the Industrial Relations Commission to determine— [*Time expired.*]

The Hon. SUSAN CARTER (14:21): I ask a supplementary question. Will the Minister elucidate her answer in relation to the cost of the allowance by informing the House whether the estimated fiscal impact of the 12 months temporary allowance by the commission, based on expert evidence from a NSW Treasury official, of approximately \$10 million to \$15 million, is provided for in the budget and, if not, how will it be funded?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (14:21): We are still finalising the exact budgetary impact of the finding. We are back in the commission on the 17th, I think, with the parties to agree in relation to the implementation of it. On the budgetary impact of the determination, we obviously hope that, now that this matter has resolved, our staff specialist psychiatrists can see not only the good faith in which we have been paying the 10 per cent onerous duties allowance but also that of course we will agree to the 10 per cent 12-month interim order.

I am pleased to report to the House that there has already been some indication of staff specialist psychiatrists returning to the system. The exact impact of that is still being finalised, and we will be back in the commission on the 17th. I can assure those opposite that, as we have indicated, we are committed to implementing

the decision of the Industrial Relations Commission. That 12-month bonus or interim attraction and retention payment will be funded by NSW Health, and we are very hopeful that the psychiatrists who have been engaged with the Government on this will see the good faith in which we have now committed to resolving the matter. We look forward to ongoing engagement with them.

AUSSIE BIRD COUNT

The Hon. Dr SARAH KAINE (14:23): My question without notice is addressed to the Minister for Climate Change, Minister for Energy, and Minister for the Environment. Will the Minister inform the House how people can participate in voting for the Bird of the Year and in the Aussie Bird Count?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:23): I thank the honourable member for her question. I take this opportunity to give a shout-out to the birds of Australia and, in particular, the birds of New South Wales. We are fortunate to have 622 bird species in New South Wales. The only ballot that counts this year, *The Guardian* Bird of the Year 2025 poll, closes tonight at midnight. Friends, it has come down to 10 finalists. People can get online and support the birds. There is, of course, the gang-gang cockatoo—some will remember that I used to call Trevor Kahn "Gang-gang"—the laughing kookaburra, the spotted pardalote, the willie wagtail, the wedge-tailed eagle, Baudin's black cockatoo, the little penguin, the southern emu-wren, and the two that really matter: the tawny frogmouth, which my colleague the Federal environment Minister is backing, and the bush stone-curlew, which I urge everyone in our State to get their New South Wales hat on and to support.

The Hon. Rose Jackson: Go the powerful owl!

The Hon. PENNY SHARPE: No, the powerful owl is out. It has been eliminated. For those who do not know her, I have a photo of Uma, the bush stone-curlew. She lives at Taronga Zoo. Bush stone-curlews are endangered in New South Wales. They are one of the coolest birds that people will ever see. I am asking everyone in this House and across the Parliament to get behind Uma and vote for the bush stone-curlew.

The Hon. Sarah Mitchell: Do a bird call and we might.

The Hon. PENNY SHARPE: No, I cannot do the call. Uma was in the education part of the zoo but she had to be moved because she kept attacking her keeper. People can now see her in the bird show, but when she is really naughty, they put her back in gen pop. She is excellent. She is my favourite animal at the zoo. The bush stone-curlew is a really important bird. I encourage everyone to vote early and vote often. Vote for Uma! I am also asking people to consider getting involved in BirdLife Australia's Aussie Bird Count. It is the biggest citizen scientist event in Australia. People just need to download the app, go somewhere nice for 20 minutes and record the birds that they see, so that the types of birds and their distribution can be noted. I do it regularly. In my backyard in downtown Stanmore we get koels, magpies, butcherbirds, rainbow lorikeets, willie wagtails, tawny frogmouths and ibis. Bush turkeys have been seen in Stanmore, but not in my backyard—luckily.

The Hon. Daniel Mookhey: They have just moved in.

The Hon. PENNY SHARPE: Apparently they have just moved into the Treasurer's house. We have cockatoos, pied currawongs and kookaburras. The health of our biodiversity is very well represented when we count the birds around us. They are an important and genuinely good thing. Everyone's life is made a bit better when they hear a birdsong. I encourage everyone to get involved.

COMMUNITY PRESCHOOLS

Ms ABIGAIL BOYD (14:26): My question without notice is directed to the Acting Minister for Education and Early Learning. On 2 July 2025 the Minns Government announced it had delivered a 3.5 per cent pay rise for community services workers, stating:

The pay rise is the result of a Budget decision to provide \$122 million of additional funding to Non-Government Organisations so they can pay the increase in the minimum wage for community services workers.

Given that the Minns Government so readily takes credit for the pay rise given to community services workers, whom they have no direct employment relationship with but whose wages are reliant on funding from the New South Wales Government, why is it so shocked and obstinate when it is blamed for standing in the way of a wage rise for community preschool teachers, who are similarly reliant on the New South Wales Government for funding?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (14:27): I thank the member for her question. In large part I refer her to my answers earlier in question time in relation to community preschools. At the outset, I say that the Minns Labor Government believes in our community preschools. They are fantastic local childcare

and educational facilities that provide excellent care for so many families across both metro and regional New South Wales. They do important work each and every day. The point that I have made previously in question time, but I will take this opportunity to make again, is that at a time when many parents are feeling concerned about where they are dropping their children off, that is not something that is generally felt about community preschools. That is because they have been doing this for a long time and they are excellent.

As I have said previously in answer to questions asked by the member and by the Opposition, the Government is not the employer. It is true that the Government made a decision, and I am informed by the Treasurer that decision related to a minimum wage for domestic violence workers and child protection workers. But the situation remains the same, which is that the Government is not the employer. I completely reject the assertion that the Government is being obstinate or whatever other word was used by Ms Abigail Boyd when asking the question.

It is a statement of fact that the Government is not the employer. It is true the Government provides funding, but these organisations charge fees to parents. They have other methods of raising money. They are the employers and they have the obligations. We think they do fantastic work. As I have said previously, this Government has allocated \$100 million for community preschools to provide additional services, additional days, additional age ranges and perhaps longer hours. The New South Wales Government has funding available, including wages supplementation, to allow that to happen. But, in this situation, if community preschools want to continue as is, they will continue those negotiations through the Fair Work Commission.

Ms ABIGAIL BOYD (14:30): I ask a supplementary question. Could the Minister elaborate on the part of her answer where she mentioned, correctly, that statistically we have better quality and safer services when it comes to community preschools within the early childhood education sector? Given that is the case, could she explain why, to continue those services, the New South Wales Government's approach is to require those services to effectively become something else, such as long day care centres?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (14:31): The Government has been really clear in relation to the funding that is available, which is to provide additional support for communities. That means longer hours, additional days, and perhaps child care for different age groups. That is the point of the additional funding that is available. That is the reason the Deputy Premier—and full credit to her—has been working on this for quite some time. The amount of \$100 million is significant, but it will allow additional services to be provided. The funds will allow an expansion of services, because the Government thinks community preschools provide fantastic services. If they continue to provide great quality care, the existing funding remains, but if they want to provide additional services to their communities, which we believe they are doing at the moment, then that additional funding is available to them.

The Hon. PENNY SHARPE: The time for questions has expired. If members have further questions I suggest they place them on notice.

Supplementary Questions for Written Answers

WORKERS COMPENSATION LEGISLATION

The Hon. DAMIEN TUDEHOPE (14:32): My supplementary question for written answer is directed to the Treasurer. Lifeline's official advice is that, after encouraging a person you are concerned about to call Lifeline, "it is important to check in with the person soon afterwards to show them that you care, but also that you're serious about supporting them". Whose alternative advice did the Treasurer choose to follow to not check in with Mr McCann, and why?

Questions Without Notice: Take Note

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. DAMIEN TUDEHOPE: I move:

That the House take note of answers to questions.

WORKERS COMPENSATION LEGISLATION

The Hon. DAMIEN TUDEHOPE (14:33): I take note of the Treasurer's answers given today in response to questions asked by me about the evidence given by Mr Chris McCann to the Public Accountability and Works Committee's inquiry into the workers compensation bill. Mr McCann was the star witness for the Government in relation to an examination of the previous Government's icare scheme and reports. Mr Deputy President, I think you were involved in some of those inquiries and were exposed to some of that reporting. Quite frankly, the evidence of Mr McCann was such that it led to significant reform of icare and potentially ended the careers of some icare

executives at that time. Mr McCann was marched around to the journalists on level 6. He was the Treasurer's best friend and expert for the purposes of exposing and bringing to light those matters. But what happens in circumstances in which this man, as the result of becoming a whistleblower—

The Hon. Penny Sharpe: Have you spoken to him?

The DEPUTY PRESIDENT (The Hon. Rod Roberts): Order! I remind the Hon. Penny Sharpe that interjections are disorderly at all times. The Leader of the Opposition has the call.

The Hon. DAMIEN TUDEHOPE: Mr McCann is impacted by the exact bill that is before the House and that the committee is inquiring into. In those circumstances, he wanted to speak to the author of the bill about its impact on him. The Treasurer often accuses me of giving him character assessments, but this is more serious than a straight-out character assessment because his answer today was, "I don't talk about injured workers and about what occurs in relation to those workers in this place because I respect that person's injury." I did not want the Treasurer to do that. I wanted him to demonstrate that he was concerned. The Treasurer had an obligation. It is a test of character that, in circumstances when he is faced with someone, he is able to say, "Yes, I have been in contact with them to ensure that they are being properly and well looked after." No such evidence was forthcoming from the Treasurer. I am not asking the Treasurer to disclose the circumstances or the mental health condition of Mr McCann, but at least we should have been provided with evidence to show the Treasurer cared about the person he had around the place. It was a failure of that test of character.

NURSE WAGES

Dr AMANDA COHN (14:36): I take note of answers provided by the Minister representing the Minister for Health to question on notice No. 4504. Last month I became aware of a job advertisement by NSW Health for a senior Aboriginal clinician role in Sydney. I asked the Minister for Health on notice why the job advertisement stated that a clinical nurse specialist grade 2 would be paid up to \$8,415 a year less than other healthcare workers for the same job. I received a response on 30 September that simply advised that awards are a product of their industrial history and are made by the Industrial Relations Commission in line with award-making principles. This answer basically says that it is legal to have that pay discrepancy, but that does not make it any less disrespectful to nurses.

Nurses in New South Wales are exhausted. They are overworked. They feel undervalued. They continue to leave New South Wales and leave the profession. It is no surprise at all that they feel insulted to see positions like that, which is a senior clinical role, paying a nurse less than any other qualified professional to do the same work. This is a senior clinical role. If a nurse is qualified and capable of fulfilling the requirements of the role, they should be paid the same as any other person employed to do so. There is obviously a current dispute by the NSW Nurses and Midwives' Association before the Industrial Relations Commission about the broader award claims. New South Wales nurses deserve a significant pay rise in line with what they would receive in other States and Territories. But in the interim, NSW Health really ought to pay nurses the same as any other health professional for doing the same job. I urge the Minister for Health to intervene and correct discrepancies such as this.

COMMUNITY PRESCHOOLS

PUBLIC SCHOOL INFRASTRUCTURE

The Hon. SARAH MITCHELL (14:38): I take note of answers given today by the Acting Minister for Education and Early Childhood. The first is in relation to the questions I asked about the community preschool sector and the day of action that will take place across the State tomorrow. It is really concerning that the Government basically is saying to community preschools, "You're on your own." It is also concerning that time and again we see parents wanting to send their children to community preschool services. We know that many of those services have been open for decades.

I have had the opportunity of visiting them on a number of occasions and it is not uncommon to meet staff who have worked there for decades. When more than 700 community preschools have come to us, to the crossbench and to members of the Government and said, "We need more support. We are worried that we are not going to keep our doors open," I do not think it is good enough for the Minister or the Government to say, "We do not pay you directly, so it is not our problem." The reality is that community preschools rely on funding wholly and solely from the New South Wales Government. The preschools provide excellent care and education, and they are asking for support.

Given that in the past 12 to 18 months the Government provided a pay increase to teachers in public schools and public-run preschools and the Federal Government supported pay increases for the long day care sector, this pay parity issue has become more pressing than ever for the community preschool sector. Not a lot of money is

needed to help balance that ledger, but it would make a hell of a difference for those educators and teachers, and for the families that rely on those services. The Minister talked about the \$100 million that the Government is giving to community preschools to expand the model to take on additional children and younger children and to have additional days, but not one community preschool service has asked for that. They want a better funding model so that they can pay their teachers what they deserve and keep their doors open. The Opposition certainly backs them in that.

In the short time that I have left, I acknowledge the Dixer from the Government about school infrastructure. It is the start of term, so the Ministers went out to open all the projects that we funded when we were in government. In particular, I mention Darcy Road Public School, where the Minister suggested that because the Government did the sod turn, it was responsible for delivering the whole project. The only way that a project can have a sod turn is if it has been funded. The Darcy Road Public School project was funded by the former Government. The press release today mentioned a number of projects in progress across Western Sydney, of which the majority were funded by the previous Government. Yet the Government constantly says, "Nothing happened under the former Government. Western Sydney was completely neglected." The Government cannot have it both ways. The only reason the Premier and the Acting Minister for Education and Early Learning could cut a ribbon on a project today was because it was funded by the Coalition when we were in government. We made significant investments in school infrastructure and the Government knows that. Most importantly, the community knows it as well.

WORKERS COMPENSATION LEGISLATION

The Hon. MARK LATHAM (14:41): I speak about the duty of care that MPs have to whistleblowers, and I speak with some experience on that topic. Anyone dealing with a whistleblower knows that they are brave. They also know the risks that a person takes when they blow the whistle in service of the public good: job or career termination, criticism, public exposure and, ultimately, potential mental health problems. Not a single whistleblower comes forward who is not motivated by honesty, integrity and wanting better government, particularly in New South Wales. At the recent Public Accountability and Works Committee inquiry into the workers compensation legislation, it was chilling to hear Chris McCann talk about the double betrayal of the Treasurer. Not only did the Treasurer not pick up the phone and talk to McCann in his moment of need—instead sending him a message suggesting that he call Lifeline—he also betrayed Labor policy.

McCann blew the whistle because he believed in the Labor ideal that permanently injured workers should receive permanent income support. He thought the Hon. Daniel Mookhey would be honest and true to that policy objective in government. McCann's devastation is not just at a personal level, having being mistreated as a whistleblower; it is due to the nature of the Treasurer's legislation, which completely breaks that promise and that swearing of honour to McCann that all the risks he took and the work he did to be a whistleblower would not be in vain. It is a terrible thing. It was breathtaking to hear his evidence before the committee. The mood and atmosphere in the room were like no other. People could not believe the double betrayal of McCann, who developed mental health issues as a result of his whistleblowing.

The Hon. Daniel Mookhey was all over Chris McCann like a rash when he was in opposition, ringing him every day asking for documents. Those confidential icare documents were on a conveyor belt straight to the ABC, yet, remarkably, McCann can now not get a conversation with the Treasurer, who he believed in and trusted. There has never been a worse whistleblower betrayal than this—the double personal and policy betrayals. There are so many misunderstandings about the Treasurer's workers compensation legislation. My radio was broken this morning: It was stuck on 2GB as I drove in. I heard that blustering blowhard Mark Levy talking about excessive workers compensation claims without understanding for a moment that the Treasurer's legislation leaves the door wide open for anyone to come in. They only need some hurt feelings on sexual harassment or racism or something else in the workplace and they can get straight into the scheme.

But then there is the blunt instrument of cutting off people like McCann with the 31 per cent whole person impairment. It is the wrong way around. The door needs to be half closed and the opening needs to be narrowed so that people cannot get into the scheme using bogus claims. The Government needs to live up to its election promise of honouring permanently injured workers with permanent income support. How has the Labor caucus got this upside down? Where are the Labor voices? The Labor voice and conscience on this issue is Ms Abigail Boyd. Those who remain silent should be ashamed of themselves.

STATE CREDIT RATING

The Hon. MARK BUTTIGIEG (14:44): I take note of the answer given by the Treasurer about credit agencies. It is important that the Government keeps reiterating it, because for those who do not think that the myth of responsible budget management—which those opposite maintain they are the doyens of—has not been exploded, it is worthwhile reciting some of the comparisons between the former Coalition Government and this Government. Under the former Coalition Government, New South Wales had its highest gross debt in history.

Under Labor it has been reduced by \$10 billion. The deficit under the Coalition was \$10.6 billion. Under Labor it is \$3.6 billion and falling.

Of those credit rating agencies that the Treasurer was asked about, members will recall it was under the watch of those opposite that Standard and Poor's reduced the State's credit rating to, I think, double-A negative. What did the Coalition have to show for that? It had a wages cap that was perpetuated for 12 years to punish frontline workers who got the State through COVID. This Government has lifted the wages cap and essential workers are being rewarded. What did the State have to show for the Coalition's so-called fiscal rectitude, which turned out to be a total sham? It imported foreign-made trains, trams and infrastructure facilities, for which the State ended up having to pay an additional 30 per cent to cover cost overruns because the trains did not fit the tracks and the ferries were riddled with asbestos.

What credibility do members opposite have left of their platform of telling the electorate that it can only get responsible fiscal management under a Coalition Government, when the evidence speaks for itself? It imported duds, exported jobs overseas, fostered foreign manufacturing and let toll roads run out of control. Sydneysiders lost control of what should be their assets which they drive to work on every day, yet they pay tolls hand over fist. It is important now, with the benefit of a Labor Government in power for just under three years, that we start to make those comparisons. On top of that—and I look at the Hon. Wes Fang, whose party has some belief in public ownership, when I say this—when those opposite were in government, they sold \$90 billion worth of public assets to fund all the dodgy infrastructure, which did not work and did not benefit the taxpayers of New South Wales. Their record speaks for itself.

SYDNEY TRAINS NETWORK

The Hon. NATALIE WARD (14:47): I take note of answers given to a straightforward question to the Minister for Transport about his announcement for the \$423 million Sydney Trains asset renewal program, which is an opportunity for the Government to come clean and be clear about where the funding is coming from. The Transport Asset Manager is clear in the budget, so we asked where the money is coming from. The budget is very clear that that is the money set aside for those programs. There are only two ways a program is funded: It is either new money from the Treasurer or money cut from the existing budget.

As the former transport Minister—we did not do much, according to those opposite, even though we built five new motorways, two new metro lines, two new stadiums and delivered various road and hospital upgrades—I say that it is tricky of the Minister for Transport to say that it is new money, that it is not coming from anywhere or that nothing is being cut. I ask him again, which of those programs overseen by the Transport Asset Manager is being cut? Is it Fixing Country Rail, is it the Future Fleet Program, is it the new Mariyung fleet, is it the Regional Rail fleet or is it the Safe Accessible Transport program? Is it any of those? Perhaps it is the Tangara fleet life extension? Which program is being cut for the so-called rail upgrades?

Taxpayers have paid for three reports in two years, yet rail reliability is the worst it has been in a decade. In fact, it has gotten worse since the first report was commissioned by former Minister for Transport Jo Haylen. I have to comment on the irony of Government members singing the praises of the Mariyung fleet's new trains that were planned, funded and delivered by the former Coalition Government but sat on ice because of so-called safety concerns from the Rail, Tram and Bus Union. The concerns were cleared by two separate operators, who said that the fleet was absolutely fine to get on the tracks. The Hon. John Graham is very happy to sit on a train that he had nothing to do with but will not put his head up when it comes to things that he is accountable and responsible for.

Speaking of tolls, where is the toll reform? In the past 2½ years, what has happened to the landmark toll reform policy? Government members once claimed that they would do something about tolls, but they are now very quiet about it. There is no talk about delays on all three metro lines. Government members are very quiet about the billions of dollars invested, but they will talk about the brand-new train that they had nothing to do with. Ironically, the train would be great. I am happy for Trish Doyle and the people on the Blue Mountains line who are waiting for that train, but that is the point: They will be waiting for that train. Who knows when it will turn up on the platform, because rail reliability under the Government is so bad? The Government should put money into the work instead of more reviews. [*Time expired.*]

COMMUNITY PRESCHOOLS

Ms ABIGAIL BOYD (14:50): I take note of answers given today by the Acting Minister for Education and Early Learning. The fact that community preschool teachers earn up to 30 per cent less than colleagues with the same qualifications and roles in schools is worsening the staffing crisis in community preschools and threatening those higher quality, lower risk services in an increasingly corporatised sector. The Government claims that there has been a significant increase in funding to the sector since 2020, but none of that funding was

allowed to be spent on wages. It was also contingent on fees not rising, leaving community preschools without a funding increase for staffing.

The Government's primary but flimsy claim continues to be that paying community preschool teachers is not its problem or responsibility since it is not their direct employer. That is despite the clear and obvious comparison with the Commonwealth Government, which was party to the Fair Work Commission's proceedings, supported its recommendations and facilitated the increase in educator wages at the Federal level, even though it was not the direct employer. Even when comparing the New South Wales Government's behaviour with its own public pronouncements, it claimed credit for a pay rise for community services workers on 2 July this year. Despite not being their direct employer, the Government decided in that case that those wages were its responsibility and took credit accordingly.

The Government is perfectly capable of funding a pay increase for community preschool teachers; it just does not want to. The Government is claiming that those often volunteer-run community preschools are sitting on mountains of gold that they refuse to spend on wages. Frankly, that is ridiculous and offensive. The Government is using junk figures skewed by large providers and conflating cash on hand with net assets, which can include land value, amongst other things. During the bargaining process, the New South Wales Government told representatives for the community preschool sector that they should simply increase their fees or reduce their staffing. Notwithstanding that fee increases would be contrary to the department's own Start Strong Funding guidelines, they would also result in the most vulnerable children and families being unable to access the high-quality education and care that community preschools offer.

If we have learned nothing else from the past year of the unravelling of the early childhood education and care sector, it should be that staffing is the number one factor that will keep children safe. There are so many reasons why community preschools need support, nurturing and lifting up as a model for early learning. We know they work, we know their benefits and there is broad community support behind them. But this Government refuses to put its money where its mouth is. Tomorrow community preschools across the State will close to rally outside Parliament and make known the fact that, without fair funding, preschools cannot survive. That will be a hugely significant event. I encourage everyone to wear pink and come to Martin Place at lunchtime to hear what they have to say. We all want and demand high-quality early childhood education and care. But quality costs money, and this Government holds the purse strings.

EARLY DRUG DIVERSION INITIATIVE

The Hon. STEPHEN LAWRENCE (14:53): I take note of answers given by the Minister for Agriculture, representing the Minister for Police and Counter-terrorism, to questions on notice asked by Ms Cate Faehrmann in August 2024 and July 2025 about the progress of the Early Drug Diversion Initiative, which is an important matter. In short, the statistics in the answers provided reveal that 275 people had been diverted through the scheme by mid-2024, and a total of 1,372 had been diverted by July 2025. I note that the scheme started in early 2024. There are about 20,000 drug possession charges per year in New South Wales. The answers therefore show a modest uptake of the scheme, although it does seem to have increased over time, which is positive. The rate of Aboriginal people being diverted is unfortunately quite low, with just 20 by August 2024. That is concerning, especially given their over-representation in the system.

It is important to note that the scheme only applies to first and second offenders, essentially giving two chances, and only to those who are willing to book a health intervention appointment before the fine notice due date. Many people who possess drugs in New South Wales do so because of addiction and because it is part of the life they are living. Therefore the criteria that applies the scheme to only first and second offenders very much accepts the premise of the criminalisation of drugs. It embodies a logic that, firstly, people should not possess drugs and, secondly, an interaction with authority should remind people that they should not do so again. Thirdly, if people do not heed that reminder, they will be punished more harshly in the future.

Around the western world, including here in Australia and particularly in the Australian Capital Territory, jurisdictions are increasingly rejecting that logic. They are accepting that minor drug possession is a health issue that therefore requires a health response. It will not simply cease to happen when someone gets a first or second chance. Many of those jurisdictions continue to treat drug manufacture and supply as very serious criminal offences, but they are simply accepting that it is a harmful waste of resources to focus on users. That has happened in the Australian Capital Territory and around the world. The reality of operating the early drug diversion scheme is a reminder that if we want different results of reducing harm, we need to change the framework in a fundamental way. The Australian Capital Territory provides a model for how to do so in a careful and modest way that has not increased overall drug use.

MICROPLASTICS

The Hon. TANIA MIHAILUK (14:56): I take note of answers recently provided by the Hon. Penny Sharpe in response to five questions that I submitted on notice. At the outset I thank the Minister for her comprehensive responses on the issue of microplastic pollution. The Minister confirmed that the Government does not yet consider microplastics to be an ecological indicator of pollution because, in the Government's view, more research is needed. That answer, while candid, will not reassure communities who see their rivers increasingly polluted with microplastics. If more research is required, the obvious next step is for the Government to properly fund it. Local communities and families deserve to know whether their river systems are safe and whether the growing presence of microplastics poses a risk to their health.

I also note that the Minister outlined a range of current monitoring programs and strategies regarding the publication of river health data. They include the longstanding reliance on chlorophyll and turbidity as indicators of water quality, periodic estuary health assessments and the Beachwatch recreational monitoring program. Those initiatives provide some information but also highlight a critical gap: Monitoring still focuses narrowly on nutrient loads and sediment, while microplastics remain excluded from official departmental programs. Communities around metropolitan river systems deserve a more global and regular assessment of river health that measures not just traditional pollutants but also emerging contaminants like microplastics, which pose a real and growing risk to both the environment and public health.

I also note the Minister's answer regarding the implementation of tethered bottle caps. Her response suggested that the Government is considering a 2030 deadline. I remind the Minister that this House has already moved a motion requiring the implementation of tethered caps by 2026, in line with European Union standards. That motion reflected the will of this Parliament and, more importantly, the urgency of reducing the plastic waste that is choking our rivers and marine environments. I hope that the Minister will not flout a resolution of the House by delaying action to 2030. I remind the Minister that I will hold her accountable to the 2026 deadline.

PSYCHIATRY WORKFORCE

The Hon. RACHEL MERTON (14:59): I take note of the Minister's response to the question on the Industrial Relations Commission's judgement in *Health Secretary, Ministry of Health v Australian Salaried Medical Officers' Federation (New South Wales) No.2*. The decision exposes the Minns Labor Government's callous disregard for our public health system, particularly in mental health, where shortages are pushing services to breaking point. The commission rightly observed that denying the allowance would constitute a negative signal to and lack of appreciation for psychiatrists, exacerbating shortages and public health woes. Yet Labor opposed the allowance entirely, ignoring an acute crisis.

New South Wales has a 30 per cent to 40 per cent vacancy rate among its 443 staff specialist psychiatrists, with vacancies surging 400 per cent, from 35 to 131 full-time equivalents, between 2019 and 2024. Over 200 psychiatrists tendered resignations in January this year, threatening collapse. As the commission noted, lower New South Wales salaries—up to 51 per cent below Western Australia—fuel that exodus. Labor's opposition is indefensible, especially amid its broader health failures. Blacktown Hospital services a 435,000-strong local government area—one of the fastest growing in New South Wales—but a 2024 Bureau of Health Information survey ranks it amongst the State's worst performers. Only 54 per cent of patients—that is one in two patients—rate their care there as good.

I have visited Blacktown Hospital on several occasions and witnessed the chaos firsthand. Patients in crisis flock to Blacktown emergency department due to the scarcity of professionals, clogging its bays with intravenous drips in cramped waiting rooms. The ambulance bays are full because patients cannot be moved into the hospital. I commend Councillor Allan Green and his colleagues on Blacktown City Council for their strong advocacy. A request has been made to the Premier and the Minister for Health to meet at Blacktown Hospital with councillors and concerned residents. There must be a better way to address the health crisis. A 2025 ABC investigation revealed 93-hour waits at nearby Westmead, with text messages pressuring discharges to free up Blacktown beds. Labor's underfunding of mental health is only a small part of that. The media has reported on a 70-year-old man waiting 24 hours and sleeping on the floor of Blacktown Hospital. It is not good enough. New South Wales deserves better. [*Time expired.*]

AUSSIE BIRD COUNT

The Hon. SCOTT BARRETT (15:02): I too have been to the zoo and seen Uma, the bush stone-curlew. I learnt there that one of the biggest threats to those birds is feral and domestic cats. While it is great that members support the Aussie Bird Count and the vote, we can do a couple of other really practical things. One is to define cats either as feral or as pets. They are either chipped and registered, and someone owns them, or they are feral animals and need to be controlled as such. We could support cat containment laws, which seem like a no-brainer

to me. My dog cannot run around killing animals; my horse cannot go into someone's yard and dig things up. We need to introduce cat containment laws that treat cats in the same way. We also need to get rid of the trap, neuter and release idea. The longer we leave that in—

The DEPUTY PRESIDENT (The Hon. Rod Roberts): Order! Pursuant to standing orders debate is interrupted to allow the Minister to respond.

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (15:03): In relation to action on cats, watch this space. I thank the Hon. Tania Mihailuk for her ongoing advocacy around microplastics. She is looking carefully at what we are doing. The Government's plastics plan will be advanced before the end of the year, so I look forward to that. To those who raised issues regarding the former roads and education Ministers—about who did what and when, and who gets to take credit for it—all I will say is that opposition is hard. Sometimes members need to move on from that and reflect in hindsight on the things that they did not deliver and that others have managed to do.

Finally, some members gave the Treasurer a free character assessment about his dealing with an individual whistleblower. I do not seek to make any comment in relation to that person, but it is important that members reflect carefully on the way in which we deal with the constituents who approach us and work with us. All members of this place would have been contacted by a range of people seeking to have us take a range of action on their behalf. Sometimes that is pretty straightforward, as it should be, but sometimes it is complicated. All of us carry a duty of care and take it extremely seriously when we manage those issues. It is important to manage those issues.

I place on record my disappointment with some of the comments that were made today in which an individual was specifically named in this place and allegations were made about the contact they may have had with individual MLCs. Those matters may provide a cheap political headline because they have been in the media, and members may want to give them a kick along, but they should reflect on whether that is the right thing to do. There are different ways for people who are concerned about individuals to manage those issues. That is extremely important and I take the time to reflect. As someone who has worked with a lot of constituents over a long time, I know that everyone takes their duty of care really seriously. We need to be careful about that. In the last 10 seconds, I will be blatant: People have until midnight tonight to vote for the bush stone-curlew for the bird of the year. None of this gang-gang business, none of these willie wagtails—Uma, the bush stone-curlew, for the win!

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The question is that the motion be agreed to.

Motion agreed to.

Deferred Answers

WORKPLACE GENDER EQUALITY

In reply to **the Hon. NATALIE WARD** (9 September 2025).

The Hon. DANIEL MOOKHEY (Treasurer)—The Minister provided the following response:

The remaining amendments to the Industrial Relations Act 1996 contained in schedule 1 [1] to the Industrial Relations and Other Legislation Amendment (Workplace Protections) Act 2025 are expected to be proclaimed shortly.

WORKPLACE GENDER EQUALITY

In reply to **the Hon. NATALIE WARD** (9 September 2025).

The Hon. DANIEL MOOKHEY (Treasurer)—The Minister provided the following response:

The remaining amendments to the Industrial Relations Act 1996 contained in Schedule 1 [1] to the Industrial Relations and Other Legislation Amendment (Workplace Protections) Act 2025 are expected to be proclaimed shortly.

DRIVING INSTRUCTOR ASSAULT ALLEGATIONS

In reply to **Ms ABIGAIL BOYD** (9 September 2025).

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy)—The Minister provided the following response:

I am advised:

Transport for NSW is investigating options to increase safety for learner drivers and driving instructors following the recent reports. Notably, it has begun investigating the practicalities and concerns around any proposal to install cameras in driving instructors' vehicles. These include:

- The retention time for any recordings and the time period in which a learner can report an incident.
- The ability to verify records to an appropriate standard for evidence in court and the need to be available for Transport for NSW to access for audit and investigation.
- Understanding privacy impacts and, where necessary, resolving these impacts before the use of cameras could be required.
- Instances where the driving instruction vehicle is supplied by the learner. It may be more difficult to require cameras in these vehicles for reasons such as a lack of places to safely install the camera which do not block the view of the road.

South Australia has commenced work to be the first Australian jurisdiction to introduce cameras in driving instructors' vehicles from 2027. Transport for NSW has consulted with South Australia on their progress with this project.

Existing requirements for driving instructors provide a range of protections:

- Any person who teaches another person to drive and who in return receives money or another reward is required by law to hold a driving instructor licence.
- The Driving Instructors Act 1992 (NSW) and regulation sets out the standards and obligations of a driving instructor.
- The transport driving instructor licence scheme is designed to ensure that driving instructors are suitably qualified to deliver training and assessment services, as well as act with high standards of integrity and professionalism.
- Transport for NSW takes any complaints or concerns about driving instructor behaviour seriously and assesses all complaints on a case-by-case basis to determine the right course of action, up to and including cancellation of a driving instructor licence.
- All driving instructors must maintain a current Working with Children Check clearance, which must be renewed every five years. If a driving instructor fails to keep this check current, Transport for NSW will automatically suspend their driving instructor licence until this clearance has been obtained.

MEMBER FOR CAMPBELLTOWN

In reply to **the Hon. MARK LATHAM** (10 September 2025).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

I am advised:

I reject the premise of the question. The question contains imputations.

MEMBER FOR CAMPBELLTOWN

In reply to **the Hon. MARK LATHAM** (10 September 2025).

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage)—The Minister provided the following response:

I am advised:

I reject the premise of the question. The question contains imputations.

GREYHOUND WELFARE

In reply to **the Hon. EMMA HURST** (10 September 2025).

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy)—The Minister provided the following response:

I am advised:

There is an ongoing investigation into this participant and as such it is not appropriate for me to comment.

TIMBER INDUSTRY WORKERS

In reply to **the Hon. NICHOLE OVERALL** (10 September 2025).

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth)—The Minister provided the following response:

Please refer to the answer provided at the end of question time. This is available on page 19 and 20 of Wednesday 10 September 2025 *Hansard*.

TIMBER INDUSTRY WORKERS

In reply to **the Hon. NICHOLE OVERALL** (10 September 2025).

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth)—The Minister provided the following response:

Please refer to the answer provided at the end of question time. This is available on page 19 and 20 of Wednesday 10 September 2025 *Hansard*.

SYDNEY METRO INQUIRY

In reply to **Ms ABIGAIL BOYD** (16 September 2025).

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy)—The Minister provided the following response:

I am advised:

Sydney Metro was made aware, by its Public Private Partnership consortium Parklife Metro Pty Ltd, of allegations of potential unlawful behaviour relating to Future Form Civil Pty Ltd (a subcontractor of Webuild) in early March 2025.

Sydney Metro was also informed at the time that Webuild would undertake an investigation into the allegations and that Webuild had notified the Construction Compliance Unit of the allegations. Sydney Metro maintained regular contact with Parklife Metro about this matter.

On 8 July 2025, Parklife Metro informed Sydney Metro that Webuild had audited Future Form in respect of the allegations. A copy of the audit report was provided to Sydney Metro, outlining Webuild's findings that the allegations the subject of the audit were unsubstantiated. Sydney Metro understands that a copy of that audit report was also provided to the Construction Compliance Unit.

Sydney Metro became aware of new allegations from 6 September 2025 in media reports in relation to both Webuild and Future Form. As a result of these new allegations Sydney Metro advised Parklife Metro on 9 September it is commencing a probity investigation into the new allegations.

Also on 9 September, Sydney Metro informed the Construction Compliance Unit that it was undertaking an investigation into the allegations concerning Webuild and Future Form, and has been in regular communication with the Construction Compliance Unit regarding this matter.

Sydney Metro has also informed the Fair Work Ombudsman of its investigation.

MENTAL HEALTH SERVICES

In reply to **Dr AMANDA COHN** (16 September 2025).

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth)—The Minister provided the following response:

I am advised:

As the member is aware, in response to growing concerns about the appropriateness of police involvement in situations of psychological distress and increasing demand on the NSW Police Force to respond to mental health issues in the community, NSW Health, including NSW Ambulance, together with the NSW Police Force have been working to develop a new response model for New South Wales.

NSW Health is working on releasing the Have Your Say portal and commencing stakeholder consultation. I will update the member when this becomes available for community participation.

TIMBER INDUSTRY AND GREAT KOALA NATIONAL PARK

In reply to **the Hon. RACHEL MERTON** (16 September 2025).

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources)—The Minister provided the following response:

Please refer to my written answer provided on 17 September 2025 in response to the supplementary question.

TIMBER INDUSTRY AND GREAT KOALA NATIONAL PARK

In reply to **the Hon. RACHEL MERTON** (16 September 2025).

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources)—The Minister provided the following response:

Please refer to my written answer provided on 17 September 2025 in response to the supplementary question.

VENUES NSW TENDER POLICY

In reply to **the Hon. MARK LATHAM** (17 September 2025).

The Hon. DANIEL MOOKHEY (Treasurer)—The Minister provided the following response:

Please refer to the answer to the supplementary question for written answer submitted on 18 September 2025.

BOWDENS SILVER PROJECT

In reply to **the Hon. MARK BANASIAK** (18 September 2025).

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales)—The Minister provided the following response:

I am advised:

The Department of Primary Industries and Regional Development provides advice to relevant agencies on the potential impacts of mining and other developments on agriculture.

Comments regarding lead uptake by plants were based on expert departmental advice and remain consistent with current understanding. Lead tends to be retained in soils so the accumulation of lead in plants poses small risks compared with other heavy metals. It is important to carefully wash the excess dirt from leafy vegetables before eating plants grown in soils with elevated lead levels.

The fact sheet referred to in the question is not a publication of the Department of Primary Industries and Regional Development. It may be from an EPA fact sheet that states, "Some plants can absorb lead from the soil". The observation that lead is taken up poorly by plants is not inconsistent with this statement.

All planning proposals are subject to New South Wales's rigorous assessment framework, with oversight from relevant regulatory bodies.

WORKPLACE GENDER EQUALITY

In reply to **the Hon. NATASHA MACLAREN-JONES** (18 September 2025).

The Hon. DANIEL MOOKHEY (Treasurer)—The Minister provided the following response:

The remaining amendments to the Industrial Relations Act 1996 contained in Schedule 1 [1] to the Industrial Relations and Other Legislation Amendment (Workplace Protections) Act 2025 are expected to be proclaimed shortly.

FERAL ANIMAL AERIAL SHOOTING

In reply to **the Hon. ROBERT BORSAK** (18 September 2025).

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales)—The Minister provided the following response:

I am advised:

Local Land Services is currently investigating the cost of equipping helicopters, personnel or firearms used in aerial shooting operations with GPS-enabled video cameras.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): I shall now leave the chair. The House will resume at 4.00 p.m.

Business of the House

POSTPONEMENT OF BUSINESS

Ms CATE FAEHRMANN: I postpone business of the House notice of motion No. 1 until a later hour of the sitting.

The Hon. MARK BANASIAK: I postpone business of the House notice of motion No. 2 until a later hour of the sitting.

POSTPONEMENT OF BUSINESS

The CLERK: According to standing order, I advise the House of the following postponement:

- (1) Government business order of the day No. 3, standing in the name of the Hon. Penny Sharpe, postponed until Tuesday 11 November 2025.

Committees

PUBLIC ACCOUNTABILITY AND WORKS COMMITTEE

Reference

Ms ABIGAIL BOYD: I inform the House that, in accordance with paragraph (8) of the resolution establishing the Public Works Committee, the Public Accountability and Works Committee resolved on 23 September 2025 to adopt the following terms of reference:

NSW Electoral Commission administration of electoral donation reporting in the Electoral District of Kogarah in 2014-2016

That the Public Accountability and Works Committee inquire into and report on:

- (a) the NSW Electoral Commission administration of electoral donation reporting in the Electoral District of Kogarah in 2014-2016, particularly with regard to matters subsequently raised in ICAC's Operation Aero and its findings of corruption in 2022; and
- (b) any other related matters.

ANIMAL WELFARE COMMITTEE

Reference

The Hon. EMMA HURST: I inform the House that, in accordance with paragraph (7) of the resolution establishing the Animal Welfare Committee, the Animal Welfare Committee resolved on 24 September 2025 to adopt the following terms of reference:

Licences to harm native animals

That the Animal Welfare Committee inquire into and report on licences to harm native animals in New South Wales, and in particular:

- (a) the species and number of animals affected by licences to harm native animals;
- (b) the welfare impacts of lethal control methods prescribed under licences to harm native animals, including consideration of whether current requirements adequately safeguard animal welfare and species identification;
- (c) the extent to which orphaned young are affected by licences to harm native animals and how these impacts are tracked or mitigated;
- (d) the adequacy of current assessment processes used when granting licences to harm;
- (e) the level of public transparency and accountability associated with licensing decisions, including data availability and reasons for approval and rejection of applications;
- (f) the extent of government support for research, trials and adoption of alternative wildlife management strategies;
- (g) the extent to which First Nations communities and traditional owners are consulted prior to the issuing of licences to harm native wildlife, and how cultural values and responsibilities are incorporated into decision-making; and
- (h) any other related matters.

STANDING COMMITTEE ON SOCIAL ISSUES

Reference

The Hon. Dr SARAH KAINE: I inform the House that in accordance with paragraph (10) of the resolution establishing the Subject Standing Committees, the Standing Committee on Social Issues resolved on 8 October 2025 to inquire into the following reference from the Hon. John Graham, MLC, Special Minister of State, Minister for Transport, Minister for the Arts, Minister for Music and the Night-time Economy:

State of live music in New South Wales

That the Standing Committee on Social Issues inquire into and report on the state of live music in New South Wales, including in the regions, and in particular:

- (a) progress on the implementation of the recommendations in, and the Government response to, the parliamentary inquiry into the music and arts economy in New South Wales, established in 2017;
- (b) progress on the implementation of the *NSW Contemporary Music Strategy*, released in December 2024;
- (c) assessment of the impact of the New South Wales Government's vibrancy reforms, including relevant legislative, planning and other changes;
- (d) an analysis of policy options for how the New South Wales Government and music industry can support the long-term sustainability of the live music sector, including but not limited to:
 - (i) the establishment and protection of music venues;
 - (ii) driving audience demand;
 - (iii) supporting music careers;
 - (iv) funding mechanisms; and
 - (v) reduction of red tape or other barriers limiting live music activity.
- (e) any other related matters.

*Bills***24-HOUR ECONOMY LEGISLATION AMENDMENT (VIBRANCY REFORMS) BILL 2025****First Reading**

Bill introduced, read a first time and ordered to be published on motion by the Hon. John Graham.

The Hon. JOHN GRAHAM: According to standing order, I table a statement of public interest.

Statement of public interest tabled.

Second Reading Speech

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (16:36): I move:

That this bill be now read a second time.

The Government is pleased to introduce the 24-Hour Economy Legislation Amendment (Vibrancy Reforms) Bill 2025 to this House, the third vibrancy reform bill in as many years. The New South Wales night-time economy is a cornerstone of our State's prosperity. Each year it contributes an extraordinary \$110 billion in value-add to the New South Wales economy. It sustains more than 52,000 core night-time economy businesses, from music venues and restaurants to bars and leisure providers, which are vital to the cultural and social fabric of our communities. Beyond those core industries, a further 118,000 businesses play an integral role, including in transport, accommodation, retail, security, health, policing and even manufacturing. The night-time economy touches every sector of society. It is about jobs, community and public safety, and its health is fundamental to the future of our State.

We all know the history well. Despite this value, a decade of lockdowns and lockouts robbed our community of places to gather and connect, places to perform and enjoy live music and spaces where artists and creatives could share stories. We lost some of the magic that made Sydney the envy of the world at the turn of the century. I am pleased to say, with the support of members of this House, that a lot of positive development has occurred in New South Wales's night-time economy in the two years since this Parliament passed tranches one and two of the vibrancy reforms in 2023 and 2024 respectively. We are starting to see the benefits of that work.

Members will remember that those reforms streamlined the noise management system, putting one regulator in charge instead of seven; ended serial single-neighbour complaints by raising the threshold to five before a statutory disturbance complaint could be lodged and placing a much higher emphasis on mediation; removed conditions on development consents that restricted entertainment or, bizarrely, dictated a preference for certain music genres and covers, and tried to regulate dance floors and mirror balls; enabled councils to be empowered to offer more outdoor dining and street activation, and to establish special entertainment precincts; required property buyers to be notified that they are moving into an existing entertainment zone to reduce the friction between venues and their neighbours; created easier pathways for extended trading hours for major events; and amended the Major Events Act to make it easier to support foundation events like Vivid Sydney and SXSW Sydney, which unfolded just this week.

We have increased incentives for live music and live performance with two hours of extended trading and an 80 per cent reduction in liquor licence fees for licensed venues offering live music and performance. We have ended the antiquated rule that prevented people living with five kilometres of a registered club from signing in without first becoming a member. Last month the Minister for Planning and Public Spaces released the cultural State environmental planning policy that will reduce the amount of time it takes to have an event, gig or festival approved by a local council or State agency. This significant planning reform will allow venues to have up to 30 per cent more people through the doors if they have outdoor dining approval. It removes the requirement for a development application when programming low-impact music and entertainment in designated hours. It also makes events like street fairs and community festivals exempt developments on all public land, making it easier and more affordable to activate local town squares, streets and parks.

When special events occur, this planning reform now means that shops, cafes and other unlicensed venues can trade later too. The Government's vision for the State's 24-hour economy is underpinned by the belief that our State is a collection of neighbourhoods that must each have their individual needs responded to and their personalities protected. We now have seven special entertainment precincts across the State. As of 8 August 2025, 20 councils have passed resolutions to investigate or establish special entertainment precincts, six of which are in regional areas. This takes us one step closer to fine-tuning the needs of the State's individual precincts.

Activity is starting to occur in places we certainly would not have expected prior to COVID. The geographic areas experiencing strong growth in core night-time economy businesses, including food, beverage,

leisure and entertainment, are St Marys and Bringelly, with 21 per cent growth; Merrylands and Guildford, with more than 14 per cent growth; and Parramatta with 14 per cent growth. Pleasingly, some of the State's regional areas are also recording strong night-time economy growth. Kiama, Queanbeyan and Griffith have all experienced 5 per cent growth. A Department of Customer Service Business Sentiment Survey conducted in September to October 2024 found that 66 per cent of small and medium-sized business respondents felt their local area had the right conditions to trade successfully into the evening. That is up 19 percentage points from 47 per cent in 2023.

While the State's 24-hour economy is benefiting from the reforms, more work is needed to maximise Sydney's night-life and unlock the economic potential that has been identified. The NSW Productivity and Equality Commission's *Review of regulatory barriers impeding a vibrant 24-hour economy* confirmed this point. I thank the commissioner for that report. I also thank the House, because that initiative came out of debate in this Chamber. The report stated the New South Wales night-time economy has significant unrealised potential. The report notes that if New South Wales increased the intensity of its night-time economy to the equivalent of Victoria's, it would gain \$8.2 billion annually. Removing regulatory barriers is identified as a key way to achieve this. That is why the Government is introducing a third tranche of vibrancy reforms through the bill.

The Government has developed a package of reforms and policy initiatives with five distinct themes to deliver for the people of New South Wales: removing red tape; supporting live music; increasing operating and trading hour flexibility; improving patron and staff safety; and enhancing special entertainment precincts, which is not strictly part of the bill but a complementary measure. I turn now to the first theme of removing red tape in the licensing system for hospitality venues. Licence conditions are applied for many good reasons over time, including for security, managing amenity or mitigating risk. However, the conditions that are applied often constrain venues down the track even if circumstances have changed and particularly if the venue is under new management.

Under the current process, venues can apply to have licence conditions changed or removed. They are often discouraged from doing so by the effort and cost involved and the risk that the regulator may apply other unrelated and more prohibitive conditions as part of the process. It is important that the regulatory system remains agile and that we remove as many barriers and as much friction from the system as possible. For those reasons, the bill amends the Liquor Act to assist licensed premises to become more adaptive to changing communities and their needs by automatically removing certain outdated licence conditions and providing a streamlined approach to apply for the removal of other outdated licence conditions. This continues the work done by this Chamber in the first couple of bills.

If a noise-related condition was imposed on a liquor licence more than three years ago, it will automatically be removed. Liquor and Gaming will retain the ability to reimpose a similar condition on a licence if it is needed to mitigate against a venue emitting excessive noise. Importantly, this can only be the same or a similar condition. An issue that has been raised in this Chamber is the conditions around public safety and restrictions on drinks. A streamlined process will be put in place that ensures efficiency while retaining the appropriate consideration of the regulator. Under changes proposed by the bill, licensees will be able to seek to remove or vary a condition free of charge.

For conditions around the use of plastic cups, Liquor and Gaming NSW will proactively consult the NSW Police Force and remove those conditions where it is satisfied that the removal of the condition will not result in an increase in violence or other alcohol-related harm. The intention is not to become the Wild West. The regulator will have flexibility to regulate for increased risk, and conditions can be readily reinstated if issues are identified. The benefit of this reform is that licensed premises now have more of a chance than before to not be held back by restrictive conditions put on their licence at a previous point in time and to adapt their business offerings to attract new customers and provide for changing market trends. At the same time, we are giving flexibility to the regulator.

We are also making a commonsense change by allowing the regulator to set an expiry date for all future licence conditions. Currently, a licence condition that is imposed generally remains in force until the licensee seeks to have it removed at their expense. With this change, a condition can be imposed for a period to give a venue the ability to resolve issues. This change also means it is less likely that licensees end up carrying the burden of something that happened before their tenure. This is one of the important reasons why we have attracted sedimentary layers of regulation over time in New South Wales. We tackle that culture today with this bill. It is hard to fathom just how long the process of repealing the vestiges of the lockdown laws has taken. With this bill, we take another step. Liquor and Gaming NSW is exploring the removal of the final components in the coming months.

The second theme is supporting live music. Members will recall when the remit of the 24-hour Economy Commissioner was expanded to be statewide. There was excitement in the air around what that could mean for regional areas. There has been a substantial increase in registered live music and performance venues since the

vibrancy reforms were introduced. As of 26 September 2025, 485 licensed venues were claiming live music incentives across New South Wales, up from 133 in March 2023, and 211 of those venues are located in regional areas. Through the evaluation of the vibrancy reforms, which included feedback from regional venues, we identified ways for more regional areas to partake in live music incentives by adjusting the eligibility requirements. Regional venues said that it was too hard to meet the benchmark.

Currently, for a venue to be considered an eligible "live music venue" for the incentives, it must have a space dedicated to live music performances and must hold an average of two live music performances per week. Through the third tranche of vibrancy reforms, amendments will be made to the Liquor Regulation to remove the need for a regional venue to have a dedicated space for live music. It will enable regional venues to count live performances on an annual basis, as opposed to monthly or quarterly, to qualify for the live music incentives. In addition, an amendment will be made to allow all live music venues to qualify for the two-hour liquor trading extension if it hosts live music after 6.00 p.m. on weeknights and after 12 noon on weekends rather than the existing incentive that applies after 8.00 p.m.

Venues in metropolitan areas, including Newcastle, Central Coast and Wollongong, will need to program 10 live music performances per month to access these incentives. That is an increase. These changes will mean we will continue to see more music on stages, by encouraging even more performances, but will give venues greater flexibility over when and how they program. The changes also recognise that there are different seasonal trading patterns and issues of artist availability for venues in regional and remote areas compared to their urban counterparts and will encourage more venues to host live music and performances.

I now turn to the third area of increasing operating and trading hour flexibility. The NSW Productivity and Equality Commissioner identified that consumer demand for night-time activities is changing. This Government does not want to stand in the way of businesses being able to cater to that demand or to risk creating pointless inconsistency between venue types. The bill amends the Liquor Act to allow restaurants and small bars to sell takeaway liquor in unsealed containers, as hotels and clubs can already do. This change will support outdoor dining and encourage alfresco activation in legally permissible areas—for example, in outdoor public dining spaces such as plazas or alfresco areas shared by restaurants and businesses. No change is proposed to the existing settings around legally permissible areas for the consumption of alcohol.

The bill also removes restrictions that prohibited venues from temporarily utilising footpaths and roads beyond midnight. That will be left up to the regular council approval process; the State should not be applying the handbrake. Complementary amendments will be made to the Liquor Regulation to remove outdated restrictions that prevent venues that offer entertainment primarily by way of pool tables or juke boxes to apply for an on-premises liquor licence, and to remove the fee for an application to convert temporary outdoor dining to permanent.

The bill includes changes that aim to support clubs to host community events in conjunction with sporting organisations and other groups by allowing clubs to apply for an authorisation to host a function offsite. Importantly, as a registered club, the function must be for the benefit of the members and guests of the club. Other changes are also being made to encourage neighbouring venues to work together to stage an event by allowing a licensed venue to apply to the Independent Liquor and Gaming Authority to temporarily extend their liquor licence boundaries into another adjacent building.

Finally, the bill encourages friends and families to spend more time together building lasting memories and deepening relationships while enjoying the offerings of special events by allowing special event extended trading to be approved for up to 24 hours prior to an event commencing. Administrative reforms in the bill include further Liquor Act amendments to permit hotels to retain their extended trading hours if relocating a short distance. The provision establishes the criteria hotels must meet to retain their trading hours, including that hotels must only move from "like to like" premises. For example, hotels moving to premises with the same zoning requirements and within five kilometres of their current premises will not be required to give up their unrestricted trading. This would bring them into line with how the law treats registered clubs. Hotels will need to apply to the Independent Liquor and Gaming Authority to make use of this pathway, and consultation will still occur with the community and the NSW Police Force about the application.

Under the existing requirements of the Act, if an approved manager of a licensed venue needs to take longer than 28 days of leave, the licensee of that venue is required to appoint a new approved manager, with an associated application fee, and then apply to have the original manager reappointed upon their return, which comes with another application fee. The bill changes this by permitting only one application to be made for an approved manager to be away for longer than 28 days, without requiring a new "approved manager" to be appointed. This change mirrors the existing process for when a licensee of a venue needs to take leave for longer than 28 days.

Amendments will also be made to the Gaming and Liquor Administration Act 2007 to provide for clarifications around recruitment provisions for the authority's board. The bill provides for the Minister to ensure that board members have relevant expertise and experience that reflect the objects of the Act. This includes around the responsible operation of licensed venues or music festivals, law enforcement including financial crime, harm minimisation, and accounting or corporate governance. The bill includes further administrative amendments to the Gaming and Liquor Administration Act 2007 for the board of the authority, including clarifications to recruiting for scheduled vacancies, the time frames for board appointments, and amending the number of persons on a "recommended members list" to be equal to or more than the persons required to fill the vacancy. This is a sensible approach to ensure that vacancies are filled in time, allowing for a smooth transition where a board member resigns and a new member is appointed.

Fourth, the bill will improve patron and staff safety. The Government supports a night-time economy that is safe and accessible for people of all ages, gender and cultural groups. This particularly includes supporting and protecting night-time workers. In total, 1.27 million people across New South Wales regularly work at night in a range of sectors. That number is growing, and the New South Wales Government made them an explicit focus of the refreshed 24-Hour Economy Strategy. As we improve opportunities for businesses operating at night, workers must benefit too; that is the way we build towards a truly 24-hour city. In this bill, we are specifically strengthening the protections for both staff and patrons in hospitality venues.

We are amending the Liquor Act 2007 to provide the Independent Liquor and Gaming Authority with the ability to cancel a liquor licence if the licensee has failed to create a safe working environment for its employees. A subsequent amendment to the Liquor Regulation 2018 will complement these Act changes and allow for the authority to also revoke an individual's competency card, such as their responsible service of alcohol [RSA] card, in certain situations, such as where the person has committed a prescribed sexual offence or other harmful offences and where it has the potential to create a significant risk of harm to another person on a licensed premises.

The hospitality industry remains a largely positive and responsible environment, with most management and staff doing the right thing. These reforms will modernise the regulatory framework to better respond to emerging issues and evolving risks within the sector, as we have seen publicly. As such, the threshold for revoking an individual's RSA card will remain high and targeted, to be used only in situations where it is deemed necessary, including where their return to work would create a significant risk of harm to staff or patrons at the venue. We have all been concerned about the public issues in some hospitality workplaces over the past year, and we need to help the sector stand up and weed out bad behaviour. I particularly thank Sorry Not Sorry, a collective of hospitality workers advocating against abuse, assault and discrimination in the industry, for their engagement.

The bill also amends the Liquor Act to introduce an exemption to the offence for permitting intoxication on a licensed premises where that person is seeking medical care or transport home. Right now, the law forces venues to choose between their obligations under law and keeping their patrons safe by mandating that an intoxicated patron be removed from the venue even if that means they are left to fend for themselves, make their own way home or are put into a more dangerous situation. Many examples come to mind: young women out with friends, individuals in regional areas where transport is not available and it may take a while for a taxi or family member to arrive. While the laws regarding removing intoxicated patrons are designed to manage the risks associated with alcohol-related harm, it can also be inappropriate for intoxicated patrons to be evicted in certain circumstances.

The bill strikes the right balance by allowing venues to choose to provide care where it is in the best interests of the patron. This change will complement other government efforts to improve safety, from providing access to naloxone for venue management and staff to incorporating more information about sexual harassment into the current responsible service of alcohol training. I thank the Hon. Rod Roberts for his long-running advocacy for this change to the way venues manage intoxicated patrons. Some members may recall that he brought a private member's bill to the House in 2019 seeking to address this exact issue, and his engagement through this process has made it possible for the New South Wales Government to design this reform and bring it forward to the Parliament. I thank him for that work he did many years ago.

Finally, the bill includes some corrections to drafting errors in order to avoid ambiguities and ensure the law reflects the policy intent. For example, members will recall in last year's reforms, amendments that "switch off" conditions of development consent at all licensed premises that prohibit particular music genres, number or types of instruments, and the number of musicians, et cetera. The bill will clarify that State significant development consents, or complying development consents, are excluded. I flagged an additional theme: enhancing special entertainment precincts.

Alongside the legislative and regulatory amendments raised today, I want to flag that consultation with community and councils will be undertaken next year to explore ways we can provide for further enhancement of the operation of these entertainment precincts. The Department of Planning, Housing and Infrastructure will

exhibit an explanation of intended effect on these matters in early 2026. The Government will have to more to say publicly on that matter soon. Once again, significant work across agencies has been undertaken to bring these changes forward. It really has required a great deal of collaboration. It has been a complex set of reforms to bring together. I recognise the Department of Creative Industries, Tourism, Hospitality and Sport, in particular the Office of the 24-Hour Economy Commissioner, Sound NSW, Create NSW and Liquor and Gaming NSW—all of which have been heavily engaged in these reforms. I particularly thank Emily Crocker, Nicola McCall, Natalie Wright, Daniel Rose and Sarah Low.

I also recognise the Department of Planning Housing and Infrastructure; the Office of Local Government; the Environment Protection Authority; the Cabinet Office; NSW Police Force; the New South Wales Women's Safety Commissioner; NSW Health; Transport for NSW, NSW Maritime; and the Department of Customer Service, including SafeWork NSW. I also recognise my ministerial colleagues in each of those areas who contributed significantly to making this complex reform possible, in particular Minister David Harris and his team, who have done a power of work on this bill. I really want to recognise Minister Paul Scully's changes to the State's planning policies that he has brought through, which will make a significant change by themselves and have come through in parallel with the changes in this bill. I also thank Ministers Catley, Park, Hoenig, Harrison, Cotsis as well as the Premier and his team.

I really want to thank my team, many of whom have been engaged in this legislative change, but in particular Angud Chawla. I also thank the Parliamentary Counsel's Office. I recognise the supporters of these complex reforms across the Chamber. I am very hopeful the reforms will get the support of the Parliament. The previous vibrancy bills have been passed with the support of all members of Parliament. As part of this process, I thank in particular members of the Parliament who have been heavily engaged in these reforms already: Kevin Anderson, Ms Cate Faehrmann, the Hon. Rod Roberts, the Hon. John Ruddick, the Hon. Jeremy Buckingham and the Hon. Mark Banasiak. With those words, I commend this bill to the House.

Debate adjourned.

ENERGY LEGISLATION AMENDMENT BILL 2025

First Reading

Bill introduced, read a first time and ordered to be published on motion by the Hon. Penny Sharpe.

The Hon. PENNY SHARPE: According to standing order, I table a statement of public interest.

Statement of public interest tabled.

Second Reading Speech

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (17:03): I move:

That this bill be now read a second time.

I am pleased to introduce the Energy Legislation Amendment Bill 2025. As members of this House are well aware, New South Wales is transforming its energy system. As our ageing coal-fired power stations retire, we are upgrading our electricity grid to ensure a secure supply of clean, reliable and affordable energy for New South Wales households and businesses. We are fortunate in New South Wales to have had to date a bipartisan commitment to deliver the Electricity Infrastructure Roadmap and the benefits it will bring to our State. An unprecedented level of investment is required to ensure that we have sufficient generation, storage and network capacity to keep the lights on and continue to grow the New South Wales economy.

A central element of this transformation is the delivery of transmission infrastructure to bring electricity from areas where wind and solar are abundant to where it is needed: our homes, businesses, farms, schools and industries across the State. This infrastructure is also essential to powering our existing businesses as well as emerging industry opportunities, such as data centres and green manufacturing. The importance and urgency of delivering critical energy infrastructure projects like renewable energy zones on time is hard to overstate. This morning I released the independent Transmission Planning Review and the Government's response to that review. I commissioned the review to examine how we can streamline the delivery of new transmission to make sure that planning keeps pace with the energy needs of our State and to improve coordination so that we get the best outcomes for consumers and communities.

It is important to note that we are not talking about project planning in the typical sense. This bill is not about the planning system—a note to the Nats. It is about the engineering and economic analysis performed by Government, the Energy Market Operator and the network companies in order to assess the best ways to deliver electricity around the State. These projects have been the subject of community consultation and assessed for their

environmental, economic and social impacts. This bill does not make any changes to the planning system. The Transmission Planning Review found that the current planning and approval arrangements for renewable energy zones are overly complex, creating uncertainty for investors, project proponents and host communities. This leads to delay and, in the end, higher costs for New South Wales electricity consumers.

To fix this, the review made a number of recommendations for immediate reform: first, to streamline authorisation of renewable energy zone network infrastructure projects to reduce delays and give project proponents the certainty they need to invest; second, to strengthen the regulatory arrangements governing how new networks connect to existing networks; and third, to clarify who is responsible for planning and delivering system strength in renewable energy zones in New South Wales. I am pleased to say this bill delivers on these important reforms to give the certainty needed for new renewable energy zones to proceed. The priority network projects bill, which was passed by this House in August, delivered on another recommendation from the review. The amendments in this bill build on those changes.

I also want to acknowledge the work of the Legislative Council's Portfolio Committee No. 4 – Regional NSW, whose first report into the impact of renewable energy zones on rural and regional communities was tabled in August this year. The inquiry heard from landholders, councils and communities from the Central-West Orana region, where we are building the first and most advanced of our renewable energy zones. While many witnesses recognised the economic opportunity created by the energy transition, others raised concerns about the impacts of renewable energy projects exacerbating existing regional development pressures, including housing, roads, waste, water and social services. Concerns were also raised about the adequacy of consultation processes and the need for stronger social safeguards.

The Government takes the inquiry's findings seriously. While the Government is developing its response, this bill furthers the Government's efforts to date to ensure that communities who are supporting the energy transition are properly recognised and supported. This bill expands eligibility and supports delivery of benefit sharing programs so that communities and landholders adjacent to new infrastructure and renewable energy zones can benefit. The bill also allows investment in local employment, skills and training across impacted regions, not just for workers directly affected by the transition but for anyone seeking new skills or job opportunities.

New South Wales's energy transition is not just about the rollout of large infrastructure; it is also about getting energy right at the consumer level. Across New South Wales, more households and businesses are generating and storing their own power than ever before. Rooftop solar and home batteries are helping to cut costs, strengthen reliability and change the way energy is produced and used. Through the Government's Consumer Energy Strategy, we are supporting this shift by making it easier for people to take part in the clean energy transition. The strategy will provide financial incentives for energy efficiency and solar uptake, targeted support for vulnerable households, stronger transparency in pricing, and clear targets for expanding distributed energy resources—all focused on affordability, reliability and fairness for consumers.

The NSW Consumer Energy Strategy also committed to improving protections for electricity consumers in embedded networks, who often face higher costs and weaker safeguards than on-market customers. I am pleased to say that the bill implements recommendations from 2024 Independent Pricing and Regulatory Tribunal [IPART] review into embedded networks and strengthens protections for households. The IPART review found that customers in embedded networks such as apartment buildings, retirement villages and caravan parks often face higher costs and weaker protections than those in the wider retail market.

In response to those findings, the Government will be putting forward a regulation to amend the National Energy Retail Law to introduce maximum retail prices for the sale of energy, hot water and centralised air conditioning. The bill supports the changes by introducing an enforcement and compliance framework to give effect to the maximum retail price caps, ensuring that embedded network customers pay no more than households on standard market offers. It requires operators to join an ombudsman scheme, giving residents access to independent dispute resolution, and it mandates greater billing transparency so customers can see exactly what they are being charged for.

The bill also protects households with rooftop solar from being disadvantaged as two-way pricing is introduced. It makes it clear that customers will not be worse off for exporting the energy they generate, so families who have invested in solar can continue to lower their bills and contribute clean power back into the grid. I am proud that the bill will support some of our State's most vulnerable residents, access a better deal for energy and bring fairness to consumer protections. The reforms deliver practical and fair protections to New South Wales households. They ensure that both embedded network customers and solar households share equally in the benefits of the energy transition. Finally, the bill makes a number of other minor amendments to streamline processes and approvals, reduce red tape, improve consumer protections and ensure the effective delivery of our net zero and energy targets.

I now turn to the detailed content of the bill. The bill amends six pieces of legislation: the Electricity Infrastructure Investment Act 2020, the Electricity Supply Act 1995, the Electricity Supply (General) Regulation 2014, the Independent Pricing and Regulatory Tribunal Act 1992, the National Electricity (New South Wales) Act 1997 and the Residential (Land Lease) Communities Act 2013. Some amendments to the Electricity Infrastructure Investment Act and the Electricity Supply Act also modify the National Electricity (New South Wales) Act.

I turn first to schedule 1 to the bill, which amends the Electricity Infrastructure Investment Act. Under the current legislation, access to community and employment benefits is only available to organisations within the geographic boundaries of a renewable energy zone where an access scheme has been declared. That means that funds collected to provide community and employment benefits cannot be spent in nearby towns and centres that service communities who are also sharing the heavy lifting of infrastructure development. That arbitrarily prevents delivery of community programs and services where they can be most effective.

The bill makes those arrangements fairer and more practical and expands the definition of community and employment purpose so that programs can be delivered anywhere in a local government area or local Aboriginal land council areas that are partially or fully within a renewable energy zone. It also broadens the definition of "employment purpose" so that funding can support training, skills and job opportunities for the wider community, including young people starting their careers and those looking to retrain for the jobs of the future. The changes will ensure that benefits are distributed more equitably across all communities in New South Wales who are hosting new infrastructure. They will help build the skills and capacity we need locally to drive our renewable energy projects for decades to come.

Delivering the transmission lines required to connect new renewable energy projects is a significant task. To succeed, the processes for approving and delivering new infrastructure projects must be a match for the scale and urgency of the task. If processes are slow or uncertain, projects get delayed, costs rise and the benefits of cheap, clean and reliable energy for New South Wales are put at risk. The bill introduces a change to the authorisation process for renewable energy zone network infrastructure projects to address that risk, building on learnings from projects undertaken in the Central-West Orana Renewable Energy Zone. The bill does not affect the need for development consents through the planning system but streamlines the other regulatory processes that apply to those projects.

The bill requires the independent consumer trustee to authorise a renewable energy zone network infrastructure project rather than authorising a network operator to carry out a project. By separating out the authorisation of the project from the appointment of a network operator, the project's authorisation can occur earlier in the development process. Under current arrangements, the consumer trustee makes its authorisation late in the process, after the infrastructure planner has conducted a competitive tender to identify the best network operators. That requires significant investment by all parties before having greater certainty that the project will proceed. If the consumer trustee were to decide not to authorise a project at that point in the process, the result would be major delays, increased development costs that must be funded by consumers, and upward pressure on energy prices. An earlier authorisation provides network operators with the confidence that the project will proceed, as it has been determined to be in the long-term financial interests of New South Wales electricity consumers.

The bill preserves the critical consumer protections in place under the Electricity Infrastructure Investment Act in the amended process. The protections include the maximum capital cost amount, which sets an upper limit on project capital costs such as planning, design, commissioning, financing, development and construction, and the cost-benefit analysis performed by the independent consumer trustee as part of giving its authorisation to a project. The maximum capital cost amount is set for a whole project as opposed to its individual parts, reflecting the overall benefits of that project. The bill codifies the existing administrative practices for the infrastructure planner to appoint one or more network operators to carry out a project, or parts or stages of a project.

The bill provides for the infrastructure planner to recommend to the Minister when a network operator should be directed to carry out a project, or a part or a stage of a project, provided that project has been authorised. Regulations are able to provide for further details about when and how the infrastructure planner recommends a ministerial direction. The bill further streamlines authorisations by removing duplicated functions of roadmap entities, in line with the other recommendations from the Transmission Planning Review. That includes more clearly requiring the infrastructure planner to consider the *NSW Renewable Energy Sector Board's Plan* and the *First Nations Guidelines for the NSW Electricity Infrastructure Roadmap* when appointing or recommending network operators to carry out network projects.

If the consumer trustee authorises a project early in its development, there is a chance the expected costs and benefits may change materially by the time the regulator determines the revenue payable to the network operator. The bill introduces a new process that allows the amendment of an authorisation or the maximum capital

cost amount the consumer trustee initially sets for the project. The consumer trustee can then check that that project will still deliver net benefits for consumers based on the latest estimated costs and benefits. Together, the reforms deliver a faster, clearer and more efficient authorisation process. That will allow network operators to commit to projects with confidence, projects are more likely to proceed on schedule, and consumers will benefit from a more timely and affordable energy transition.

Our coal-fired power stations provide not only electricity but also essential system security services that keep the grid stable and operating smoothly. As we move to a system powered by renewables and storage, those services must be provided in other ways so we can maintain a secure and reliable grid. System strength is what allows the network to remain stable when disturbances or faults occur, such as lightning strikes or the sudden loss of a generating unit or transmission line. Without system strength, renewable projects can be curtailed, costs can rise, equipment can be damaged, and reliability and system security can be put at risk.

System strength is managed under the National Electricity Rules. However, the National Electricity Rules do not enable the Australian Energy Market Operator to set system strength requirements for networks in New South Wales that are not owned by Transgrid, such as the Central-West Orana Renewable Energy Zone, which is operated by the ACERZ consortium. The bill creates a head of power to allow New South Wales to derogate from the National Electricity Rules to create a clear framework to manage system strength in renewable energy zones. That will enable the market operator to set system strength requirements that must be met within renewable energy zones and establish joint planning obligations for the infrastructure planner, the market operator, Transgrid and the renewable energy zone network operator to work together to plan and deliver the lowest cost way of meeting those needs. That will formalise the efficiency of the approach taken for the Central-West Orana Renewable Energy Zone.

As coal-fired power stations retire, long-duration storage becomes increasingly critical to ensure that electricity supply remains reliable for extended periods when the wind is not blowing or the sun is not shining. Under the National Electricity Rules there are several different definitions of a generation or storage project's capacity to generate electricity, including registered capacity and maximum capacity. At present the definition of long-duration storage in the tenders that we run is registered capacity, which does not reflect how some different technologies may operate. That has created uncertainty for investors and for the consumer trustee when running competitive tenders for long-duration storage. The bill resolves this by clarifying that long-duration storage must be able to deliver for at least eight hours at the lower of its registered or maximum capacity. This gives industry the certainty it needs and, most importantly, maintains the guarantees that the storage we procure will deliver the reliability services that New South Wales needs.

The infrastructure planner plays a central role in planning and delivering the renewable energy zones and other priority network infrastructure projects that underpin delivery of the roadmap. It is critical that the infrastructure planner has a stable and efficient funding base to do its job. At present, the infrastructure planner's funding arrangements are fragmented and inefficient. Its corporate costs have previously been met through annual budget appropriations, while project development costs are recovered from network operators. In effect, this means the costs are financed indirectly by the network operators and recovered from consumers. This reliance on private financing creates uncertainty and ultimately drives up long-term costs for households and businesses.

The bill establishes a more efficient and certain funding model for the infrastructure planner, enabling its operating costs and project-related costs to be paid for directly from the Electricity Infrastructure Fund. Payments will require the authorisation of the Minister and advice from the Scheme Financial Vehicle and regulator. Any payments made out of the Electricity Infrastructure Fund to the infrastructure planner for its project-related costs relating to a renewable energy zone network infrastructure project will be deducted from the overall maximum capital cost amount to maintain the integrity of existing consumer cost protections. This change reduces reliance on more expensive private finance and lowers risks to consumers, while giving the infrastructure planner the stable funding it needs to plan and deliver new network infrastructure on time.

The consumer trustee has pivotal functions which ensure that investment in electricity infrastructure under the roadmap serves the long-term financial interests of New South Wales electricity consumers. The consumer trustee's independence must always be beyond doubt. To ensure this, the Electricity Infrastructure Investment Act provides very limited grounds to remove the consumer trustee from its role. This bill introduces a balanced safeguard which allows the Minister to terminate the consumer trustee should its ability to exercise its functions independently be compromised, and only after written reasons are provided, submissions are invited and those submissions are considered. This strengthens accountability, protects the integrity of the roadmap and preserves the independence of the consumer trustee.

The bill also provides the ability for the secretary to delegate and sub-delegate functions under the Electricity Infrastructure Investment Act. This power was previously provided more generally and quite a long time ago under the Energy and Utilities Administration Act 1987, and removed in amendments to that Act in

2024. This amendment restores the delegation framework so that functions can be exercised at the right level within the department, ensuring that decisions are made efficiently, while accountability remains with the secretary.

I turn to schedule 2 to the bill, which amends the Electricity Supply Act. The bill will introduce a head of power to enable the Minister to issue the Accredited Service Provider Scheme, or ASP Scheme, rules. This provides greater clarity to industry that the Minister can update and issue the rules. The bill does not amend the scheme rules themselves, with any future updates to the rules supported by technical advice from an ASP advisory committee. The bill also provides a guarantee to households with rooftop solar that they will not be charged for exporting their excess electricity generation to the grid. In July 2025, following rule changes in 2021, New South Wales distribution networks introduced solar export charges to provide a signal to retailers and consumers about the costs of excess solar in the distribution system. With these changes, there are concerns that households and other customers could end up being charged for exporting electricity in the middle of the day when solar generation is at its peak. This bill ensures that this cannot happen. Families who invest in clean energy will have certainty that they will not be penalised for making a direct contribution to decarbonising our grid.

As I have said, across New South Wales we are building some of the most significant transmission projects in a generation. No single network business has the capacity to build the scale of infrastructure required to facilitate this transition. That is why the Electricity Infrastructure Investment Act enabled the introduction of contestability into the transmission sector. The National Electricity Rules were not designed with the contestable framework in mind, so current arrangements under the national framework are not well suited to facilitate the connection of networks built by new network operators to the existing network. This has already created challenges in connecting the Central-West Orana Renewable Energy Zone to the existing transmission network.

This bill will enable the Minister for Energy to issue network-to-network connection guidelines and impose a licence condition to require compliance with those guidelines. The guidelines, which will be developed in consultation with stakeholders, will create a clear framework to plan and deliver the infrastructure required to connect critical new network projects to existing networks in New South Wales. They will require parties to negotiate in good faith, to exchange information in a timely way and to comply with project-specific timetables to help ensure that projects stay on track. The new framework will be designed to align as closely as possible with the National Electricity Law and National Electricity Rules, with some targeted changes to the rules to support an efficient process for new network connections in New South Wales.

Members of the House have talked a lot about the challenge of the New South Wales electricity system being almost entirely privatised. That has led to challenges rolling out the energy roadmap smoothly and efficiently, which the changes address. To that end, the bill introduces a regulation-making power to allow for targeted modification or disapplication of the national framework to avoid duplication and inefficiency. To ensure that the licensing framework is effective and in line with recent New South Wales legislation, the bill will enable the Minister and IPART to impose higher monetary penalties of \$550,000. Penalties for failure to comply with directions will also increase from \$550,000 to \$1.98 million. The bill will also enable the Independent Pricing and Regulatory Tribunal to apply to a court to impose the much higher penalties that are already available to the Australian Energy Regulator under the National Electricity Rules.

At present, the penalties which IPART can impose for a breach of licence condition are too low: a mere \$20,000. As we continue investigating renewable energy zones in New South Wales, I am sure that, if anyone across the Far West was asked if \$20,000 was enough for what they had to go through, they would say absolutely not. Meanwhile, under the National Electricity Rules, the Australian Energy Regulator can seek a court order for a penalty of up to \$10 million with respect to the same breach of licence condition. This discrepancy is not appropriate, and the bill remedies this situation by giving IPART the ability to seek the same penalties that already apply to New South Wales network businesses under the national framework. These reforms will help ensure that renewable energy zone networks and other priority network infrastructure projects are connected to the New South Wales grid on time and on fair terms. It will cut inefficiency, reduce investor risk and, most importantly, allow renewable energy to flow when and where it is needed, putting downward pressure on energy prices and helping us to keep the lights on as coal-fired generators retire.

The Strategic Benefit Payments Scheme requires holders of a transmission operator's licence to make compensation payments to landholders who host transmission infrastructure on their land. This bill makes amendments to provide for flexibility regarding the types of landholders who can receive Strategic Benefit Payments Scheme payments where they are impacted by high-voltage transmission. This acknowledges the impact of the energy transition on a broader range of landholders and provides an avenue to compensate them for that impact. It is important to note that that is about the transmission lines, not the generation projects dealt with by a variety of other compensation and community benefits programs. I make clear that the Government is building the transmission lines through the renewable energy zones.

This bill will implement important consumer protection reforms from the Government's Embedded Network Action Plan. Many people in New South Wales buy their energy in a different way to a typical household. Instead of having a direct account with an energy retailer and therefore a choice in who that provider is, those customers in embedded networks can purchase their power from only the embedded network operator. This arrangement is common in places like retirement villages, social housing complexes, caravan parks and apartment blocks. There are many efficiencies that come with these arrangements. However, the problem is that people in these situations often do not have the same rights and protections as other on-market customers. They can be locked into higher prices, with no clear billing information breaking down what they are paying for.

Too often, these people are some of the most vulnerable people in our community—including older residents, people on low incomes or those living in affordable housing—yet they have the fewest protections. The bill fixes that. Under the action plan, customers in embedded networks will pay prices broadly equivalent to competitive market offers, have similar consumer protections to on-market energy customers, and access to national and New South Wales energy rebates and payment support programs. Members may not be aware that they have not had access to those supports. These changes will be implemented through regulations later this year. This bill introduces a compliance and enforcement framework to ensure that the regulations can provide meaningful protection to customers of embedded networks. Customers will also have access to free and independent dispute resolution through the New South Wales Energy and Water Ombudsman and be able to access clear information about their energy usage and costs. That is a big step forward.

Network operators play a crucial role in delivering the transmission backbone that keeps power flowing to homes and businesses across the State. This bill makes some practical improvements to the way network operator licences are considered and issued. First, the bill reduces the consultation time frame for a licence application from 40 days to 28 days from the date the notice is published, in line with similar public consultation periods. It also updates the reporting requirements, separating out the summary of public submissions from the Minister's final decision report. This small but sensible change removes duplication in reporting requirements while keeping the decision process transparent, efficient and fit for purpose.

The bill also amends the Electricity Supply Act and the Electricity Supply (General) Regulation at schedule 3 to align the existing Renewable Fuel Scheme with green hydrogen production that is expected to start in 2027. Changing the scheme's starting date to 2027 and reducing the 2027 target ensures that the scheme accounts for the latest forecast for initial green hydrogen production in New South Wales. These changes ensure that costs are not passed on to gas consumers until there is hydrogen available in the market. The amendments are narrow in their scope and are intended to enable the effective operation of the Renewable Fuel Scheme for hydrogen. The New South Wales Government remains committed to supporting the establishment of a stronger renewable fuels sector, and I look forward to announcing further reforms in this space very shortly.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): Order! It being 5.30 p.m., according to sessional order proceedings are interrupted for debate on committee reports and Government responses.

Committees

JOINT STANDING COMMITTEE ON NET ZERO FUTURE

Report and Government Response

Debate resumed from 16 September 2025.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The question is that the House take note of the report entitled *2024 Annual Report of the Net Zero Commission* and the Government response.

Motion agreed to.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. CAMERON MURPHY: I postpone committee reports and Government responses orders of the day Nos 3, 4, 5, 7, 8 and 11 until the next sitting day.

Committees

STANDING COMMITTEE ON STATE DEVELOPMENT

Report and Government Response

Debate resumed from 6 May 2025.

The Hon. EMILY SUVAAL (17:31): I take note of the report of the Standing Committee on State Development entitled *Beneficial and productive post-mining land use* and the Government response. I will keep my remarks relatively brief. I acknowledge the members of the committee: the Hon. Sam Farraway, who spent some time on the inquiry; the Hon. Scott Farlow; the Hon. Scott Barrett, who was subbed onto the inquiry; my Government colleagues; Ms Sue Higginson; and the Hon. Emma Hurst. As the report title suggests, the inquiry looked at beneficial and productive post-mining land use.

Most committee members were familiar with the issue in some way, shape or form. As someone who lives in the Hunter and represents the duty electorates of Upper Hunter and Lake Macquarie, I know it very well. I highlight the productive way—no pun intended—that all the committee members participated in the inquiry. We heard from a range of stakeholders, including academics and various government departments. A number of really innovative land uses were proposed. It was quite extraordinary to hear from academics from across the world about the various work that is occurring in this space in other jurisdictions and the improvements that have taken place, whether in the remediation of sites or in the reform of planning systems to have multiple land use frameworks in place. The Government response has now been tabled.

I acknowledge the ongoing work of a number of the councils that made submissions to the inquiry and have continued to proactively and productively lead work in this space, being Muswellbrook Shire Council and its mayor, Jeff Drayton; and Lake Macquarie City Council, under the leadership of Mayor Adam Shultz. I also acknowledge the work of former CEO of Lake Macquarie City Council Morven Cameron, who drove a lot of the leadership and vision from the Lake Macquarie perspective. I acknowledge the various directors of planning and policy for the work that they continue to undertake in this space as that region redevelops and embraces the productive re-use of many sites and parcels of land that were previously mined but now have enormous re-use potential. I commend the report and the Government response to the House.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report and the Government response.

Motion agreed to.

JOINT STANDING COMMITTEE ON ELECTORAL MATTERS

Reports

Debate resumed from 16 September 2025.

Ms CATE FAEHRMANN (17:36): I take note of the Joint Standing Committee on Electoral Matters [JSCEM] report entitled *Proposals to increase voter engagement, participation and confidence*, tabled in June this year. As a member of that committee, I begin by thanking the chair, the Hon. Peter Primrose, and the other members of the committee. Like most other JSCEM inquiries, this inquiry was conducted in a constructive and generally collegial way. What the inquiry examined was uncontroversial for the most part, and the committee reached consensus on a wide range of sensible and practical recommendations that will do a little bit to strengthen our democracy in New South Wales. I place on record my thanks to the secretariat.

While New South Wales has one of the highest enrolment rates in the country, the committee heard very clearly that that does not mean everyone is equally able or equally encouraged to participate. The report made 22 findings and recommendations aimed at improving voter engagement and reducing barriers to participation. The Greens have long supported many of the reforms recommended in the report, and we are pleased to see them included. For example, the committee recommended that the NSW Department of Education develop a standalone mandatory civics education subject in schools and that the NSW Electoral Commission be properly funded to undertake ongoing civics education and voter engagement. That is critical and I hope the Government acts on that recommendation.

The committee heard that only 28 per cent of year 10 students in New South Wales were at or above the proficient standard in civics and citizenship. That is down 20 percentage points since 2004—an alarming decline. We heard from the Department of Education. Of course, there are civics and citizenship courses, but it is troubling that there is such a decline. The recommendation that has come out in the report is extremely important, and I urge the Government to look at it.

We heard that many young people are leaving school without a basic understanding of how democracy works, how to enrol or even why their vote matters. This should be of huge concern to the Government and all members in this place. I also welcome the committee's strong recommendations to improve accessibility for voters with disability, including requiring political parties and candidates to provide information in accessible formats and reintroducing a secure, internet-based voting option for people who are blind or have low vision. We heard from Vision Australia and Blind Citizens Australia that the discontinuation of iVote ahead of the 2023 State

election left many voters unable to vote independently or in private. The committee has also widely canvassed the problems with iVote, but restoring this voting option for vision-impaired people is essential.

The report also makes a number of recommendations to address barriers faced by First Nations communities, including empowering the Electoral Commission to deploy mobile polling booths in remote areas and to work directly with Aboriginal community organisations to boost enrolment and participation. The committee heard about the situation at the last local government election in Toomelah, a small Aboriginal community in the north-west, where 93 per cent of votes were informal. For the Moree Plains Shire Council councillor ballot paper, electors were required to mark a minimum of five preferences for their vote to be formal. The instructions on the ballot paper instructed voters to mark a 1, 2, 3, 4 and 5 next to the five candidates in order of their preference and further preferences if they wished. Thirty-nine of the 40 informal ballot papers were marked with a single 1, a cross or a tick, so they did not meet the minimum required preferences.

Local government elections have varying types of ballot papers, and this situation calls for the NSW Electoral Commission to review its ballot paper instructions and ensure that approved how-to-vote cards contain clear voting directions, including clearly indicating the minimum number of preferences required for a formal vote. Hopefully we will see an improvement at the next local government election—with 39 informal votes out of 40, it will not be hard to improve. But all members of the committee were genuinely concerned about that situation.

The committee also made important recommendations to bring New South Wales in line with the Commonwealth by allowing people serving prison sentences of less than three years to vote and strengthening privacy protections for candidates and voters. The committee also heard from many stakeholders about their concerns with councils choosing to use private providers to conduct their elections instead of the New South Wales Electoral Commission. However, a number of councils made the point that rising costs to engage the New South Wales Electoral Commission are exceeding allowed rate increases. That is obviously of huge concern. Similarly, the New South Wales Electoral Commission impressed upon the committee that it is not adequately funded to operate efficiently either, stating the running elections is becoming more complex and costly, not least because of cyber threats and, unfortunately, the growing need for security at booths.

While I broadly support the committee's recommendations, I was disappointed that the committee did not go further in one crucial area: extending the right to vote to people aged 16 and over. During the report deliberations, I moved two amendments on behalf of The Greens—one new finding and one recommendation, to this effect. Finding 1 proposed:

Given that people can drive, work, pay taxes, enlist in the army and consent to sex from the age of 16, there is no justification for denying them the right to vote.

The recommendation I proposed was simple:

That the New South Wales Government amend the Electoral Act 2017 to give people aged 16 years and over the right to vote.

Unfortunately, neither of those amendments were supported by any other members of the committee. That was disappointing, particularly given the compelling evidence we received from young people and organisations advocating for reform, including by Make It 16, Run For It and the New South Wales Advocate for Children and Young People. Their submissions were thoughtful and grounded in a clear understanding of democratic principles. Make It 16 pointed out the hypocrisy of a system that allows 16-year-olds to work full time, pay tax and be tried as adults, yet denies them any say via voting in the decisions that affect their lives. The Advocate for Children and Young People's submission highlighted that 61 per cent of 16- and 17-year-olds in its Youth Week survey said they would vote if given the opportunity. That sends a clear message that young people want to participate and that they are being shut out.

We also heard evidence from the Human Rights Law Centre that the voting age is not set in stone. It has changed over time, and in many jurisdictions around the world it is now 16. Scotland, Wales and Austria have already done this, with positive results. In those places, young people have demonstrated that they take voting seriously and that early enfranchisement leads to lifelong voting habits. When we look at issues like climate change, housing affordability and education, the voices of young people are essential. These are the people who will live with the consequences of the decisions made in this place long after most of us are gone. Lowering the voting age is not a radical idea; it is an overdue one. It is about recognising that democracy is strongest when it is inclusive and when people are empowered to participate earlier than they do now. It is worth remembering that young people are already contributing members of our society.

I thank all the young people and organisations who took the time to participate in the inquiry. Their voices were clear, passionate and persuasive. While their arguments did not make it into the final recommendations this time, I am confident they will in the near future. The Greens will continue to advocate for the right of every

16- and 17-year-old in New South Wales to vote until it is done. In the meantime, the committee will continue to debate this issue and many others. I enjoy being a part of the committee, and I commend the report to the House.

The Hon. BOB NANVA (17:46): I take note of the report of the Joint Standing Committee on Electoral Matters entitled *Proposals to increase voter engagement, participation and confidence*. We are very privileged in Australia and New South Wales to have such a healthy, flourishing democracy. In fact, the success of our democracy is something that we tend not to think about and largely take for granted. It is not until we zoom out and look at some of the problems with electoral systems elsewhere in the world that the strength of our democracy really comes into focus. The United States of America, for example, has historically been held to be a beacon of democracy. Yet right now US states are actively and shamelessly gerrymandering their electorates to deliver the best possible result for their respective governing parties.

By comparison, our system encourages participation and allows for all parts of our community to be fairly and equally represented. We should be proud of our electoral system, and we must protect its democratic foundations. We are fortunate to have our system of compulsory and preferential voting as well as an independent electoral commission and commissioners. But at the same time, there is always room for improvement and new challenges emerging that need to be addressed.

One of the biggest risks facing our system today is the fact that so many citizens have a limited understanding of how it works. The lack of civic understanding has created a knowledge gap that is too easily filled by inaccuracies and falsehoods on social media. For example, you do not have to go far on social media to see people railing against our electoral model and claiming preferential voting somehow leads to illegitimate outcomes. Individuals like Antony Green and Dr Kevin Bonham have carried the torch for Australia's electoral system in the media and on social media, continually myth-busting and calling out online lies. The New South Wales and Australian electoral commissions have also worked hard to combat misinformation. But if we had greater community understanding of electoral processes in the first place, then myths and conspiracy theories would be harder to spread.

A lack of understanding about the system also serves as a disincentive to active participation. People who do not vote probably do not contact their local MPs about important issues and it is highly unlikely that they would nominate for an elected position on their local council, in State Parliament, or in Federal Parliament. If people are disengaged from the political system, they are effectively disenfranchised. If we accept that having diverse representation in the political system is important and leads to better public policy outcomes, then improving civics education across the community is the rising tide which lifts all boats.

To that end, this report's recommendations on civics education are particularly important, and I look forward to seeing those recommendations considered by the Government. As the report notes, civics education is not just about educating children while they are at school, it is also about providing lifelong opportunities for adults to learn about civic institutions and structures. As parliamentarians, we have a responsibility to be part of the solution and to help educate our constituents about the way our political institutions operate. It is a responsibility that I certainly take very seriously.

Finally, I mention the important recommendations regarding barriers to participation, especially with respect to voting. Our system of voting on election day works well for most people who speak English, have easy access to a polling booth, do not live in a remote location, have no significant mobility or sensory issues, and can see. In fact, if someone ticks all those boxes, voting can be an easy or unremarkable day out for them, capped off with a democracy sausage at the end. But for others, the system does not work so well. Voting can be confusing, daunting and, at worst, it can be undignified. That is why we need to have a variety of different ways for people to cast a legal vote, ways that recognise people's different abilities and circumstances. I thank everyone who contributed to the inquiry through their submissions and by appearing at hearings. I thank them for their contribution to building a stronger democracy in New South Wales.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The question is that the House take note of the report.

Motion agreed to.

ANIMAL WELFARE COMMITTEE

Reports

Debate resumed from 9 September 2025.

The Hon. EMMA HURST (17:51): As chair, I take note of the report entitled *Management of cat populations in New South Wales*. This was a critically important inquiry. The overpopulation of cats in New South Wales has been ignored by successive State governments for decades. The result is a major animal welfare crisis,

with the burden falling on small, underfunded animal rescues and cat carers who are fighting a losing battle to desex, rehome and care for the growing number of homeless cats. At the same time, there is growing concern and blame being placed on cats for their perceived impacts on native wildlife, leading to the dangerous demonisation of cats throughout our society. The key debate that emerged in this inquiry was whether New South Wales should adopt mandatory cat containment laws, either at a statewide level or on a council-by-council basis.

The inquiry found that there was no evidence that mandatory cat containment laws are effective at reducing the number of free-roaming cats and therefore will not reduce any impacts on wildlife. Cat containment laws fail because they are too expensive to implement and too difficult to enforce. They fail because many cats are not "owned" cats, so they cannot be contained. They fail because they unfairly target more vulnerable members of society, because we have a vet shortage, and because of the additional stress on vets to kill cats that are not contained. They fail because councils do not have millions of dollars to implement and uphold the laws, have space in their overcrowded pounds, or vets willing to kill thousands of homeless cats and lost companions. They fail because killing sprees typically do not work to reduce the number of introduced animals. They fail because the money used to attempt to implement punitive laws designed to punish people could have gone into programs proven to work, such as education and desexing.

It is not surprising that the programs that are implemented with the help of the community rather than punish the most vulnerable are the ones that work. I appreciate that many councils in New South Wales are struggling to manage the number of free-roaming cats in their communities, and they are desperate for a solution, but the committee did not receive any research studies or journal articles showing that punitive mandatory cat containment laws are effective. In fact, in other jurisdictions where cat containment laws have been introduced, we have seen adverse outcomes for animals and people alike. For example, after three years of mandatory cat containment in Yarra Valley in Victoria there was a 143 per cent increase in cat-related complaints, a 68 per cent increase in impoundments, and an 18 per cent increase in euthanasia. The City of Casey, also in Victoria, has had cat containment laws for 20 years. It is still experiencing impounding rates that are more than 300 per cent higher than when the laws were first introduced. The experience in Victoria should be a lesson for New South Wales.

Cat containment laws may seem like a quick, easy fix, but the reality is they will make things much worse for councils. There will be a sudden expectation that the council will collect and deal with every cat that is found roaming in their local government area. Councils will need to employ additional rangers to distribute traps, seize cats, and house and care for them. The enforcement and policing of these laws will be incredibly expensive. Where will councils, who we know are struggling to deliver basic services, get these additional resources? Where will they house those cats, given we know from the pound inquiry that pounds are overflowing and are at crisis point? It seemed from our inquiry that councils are expecting the State Government, and taxpayers, to pick up the bill. But let us be honest: Those pushing for these laws are not expecting companions to be kept inside, they are expecting councils to kill every cat that is outside—including escaped companion cats. If they wanted people to keep their pets inside, they would back educational programs in this space that are proving to be highly effective.

That is the ugly truth that organisations like the Invasive Species Council and The Greens, who advocate for cat containment laws, do not want us to figure out. Mandatory cat containment laws are cat-killing laws. They are a death sentence for cats. Those laws fly in the face of the decades of efforts by rescue organisations, councils, and governments to reduce euthanasia rates. Any cat who is unfortunate enough not to have a home, who has escaped, or whose microchip fails to scan, will be rounded up by council rangers, taken to an overcrowded pound and killed. Not only is this a terrible animal welfare outcome but it also incredibly expensive for councils and will have a devastating impact on the mental health of animal care staff and veterinarians who are forced to be involved in killing these animals.

On that note, I put on record my significant concern about comments made by a member of The Greens during the inquiry, suggesting a solution might be to gather a group of members of the public who are "very willing" to undertake cat killing. It was actually called a "public interest euthanasia service". The suggestion that we can bypass the serious ethical and mental health concerns of the veterinary profession and train a group of unqualified, cat-hating individuals to kill people's cats is one of the most disturbing things I have heard during my time in New South Wales Parliament. I have been contacted by individuals in the animal protection movement who were so distressed by this member's comments that they have told me they will no longer work with The Greens.

Another reason mandatory cat containment laws are problematic and ineffective is due to the serious equality issues associated with mandatory cat containment laws—particularly for lower socio-economic households, who may be unable to afford to contain their cats in a manner that supports their welfare or are not allowed to keep their cats indoors due to the outdated rental laws of New South Wales. It is likely we will see an increase in surrender rates by people in these communities who cannot comply with punitive cat containment laws, further increasing the number of animals in pounds on kill lists. We also heard evidence that cat containment

requirements are likely to have a negative impact on some First Nations communities, raising concerns about the potential overpolicing of these communities as a result. It is particularly concerning to me that members of The Greens would continue to promote cat containment laws in light of these real and present concerns.

The key finding from this inquiry was that, despite strong views from a small number of stakeholders, New South Wales is simply not ready for mandatory cat containment laws. The majority of witnesses—from veterinary associations, the RSPCA, the Animal Welfare League, to council ranger associations and animal protection organisations—were opposed to punitive, mandatory cat containment laws because they do not work. Our State is currently facing a pound crisis, a cost-of-living crisis, a vet shortage crisis, council funding challenges, and ongoing barriers to keeping animals in rentals—all of which would be exacerbated and become more challenging if the Government or local councils were to introduce mandatory cat containment laws. Each of those major challenges would need to be addressed—with appropriate supports for lower socio-economic and vulnerable groups put in place, and a major education and behaviour change program on the benefits of keeping cats indoors—before mandatory cat containment laws could ever be considered. We are a long way off from that.

I know that Minister Hoenig is currently considering his response to the report, as well as broader amendments as part of the review of the Companion Animals Act. I call on the Minister to listen to the experts and the evidence we have gathered in the report, including from his own department, and to resist bowing to The Greens and joining them on a cat-killing mission. If the New South Wales Government is genuinely interested in taking effective action to reduce the number of free-roaming cats and protect the environment, then the report sets out the blueprint. We know the most effective way to humanely reduce the number of homeless cats and ensure the best outcomes for humans, animals and the environment. The key is large-scale, targeted desexing programs focused on areas with the highest free-roaming cat populations.

We know those programs work. Professor Jacquie Rand and the Australian Pet Welfare Foundation have proven that through trial projects throughout Australia. Their research is the basis for the New South Wales Keeping Cats Safe at Home project, which combines targeted cat desexing with behaviour change programs to encourage people to voluntarily keep cats indoors. That program has resulted in a significant reduction in roaming cat populations in New South Wales, including reductions of 25 per cent in the Blue Mountains, 35 per cent in Campbelltown and 50 per cent in the Tweed shire.

In areas where the program has been run, nuisance complaints to councils about cats and cat intake rates into pounds have also fallen dramatically. For example, the Parramatta local government area had a 73 per cent decrease and Walgett had a 100 per cent decrease in cat intake. Compared to mandatory cat containment laws, which have no evidentiary basis, there is hard evidence that these programs are working to reduce the number of free-roaming cats in New South Wales. I am pleased that the New South Wales Government has recently announced \$6 million in funding to expand the Keeping Cats Safe at Home program to further local government areas, but even more investment is needed if we are serious about tackling the cat overpopulation crisis. At the same time, we also need to properly fund animal rescue organisations, which have been working alone at the front line of the cat overpopulation crisis for decades.

Funding for desexing programs will go a long way to reducing the burden on those organisations, but we also need to directly support them. They play a critical role in helping both councils and the community to rehome cats, yet they largely operate on volunteer time and shoestring budgets. The companion animal grant programs recently established by the Labor Government, which will allocate \$1.5 million per year for four years to animal rescues, are a drop in the bucket that will not go nearly far enough to support those rescues. That is also a significant reduction from the \$5 million over one year that the former Coalition Government allocated towards rescues.

The report made a range of other recommendations to the New South Wales Government, such as expanding the capacity for high-volume desexing in New South Wales, exploring legislative options to regulate the breeding of cats—including outlawing kitten farming and the sale of cats from breeders in pet shops—and investing in research and trials for humane means of fertility control, such as immunocontraceptives and gene drive technology. I urge the New South Wales Government to consider those evidence-based options as part of a suite of measures to address the cat overpopulation crisis.

While the inquiry report is strong overall, I highlight parts of the report that were sadly watered down and distorted by amendments from the Shooters, Fishers and Farmers Party, which were passed with the support of the Labor Government. For example, the Shooters and the Government voted to delete evidence from peak organisations—such as the Australian Veterinary Association, FOUR PAWS, WIRES, the Animal Defenders Office and the Australian Pet Welfare Foundation—regarding the limitations of scientific evidence and research in relation to the impacts of cats on wildlife. That included evidence from WIRES that only 3 per cent of calls regarding injured wildlife in the Greater Sydney area are related to harm from cats.

As a result, parts of the report are now unbalanced and do not reflect the genuine evidence heard at the inquiry. They perpetuate the dangerous and false narrative that cats are the primary cause of biodiversity loss, when we know the true primary causes are habitat loss caused by deforestation and climate change. The job of the committee is not to try to bias the evidence given or to delete one end of an argument. The usual process is to allow the evidence provided to stay in the report. When we start removing aspects that do not fit with a particular political party's own narrative, then we compromise the entire committee process. That is not something that I practice, and I encourage Opposition and crossbench members to stamp it out, at least for the reasons of procedural fairness to witnesses and to maintain the integrity of the upper House inquiry process.

The committee also voted to remove important evidence about the terminology used to describe different groups of cats. Research shows that we need to treat cat populations differently to reduce their numbers. Insisting on outdated terms that put all cats into two categories takes us further away from solutions simply because some people want to run a hate narrative. That is not helpful, and it takes us further away from genuine change. The Shooters also voted to remove a section highlighting the cruelty of 1080 poison, turning their backs on their party's previous opposition to 1080, which I am certain will cause concern for the many members of the party who oppose that cruel killing method.

This was a very important inquiry. I thank the members of the committee secretariat for their support in running the inquiry and preparing the final report. As always, their work has been impeccable. None of our inquiries could occur without them. I also thank the members of the committee for their interest in the topic. I urge the New South Wales Government to take the evidence-based findings of the report seriously and to invest only in solutions that are proven to work. Lastly, I thank Minister Hoenig, who first approached me about the inquiry. There had been a lot of media attention around the issue, and he was looking for answers. Given that he initiated the inquiry, I encourage the Minister to look at the recommendations and take them very seriously. The evidence and the recommendations are clear. Cat containment laws will not work on a State or council level. However, there is a clear solution backed by research, which is large-scale, targeted desexing and education programs.

Debate adjourned.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. CAMERON MURPHY: I postpone committee reports and Government responses order of the day No. 10 until the next sitting day.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): The time for committee reports having concluded, Government business will take precedence.

Bills

ENERGY LEGISLATION AMENDMENT BILL 2025

Second Reading Speech

Debate resumed from an earlier hour.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (18:07): As I was saying before we were rudely interrupted by the very important committee debate—I might just go to the Renewable Fuel Scheme. As I said previously, the Energy Legislation Amendment Bill 2025 amends the Electricity Supply Act. Schedule 3 amends the Electricity Supply (General) Regulation to align the existing Renewable Fuel Scheme with green hydrogen production that is expected to start in 2027. The amendments are narrow in their scope and are intended to enable the effective operation of the Renewable Fuel Scheme for hydrogen. The New South Wales Government remains committed to supporting the establishment of a strong renewable fuels sector. Watch this space—I will have more to say in coming weeks.

The Hon. Wes Fang: Tell us now.

The Hon. PENNY SHARPE: You will just have to wait. I know that you are desperately excited. Schedule 4 to the bill makes an amendment to the Independent Pricing and Regulatory Tribunal Act to provide further regulatory functions to the Independent Pricing and Regulatory Tribunal. That amendment is consequential to amendments under schedule 2 to support delivery of the embedded networks reforms. Schedule 5 to the bill amends the National Electricity (New South Wales) Act to allow regulations to modify the National Electricity Rules so that events affecting strategic benefit payments can be treated as pass-through events for cost recovery.

That means that if an event reduces the amount of strategic benefit payments—such as when privately owned land is transferred to the Crown—those savings can be passed on to New South Wales consumers. If an event increases payment obligations—such as when native title is granted over eligible land and back payments become due—those additional costs can be recovered by the transmission operator. These changes ensure consumers pay only the fair costs of the energy transition and align the national framework for cost adjustments with the cost recovery provisions in the Electricity Infrastructure Investment Act.

Finally, schedule 6 to the bill amends the Residential (Land Lease) Communities Act to make amendments that are consequential to amendments that will be made by regulation to the National Energy Retail Law (NSW) under the National Electricity Retail Law (Adoption) Act. There will be a test on this later, I promise! Those amendments support the embedded network reform package to deliver fairer electricity costs for customers of embedded networks. The bill reflects the Government's commitment to a fair, efficient and reliable energy transition that puts people first.

It delivers practical, balanced reforms that will streamline the rollout of transmission infrastructure, unlocking generation from renewable energy zones to deliver a secure and stable grid. It improves how projects are planned and connected, avoids duplication, reduces costs and ensures infrastructure is delivered in a more orderly and efficient way. It equips our delivery agencies like EnergyCo with stable funding and stronger governance so they can deliver the road map in the long-term financial interests of consumers. For regional communities, the bill means real, tangible benefits. It expands benefit-sharing so more communities can see lasting returns from hosting energy infrastructure.

It strengthens protections for households and small businesses, building the trust and social licence that are essential for long-term success and ensuring that no-one is left behind as we move towards a cleaner energy future. This is a bill focused on fairness, driven by efficiency and grounded in the belief that regional communities deserve to share in the benefits of the energy transition. It ensures New South Wales will not just manage the shift to renewables; it will lead it, with cleaner air, stronger communities and a more dependable electricity system for every home and business, and the industries that we rely on. That is why it is essential that this Parliament passes the bill and allows these reforms to proceed as soon as they can. I commend the bill to the House.

Debate adjourned.

LOCAL GOVERNMENT AND OTHER LEGISLATION AMENDMENT (COUNCILLOR CONDUCT) BILL 2025

First Reading

Bill introduced, read a first time and ordered to be published on motion by the Hon. Tara Moriarty.

The Hon. TARA MORIARTY: According to standing order, I table a statement of public interest.

Statement of public interest tabled.

Second Reading Speech

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (18:13): I move:

That this bill be now read a second time.

The Local Government and Other Legislation Amendment (Councillor Conduct) Bill 2025 represents an important next step in meeting the Government's commitment to strengthening transparency and accountability across New South Wales councils and reforming the Councillor Conduct Framework. The Government made a commitment at the beginning of this term to reform the Councillor Conduct Framework. The previous Government instituted a bureaucratic regime on councillors that not only restricted their ability to effectively advocate for their communities but also provided no adequate mechanism to take quick action when a councillor was accused of engaging in misbehaviour or corrupt conduct. We were left with a system where clear allegations of misconduct by councillors took far too long for the Office of Local Government to resolve and too often resulted in a slap on the wrist for those accused, or were inconsequential because those involved had decided not to seek re-election, having served full terms in office.

We want a thorough and robust process of dealing quickly with genuine complaints, giving the community confidence that the democratic process has their best interests at heart. I am pleased to say that this Government is addressing that challenge with its package of reforms. The Government's discussion paper released in September last year set out our actions and approach, allowing us to deliver: an updated meeting code of practice, making meetings a more effective decision-making forum; guidelines on how councillors can appropriately use their privilege of political free speech without receiving frivolous code of conduct complaints as a result; and proposals

to revamp how complaints about councillors are managed, including the establishment of a privileges committee so councillors can judge the behaviour of their peers.

The bill is another important component of the package of reforms setting up a stronger and more direct path to deal with serious misconduct by councillors. Firstly, it transfers the responsibility for determining proceedings from the NSW Civil and Administrative Tribunal [NCAT] to the Land and Environment Court, a superior court of record with demonstrated expertise in local government matters. The Government believes the Land and Environment Court is the most appropriate jurisdiction to deal with those most serious allegations around councillor misconduct, ensuring a robust and judicially based process because the court is composed of experienced judges who are familiar with the local government environment.

Secondly, the bill introduces a new category of proceedings to allow immediate action when there has been an alleged contravention of any law or a council's code of conduct. Under the new process, proceedings may be commenced by a Minister or other official entities defined in the bill, such as the head of the Office of Local Government, the Department of Public Prosecutions or ICAC. A third party may also commence proceedings if they have the leave of the Land and Environment Court and the court considers the action to be in the public interest.

Thirdly, the bill allows the Minister and other officials defined in the bill to apply to the court to seek a suspension of a councillor while public interest proceedings are on foot, akin to a councillor version of a preliminary injunction. This gives the community important protections, particularly when there is ongoing risk of harm or continued misconduct. Importantly, the bill ensures that the community, fellow councillors and council staff can have confidence that these matters will be acted upon effectively and with appropriate penalties to serve as a deterrent. Communities deserve elected representatives who act in their best interests, and they deserve a system that responds decisively when that trust is broken. Restoring that trust is essential not just for councils but for the health of our democracy.

The transfer of jurisdiction to the Land and Environment Court places the most serious cases of misconduct in the hands of a superior court of record, one with the legal authority, independence and experience to understand the complexity of the democratic environment. The Land and Environment Court has an impeccable reputation, with extensive experience in local government matters. It already deals with numerous matters under the Local Government Act 1993. The change of jurisdiction introduced through the bill follows extensive consultation with the sector, where there have been loud calls from councils and communities alike for meaningful change.

We need provisions that allow timely, effective and legally just mechanisms to take action where rogue councillors are accused of serious misconduct. The Land and Environment Court has the necessary expertise and capacity to support a more streamlined and strengthened process to deal with councillors whose behaviour presents a risk to the functioning of council, other councillors, council staff and the community, including from psychosocial and physical harm. By transferring jurisdiction to the Land and Environment Court, serious matters may be heard and resolved efficiently, including with interim orders available to be made by the court. This will reduce delays, eliminate procedural bottlenecks and ensure that serious misconduct is addressed at the level it deserves. Importantly, the Land and Environment Court offers a level of formality and legal scrutiny that is appropriate when the civic reputation and democratic legitimacy of elected officials is at stake. The community can trust that when the Land and Environment Court determines cases about alleged councillor misconduct, it is doing so in a considered fashion and with a view to dissuading others.

Further to the jurisdictional changes, this bill introduces a new type of proceeding which can be commenced against a current or former councillor accused of a serious breach of any law or code of conduct if it is in the public interest to do so. These public interest proceedings may be commenced in the Land and Environment Court by a Minister, the departmental chief executive and other public officials. It will also allow any other person or body to apply for leave of the court to commence proceedings, ensuring that serious issues can be addressed even if they fall outside traditional referral pathways. The public interest provisions are intended to apply to the most serious misconduct matters. It will work in conjunction with other reforms which the Government has introduced or is planning to introduce, consistent with ongoing public consultation.

Importantly, when a member of the public commences public interest proceedings, the Land and Environment Court will have to determine whether the proceedings are in the public interest. It will retain the power to order indemnity costs should proceedings be commenced vexatiously. This provides broader powers to take action against some of the problematic behaviours and actions exhibited by councillors, including but not limited to bullying, harassment, psychological harm, corrupt conduct and fraudulent behaviour. Essentially, these provisions ensure that a serious breach of any law can be referred to the Land and Environment Court, whereas the current framework only allows for a referral for breaches of a code of conduct or the Local Government Act. The bill does not define which behaviours are not in the public interest, which laws are relevant to the continued status of a councillor in public office or which cases should be brought forward by members of the public. The

Government will leave that in the hands of the judiciary, which is qualified to decide what the public interest is and how it should be maintained.

The bill also introduces robust penalty provisions that significantly strengthen accountability within the local government sector and act as an effective deterrent against serious wrongdoing by other councillors. Under the bill, the Land and Environment Court will have the power to immediately suspend a councillor while proceedings are underway. This ensures that swift action can be taken to immediately suspend a councillor when it is in the public interest. Should misconduct be proved on the balance of probabilities, the court may impose serious sanctions, including the disqualification of a councillor for up to five years or suspension for less than five years as well as civil penalties and restitution orders. These penalties send a clear message: Serious breaches will be met with serious consequences.

Under the current legislative framework, the Office of Local Government is constrained by a convoluted legislative regime that delays action and undermines accountability. The departmental chief executive of the Office of Local Government can only suspend a councillor for a maximum of three months. The case can be referred to NCAT for more serious matters, but penalties are likewise limited. This process is slow, inconsistent and often ineffective. Instead of providing an effective process that produces timely justice and resolution of issues, it provides a time consuming and inefficient process with often inadequate penalties. Our Government committed to reforming a system that is not fit for purpose, and this bill marks a crucial step towards reform in this journey. It delivers a stronger, fairer and more effective framework to restore sector integrity and community trust in local government.

I now turn to the detail of the bill and its legislative amendments. The primary objectives of this bill are to transfer the jurisdiction for councillor misconduct matters from NCAT to the Land and Environment Court, to introduce a new category of public interest proceedings and to empower the Land and Environment Court to impose stronger penalties on councillors found to have engaged in serious misconduct. Schedule 1 to the bill amends the Local Government Act. Item [1] and items [10] to [15], together with the amendments to the dictionary proposed in item [50], update the provisions that define the circumstances in which a person may be disqualified from holding public office or suspended from public office. Specifically, these provisions will be amended to refer to a new definition of "serious indictable offence" which means serious corrupt conduct; an indictable offence that is punishable by imprisonment for five years or more, including imprisonment for life; and any sexual offence under part 3, division 10 of the Crimes Act 1900.

The intent of these clauses is to allow the suspension of a councillor facing serious charges without the councillor facing two simultaneous trials. Should the councillor be convicted of serious indictable offences, the existing disqualification provisions of the Act would apply. Items [2] to [9] and items [17] to [46] amend various provisions of the Local Government Act to transfer responsibility for determining councillor conduct proceedings from NCAT to the Land and Environment Court. Item [16] and one of the amendments made by item [9] provide that if public interest proceedings are commenced against a councillor after the departmental chief executive receives a departmental report, then the councillor does not need to be given certain notices that would otherwise be required, nor will they need to be given an opportunity to be heard in relation to the content of the report or the commencement of the proceedings. I emphasise that these amendments are not intended to deny the councillor the opportunity to present their case. They will still have their day in court where their side of the story will be heard.

Item [47] introduces new part 4 to chapter 17 of the Act to establish public interest proceedings against councillors. New section 733A provides for definitions relevant to new part 4 in chapter 17 of the Act. The definition of "relevant person" in new subclauses 733A (a) to 733A (f) define who can commence public interest proceedings under new section 733B against a councillor in relation to an alleged contravention of law or a council's adopted code under section 440 of the Local Government Act. Relevant persons are defined as a Minister; the departmental chief executive; the Director of Public Prosecutions; the Independent Commission Against Corruption; the secretary of another department, within the meaning of the Government Sector Employment Act 2013; or another person with leave of the Land and Environment Court.

New section 733C provides that once proceedings are commenced by a relevant person other than a person who requires leave to commence proceedings, the party bringing proceedings may apply to the Land and Environment Court for an order to suspend a councillor pending determination of the proceedings. To make such an order, the Land and Environment Court must be satisfied that it is in the public interest to do so. New section 733D deals with the making of disciplinary orders by the Land and Environment Court in relation to the conduct of councillors. The proposed provision will apply in circumstances where, on the balance of probabilities, the Land and Environment Court finds that a councillor has contravened a law or the council's adopted code of conduct as established under section 440 of the Local Government Act. Importantly, this new section empowers the Land and Environment Court to consider whether it is in the public interest to issue one or more disciplinary

orders. These orders are designed to uphold the integrity of local government and to ensure that breaches of law or codes of conduct are appropriately addressed.

Specifically, the Land and Environment Court will have the discretion to impose the following orders: first, an order disqualifying a councillor from holding office for a period not exceeding five years, which is the most serious penalty proposed and is intended to be reserved for the most significant breaches; second, an order to suspend a councillor from office for a period of less than five years, which provides the Land and Environment Court with flexibility to impose a proportionate response depending on the nature and seriousness of the contravention; third, an order requiring the councillor to take restitution action to reverse any unjust benefit they may have derived as a result of their contravention to ensure that improper gains are not retained; and, fourth, an order compelling the councillor to pay compensation, damages, restitution or debts to another person. Further, the Land and Environment Court may order the councillor to pay a civil penalty to the State of an amount not to exceed 454 penalty units, or \$49,940 as of today. These measures collectively ensure that there is both accountability and a clear range of consequences in cases where a councillor's conduct falls short of the standards expected by the community and by law.

In summary, new section 733D equips the Land and Environment Court with a suite of robust and flexible options to respond to misconduct in local government, always with the public interest as the guiding principle. The bill also introduces a number of important provisions to strengthen the operation of public interest proceedings in the Land and Environment Court. New section 733E provides that a civil penalty imposed by the court under a disciplinary order is recoverable as a debt owed to the State. These penalties are enforceable in the same way as judgement debts, ensuring that financial sanctions issued under the disciplinary framework are not only imposed, but can be effectively recovered through established legal processes.

New section 733F confirms that the court may make a disciplinary order in public interest proceedings even where the councillor has already been convicted of a criminal offence arising from substantially the same conduct. This ensures that disciplinary action remains available and is not excluded by the outcome of related criminal proceedings. New section 733G provides that public interest proceedings are to be stayed if criminal proceedings are commenced or ongoing in relation to substantially the same conduct. The proceedings may resume once the criminal matter has been finalised, stayed, discontinued or otherwise resolved. The provision ensures procedural fairness and avoids duplication of proceedings.

New section 733H confirms that criminal proceedings may still be commenced after public interest proceedings have concluded, regardless of whether a disciplinary order was made. This preserves the ability of prosecuting authorities to pursue criminal liability where it is appropriate to do so. New section 733I clarifies that the departmental chief executive retains the ability to conduct investigations or prepare reports under section 440H of the Local Government Act, even where the same conduct is the subject of public interest proceedings. This ensures that administrative oversight mechanisms continue to operate independently of judicial proceedings.

New section 733J provides that evidence or documents given by a councillor in public interest proceedings are not admissible in subsequent criminal proceedings relating to the same conduct. An exception applies where the criminal proceedings relate to the falsity of evidence given in the public interest proceedings. Item [48] repeals special provisions relating to the COVID-19 pandemic, which have served their purposes and are no longer required. Schedule 2 to the bill amends the Land and Environment Court Act 1979. Items [1] to [4] amend sections 16, 20 and 33 of the Land and Environment Court Act and insert new section 21D. They provide that the proceedings transferred from NCAT to the Land and Environment Court, as well as the new public interest proceedings, are to be heard in a new "Class 9" of the court's jurisdiction. They also provide that class 9 proceedings are to be heard by judges of the court rather than commissioners.

Item [5] sets out the process for members of the public to apply for and obtain leave to commence public interest proceedings. If a member of the public applies to commence proceedings, they must give notice of the application to the local government Minister and the departmental chief executive, and the Minister or chief executive may apply to be added to the proceedings. The court may dismiss the application for leave without a hearing or hold a hearing to determine whether the application for leave is to be granted. Leave may only be granted if the court is satisfied that the required notice has been given to the Minister and chief executive, neither the Minister nor the chief executive has applied to be a party within 30 days, the proceedings would not be an abuse of process, the proceedings would be in the public interest, and the particulars of the alleged contravention demonstrate a reasonable prospect of success. Items [6] to [8] provide that public interest proceedings may be appealed to the Court of Appeal.

Schedule 3 to the bill amends the Civil and Administrative Tribunal Act to remove the NSW Civil and Administrative Tribunal's jurisdiction over councillor misconduct matters under schedule 5, Occupational Division, formalising the transfer. Item [49] in schedule 1 to the bill also provides for transitional arrangements to allow current matters before the NSW Civil and Administrative Tribunal to be transferred to the Land and

Environment Court. These provisions are designed to ensure a smooth transition for applications that were made under the Civil and Administrative Tribunal Act 2013 but have not yet been decided. Firstly, if an application was submitted before the new amendment commenced and is still pending, it will generally continue to be handled under the Civil and Administrative Tribunal Act 2013 as if the amendment had not started. However, the Minister for Local Government will have the authority to intervene when needed.

The Minister can issue an order, which will be published in the *Government Gazette*, to stop proceedings from being handled under the Civil and Administrative Tribunal Act 2013. Instead, the Minister can direct that the proceedings be transferred to the Land and Environment Court to be heard and determined under the Land and Environment Court Act 1979. If such an order is made, the proceedings will cease in the NSW Civil and Administrative Tribunal and will be transferred to the Land and Environment Court. The case will then be treated as if the application was originally made to the Land and Environment Court after the new amendment commenced. These transitional arrangements are designed to provide clarity and continuity during this period of change. By ensuring that pending applications are either continued under the existing framework or transferred to the court, we can maintain the integrity of our legal processes and provide certainty for all parties involved.

In closing, the bill ensures that matters involving serious councillor misconduct are dealt with efficiently, fairly and with the appropriate level of legal authority. The bill strengthens the process by enabling the Minister, the departmental chief executive of the Office of Local Government, certain authorities, and third parties with leave of the court, to initiate proceedings in the Land and Environment Court. The court will have the power to impose meaningful penalties such as suspension, disqualification, fines and restitution, based on consideration of the public interest, including the severity of the misconduct.

Importantly, the court will also be empowered to suspend a councillor immediately, pending the outcome of proceedings, where it is in the public interest. This ensures that serious issues can be addressed promptly, rather than being caught in a loop of administrative process and strangled by red tape. The Land and Environment Court is the right forum for this reform. It is a superior court of record, with deep experience in local government matters and the procedural rigour necessary to handle complex cases. These changes will help restore integrity to the councillor conduct framework and reduce the volume of weaponised or vexatious complaints that have plagued councils across the State. I commend the bill to the House.

Debate adjourned.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): I shall now leave the chair. The House will resume at 8.00 p.m.

LIQUOR AMENDMENT (AIRPORTS) BILL 2025

Second Reading Debate

Debate resumed from 16 September 2025.

The Hon. JACQUI MUNRO (20:04): I contribute for the Coalition to debate on the Liquor Amendment (Airports) Bill 2025. This uncontroversial bill seeks to harmonise liquor licensing in New South Wales airports with the Liquor Act 2007. I thank the department for its work and the stakeholders who were consulted on the bill, including the Australian Federal Police, the Department of Home Affairs, Sydney Airport Corporation, Western Sydney Airport Corporation and Aeria Management Group. I note that a reasonably small group of people were consulted. I have had feedback from local representatives in the area that, in the making of the regulations relating to the land surrounding the Western Sydney airport and the secretary's powers in relation to liquor licensing, they would appreciate wider consultation to ensure that the liquor licensing regulations are in line with community values and expectations.

Obviously, an airport is a unique area in terms of its connection to the world, but it still needs to be appropriate for the local community who live and will work there. I also thank my colleague in the other place the shadow Minister for Tourism, shadow Minister for Gaming and Racing, and shadow Minister for the Arts and Heritage and his office for their assistance. Liquor licensing in airports in New South Wales has previously fallen under Federal jurisdiction through the Commonwealth Airports (Control of On-Airport Activities) Regulations 1997. This is a legacy of the Commonwealth ownership of land on which airports have been built. The bill relates to Sydney Kingsford Smith Airport, Camden Airport, Bankstown Airport and the new Western Sydney airport. New South Wales is the only State that currently does not regulate liquor at its airports.

This bill seeks to replicate the intent of the complex Federal regulations by treating liquor licensing in airports similarly to liquor licensing in the existing New South Wales regime, noting some exceptions. Firstly, trading hours are more flexible within airports to accommodate their operational hours—which, in the case of Western Sydney, will be 24 hours—and there are no restricted trading days. Food courts and general seatings

areas within the passenger terminal are considered functionally, though not technically, licensed for the purposes of serving and consuming alcohol purchased at nearby licensed premises.

The Government's second reading speech, delivered by the Hon. Mark Buttigieg, did confuse me slightly. He stated, "While consumption will be permitted in food courts or general seating areas, it will not be permitted outside of licensed premises." Given that a food court is specifically defined as "not part of a licensed premises", it would be welcome if the Government were able to clarify that statement in relation to part 7A, section 130B (e), which states:

- (e) a licence that authorises the sale of liquor for consumption on the licensed premises is taken to also authorise the sale of liquor for consumption—
 - (i) in a food court in the passenger terminal, or
 - (ii) in a seating area associated with the licensed premises, whether inside the passenger terminal or outside.

To ensure the smooth operation of duty free and takeaway liquor sales, these premises will be exempt from a number of sections of the Liquor Act 2007 that require the separation of minors and alcohol sales. Licensed premises are required to display signage indicating to patrons where liquor may be consumed, with a \$2,200 fine if this is not complied with. The secretary will have the power to modify liquor licences in airports, with written correspondence to the licensee and a reasonable opportunity for licensees to respond prior to the proposed change.

The secretary will also have powers to grant and modify licences on land surrounding Western Sydney airport if the land is prescribed by regulation. As I noted earlier, we will have to wait to see the scope of what is considered "land surrounding Western Sydney airport". It might include hotels and other venues catering to the patronage of passengers and airport staff. But this is the one concern we have with the bill: that those regulations will be made at some point in the future before 1 April 2026. I thank the Minister's staff for their engagement on that issue, but I place on record that the Coalition will be looking at that closely to understand where those regulations define the land and what the geographic scope of the secretary's powers will be under the proposed Act. Again, I encourage wide consultation on those regulations with local stakeholders, including members of Parliament representing the surrounding electorates, councillors in the surrounding local government areas, local residents and businesses in those areas.

I note that existing laws regarding intoxication and serving alcohol to minors remain applicable in airports under the bill. As stated in the statement of public interest, the Government will need to work closely with the Commonwealth Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts and existing licensed vendors in already operational airports to ensure the changes do not cause undue disruption for business owners and passengers. I understand Sydney Airport is comfortable with the changes and I am sure it will work closely with the Government to ensure consultation and cooperation with business operators to enact the changes smoothly.

I note that the Government has indicated that the transition of the liquor licensing rules will occur on 1 April 2026 in time for planes landing and departing from Western Sydney airport. It is welcome that the Government is attempting to get at least one thing finished by the time planes start appearing at Western Sydney airport. With the announcement that the metro connecting the airport to the rest of the rail system is delayed until at least 2027, jetsetters and passengers may be driven to drink after disembarking from a 12-hour flight and finding there is no train line to take them to where they want to go, let alone the people who have battled Sydney traffic in an attempt to arrive at the airport on time. The Coalition supports the bill.

Ms CATE FAEHRMANN (20:11): On behalf of The Greens, I speak in debate on the Liquor Amendment (Airports) Bill 2025. The Government's brief to the bill states that it seeks to:

- ... support the transition of regulatory responsibility for the control of liquor on leased federal airports in NSW from the Commonwealth Government to the NSW Government.

This seems straightforward. These airports are Sydney's Kingsford Smith, the new Western Sydney airport, Camden Airport and Bankstown Airport. In all other jurisdictions, the respective State or Territory government is already responsible for liquor licensing and regulation at leased federal airports within their borders. The bill provides for alcohol sold for consumption on licensed premises to be consumed in unlicensed general seating areas of food courts or seating areas. The bill also requires a notice to be displayed on the licensed premises that specifies where the alcohol may be consumed. It also provides for trading hours for a licensed premises within a passenger terminal to be consistent with airport operational hours, including that the six-hour closure period does not apply. Different hours can also be prescribed in the regulation by the secretary.

The Greens are concerned about the lack of consultation with residents and other stakeholders near the Western Sydney Aerotropolis, and we echo the concerns raised in this House by the Opposition's spokesperson on this issue, the Hon. Jacqui Munro. Indeed, there was a lack of consultation with any community organisations,

unions, local government and local MPs. Those that were consulted were basically Sydney Airport and Western Sydney airport corporations plus a slew of government agencies and the Bradfield Development Authority, in which a lot of corporations are involved. The statement of public interest says the feedback from those groups provided the necessary evidence to inform the policy reflected in the details of the bill. Maybe that would be enough if it was just impacting the 24-hour Western Sydney international airport or just Sydney airport.

However, the bill goes further. As the Hon. Jacqui Munro said, it firstly allows land surrounding Western Sydney airport to be prescribed by the regulations. That is all it says: "land surrounding Western Sydney airport". Then, in relation to licensed premises on that land, new section 130E provides that the secretary may decide, on a case-by-case basis or for "all or a class of licensed premises", the trading hours and whether restricted trading days or the six-hour closure period for each day applies. The bill also requires the Independent Liquor and Gaming Authority to just give effect to a decision of the secretary under new section 130E. The poor old Independent Liquor and Gaming Authority sure is getting a lot of its power taken away by the Minns Government. The Parliamentary Secretary's second reading speech to the bill states:

... the Western Sydney Aerotropolis ... is not just about building an airport; it is about creating a 24-hour, seven-day-a-week economic hub. To enable that vision, legislative reforms are needed to futureproof the liquor licensing frameworks to reflect the need for 24-hour trading at licensed premises outside the Western Sydney airport passenger terminal and within that precinct.

I note that could include, for example, a massive 24-hour Dan Murphy's or another takeaway liquor store. Obviously, it will potentially mean hotels and bars. To do that without community consultation is extraordinary.

There is a well-established link between increased access to alcohol—particularly takeaway alcohol—after a particular time and domestic violence. There is also the same link with gambling. The NSW Bureau of Crime Statistics and Research published a report that looked at the results of an extension to trading hours for takeaway alcohol sales and home-delivered alcohol in New South Wales and the association with a small but statistically significant increase in domestic violence assaults. This was a result of a change in December 2016, when the Government at the time permitted bottle shops and alcohol home delivery services across the State to trade until 11.00 p.m. This is worth mentioning in this place because everybody is just like, "Let's open it all up. This is amazing! Yes, let's trade 24/7."

I am not necessarily saying we should not open things a bit later, but it seems as though all of the research, consultation, science and history of this issue is being forgotten in the excitement of people—particularly members of the Government—about opening everything up and bringing legislation before this place that deals with alcohol and trading hours. We will talk about the vibrancy reforms coming on another day. A lot seems to be slipping in that is just breaking it all apart. The study was about the impact of the 2016 trading hours extension on domestic and non-domestic assaults recorded by police. The New South Wales Government permitted bottle shops and alcohol home delivery services across the State to trade until 11.00 p.m., which was just an hour later than was previously allowed. In the case of bottle shops, this change reversed a statewide ban on takeaway alcohol sales after 10.00 p.m. That ban was introduced with the Kings Cross and Sydney CBD lockdown laws in 2014.

The study found that in the 38 months after the policy commenced, the rate of domestic assault increased by 0.4 per cent per month. That translated to an additional 1,120 domestic violence [DV] assault incidents over three years. This is what is important: The increase in DV assaults was more pronounced after 10.00 p.m., and no significant changes were found in non-domestic assaults. There is much more research about this. We have this 24/7 economic hub. I am not saying that The Greens do not support that concept, but it is just another example of the Labor Government introducing what seems like uncontroversial legislation that includes a pretty substantial change that could possibly have far-reaching ramifications and that has not been subject to community consultation. I also echo the promise that the Coalition made, in the Hon. Jacqui Munro's contribution, about looking at what that regulation contains.

I finish by talking about poker machines, because there is a note in new section 130E that states that this section does not affect gaming machine shutdowns under the Gaming Machines Act. That sounds great. It seems pretty straightforward for any of these venues operating in the surrounding area. That sounds good. Of course, they can all just apply for an exemption to shutdown hours. The Independent Liquor and Gaming Authority's website states that clubs and hotels with extenuating circumstances can ask for an exemption. The exemption that they would ask for is that this is in a tourist area. It is in an area where other hospitality or entertainment venues stay open until 6.00 a.m. on Saturdays, Sundays or public holidays. It sounds like that will be the case here.

Meanwhile, the State Government still has not done anything substantial in terms of responding to the Independent Panel on Gaming Reform report and its recommendations. This year Liquor and Gaming NSW released its *Review of Gaming Machine Shutdown Hours Framework*. That found that there is no identified policy or rationale for retaining a tourism and entertainment variation for exemptions. Regardless, it seems to be all systems go. I add that the increased impact on communities is not just from gambling but also alcohol, particularly in terms of domestic violence.

It is important to finish this contribution by saying that The Greens are not necessarily against the bill, but we do think it is extremely important to hear from experts and communities and allow them to have a say. We do not want to put this in place and regret it five or six years later, having stirred up a complete hornet's nest in an area that has become dangerous, where the community at that point will say, "Why weren't we ever consulted about this big 24-hour precinct, where it is just alcohol and everything else?" I always encourage the Government to put less in regulations. I am doing that now, but it does not seem to be making a difference; it is falling on deaf ears. We will wait and see. The Greens will not be voting against the bill, but it is just another disappointing lack of consultation on behalf of the Minns Government.

The Hon. JOHN RUDDICK (20:23): The Libertarian Party supports the Liquor Amendment (Airports) Bill 2025. In doing so, we encourage this House to consider the consumption of alcohol throughout the general precinct of the Sydney airport to be another trial run for the general consumption of alcohol in public places. We should examine the impacts of this new commonsense allowance for drinking. I remind the House that the Libertarian Party last year introduced the Alcohol Consumption in Public Places (Liberalisation) Bill 2024, which was narrowly defeated in this place due to concerns over the rights of fun-hating councils to keep their nanny-state alcohol-free zones. If there is no significant increase in antisocial behaviour in the airport with alcohol being consumed throughout the terminals, then we should consider expanding this sound experiment throughout New South Wales.

The Hon. CAMERON MURPHY (20:24): I express my support for the Liquor Amendment (Airports) Bill 2025, which comes at a pivotal and fortuitous time, because from 1 April 2026 liquor regulation at federally leased airports will transition to the New South Wales Government. The bill ensures that we are ready with a regulatory framework that reflects the unique operating environment of Sydney airport and the upcoming Western Sydney airport. The current framework is not fit for purpose in these precincts. The bill introduces tailored provisions, including 24-hour trading, to support seamless operations, economic growth and community confidence. It delivers clarity for businesses, consistency for regulators and flexibility where it is needed most.

Under the current liquor licensing framework in New South Wales, all licensed venues are subject to a standard set of rules designed to promote responsible service and minimise alcohol-related harm. These include standard trading hours, which restrict on-premises consumption to between 5.00 a.m. and midnight, and takeaway sales to midnight, Monday through Saturday, and 10.00 a.m. to 10.00 p.m. on Sundays; a mandatory six-hour closure period, during which liquor cannot be sold or served; restrictions on unaccompanied minors in packaged liquor outlets; floor space requirements for bottle shops operating within larger businesses, such as supermarkets; notification and advertising obligations for new licence applications, including statements of risk and potential effects to the local community; an open-to-the-public requirement for on-premises licences, prohibiting regular operation as private or members-only venues; and, finally, limitations on liquor consumption, which in most cases must occur within the licensed premises and cannot be taken away, except for in limited quantities.

Those rules are appropriate and effective for most venues across the State. However, airport terminals are not like other public spaces. Airports cater to international and domestic travellers arriving and departing at all hours, and the businesses within them must be able to respond to that type of demand. Passenger terminals, in particular, operate under unique conditions: servicing a transient population, maintaining high security and functioning around the clock. Beyond the terminals, airports host a range of commercial and public-facing services, from shopping and dining precincts to accommodation and transport connections.

The scale and complexity of modern airports, such as Sydney Kingsford Smith and the forthcoming Western Sydney airport, present a unique operating environment requiring a tailored regulatory environment that reflects their evolving role as integrated transport, commercial and community spaces. The rigid application of standard licensing rules, such as the six-hour closure period, can create unnecessary barriers for airport operators and inconvenience for passengers. The nature of airport retail and hospitality also means that venues are often located beyond security checkpoints, inaccessible to the general public, and operating under strict Commonwealth aviation regulations. Those factors justify a more nuanced approach that maintains the integrity of our liquor laws while recognising the distinct context of airport operations.

The bill introduces a number of targeted exemptions to the standard liquor licensing framework to support the unique operating environment of airport passenger terminals. New section 130C (2) exempts licensed premises within airport passenger terminals from the requirement to maintain a physically separate liquor sales area, unless their primary business is selling liquor for takeaway, like a bottle shop. That important change allows duty-free and gift stores to continue operating without costly or impractical layout changes, and it ensures future airport retailers can do the same.

Additionally, new section 130B (2) (e) authorises licensed premises within passenger terminals to sell liquor for consumption away from the venue, including in adjacent food courts inside or outside the passenger terminals, providing greater flexibility in how liquor is served and consumed in those unique settings. That is a

practical amendment. It recognises that not all airport venues have dedicated seating, and it exempts them from section 25 of the Act, which would otherwise require it. Ultimately, the bill allows all businesses operating inside and outside of the passenger terminal to continue as they currently do under the New South Wales regulatory framework. That ensures a smooth transition for those businesses.

Airports are significant contributors to the economy and a source of employment for many workers. The amendments will ensure a smooth transition for more than 80 existing premises at Sydney and Bankstown airports that currently hold a Commonwealth-issued liquor licence. It is also proposed that businesses that begin operating at the new Western Sydney airport will fall under the New South Wales regulatory licensing framework. Those will be the same regulatory conditions as those that apply to the businesses at Sydney airport. The bill introduces several amendments and exemptions to ensure premises within a passenger terminal avoid significant layout and operation changes and unnecessary administrative processes, minimising disruption to business operations and passenger convenience.

Airports are more than transport hubs. They are gateways to tourism, trade and international connection. They play a vital role in welcoming visitors, moving goods and linking people across borders. The Government is committed to growing tourism and has set the ambitious goal of making New South Wales the premier visitor economy in the Asia Pacific by 2030. By minimising disruption to business operations and passenger activity, the bill supports that vision. It ensures that airport precincts can continue to operate efficiently, helping New South Wales maintain its reputation as a world-class destination for travellers and investors alike. I commend the bill to the House.

The Hon. GREG DONNELLY (20:32): I express my support for the Government's Liquor Amendment (Airports) Bill 2025. I begin by thanking the Minister and the department staff for all their work in bringing the bill forward to Parliament. The legislation is critical to ensure the successful operation of the new Western Sydney airport and the broader Western Sydney Aerotropolis. Those are precincts of significant growth that the Government is committed to developing into vibrant economic hubs. The bill provides certainty for prospective businesses considering operations in the aerotropolis, including Bradfield City Centre, which is set to become a new global city for Western Sydney and New South Wales. It supports planning and investment in a precinct where some businesses will operate 24 hours a day, seven days a week. Importantly, the bill also ensures the safe and responsible sale and supply of liquor to the millions of visitors expected to travel to or from New South Wales via Western Sydney airport. As such, Western Sydney airport will be off to a flying start, with appropriate laws in place to support licensing and trading.

The bill is timely and practical for businesses considering operations within the Western Sydney airport and surrounding aerotropolis. The bill reflects the unique nature of airport environments, and that is sensible. While the amendments in the bill are informed by the current operation of Sydney airport, it is anticipated that Western Sydney airport will have similar layout and operational requirements. One key difference is that premises within Western Sydney airport's passenger terminal will operate 24 hours a day, seven days a week, aligned with the airport's broader operating hours. That is a vital provision to ensure that the projected 10 million passengers per year do not arrive at or depart from an airport that cannot service their needs while in the terminal. We do not want that to be visitors' first impression of Sydney. If New South Wales is to create the best possible first impression for visitors to Western Sydney, it makes sense to facilitate food and beverage offerings that match those at Sydney Kingsford Smith Airport, including duty-free liquor sales in the international terminals. The bill ensures that the Government can support that.

At the same time, the bill maintains appropriate safeguards. For example, businesses in the business park outside the passenger terminal that serve the general public as well as travellers will still be required to undertake the standard liquor licensing application process and will also be subject to the same rules as other licensed premises in New South Wales. That ensures that community expectations around safety as well as amenity are met. The bill also enables the activation of food and beverage offerings in the Western Sydney aerotropolis area and at venues outside the Western Sydney airport passenger terminal. The Western Sydney aerotropolis is being developed as a 24/7 metropolitan hub to support Western Sydney airport. It will feature restaurants, bars, hotels and performance spaces, creating a vibrant destination for locals and visitors alike.

Western Sydney airport represents a major advancement not only for the aviation industry but also for New South Wales, positioning itself as a world-class travel hub that will stimulate economic growth and benefits for communities across the Western Sydney and Blue Mountains regions. Therefore, implementing an appropriate liquor licensing framework will help ensure that both passenger convenience and community safety expectations are effectively met. To support that, the bill inserts new section 130E into the Act to allow the secretary to determine on a case-by-case basis the trading hours for either a particular licensed venue or all, or a class of licensed venues that sit outside the Western Sydney airport passenger terminal or within the Western Sydney aerotropolis area.

Liquor licences in New South Wales are ordinarily subject to a mandatory six-hour closure period. The alternative trading hours support the new 24-hour hub. Furthermore, any increase in trading hours or exemption from standard trading hours would not apply to the operation of electronic gaming machines, for which the standard six-hour shutdown will remain as per the Gaming Machines Act 2001. Importantly, as the Independent Liquor and Gaming Authority retains its powers to intervene and modify trading hours if there is sufficient noncompliance, the bill ensures accountability and maintains public confidence. I once again thank the Minister and his team for their work on the bill. It is a forward-looking reform that supports business certainty, community safety and the responsible growth of Western Sydney as a global gateway. I commend the bill to the House.

The Hon. MARK BUTTIGIEG (20:38): On behalf of the Hon. John Graham: In reply: I thank all members for their contributions to debate on the Liquor Amendment (Airports) Bill 2025, in particular the Hon. Jacqui Munro, Ms Cate Faehrmann, the Hon. John Ruddick, the Hon. Cameron Murphy and the Hon. Greg Donnelly. The Government is committed to supporting the Commonwealth Government's intention to transition the responsibility for liquor licensing and regulation at leased Federal airports at Sydney, Western Sydney, Bankstown and Camden to the New South Wales Government.

The bill is focused on ensuring the smooth and efficient transition of regulatory responsibility of those airports to a New South Wales framework that is fit for purpose and reflects the unique environment of airports. It does that by striking the right balance between the government goals of growing tourism and economic development, industry expectations of business growth, and community and passenger expectations of a positive and safe travel experience and community amenity without unnecessary disruption and red tape. Importantly, the bill ensures the safe and responsible sale and supply of liquor to the millions of visitors expected to travel to and from New South Wales and across the world.

I will now address some of the matters that were raised in the debate. In relation to the comments by the Hon. Jacqui Munro about consultation, I confirm that the Government has been in discussions with the airports in the lead-up to the introduction of this bill and that further consultation will be conducted with the affected airports and licensees in the lead-up to the commencement of the bill. Further, in relation to the designation of land surrounding Western Sydney airport, I also confirm that consultation will occur with the relevant authorities and businesses before any land is prescribed by the regulations. I thank the member for her contributions on food courts. I confirm that businesses that are entitled to sell liquor for consumption on their premises will also be entitled to sell liquor for consumption in designated food court areas.

In relation to the comments of Ms Cate Faehrmann regarding concerns over consultation, Liquor and Gaming NSW has consulted with the NSW Police Force; Australian Federal Police; Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts; Department of Home Affairs; Independent Liquor and Gaming Authority [ILGA]; NSW Health; Department of Communities and Justice of New South Wales; and the Bradfield Development Authority. The Commonwealth Government will also be consulting with key stakeholders when consulting on its draft regulation in conjunction with New South Wales.

In relation to taking away ILGA powers, ILGA is an independent statutory decision-maker and will retain all of its functions under the Liquor Act 2007 and the Gaming and Liquor Administration Act 2007 in relation to airports. That includes determining liquor licensing applications; issuing various orders, including requiring licensed premises to close for a period of time and banning persons from entering licensed premises for a period of time; determining disciplinary and remedial action to be taken against licensees and others; and reviewing delegated decisions made on its behalf by Liquor and Gaming NSW and certain decisions made by the secretary. Although the secretary is able to determine the trading hours of premises outside the Western Sydney airport passenger terminal and at the Western Sydney Aerotropolis, ILGA would retain the power to modify that if there was sufficient noncompliance to warrant scaling back the trading hours. That will be done on a case-by-case basis.

Where trading hours have been modified by ILGA due to noncompliance, the secretary cannot override the modification in cases where longer trading hours are granted for the Western Sydney Aerotropolis and Bradfield City Centre precincts. The Government is aware of the concerns of permitting 24-hour trading at premises outside the Western Sydney airport and at the Western Sydney Aerotropolis and has taken several steps to ensure a flexible and responsive regulatory framework that caters to future liquor licensing needs that may evolve alongside the development of a 24-hour economy at the Western Sydney Aerotropolis to support Western Sydney's 24/7 airport operations.

The proposed amendment enables the secretary to set trading hours at premises outside the Western Sydney airport and at the aerotropolis prior to the licence being granted by the authority. This is a commonsense approach that reflects the practical delegation of responsibilities between the secretary and the authority. I stress that this amendment does not constitute a blanket approval of extended or alternative trading hours across all licensed premises, as any such approval would be subject to sufficient safety controls and being assessed on a case by case

basis. Licensees will still be liable for the responsible sale and service of liquor, and ensuring that liquor is not sold or supplied to minors or intoxicated persons.

The amendment will include enforcement mechanisms to address noncompliance to ensure there is minimal alcohol-related harm. Under the current laws set out in section 54 (2) of the Liquor Act, the secretary could revoke, restrict or place certain conditions on a licence, where the licensee or their staff have committed offences. This section also allows the New South Wales Commissioner of Police to apply to the secretary to have a licence condition varied or revoked in such circumstances. Also, importantly, while the secretary would determine trading hours at the point the licence is granted, the authority would retain its existing legislative power to modify trading hours if there is sufficient evidence of noncompliance to warrant scaling back the trading hours. This allows the Government to support balanced industry growth whilst ensuring community safety and amenity.

In closing, the Government is committed to supporting responsible business growth, the Western Sydney region and tourism in New South Wales. This bill is a step forward to ensuring that we have a fit-for-purpose liquor regulatory framework that accommodates the unique environment of leased Federal airports. I am pleased by our detailed and productive engagement with other members on the bill. The Government genuinely believes those discussions have made the bill stronger. In particular, I thank members for their detailed engagement in the debate this evening. I extend my thanks to the many State and Federal agencies that have collaborated to make the bill possible. It has been a complex set of amendments to bring together.

I recognise the Department of Creative Industries, Tourism, Hospitality and Sport, particularly Liquor and Gaming NSW, for its efforts in developing the amendments in the bill. I also thank the Commonwealth Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon. Catherine King, MP, and the Department of Infrastructure, Transport, Regional Development, Communications, Sport and the Arts for the support and close collaboration in progressing the transition. In conclusion, the Government looks forward to supporting the suitable operation and liquor regulation at leased Federal and all other airports in New South Wales over the coming decades, and remains committed to ensuring that the expectations of world-class airports, passenger convenience and community safety are met. I commend the bill to the House.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): The question is that this bill be now read a second time.

Motion agreed to.

Third Reading

The Hon. MARK BUTTIGIEG: On behalf of the Hon. John Graham: I move:

That this bill be now read a third time.

Motion agreed to.

CRIMES (ADMINISTRATION OF SENTENCES) AMENDMENT (STANDARD OF PROOF) BILL 2025

First Reading

Bill introduced, read a first time and ordered to be published on motion by the Hon. Mark Buttigieg, on behalf of the Hon. Penny Sharpe.

The Hon. MARK BUTTIGIEG: According to standing order, I table a statement of public interest.

Statement of public interest tabled.

Second Reading Speech

The Hon. MARK BUTTIGIEG (20:50): On behalf of the Hon. Penny Sharpe: I move:

That this bill be now read a second time.

I am pleased to introduce the Crimes (Administration of Sentences) Amendment (Standard of Proof) Bill 2025. The bill amends the Crimes (Administration of Sentences) Act 1999 to change the standard of proof for determining correctional centre offences from the criminal standard of beyond reasonable doubt to the civil standard of satisfied on the balance of probabilities that the inmate is guilty of a correctional centre offence. The proposed amendments align the standard of proof for correctional centre offences in New South Wales with other Australian jurisdictions where the civil standard of proof is applied in all or most inmate discipline matters.

By making these amendments, the bill responds to issues that have been made apparent in the application of the current criminal standard of proof to inmate discipline matters. The NSW Ombudsman report *Investigation into inmate discipline in NSW correctional centres*, which was tabled in Parliament in August 2024, identified a

number of issues in the application of procedural fairness in correctional centre discipline. A subsequent internal review by Corrective Services NSW, as recommended in the Ombudsman's report, found that Corrective Services NSW staff have been mistakenly applying the balance of probabilities instead of the legislated beyond reasonable doubt standard, owing to a lack of education and training.

The Government is acutely aware of the potential impacts of correctional centre disciplinary decisions on safety within correctional facilities as well as on wider community safety. This is because disciplinary findings may impact decisions made about an inmate's placement, classification, access to external leave programs and parole. The Government considers that changing the standard of proof to one appropriate for administrative decisions and administrative decision-makers may improve accountability in light of concerns about the current New South Wales system and bring New South Wales in line with the rest of the country.

I now turn to the current operation of the correctional centre disciplinary model under the Crimes (Administration of Sentences) Act 1999, or the CAS Act. Division 6 of the CAS Act sets out the framework that includes the standard of proof and penalties that can be imposed for correctional centre offences. Correctional centre offences are prescribed in the Crimes (Administration of Sentences) Regulation 2014. They range from minor offences, such as a failure to comply with correctional centre routine, to more serious and potentially criminal conduct, such as possession of drugs and physical aggression.

Under section 53 of division 6 of the CAS Act, when governors or their delegates are undertaking inquiries to determine guilt for a correctional centre offence, they are required to be satisfied beyond reasonable doubt that an inmate is guilty of the offence. If the governor or their delegate is not satisfied beyond reasonable doubt of the inmate's guilt, they must dismiss the charge. "Beyond reasonable doubt" is the criminal standard of proof that is applied in criminal judicial proceedings before a court. However, inquiries by governors under division 6 of the CAS Act are administrative proceedings, rather than judicial proceedings.

While the governor or their delegate must be satisfied to the criminal standard of "beyond reasonable doubt" in the determination of guilt in a correctional centre disciplinary proceeding, the rules of evidence do not apply and inmates are not entitled to legal representation. This reflects the administrative nature of inmate disciplinary processes and findings. Correctional centre offences can be heard and determined by a governor or their delegate or referred to a visiting magistrate for determination due to the serious nature of the offence. Serious offences can also be referred to the NSW Police Force for consideration of criminal prosecution. As I will elaborate on, these safeguards will be retained in the bill.

I now turn to the detail of the bill. Schedule 1 [1] to the bill will amend section 53 of the CAS Act to provide that governors undertaking inquiries to determine guilt for a correctional centre offence will now be required to be satisfied on the balance of probabilities that an inmate is guilty of the offence. "On the balance of probabilities" is the civil standard of proof, meaning that it is more likely than not that the conduct comprising the correctional centre offence occurred for an inmate to be found guilty of a correctional centre offence. The bill makes consequential amendments to enforce the new standard of proof introduced through schedule 1 [1].

Schedule 1 [2] to the bill will amend section 56A of the CAS Act to make clear that the standard of proof for governors or their delegates in determining a correctional centre offence arising out of the use or possession of a mobile phone is satisfied on the balance of probabilities that the inmate is guilty of the offence. The standard of proof for visiting magistrates determining these offences will remain as the current standard of "beyond reasonable doubt". Schedule 1 [3] to the bill will make further minor amendments to section 56A of the CAS Act for clarity. Schedule 1 [4] to the bill will amend section 57 of the CAS Act to make clear that the standard of proof for governors or their delegates dealing with a charge relating to an offence relating to drug tests for inmates is "on the balance of probabilities".

The standard of proof for visiting magistrates determining these offences will remain as the current standard of "beyond reasonable doubt". Further, schedule 1 [5] to the bill amends the definition of reviewable decision in section 65B, which refers to the current standard of proof of "beyond reasonable doubt" to insert the new standard of proof of "on the balance of probabilities". Schedule 1 [6] to the bill inserts transitional provisions to make clear that the amendments to the standard of proof will also apply to all correctional centre disciplinary offences that are reviewed after the commencement of the amending Act. It also makes clear that decisions made by Governors where the previous standard of "beyond reasonable doubt" was applied continue to be reviewable decisions if the decision was made before the amendments commence and a review of the decision has not been determined.

The bill retains existing safeguards to enable serious conduct to be assessed according to a higher standard. As mentioned, governors or their delegates will retain the discretion to refer serious misconduct matters that might also meet the elements of a criminal offence to the NSW Police Force for consideration of criminal prosecution.

A criminal prosecution would ultimately be determined by a court if prosecuted, on the criminal standard of proof of beyond reasonable doubt. This is appropriate noting the serious consequences of a criminal conviction.

Governors or their delegates will also retain the discretion to refer more serious correctional centre offences to visiting magistrates, who will continue to be required to determine guilt for these offences on the criminal standard of proof of beyond reasonable doubt. Retaining the higher criminal standard of proof for more serious matters referred to visiting magistrates is considered appropriate given that visiting magistrates can impose higher and more serious penalties than governors, including extending an inmate's sentence for up to six months.

The amendments will be complemented by Corrective Services NSW policy updates and officer training. This will ensure consistency in inmate discipline, decision making and awareness across Corrective Services NSW of the changes to the standard of proof to be applied in the determination of correctional centre offences. The New South Wales Government is committed to undertaking the necessary reforms to ensure that inmate discipline framework is fit for purpose and operates in line with national standards. The bill makes important changes as part of the Government's broader commitment to improve the administration of the inmate discipline system and improve clarity in the legislation that supports it. I commend the bill to the House.

Debate adjourned.

JUSTICE LEGISLATION AMENDMENT (MISCELLANEOUS) BILL (NO 2) 2025

Second Reading Debate

Debate resumed from 16 September 2025.

The Hon. SUSAN CARTER (21:01): Shakespeare has Juliet ask, "What's in a name? That which we call a rose by any other name would smell as sweet." But with the Justice Legislation Amendment (Miscellaneous) Bill (No 2) 2025, we have no issue with the name because the matters it covers are miscellaneous indeed, ranging from phone calls for young offenders to calling midnight on the sunset clause in section 93Z. But, of course, miscellaneous has two meanings, both of which are still current. The original understanding of the word, as first used by Cato the Elder in relation to grapes from which wine was to be made, was not "mixture" but "very small" or "insignificant". The wine of which he spoke was not to be a blend of mixed grapes; it was of single origin, even though it appeared to be the type of "cheap wine" that is of minor quality—best enjoyed, perhaps, with a three-day growth.

This bill may call for a miscellany of changes, but while some of them are minor and belong appropriately in a miscellaneous bill of this nature, we have concerns about four significant changes to be introduced by the bill. The changes are not minor and do not belong in the grab bag of mixed changes with which we are presented in the bill. They are changes which, if they are to be supported, need substantiation and proper time for debate and which cannot be supported in the absence of this time for adequate consideration. I will confine my remarks to those matters.

Clause 4 of the bill repeals the Crimes Amendment (Prosecution of Certain Offences) Act 2023, with the consequence that the sunset provision it introduced into section 93Z (4) of the Crimes Act will also be repealed. That sunset clause, due to commence on 2 January 2026, was inserted at the same time as the requirement for a statutory review to enable this Parliament to consider the impact of the change to permit police officers, as well as the Director of Public Prosecutions, to bring prosecutions under section 93Z.

Unfortunately, this statutory review was provided long after the statutory deadline, demonstrating a lack of respect for this Parliament and a disdain for the legal requirements imposed by legislation. This has made the work of reviewing the operation of these changes very difficult, and has impacted on decision-making about the sunset clause. The statutory review, when finally provided, indicated that only two prosecutions had been brought by the police and, at the time of the review, neither of these prosecutions had been concluded. That is scant evidence indeed to assess the impact of important policy changes.

There is also the question of the impact of the repeal of the Crimes Amendment (Prosecution of Certain Offences) Act on the changes made to section 93Z (4) to extend the ability to prosecute under this provision to police. The Opposition is comfortable that both the police and the Director of Public Prosecutions can bring prosecutions. We have a strong interest in this provision being enforced. However, we are concerned to ensure that private prosecutions cannot be brought under section 93Z, which would have been the effect of the Government's original amendments. We understand the Government's argument that section 30 (2) of the Interpretation Act will ensure that, despite the repeal, section 93Z (4) will remain in its current form. The Opposition accepts this argument, but believe that this issue is so important and there is such strong public interest in section 93Z and its operation that we will be moving an amendment to add a note for clarification.

I now turn to schedule 7 [2] to the bill, which seeks to repeal section 258 of the Crimes (Administration of Sentences) Act 1999. This section requires the Supreme Court to periodically review, in open court, information about persons on remand who have been in custody for more than three months. The Government tells us that these reviews no longer serve a useful purpose and that robust case management procedures are now in place, so section 258 is no longer necessary. However, the Government does not substantiate those assertions. This change appears to be supported by no cited research, no discussion paper and no apparent consultation with the sector. All we have to support this significant change is the opinion of the Government, at a time when we have witnessed a significant growth in the remand population under this Government.

There has been a 20 per cent rise in the number of adults on remand over the past two years. Remandees now make up 44 per cent of all inmates, according to the NSW Bureau of Crime Statistics and Research. This explosion in the numbers of prisoners on remand is why the Government had to find over \$100 million extra in the last budget, or 14 times the cancelled investment in Business Connect with enough left over to fund the Act's community justice centres as well. New South Wales currently has more prisoners on remand than in 1788. We have never had so many prisoners on remand, yet the Government is asking us to wind back oversight mechanisms because it says that these measures are not needed anymore. This is coming from a Government that has said that electronic monitoring of prisoners on remand for all but certain domestic violence offences would be simply too hard and beyond its capacity. So even more prisoners will be held on remand, even though electronic monitoring is a cost-effective way of keeping the community safe. The Opposition has heard no argument to support these changes, so we will be opposing them and moving an amendment to delete all lines in schedule 7 [2].

Schedule 9 to the bill seeks to amend the Firearms Act 1996 to facilitate appeals by minors with respect to a firearms prohibition order made under that Act by the Commissioner of Police. The commissioner is empowered to make such an order if any person is not fit in the public interest to have possession of a firearm. Section 73 (3) of the Act provides that the commissioner may revoke a firearms prohibition order at any time. Adults currently have the right to appeal to the NSW Civil and Administrative Tribunal, but minors do not. The bill would confer those appeal rights onto minors. The Government argues that this will address an anomaly that has existed since 2013. But, yet again, it has provided no details of the need for this amendment other than, "Trust us. We're the Government."

The Opposition asked the Government for details of how many children are currently subject to a firearms prohibition order, how many have been impacted since 2013, and what these children have done to warrant a firearms prohibition order being made. The only answer we got is that there are apparently fewer than 20 minors who are subject to a firearm prohibition order, but we were not told why, or under what circumstances, these orders were made. Under the Act, minors are unable to obtain a firearm licence under section 11 and they are unable to obtain a permit under section 29, other than a minor's permit under section 32, which requires the minor to be under supervision, and for firearms training or a target pistol permit. Their access to guns is already heavily controlled, as it should be.

This amendment would require police to either brief others or attend the NSW Civil and Administrative Tribunal [NCAT] hearings every time a firearms prohibition order was contested by a minor. Given that we are short over 3½ thousand active police in New South Wales and we have a crime crisis where our citizens feel unsafe, why should we be asking police to spend their valuable time attending NCAT hearings rather than policing the community? A case for this change has simply not been made out. It is not often that I agree with the Premier, but in this instance I do. He recently said:

We won't be supporting any provision in [the bill] that will water down gun laws in NSW. They've been important pieces of keeping the community safe for a long period of time.

This Government simply has not explained why these changes to the Firearms Act are appropriate for community safety at this time. I indicate that the Opposition will move an amendment to delete schedule 9 in its entirety. Schedule 3 addresses some of the concerns raised in the context of the equality legislation debate about changes to birth certificates. On 16 October 2024 shadow Attorney General Alister Henskens said in debate in the other place:

As a birth certificate is a person's primary identity document, there are also concerns about the manner in which the bill specifies that any changes must not indicate on a person's record any alteration to a person's sex, sex descriptor or person's name under sections 32F (5) and 32G (5) ... That effectively means that a new identity is created. The possible implications for law enforcement and fraud require consideration and investigation.

It is pleasing that the Government finally has responded to those concerns and that those amendments address the issues. The bill will allow law enforcement officers, among others, to access original birth records to establish identity. However, I note that this is hardly a minor matter. It is surprising to find it tucked into the schedules of a miscellaneous bill. While this change is welcome, it does not address all of the issues raised at the time about issuing new birth certificates. The bill still does not provide for any indicator of change of sex on birth certificates.

That is consistent with the purpose of the legislation but may create problems with the validity of certain marriages.

The Commonwealth Marriage Act requires that if a marriage is celebrated by a minister of religion who is also an authorised marriage celebrant, it will be legally valid only if celebrated in accordance with the authorised rites of that religion. A number of religions require marriage partners to be of different biological sexes. A marriage between two persons, regardless of what their birth certificates may indicate, will be invalid if this requirement is not fulfilled. The Opposition is seeking to amend the legislation to extend the category of persons with adequate reason to access original birth records to include a religious marriage celebrant only for the purposes of ascertaining the validity of a proposed marriage, and with the requirement to maintain confidentiality about the information which has been accessed. This will prevent any possibility of persons believing that they are married who later discover that their marriage is in fact invalid. The Opposition is satisfied that the other matters in the bill are truly miscellaneous in both senses of that word. We support those changes.

Ms SUE HIGGINSON (21:13): On behalf of The Greens, I participate in debate on the Justice Legislation Amendment (Miscellaneous) Bill (No 2) 2025. Firstly, clause 4 of the bill deals with the chaos that was essentially caused not necessarily by the members of this House but by the Government's agenda to try to arrest its way to social cohesion throughout communities. It relates to the offence of publicly threatening or inciting violence on the grounds of race, religion, sexual orientation and so on found in section 93Z of the Crimes Act. It all related to being able to include a sunset clause, or include a provision by which we sought to allow the police to also prosecute these matters without the permission of the DPP.

The amending bill we are considering tonight is sensible. The clause is what it is and the law is operating as it is. It makes somewhat relative sense that we are now just trying to get on with what is clearly the Government's agenda on this front. Schedule 1 relates to the amendment of the Advocate for Children and Young People Act 2014. The provisions will increase the number of members of the Youth Advisory Council from 12 part-time members to a minimum of 12 part-time members. The change is to assist in the delivery of the functions of the new Office for Youth, which was launched in August 2025, to promote the voices of young people. Schedule 2 amends the Bail Act 2013 and requires that if an inmate has been granted bail yet remains in custody as they do not or cannot at that point in time meet a particular bail condition, then notice must be given to a court within eight days from the day bail is granted, as opposed to eight days from the day the person is received into custody. It is to account for those received in custody at an earlier date for unrelated matters.

I note comments already made in this place tonight about that amendment, and the simple fact that there are so many people on remand in New South Wales right now. Without a doubt, filling our remand centres full of people is simply not the answer to the problems that we are facing in our communities. Again, the consistent theme of thinking we can arrest our way to a better world is an absurd, preposterous notion. Where does it stop and when does it end? We know that we do not want to open any more prisons. We know that would be an absurd backward step. At the end of the day, the Government needs to take serious notice that the system we currently have is not working. It is getting worse. Our prisons are filling up, and we just keep tinkering with the laws to deal with the unsustainable circumstances that we find ourselves in.

Schedule 3 amends the Births, Deaths and Marriages Registration Act and relates to the altering of certificates. My colleague Dr Amanda Cohn will make a contribution related to those provisions. Schedule 4 relates to the amendment of the Children (Community Service Orders) Act. Schedule 4 [1] allows the secretary to determine remuneration and allowances for officers who manage children's community service orders. Schedule 4 [2] and [3] prescribe requirements for applications made to extend or revoke children's community service orders, including that they be in writing and in a form approved by either the secretary, in the case of an extension order, or the President of the Children's Court, in the case of a revocation order. At the end of the day, these are sensible amendments. Having an orderly system that is accountable and transparent is important. Schedule 4 [4] and [5] provide the secretary with the ability to make travel arrangements and payments related to persons performing community service work. Again, at the end of the day, these provisions are contemporary provisions and are necessary for the orderly function of the people performing that work.

Some of the amendments also move matters that are currently dealt with under regulation into the Act for clarity. It is always a good move of government to make sure provisions that are necessary are in the parent legislation. The amendment to the Children (Criminal Proceedings) Act imposes standard conditions on probation orders made on children, including that persons must appear before the court if called upon, persons must be of good behaviour, and other conditions specified in the order. These conditions have been made to match those made for good behaviour bonds imposed by the Children's Court. They also essentially provide clarification on the meaning of some of the terms for the sake of the clarity of the orders.

Most of the provisions amending the Children (Detention Centres) Act 1987 seem to be for clarity, to become consistent with the current practice, or to bring regulations into the Act. They are purportedly needed for

the sake of orderly management of youth detention centres. They seem relatively uncontroversial. They change the definition of "misbehaviour" to make it clear that it includes section 37A offences and behaviour caught under the regulations, make less formal the language of complaints of misbehaviour to reflect how they are actually heard in youth detention centres, and allow the secretary or the centre manager to ban an individual from visiting. The provisions will bring into law what the current practices apparently are. The provisions also allow for the circumstances in which telephone calls can be recorded, and the section will mirror the way in which letters and parcels are recorded into regulations. Essentially, a number of provisions purportedly bring laws into conformity with current practice so that children's detention centres can be run in an orderly fashion.

Schedule 7 to the bill amends the Crimes (Administration of Sentences) Act [CAS Act]. It is bizarre that it is being dealt with this miscellaneous justice bill when there is right now before the Parliament an entire bill seeking to amend the same Act. The amendment will extend the statute of limitations for correctional employee misconduct offences from six months to two years. It is a necessary and essential change, because we know that many inmate victims do not feel safe reporting any alleged offending until some time after the offence has occurred. This amendment allows them to commence the proceedings within a more reasonable time frame.

This is one provision that does not apply retrospectively. For the right reasons, we do not apply laws retrospectively. Interestingly, the other CAS Act amendment currently before the Parliament is seeking to apply the principle of retrospectivity, and it should not be. This is the one occasion where, if we were going to apply the principle of retrospectivity at any time, we should do so, but we are not. It is terribly frustrating the way the Government chooses to uphold fundamental rights principles when it is convenient but not when those principles might actually deliver more justice.

An important amendment of this miscellaneous bill is the amendment of the Firearms Act 1996. I completely disagree with the contributions of others made against this amendment, because it is an essential change to the operation of the law. The provision will amend the Firearms Act to enable people under the age of 18 to seek an external review in the NSW Civil and Administrative Tribunal, which will be empowered to review a decision to impose a firearm prohibition order [FPO]. It relates to young people under the age of 18. It is important to understand that FPOs can have an extreme and excessive impact on young people.

The reality is that in New South Wales it is vulnerable young people, particularly First Nations young people, who are exposed to such orders. An FPO can authorise a police officer anywhere, at any time, to search a person without a warrant to ensure compliance with the order. No expiry date applies to those orders. It is important that children have the right to seek review and, where justified, have the order removed. We know now that the orders are being used and weaponised in the wrong manner and form by police officers as a kind of control mechanism and as a way to arbitrarily surveil young people that are subject to those FPOs.

It is really important that young people have a right to review or appeal these orders. Before this amendment, they were not allowed. It was some kind of legislative error. It is almost absurd that people over the age of 18 are entitled to seek a review through NSW Civil and Administrative Tribunal or whichever mechanism, but young people under the age of 18, who are most egregiously impacted by these orders, do not have any right of access. It was clearly not the original intention of any legislation to deprive a person of that access to procedural fairness and substantive fairness through a right of review. Frankly, I cannot wait until this provision is enacted. It is vital. Young people right now are eligible to have an FPO reviewed and likely revoked. The sooner this comes into operation, the better. There are young people right now subjected to this awful, arbitrary intervention by police through intrusive and invasive searches at any place and at any time, and they should not be.

Schedule 10 relates to the amendment of the Inspector of Custodial Services Act. This will fix an error in the amending legislation that is not yet in force and will allow for the Inspector of Custodial Services, a member of the inspector's staff or another specified person to be compelled to give evidence or produce documents in the proceedings under the Ombudsman Act, the Independent Commission Against Corruption Act and the Law Enforcement Conduct Commission Act.

Schedule 11 relates to the amendment of the LEPPRA, the Law Enforcement (Police Powers and Responsibilities) Act 2002, and strip searches. LEPPRA currently provides that if a police officer of the same sex as the person to be searched is not immediately available, then a police officer may delegate the power to conduct the search to another person who is of the same sex as the person to be searched, and of a class of persons prescribed by the regulations for this subsection. The proposed amendment provides that a police officer may delegate the power to conduct the search to a personal class of persons prescribed by the regulations, or to a person or class of persons that, in the opinion of the Commissioner of Police, has appropriate training, qualifications or experience in conducting personal searches. The amendment essentially expands the number of people qualified to conduct strip searches and ensures that individuals subjected to a strip search will be searched by a qualified person of the same sex.

I would rather we were limiting the times and circumstances in which strip searches are able to be conducted. But the reality is that if these searches are to be performed, it is important that they are done in a way that responds to the drastic failures and catastrophic harm that has been caused through the wrong application of this law, including people performing strip searches on people of the opposite sex and causing harm. This will improve the system by making it slightly more humane and slightly less harmful. Again, the Government should think about this. We should be talking about limiting the ability of police and other appropriately qualified people to undertake strip searches. Schedule 12 amends the Medicines, Poisons and Therapeutic Goods Act. They are simple, miscellaneous changes that relate to the drug misuse and trafficking authority. Drafting oversights will be changed so that plants being "produced" will instead be "cultivated", in line with other laws and regulations.

Dr AMANDA COHN (21:28): As The Greens spokesperson for LGBTQIA+, I speak to schedule 3 to the Justice Legislation Amendment (Miscellaneous) Bill (No 2) 2025 relating to amendments to the Births, Deaths and Marriages Registration Act 1995. As The Greens spokesperson for justice, my excellent colleague Ms Sue Higginson has already put on record The Greens position relating to all other schedules to the bill. It is the position of The Greens that schedule 3 to the bill requires amendment. The bill will amend relevant sections of the Births, Deaths and Marriages Registration Act 1995 to allow a person who has altered their registered sex, and other persons, to apply to access the person's original birth certificates from before their record of sex was altered. The Government has stated its intention to allow that documentation to be obtained for a number of reasons: firstly, by a person who has changed their record of sex, or their child's, for the purposes of bridging documentation to update records held by other agencies; secondly, by a person's representatives or family after a person dies or loses capacity; and, thirdly, by law enforcement agencies as part of a criminal investigation.

The bill also provides that, after the record of a person's sex is altered, any certificate issued by the registrar concerning the altered record must state the person's sex as it has been altered to and must not indicate that the record of sex has been altered. I understand that where an individual has changed their record of sex, their certificate will show a number to indicate administratively that a previous record exists, in line with certificates for people who have legally changed their name. Importantly, that process does not disclose that a person has altered their record of sex. The proposal to allow access to this documentation by a person other than the person who has changed their record of sex themselves has raised significant concern among trans and gender-diverse people and their advocates. Trans and gender-diverse people are frequently targets of vilification, discrimination and hate. Access to a birth certificate from before a record of sex was altered could pose material risks to privacy and safety.

The Government has indicated in the second reading speech that the categories of persons who can apply for another person's old birth certificate will be prescribed by regulation after the legislation is amended and will include the child of the person, officers of law enforcement agencies, and representatives of the person to whom the certificate relates. I understand that the Government has intentionally excluded a person's spouse or de facto partner as a person who can apply for an old birth certificate to prevent the risk of a person's partner threatening to obtain a person's old birth certificate and use that information to reveal that a person is transgender or gender diverse, which is known as outing. While the Government notes the risk around domestic violence should spouses or de facto partners be given access to that documentation, they have not taken into account that children can be involved in domestic violence, including in elder abuse, or that an abusive spouse may try to access an individual's records through the impacted individual's children.

The requirement for the registrar to have an adequate reason is ambiguous. There is no opportunity for an impacted individual to provide contextual information that would support a decision by the registrar or any argument against the release of their personal information to another person. Trans and gender-diverse people who have changed their record of sex since the new administrative process commenced on 1 July this year have told me that they feel that they have not been adequately involved by the Government prior to this legislation being tabled in Parliament, yet they are the people whose lives may be directly impacted by the changes being proposed. They have told me that there are inadequate safeguards protecting an individual from having their former certificates accessed by other individuals and that it is offensive that these critical matters of their safety and privacy have been included in a miscellaneous bill.

The risk of the information being used as a tool for coercion, harassment or outing is real and serious. The Legislation Review Committee has noted that those amendments may substantially impact an individual's right to privacy and personal information. The committee advised that there are significant risks associated with disclosing a trans or gender-diverse person's previously registered sex, and that those risks may be amplified because regulations generally commence on the day that they are published. That means that an impacted individual may not have notice of a regulation, allowing third parties to access their change of sex records. For those reasons, The Greens are seeking amendment to schedule 3 to the bill to provide additional safeguards for the privacy of people who have changed their record of sex. I will speak further to that in the committee stage.

The Equality Legislation Amendment (LGBTQIA+) Bill 2024 made changes to nine different Acts. Those changes were important and overdue. It is not a surprise that its implementation has resulted in some administrative issues and department concerns that are worthy of consideration. However, I have not spoken to a single trans or gender-diverse person or LGBTQIA+ organisation seeking the ability of other persons to access someone's original birth certificate, let alone for it to be a top priority for change. Instead of this change to the Births, Deaths and Marriages Registration Act 1995, members could be considering adding a time limit for responses from a supervising authority under section 32GC of the Act. I have heard that people have had their requests simply ignored and, in those circumstances, have been unable to move on with their lives.

Members could also be considering a fee waiver policy to include compassionate grounds. Having your legal name or gender marker changed to affirm a transgender or gender-diverse identity is not a luxury; it is a necessity for the full expression of trans and gender-diverse individuals' human rights and ability to participate freely and safely in community life. We could be considering removing the restrictions on who can apply to change their record of sex, which impact people born overseas who are living in Australia on temporary visas, including refugees and asylum seekers, workers on temporary skilled visas and people in the process of applying for permanent residency. Those individuals may live in Australia for many years, contribute to the community and experience the same need for accurate legal recognition of their gender as permanent residents and citizens. In Queensland and the Australian Capital Territory, young people can apply to change the record of sex on their birth certificate at the same age at which they can make their own healthcare decisions and obtain a driver license—but not in New South Wales. We could be considering harmonising those provisions.

Currently, single parents seeking to support their child through a change of sex marker are required to obtain an order from the District Court to apply for the change of sex for their child without the consent of the other parent. We have heard that that is burdensome for single parents who have otherwise been allocated all parenting responsibility. We could be removing the need to approach the District Court. We could be considering expanding the regulations to allow for practitioners who are located outside of Australia to provide the necessary documentation to facilitate the change of sex record for young people. That would support Australian-born individuals living overseas.

There may be benefit in also clarifying that telehealth appointments with an Australian registered counsellor are suitable for this purpose. We could be considering if it is even necessary to be using sex descriptors at all as a primary identification of an individual's identity. But, returning to what the Government is proposing, given that I believe that it is not the intention of the Government to cause harm and distress to trans and gender diverse people, I look forward to its consideration of an important amendment to the bill at the Committee stage. I thank those who volunteered their time and energy to share their lived experience and concerns with me and with the Government.

The Hon. STEPHEN LAWRENCE (21:36): I make a contribution to debate on the Justice Legislation Amendment (Miscellaneous) Bill (No 2) 2025. I thank the Hon. Susan Carter for explaining the etymology of the word "miscellaneous". I was not expecting to hear that and to have such an enjoyable time listening to a debate on a miscellaneous bill. It truly was fun, as I am sure the law lectures that the Hon. Susan Carter used to give to students were.

Implementing miscellaneous amendments within a single piece of legislation is an effective way to ensure the law is kept up to date and appropriate to meet the needs of the community. Regularly reviewing and updating legislation is an important mechanism to ensure that the law is fit for purpose and keeps pace with developments in the community and the legal system. Therefore, the miscellaneous bill is focused on updating legislation within the justice portfolio and it was developed in consultation with targeted stakeholders across government.

I will focus my contribution on the amendment to section 42 of the Bail Act 2013. It is a procedural provision of the Bail Act, which requires that the court with the power to vary bail be notified when a person granted bail remains in custody due to unmet bail conditions. This is a fairly common occurrence in the criminal justice system, where a person is bailed—perhaps to reside at a certain residence or perhaps to deposit a surety of a certain amount—and cannot meet the bail condition. It is important in those circumstances that the person does not languish in custody and that the matter is re-listed so the question of bail can be reconsidered and an achievable and more practical bail condition can be perhaps imposed. It is obviously a safeguard intended to help ensure that individuals are not held in custody for long periods. It very much has its place in a society that firmly has the view that every day and, indeed, every hour of liberty is critical and precious, and that people should not spend longer in custody than is absolutely necessary in all the circumstances.

Currently under the provision a notice must be issued within eight days after the person is received into custody. The bill amends subsection (2) to clarify that the notice must be issued before the expiration of eight days after the day that bail is granted, rather than eight days after the person is received into custody. That will make it clear that the notification requirement applies to all affected accused persons regardless of whether they

were received into custody around the time that bail was granted. That operates while people can be granted bail in a variety of circumstances. Obviously, the most common scenario is shortly after arriving in custody, but sometimes people are bailed some time after. Charges can also be laid when a person is in custody, so the circumstances can be complex and messy indeed.

It should be said that the current procedure for Corrective Services is to notify the court of any accused person granted bail who is in custody because a bail condition has not been complied with. But it is important that the very detailed procedural requirements of the law are tailored so that things do not get overlooked, because sometimes procedures or internal policies are not complied with. It is important that the letter of the law is clear and that people in those circumstances do not languish in custody. With that contribution, I commend the bill to the House.

The Hon. EMILY SUVAAL (21:40): On behalf of the Hon. Daniel Mookhey: In reply: I thank all members who contributed to debate on the Justice Legislation Amendment (Miscellaneous) Bill (No 2) 2025: the Hon. Susan Carter, Ms Sue Higginson, Dr Amanda Cohn and the Hon. Stephen Lawrence. The bill reflects the Government's ongoing commitment to good governance through the regular review of legislation in response to identified needs. It makes necessary amendments across the Justice portfolio to make sure legislation is kept up to date and is responsive to developments in the community and the legal system. While varied in nature, the amendments contained in the bill have been developed to address emerging issues, support operational needs and improvements, and clarify uncertainty in legislation by closing gaps in the law.

I note that both crossbench and Opposition members intend to move amendments to various parts of the bill. I thank all members for the constructive discussions we have had, and the Government will respond to those amendments when they are moved. I now turn to some matters raised during debate on the bill. The Hon. Susan Carter made a number of comments about amendments that will be moved by the Opposition. We will speak to those amendments at the appropriate time, but I note that the criticism of a failure to provide any rationale for the Government's changes ignores the fact that the second reading speech clearly sets out the rationale for the changes in the bill. In particular, I refer to the clear reasons given in the second reading speech for the changes to the Firearms Act 1996 and the repeal of section 258 of the Crimes (Administration of Sentences) Act 1999.

I also firmly oppose any suggestion that giving young people a right of review of firearms prohibition orders to the NSW Civil and Administrative Tribunal in any way waters down gun laws in this State. That change would not give children any greater access to firearms and would not make any changes to the eligibility of children to obtain a firearms licence. That amendment will also not unduly burden the NSW Police Force, which I note supports the reform. The staff of the Firearms Registry appear in the tribunal in those matters, and giving young people review rights will not take police off the street or prevent them from responding to crime.

I also note the Hon. Susan Carter's comments about the nature of the proposals contained in the bill. As those opposite know—or at least they should know—a miscellaneous bill is not a statute law review bill. There is no requirement that miscellaneous bills must contain only minor amendments. The Government regularly assesses the need for miscellaneous reforms on an ongoing basis. Proposals are identified or developed through existing work, through prior legislative processes and in response to operational needs. Dr Amanda Cohn made a number of comments about amendments that will be moved by The Greens. We will respond to those comments at the appropriate time in the Committee stage.

I now address the Legislation Review Committee's comments on the bill. I refer to the committee's concerns about the privacy implications of the amendments to the Births, Deaths and Marriages Registration Act, which others have referred to tonight. As stated by the Parliamentary Secretary in the second reading speech, the bill seeks to reinstate a previous provision of the Births, Deaths and Marriages Registration Act 1995, or the BDMR Act, which was inadvertently repealed when the Equality Legislation Amendment (LGBTIQ+) Act was introduced.

The previous provision under the BDMR Act similarly enabled the person who altered their record of sex, or a person prescribed by regulation, to access the person's original birth certificate showing their previously recorded sex. The committee's comment that proposed section 51A has retrospective effect is incorrect. Schedule 3 seeks to address two distinct issues in respect of the new scheme for changing a person's registered sex. Proposed new section 49 (6) relates to notations on birth certificates issued by the registry following an alteration of record of sex. Consistent with the new provisions introduced by the Equality Act, and with the previous position under the BDMR Act, the bill does not seek to alter the current requirement that birth certificates issued following a change of registered sex must not include any indication that a person has altered their sex.

Independent of this provision, proposed section 51A allows the person who has altered their record of sex, or a limited list of persons to be prescribed by regulation, to access the original birth certificate showing the record of sex from before it was altered. The bill as drafted requires a prescribed person to satisfy the registrar that they

have an "adequate reason" for wanting the certificate. This test safeguards against bad-faith applications or misuse of the relevant information. I note that these reforms were subject to consultation, including with key LGBTQIA+ representative organisations. I indicate also that the Government intends to consult, including with key LGBTQIA+ stakeholders, before finalising the list of persons to be prescribed by regulation. In respect of the committee's concern about prescribing classes of persons who can access an original birth certificate by regulation, as the committee acknowledges, regulations must be tabled in Parliament and are subject to disallowance under section 41 of the Interpretation Act 1987. The Government considers that this enables appropriate parliamentary scrutiny.

I now turn to the Committee's comments on the Children (Detention Centres) Act 1987. The purpose of these amendments is to ensure existing provisions in the Children (Detention Centres) Regulation 2015 are supported by clearer, more express regulation-making powers. These amendments will improve transparency in the operation of this regulation and the youth justice system. They have no impact on the day-to-day operation of youth detention centres. Importantly, there is no impact on the rights of detainees or obligations of youth justice staff. These are technical, machinery-type amendments.

Lastly, I refer to the committee's comments on amendments to the Law Enforcement (Powers and Responsibilities) Act 2002. Clause 47 of the Law Enforcement (Powers and Responsibilities) Regulation 2016 prescribes persons of the same sex who can carry out a search of a person on behalf of a police officer who is not the same sex as the person. Clause 47 prescribes Corrective Services officers, juvenile justice officers, ambulance officers and nurses. Clause 47 also prescribes persons who, in the opinion of the commissioner, have appropriate training, qualifications or experience in conducting personal searches. The amendment to the Law Enforcement (Powers and Responsibilities) Act 2002 in question moves the provision relating to the commissioner nominating persons from the regulation to the Act. That is because it is more appropriate that the Act delegate this power to the commissioner rather than the regulation, as is currently the case. This amendment has no impact on rights, liberties or freedoms, and does not impact police operational practices or procedures.

It is critically important that legislation be used to support and meet the community's expectation of good and effective governance. Miscellaneous amendment bills are an efficient and appropriate mechanism through which necessary reforms can be put in place to meet that expectation. The bill ensures that legislation across the Justice portfolio is fit for purpose and suitable to support systems of governance in place across New South Wales. I commend the bill to the House.

Debate adjourned.

Adjournment Debate

ADJOURNMENT

The Hon. EMILY SUVAAL: I move:

That this House do now adjourn.

WORLD STANDARDS DAY

The Hon. PETER PRIMROSE (21:49): Today is World Standards Day. Taking place on 14 October every year, World Standards Day offers an opportunity to raise international awareness and increase understanding of the importance of technical standardisation. It is a collaborative initiative, through the United Nations, of the International Electrotechnical Commission [IEC], the International Organization for Standardization [ISO] and the International Telecommunication Union [ITU], to encourage the global community to join the movement. International standards make things work and make things safe. They provide instructions, guidelines, rules or definitions that are then used to design, manufacture, install, test, certify, maintain and repair the products and services we use every day. From charging your phone to safer public transport, from stopping choking hazards in toys for children to mobility devices for the aged, there are international standards for almost everything. But there are nowhere near enough, given the international trade in goods and services that occurs today.

Standards are about not just a sustainable future; they also help us get the most out of every day. For example, if you stream films, series or even clips of friends and family online, then you are probably one of millions of people who rely on the compression standards, jointly developed by the IEC, the ISO and the ITU, which make streaming video work. International standards bring technological, economic and societal benefits. They help to harmonise specifications of products and services, making industry more efficient and breaking down barriers to international trade. Conformity to international standards can help reassure consumers that products and services are safe, efficient and environmentally responsible.

The 2030 Agenda for Sustainable Development, adopted by all United Nations member states in 2015, provides a shared blueprint for peace and prosperity for people and the planet, now and into the future. At its heart are the 17 Sustainable Development Goals, which are an urgent call for action by all countries in a global partnership. The Sustainable Development Goals encompass the belief that ending poverty and deprivation relies on strategies that address a range of issues: improving health and education, reducing inequality and spurring economic growth. At the same time, they recognise the urgency of tackling climate change and working to preserve our integrity and the diversity of our planet's ecosystems. Achieving the goals will require the cooperation of many public and private partners and the use of all available tools to disseminate best practice, including international standards and conformity assessment.

The entire standards system is built on collaboration. By working together, we are empowering people with real-world solutions to face sustainability challenges head-on. The Sustainable Development Goals offer a shared blueprint for peace and prosperity for people and the planet. Each goal is a call for action and covers many areas. In almost all cases, there is a role for standards. At the core of these shared goals is a desire for a world that is better, fairer, more inclusive and more sustainable so that it can be enjoyed by generations to come. Some of the challenges may be solved through emerging technologies such as artificial intelligence, others by adapting things that we have been doing for centuries, such as farming. Standards help us in both cases by optimising and adapting old processes and setting rules that make new ones work.

Standards underpin the technology that connects us, shrinking distances and allowing access to knowledge, education and markets. Standards act as accelerators in providing and implementing solutions. Creating infrastructure that helps people to live together and makes the best use of resources cannot be left to improvisation. It takes a tried and tested approach, agreed to by experts in the field, and it takes standards. Positive change is driven by communicating and testing ideas, and standards support innovation management and level the playing field. Happy World Standards Day.

TIM HALE

The Hon. MARK LATHAM (21:54): I thank the Hon. Peter Primrose for his erudite contribution. Who would have thought it was World Standards Day? Let me lower the standards quite a bit by turning to some local politics.

The Hon. Dr Sarah Kaine: Again?

The Hon. MARK LATHAM: By popular demand. Listen to your colleagues. Never turn your audience away. The great Jack Lang had some wonderful truisms about politics that he passed on to Paul Keating, who told me about them. Always back self-interest; you know it is trying. How true. My personal favourite is this: Never nurse a mug; he is bound to die in your arms. I apologise tonight to all the Langites because I am in breach of the second truism. I nursed Tim Hale at the Australian Turf Club [ATC] and, inevitably, he has died in my arms.

For two years Jellyfish Tim had been walking both sides of the street on the biggest issue in New South Wales racing. He started out as a supporter of the sale of Rosehill, telling the Liberal Party that the vote was bound to be 85 per cent in favour because "the eastern suburbs set don't like Rosehill and Parramatta". It was an echo of the Peter McGauran line. The problem with Rosehill was too many Indians, so let us sell it to put 50,000 people in apartment towers, mostly Indians. That was early last year. But then Weathervane Tim sensed a change in wind direction. He saw an opportunity to undermine McGauran and make himself the chair. He would come up to me at the racetrack and whisper a few tidbits of gossip and confidential board information to get me interested. Then he would say, like the Flying Pieman, "I can't be seen speaking to you", and scurry away, his little heart the size of a caraway seed, beating to the tune of cowardice and treachery.

But I do not want to sound like I am too hard on Pea-Hearted Tim. He does have one firm, unbreakable, somewhat commendable ambition. Sure, he has no interest in thoroughbred racing. He does not know the difference between Winx and Black Caviar. But let's give him credit; he is a determined social climber. His ambition at the racetrack is to hand out ribbons and tin cups. When told recently that the Golden Eagle novelty race was moving from Rosehill to Randwick, Tim Hale had his priorities right, asking, "Does that mean I can still hand out the trophy?" Even his consort, known on course as Madame Mao, gets in on the act. She has never seen a social page she did not like.

For 18 months Hale lay in the grass, waiting for McGauran to fall, and fall he did. Hale would ring me weekly, wanting the latest from the Rosehill select committee, snaking his way down Phillip Street. Inevitably, McGauran had to go but, for Weathervane Tim, the wind changed direction yet again. As the new chairman, how could he protect himself against the Racing NSW takeover of the ATC? That is on a board with a show cause notice having been issued to the remaining four board members. With the ethical standards of Erin Patterson, Hale thought he could build a Labor protection racket around himself, going back to his Labor roots in the Frank Walker

machine. He promoted the great two-faced villain of Rosehill, Steve McMahon, to be the CEO, thinking that would give him cover with McMahon's mate the Premier and the Minns-V'landys relationship.

What a life this man leads, selling out every opponent of the sale of Rosehill by promoting Steve McMahon, who, quite frankly, should have been straight out the door. McMahon worked every day on the unsolicited proposal, knowing it was a lemon, knowing there was no alternative racetrack, knowing it was never commercially viable, yet wandering around the racetrack telling the membership he was on their side. Now Tim Hale and Madame Mao face Hobson's choice: As a grovelling surrogate to Peter V'landys, selling out yet again with the hope that under Racing NSW rule, he can hang on as a ribbon-presenting lackey, still carrying the title of chairman to a non-existent board. It is said by many who inform me that he is collaborating with PVL and McMahon with this degrading hope in mind. That is the way of the cur, the coward—a life permanently on one's knees. As the great Jack Lang might have said, he is more to be pitied than despised.

I add in conclusion, at Randwick two Saturdays ago, before I was escorted out by the wonderful New South Wales police under an unlawful direction, ATC director Annette English, a creeping Livia type of character, told me they had been leant on by Racing NSW to make my McMahon punishment tougher. The second time around, they did not miss, with more appeasement to the dictator than Neville Chamberlain. My advice to members is clear. If they are invited to Randwick—as I now cannot be—and they shake hands with Tim Hale, they should count their fingers.

PEST CONTROL AND ANIMAL WELFARE

The Hon. EMMA HURST (21:59): I speak about two extremely dangerous products commonly found in Australian homes and backyards. With ongoing habitat reduction and fragmentation, displaced native animals are increasingly resorting to foraging in backyards and farms. Those native animals, including birds, possums and flying foxes, are dying every day because of fruit tree netting. Fruit tree netting sounds innocuous but, as I have repeatedly explained in Parliament, countless animals are ensnared in the nets. They become tangled and trapped, often suffering painful bodily contortions, broken bones and twisted limbs and wings. In some cases, they suffocate or die from starvation or dehydration.

They are unable to free themselves, and the sad reality is that most of those animals will be killed or left to die. Those that survive will likely require long-term care or veterinary treatment before release. However, there is a simple fix. Wildlife-safe netting, which is netting with a smaller mesh size, is already commercially available. All we need is a mandatory requirement to use wildlife friendly netting, and a ban on wildlife deadly netting. That is exactly what we are working on. Consumers who use fruit netting are not intentionally trying to harm wildlife; rather, they are simply making an uninformed choice from the available range of products. As long as wildlife deadly netting is available, consumers will continue to unknowingly purchase a harmful product.

There is a clear role for retailers. Businesses should be informed about the products they sell and make a commitment to sell only wildlife safe netting. That shift would send a clear message to legislators that wildlife safe netting is the responsible way forward. That is something we continue to work on. Ultimately, we need to update the legislation. Victoria already made the switch to wildlife safe netting in 2019, when it introduced regulations that only netting with a mesh size of five millimetres by five millimetres or less, at full stretch, can be sold or used to protect household fruit trees and veggie gardens. New South Wales must follow suit.

I turn to a second deadly product commonly used in Australian homes, businesses and public spaces. Sadly, most people do not think twice about using rat poison. Many of the commonly sold rat poisons are classed as second generation anticoagulant rodenticides [SGARs], which mean they remain in an animal's system and pose a high risk of secondary poisoning to other animals. They cause animals to die from internal bleeding. Causing an animal to bleed from the inside over a period of days is undoubtedly cruel. But poisons that cause that suffering, namely SGARs, are sold over the counter. They kill rats, owls and other native animals.

Because the agriculture Minister has not yet banned those highly dangerous and cruel poisons, we are fighting against that cruelty in other ways. We are doing so successfully. Those poisons accumulate in local ecosystems and natural food chains, inflicting indiscriminate cruelty and suffering. SGARs can also kill companion animals. Pumping poison into the environment is short-sighted and irresponsible, particularly when non-lethal, kinder alternatives exist. It is time for New South Wales to be environmentally responsible and stop inflicting horrific suffering on animals and local ecosystems.

There are several campaigns afoot to reduce and eliminate the use of SGARs, including pressuring big businesses to think twice about the impact of selling them. Several local councils are taking action by calling on the New South Wales Government to not only legislatively prohibit the use of SGARs within the State but also advocate for a national ban against the use and sale of SGARs in Australia. The United States, Canada, the United Kingdom and the European Union introduced restrictions years ago, and we need to follow suit. Animals will die

from blood loss, organ failure or brain haemorrhages. It is a terrible and cruel death for any animal, including rodents, and the many native animals—such as owls, hawks, kookaburras, quolls and goannas—who eat poisoned rats and die from secondary poisoning. SGARs and fruit tree netting are indiscriminately killing animals. I will continue to fight to protect animals from those heinous cruelties.

PAEDIATRIC PALLIATIVE CARE

The Hon. GREG DONNELLY (22:03): I speak about the important matter of paediatric palliative care and bring to the attention of the House the critical services and support that are, and must continue to be, made available to children and young people with life-limiting illnesses, and their families, in New South Wales. Paediatric palliative care is a specialised area of health care that focuses on enhancing the quality of life for children and young people who are living with, or dying from, serious illnesses. Those may include cancer, genetic disorders, neurodegenerative conditions, severe cerebral palsy or other complex chronic conditions. Unlike adult palliative care, paediatric palliative care must address not only physical pain and symptoms but also the emotional, developmental, educational and social needs of children and young people and their families.

Every life is precious. Yet for many families there comes a time when the hope for a cure transitions into the need for comfort, deep personal support and respite. Paediatric palliative care is not about giving up; it is about respecting human life, being fully present, relieving suffering and supporting families in some of their darkest hours. Living with a life-limiting illness can be overwhelming. It affects not only the individual but also parents, siblings, grandparents—the whole community. Access to specialist care, symptom relief, mental health support, grief counselling and culturally appropriate care should not be seen as optional but essential. In this State, we are fortunate to have services dedicated to this important and complex form of care, but we must recognise that access is not always equitable, particularly for families in rural, regional and remote areas. Ongoing work must be undertaken to improve the situation.

The NSW Paediatric Palliative Care Programme offers statewide coverage via three hospital-based consultative teams—the Children's Hospital at Westmead, Sydney Children's Hospital in Randwick and John Hunter Children's Hospital in Newcastle—and one hospice, Bear Cottage in Manly. Those services provide inpatient, outpatient, home-visiting and after-hours phone support. The consultative teams support local hospitals, community health providers and families to ensure that, wherever possible, children and young people can be cared for at home or close to home. Bear Cottage in Manly is currently the only hospice for children and young people in New South Wales and one of only three in the entire country. It provides respite and end-of-life care in a warm, home-like environment. Families are supported not only medically but also emotionally and spiritually. Staff and volunteers create an atmosphere where children and young people can play, laugh and simply be themselves, even in the face of life-limiting illness.

I am therefore pleased to report to the House that earlier this year the State Government announced it is going to build a new children's hospice in Western Sydney within the Children's Hospital at Westmead to support children and young people with life-limiting illness and their families. The new hospice will be called Mounties Care Cottage and will support families from across New South Wales. The hospice is inspired by Sydney boy Rio Fowler and the work of Rio's Legacy. The State Government will contribute \$22.3 million. The Mounties Group will contribute \$13 million over 10 years to the project through the Sydney Children's Hospitals Foundation. The gift marks the largest single contribution to the Sydney Children's Hospitals Foundation ever.

Rio was diagnosed with a rare and terminal condition called arterial vasculopathy disease at 16 months old. Rio and his family spent time at Bear Cottage in Manly for end-of-life care before he died in 2018. Following his death, Rio's parents, Ryan and Karen, founded Rio's Legacy, a charity dedicated to supporting families and children with life-limiting conditions and advocating for services like Bear Cottage. The new facility will connect with other paediatric health services across the Children's Hospital at Westmead, including oncology, neurology and intensive care, allowing patients access to efficient and patient-centred care. It will also provide spaces for families to share time together and relax, including an onsite kitchen and dining area. It will have direct private access to nearby gardens and play areas.

Recently the new paediatric hospice took a key step forward with the announcement of the appointment of the design team for the new facility. The design team includes RP Infrastructure Pty Ltd, the project manager; Billard Leece Partners Pty Ltd, the architect; and Arup Pty Ltd, the engineer, who were appointed following a competitive tender process. The design team will work with Health Infrastructure, Sydney Children's Hospitals Network and stakeholders, including staff and consumers, in the coming months to identify the key clinical service priorities and help shape planning for the new paediatric hospice. Everyone in the State no matter their age or where they live is entitled to readily available, high-quality palliative care. It is the obligation and responsibility of both the Federal and State governments working together to make that so.

SYDNEY TRAINS NETWORK

The Hon. NATALIE WARD (22:09): What commuters probably do not know is that, as of August 2025, there were 38,912 defects plaguing our rail network. That is the worst figure in more than a decade. Our trains are integral to people in Sydney, who rely on trains to see family and friends, to commute to work, university and hospital appointments, and to simply get around in their lives. But when they are going to a train station, they know there is more than a likely chance that they are going to be delayed. Last year, in the month of May, the number of train incidents hit a high of 568. Most recently, in July, that number was at 538. Over the past year, incidents per month have remained at more than 300.

Commuters know exactly what that means, because they are living that nightmare every day: that nagging feeling at the back of your mind that you might not be able to get to where you need to go. One would think that more than two years of that would be enough for the Minns Labor Government to take the hint. Most people would think it would be the Government's priority to get this right. I have called out the Government many times this year, and I have spoken in the news more times than I can count. Every time a major incident occurs it affects our communities. It affects the commuters, the customers and the taxpayers who pay for the service. While the Minns Government says this is a wake-up call, commuters have been waking up every morning for the past two years while the nightmare continues.

While we call out Labor and Chris Minns by telling them that they need to invest more and stumble around less, they—rather than dealing with what is a serious issue—have conducted three reviews in two years, costing millions of dollars, and delivered no real outcomes or improvements for our rail network. People who have been impacted by rail problems know that it is probably not going to get better. One line that has been operating consistently and that commuters love is the metro. Our Liberal Party loves the metro and wants to share it across Sydney, to South Sydney and Western Sydney, and connect our entire train network. But commuters may not know that unions are at the gates of the metro, conducting union industrial action on it until they get what they want, which is to kill the metro, because they hate the metro.

The metro is driverless, which means it is union-less. Anyone who wants to arrive later and wants to have drivers on driverless trains will hate the metro. Most people would think that does not make sense. The metro does not have any staff, and it does not have drivers. But, under the Minns Labor Government, it does. The metro has drivers on driverless trains after the Government caved in to union demands this year. Under the Minns Labor Government, funding for the metro was cut and delayed. Other projects, like the south-west line to Bankstown, were delayed by over a year. That is not just poor planning; it is lack of vision.

Sydney deserves a government that looks ahead and not one that looks for excuses. The Liberal Party built the metro because it believes Sydney can be world-class, and we will continue to fight for that future. We will fight for future generations and not just for the next election. If this Government cared about getting commuters to where they need to go, on time, it would invest in autonomous train networks instead of cutting them. Making sure that Sydney is a city of the future with a reliable train network must be the priority. The commuter must be at the centre of transport. That, after all, is a fundamental and basic premise of what State governments should do: services for those who rely on them. Commuters should not expect train delays to get any better under this Government.

LIBERAL PARTY OF AUSTRALIA

The Hon. CHRIS RATH (22:13): There has been no shortage of post-mortem analysis on the Liberal Party's catastrophic defeat at the recent Federal election, but perhaps the strangest opinion of all comes from those who argue that Peter Dutton's Liberal Party lost because it was not right-wing enough. Instead of trying to appeal to women, younger voters, multicultural communities and those living in Australia's cities, they argue that we must move further to the right to recapture and reinvigorate the party's base. If the party was haemorrhaging votes to the right flank like the Conservative Party is to Reform UK in the United Kingdom, then I would understand that argument, but the Liberal Party was defeated at the last Federal election because it lost seats to Labor and the teals, not because it bled votes to the right.

Does anybody seriously believe that the average swing voter woke up on election day and thought, "The Liberal Party is not right wing enough for me, so I am voting for the infinitely more left-wing Labor Party, led by Anthony Albanese"? Those peddling that false argument have misdiagnosed the party's ailment. They have prescribed cough medication for a fractured leg. Those who proffer this political pseudoscience do so because they have built their brand on creating high-calorie, low-nutrition clickbait that excites the base. Their approach does nothing more than energise our existing voters. The second reason those people argue for their misdiagnosis is because they believe that Trump-inspired populism could work here. They ignore polling that demonstrates it will not. They were visibly angry when Dutton distanced himself from Trump during the campaign, including Jacinta Price brandishing a MAGA hat.

There are six clear reasons that Trump's style of politics will never work in Australia. First, and most obviously, Australia has a compulsory voting system, whereas elections in the United States are won by firing up the base to turn out on election day—and only around 60 per cent of Americans do. In Australia, it is the average centrist and often apathetic swing voter that the major parties must win over. Australia is far less politically polarised than America, and, in part, that is due to our electoral system. Second, unlike the United States and the United Kingdom—enter Nigel Farage—Australia does not have an illegal immigration problem. While there is legitimate debate on the scale of current legal migration, because of the Howard and Abbott governments, strong border protection enjoys bipartisan support—albeit reluctantly from Labor. Abroad, populists feed off the anxiety caused by chaotic waves of unplanned migration.

Third, Australia does not suffer from the same divisive levels of inequality, where millions of Americans feel left behind. We are a far more egalitarian nation, where a high minimum wage, universal health care and a robust welfare system have helped inoculate us against the politics of grievance so often weaponised by populist reactionaries. Fourth, we do not have a rust belt and certainly not one that determines elections. Australian manufacturing is not and never has been as dominant an employer as in the United States. Harking back to 1950s Detroit nostalgia may work in America, but such lazy and unintellectual protectionist arguments are unlikely to work here, especially when considering that we are far more urbanised and trade exposed than our American cousins.

Fifth, Australians are less religious. We do not go to church anywhere near as frequently as the Americans, and when we do, it is usually at an establishment Catholic or Anglican church, rather than an evangelical or non-denominational alternative. This lack of a bible belt means that moral crusading for electoral gain is far less effective. Finally, and most importantly, we do not have a Donald Trump. He is a force of nature, and the MAGA movement would not exist without him. Nobody in Australia comes close to the degree of wealth and celebrity status that helped propel him to the presidency in 2016.

Clearly, for those six reasons, the pathway forward for the Liberal Party is not mimicking Donald Trump, nor is it fixating on the false dichotomy of moving either to the right or the centre. Instead, by refocusing on our core Liberal values and recapturing our traditionally best vote driver—the economy—we can expand the number of Australians who vote for us. We sacrificed that equity to Labor when we opposed income tax cuts. As pollster Tony Barry recently asked, if the Liberal Party is now against free markets and smaller government, then why would anybody vote Liberal?

LABOUR DAY

The Hon. MARK BUTTIGIEG (22:18): I acknowledge the fact that last Monday we celebrated Labour Day, which often goes by unremarked. It is a day which everyone enjoys, and it is important that we recognise what it celebrates. It would be a good idea if we had a bit more education about why we get this public holiday. It came from the stonemasons who marched on Melbourne's Parliament House in April 1856 to get an eight-hour day. The concept and catchcry was, "Eight hours work, eight hours play, eight hours sleep." Since then, the union movement of Australia has achieved stellar things for this country, but we often hear those on the conservative side of politics decrying it.

The modern day Australia we love and enjoy today would be inconceivable without the union movement which made this country great. We have universal superannuation, universal health care, paid leave, fair wages and conditions and safety in the workplace, which the Minns Labor Government and Minister Cotsis have recently been pursuing with several reforms to the Work Health and Safety Act that give jurisdiction to the Industrial Relations Commission. We should remember that this public holiday was made to celebrate the gains that modern-day Australia has made via the union movement. The reason we have a fair and equitable country is solely because of that union movement.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The question is that this House do now adjourn.

Motion agreed to.

The House adjourned at 22:20 until Wednesday 15 October 2025 at 10:00.