

LEGISLATIVE COUNCIL

Thursday 23 October 2025

The PRESIDENT (The Hon. Benjamin Cameron Franklin) took the chair at 10:00.

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.

Motions

COONAMBLE TIMES

The Hon. SCOTT BARRETT (10:02): I move:

- (1) That this House congratulates:
 - (a) the *Coonamble Times* on celebrating its 140th anniversary as an independent, locally owned newspaper;
 - (b) the foresight and dedication of Irish immigrant John Richardson McWilliam, the founder of the newspaper, in 1885; and
 - (c) the current *Coonamble Times* editor, Lee O'Connor, who purchased the paper in 2017 and continues its proud traditions today.
- (2) That this House recognises the dedication of the past and present owners, editors, journalists and readers for their continued commitment to having a local independent paper in the town of Coonamble over a period that has seen significant upheavals in technology and media consumption.
- (3) That this House acknowledges:
 - (a) the important role that local newspapers play in the vibrancy and liveability of our regional communities; and
 - (b) that local papers across Australia and the world are under extreme financial pressure and the continued success of the *Coonamble Times* is a testament to its hardworking staff.

Motion agreed to.

IRAN HUMAN RIGHTS

The Hon. CAMERON MURPHY (10:02): I seek leave to amend the motion in paragraph (5) to omit the words "National Council of Resistance of Iran's" before "10-point plan".

Leave granted.

The Hon. CAMERON MURPHY: Accordingly, I move:

- (1) That this House notes its unanimous resolution regarding human rights in Iran of 23 August 2023.
- (2) That this House condemns the severe crackdown on Iranian civilians following the 12-day war between Israel and the United States and Iran, with at least 2,000 arrested.
- (3) That this House condemns the chilling editorial on 7 July 2025 in the Islamic Revolutionary Guard Corps-controlled Fars News Agency, which brazenly called for the "repetition" of the 1988 massacre of all political prisoners.
- (4) That this House confirms its support for the right of the Iranian people to struggle for a democratic transformation of the tyrannical dictatorship now governing Iran.
- (5) That this House supports the 10-point plan for a democratic republic of Iran.

Motion agreed to.

MUDGEES REGION WINE AND FINE FOOD SHOWCASE

Ms CATE FAEHRMANN (10:04): I move:

- (1) That this House notes that:
 - (a) on Wednesday 15 October 2025, the Mudgee Region Wine and Fine Food Showcase was held in the Jubilee Room at New South Wales Parliament House;
 - (b) the event, hosted by Ms Cate Faehrmann, the Hon. Stephen Lawrence and the Hon. Mark Banasiak, provided an opportunity to meet the winemakers and other primary producers, sample their products and hear about what makes this region so unique;

- (c) the event brought together members of Parliament from across party lines to support and celebrate the Mudgee region's thriving wine, olive oil and fine food industries, including:
- (i) the Hon. Tara Moriarty, MLC, Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales;
 - (ii) the Hon. Kate Washington, MP, Minister for Families and Communities, and Minister for Disability Inclusion;
 - (iii) the Hon. Jenny Aitchison, MP, Minister for Regional Transport and Minister for Roads;
 - (iv) the Hon. Sophie Cotsis, MP, Minister for Industrial Relations, and Minister for Work Health and Safety;
 - (v) the Hon. Wes Fang;
 - (vi) the Hon. Paul Toole, MP;
 - (vii) the Hon. Susan Carter;
 - (viii) the Hon. Natasha Maclaren-Jones;
 - (ix) the Hon. Aileen MacDonald;
 - (x) the Hon. Natalie Ward;
 - (xi) the Hon. Jeremy Buckingham;
 - (xii) Ms Sue Higginson;
 - (xiii) Ms Abigail Boyd;
 - (xiv) the Hon. John Ruddick; and
 - (xv) Dr Joe McGirr, MP.
- (d) the event showcased premium wines of the Mudgee region from some of the 36 members of the Mudgee Wine Association, including:
- (i) Elephant Mountain Wines;
 - (ii) Teto Wines;
 - (iii) Rosby Wines;
 - (iv) Robert Stein Wines;
 - (v) Huntington Estate;
 - (vi) First Ridge Wines;
 - (vii) Slowfox Wines;
 - (viii) Rosby Wines;
 - (ix) Bunnamagoo Estate;
 - (x) Topo Wines;
 - (xi) Grattai Grove Wines;
 - (xii) Skimstone Wines;
 - (xiii) Logan Wines;
 - (xiv) Gilbert Family Wines; and
 - (xv) Oatley Wines.
- (e) the event also featured a selection of some of Mudgee Fine Foods members' exceptional produce, including:
- (i) Rylstone Olive Press;
 - (ii) Grattai Grove Olive Oils;
 - (iii) Aril Estate;
 - (iv) Linda's Chilli; and
 - (v) High Valley Cheese.
- (f) the businesses behind Mudgee Wine Association and Mudgee Fine Foods employ approximately 350 people making a significant contribution to regional tourism and the New South Wales economy; and
- (g) the strong cross-party support for the Mudgee Wine Association and Mudgee Fine Foods reflects a shared recognition of the importance of sustainable agriculture, regional employment and the protection of one of New South Wales' most iconic food and wine destinations.

- (2) That this House commends the Mudgee Wine Association and Mudgee Fine Foods for their contribution to the social, economic and environmental prosperity of regional New South Wales and recognises the significance of the Mudgee region's agricultural and tourism industries.

Motion agreed to.

SEX WORKER PRIDE DAY

Ms ABIGAIL BOYD (10:04): I move:

- (1) That this House recognises that Sunday 14 September 2025 was Sex Worker Pride Day, which exists to celebrate the achievements of the global movement fighting for sex worker pride, empowerment and justice, and to allow sex workers to share survival and determination stories.
- (2) That this House notes that:
- (a) sex worker pride extends to all those who are or have been marginalised by criminalisation, discrimination and stigma across the sex worker movement and celebrates the diversity within the community;
 - (b) the global worker-led movement continues to fight every day to challenge laws and policies which isolate and endanger sex workers, organising and mobilising to push for justice and liberation for all;
 - (c) the 2025 Sex Worker Pride Day is the sixth annual day, and was created by the Global Network of Sex Work Projects in 2019 to increase visibility of lived experience and activism of sex workers and empower sex workers to celebrate and feel proud in the incredible global movement;
 - (d) the sex worker community and movement is diverse, strong and resilient within New South Wales and across the world; and
 - (e) one of the great strengths of the global sex worker movement is the enduring goal of extending solidarity and love to all sex workers everywhere in times of joy and celebration as well as in times of injustice and struggle.
- (3) That this House affirms that sex work is work, and all workers deserve to have their rights, dignity and safety respected.

Motion agreed to.

INTERNATIONAL DAY OF THE GIRL CHILD

Ms ABIGAIL BOYD (10:04): I move:

- (1) That this House notes that:
- (a) Saturday 11 October 2025 marked the International Day of the Girl Child, which was proclaimed by the United Nations General Assembly in 2011 to recognise the rights of girls and the unique challenges they face worldwide;
 - (b) 2025 also marks the thirtieth anniversary of the Beijing Declaration, which set out the global vision for advancing women's and girls' rights;
 - (c) the 2025 theme, "The girl I am, the change I lead: Girls on the frontlines of crisis", reflects the leadership of girls across the globe in movements for climate justice, the fight to end gendered violence and the struggle for a fairer future; and
 - (d) entrenched gender inequality remains a daily reality, and as reported in the *2024 Status of Women Report Card*:
 - (i) one in three Australians holds a negative bias about women's ability to participate fully in economic, political or educational life;
 - (ii) more than half of all female victims of sexual assault are under the age of 18; and
 - (iii) girls are more than twice as likely to experience child sexual abuse than boys, and one and a half times more likely to experience emotional abuse.
- (2) That this House recognises that the empowerment of girls is critical to breaking cycles of poverty, inequality and violence.
- (3) That this House celebrates the strength, resilience and diversity of girls in our State, and the achievements made in the fight to dismantle sexism and create an inclusive, equitable, safe and accessible world for all.
- (4) That this House calls on the Government to commit to ensuring all girls in New South Wales have access to safe and high-quality education, health care and housing.

Motion agreed to.

KIDS FIRST AUSTRALIA

The Hon. AILEEN MacDONALD (10:05): I move:

- (1) That this House notes that on Monday 13 October 2025 the Hon. Aileen MacDonald met with Anna Morris, operations lead for child, youth and family services, Kids First Australia, at their office situated at AB Central, Airds.
- (2) That this House acknowledges that Kids First Australia is a national organisation with a strong and growing presence in the Campbelltown local government area, delivering early intervention, education and support services for vulnerable children, young people and families.
- (3) That this House commends Kids First Australia for delivering a diverse range of high-impact youth services, including:

- (a) the Engine Room, a tailored learning program that provides young people with practical, hands-on education and skills development;
 - (b) outreach youth work that builds confidence, life skills and connection for young people who may be disengaged from school or community;
 - (c) mentoring, case management and vocational support that offer pathways to employment, training and positive engagement for young people experiencing disadvantage or at risk of justice system involvement; and
 - (d) drop-in centres and safe spaces, such as the Dungeon Youth Centre which provides young people with access to support, meals, recreation and guidance in a non-judgemental environment.
- (4) That this House recognises the importance of organisations like Kids First Australia in addressing youth disadvantage, supporting early intervention and empowering young people to build brighter futures within their communities.

Motion agreed to.

ETHAN INDIGENOUS

The Hon. AILEEN MacDONALD (10:05): I move:

- (1) That this House notes that:
- (a) on Wednesday 15 October 2025, an event was held in the Fountain Court, New South Wales Parliament, co-hosted by the Hon. Aileen MacDonald and the Hon. Stephen Lawrence, celebrating Ethan Indigenous, an Indigenous-owned information and communications technology [ICT] enterprise advancing digital inclusion and economic empowerment across New South Wales;
 - (b) the event featured remarks by the chief executive of Ethan Indigenous, and acknowledged the leadership of David Liddiard, OAM, whose longstanding vision for Indigenous economic self-determination led to Ethan's formation in 2017 through a partnership between the David Liddiard Group and Ethan Global;
 - (c) Ethan Indigenous is now the only Cisco Gold, Dell Titanium, HP Direct, Microsoft Direct and Lenovo Direct certified Supply Nation business in Australia, and in 2023 was awarded more than \$20 million in New South Wales Government ICT contracts, demonstrating how procurement policy can directly empower First Nations enterprises;
 - (d) the event included a ceremonial handover of laptops to Narang Bir-rong Aboriginal Corporation, a Western Sydney community controlled organisation supporting Aboriginal children, young people and families in out-of-home care and family support programs;
 - (e) attendees included:
 - (i) Ms Robyn Anne Preston, MP, Deputy Leader of the Opposition in the Legislative Assembly;
 - (ii) the Hon. Jihad Dib, MP, Minister for Customer Service and Digital Government, and Minister for Youth Justice;
 - (iii) the Hon. David Harris, MP, Minister for Aboriginal Affairs and Treaty;
 - (iv) Ms Charishma Kaliyanda, MP, Parliamentary Secretary for Customer Service and Digital Government, and Parliamentary Secretary for Youth Justice;
 - (v) Ms Felicity Wilson, MP, shadow Minister for Aboriginal Affairs;
 - (vi) the Hon. Aileen MacDonald, shadow Minister for Youth Justice;
 - (vii) the Hon. Stephen Lawrence;
 - (viii) the Hon. Dr Sarah Kaine;
 - (ix) Mr Robert Dwyer, MP;
 - (x) Tony Geagea;
 - (xi) Craig Noonan;
 - (xii) Troy Thorne;
 - (xiii) Lisa Asquith;
 - (xiv) Chantell Cao;
 - (xv) together with senior digital government leaders from the Department of Customer Service, NSW Health, New South Wales Education Standards Authority, Communities and Justice and numerous other agencies, as well as representatives from major cultural and educational institutions across New South Wales.
 - (f) the event exemplified a constructive collaboration between government, Indigenous business and community organisations, demonstrating that inclusive economic participation and practical partnerships are central to closing the gap.
- (2) That this House:
- (a) congratulates Ethan Indigenous, Narang Bir-rong Aboriginal Corporation and all partners involved for their leadership and measurable social impact;

- (b) commends the Hon. Aileen MacDonald and the Hon. Stephen Lawrence for hosting this significant event at New South Wales Parliament, which showcased how culture, technology and enterprise can advance shared prosperity;
- (c) acknowledges the contribution of Ministers, departmental executives and community leaders who attended and continue to champion Indigenous innovation in procurement, education and employment; and
- (d) encourages all government agencies to engage meaningfully with Supply Nation-certified enterprises and to recognise the transformative potential of Indigenous-led partnerships such as Ethan Indigenous.

Motion agreed to.

Announcements

LEGISLATIVE COUNCIL PHOTOGRAPHS

The PRESIDENT: I advise members that members of the media will be present in the Chamber throughout proceedings today to take photographs.

Committees

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

Reports

The Hon. CAMERON MURPHY: I table report No. 3/58 of the Committee on the Ombudsman, the Law Enforcement Conduct Commission and the Crime Commission entitled *2024 review of annual and other reports of oversights agencies*, dated October 2025.

The Hon. CAMERON MURPHY (10:06): I move:

That the House take note of the report.

Debate adjourned.

Visitors

VISITORS

The PRESIDENT: I take this opportunity to welcome Tom Hunt, who is the former Conservative MP for Ipswich in the United Kingdom, holding the seat from December 2019 to July 2024, and a guest of the Hon. John Ruddick. He is very welcome in the gallery today.

Notices

PRESENTATION

[During the giving of notices of motions]

The PRESIDENT: I interrupt the Hon. Jeremy Buckingham. I have read the media commentary about the member's motion. Is the member about to reveal a person's name that is currently required to be suppressed by legal order?

The Hon. JEREMY BUCKINGHAM: Yes, I am.

The PRESIDENT: Before the member proceeds, I make the following observations. Under privilege, a member is protected from the consequences that would otherwise result from breaching a legal order of this nature, which could otherwise amount to a contempt of court. However, all members have the obligation to use their privilege responsibly, and this House can take action against members who are judged by the House to have abused privilege. The comity between the Parliament and the courts should not be treated lightly, and I ask the member to consider those issues carefully before proceeding. The member has the call.

The Hon. JEREMY BUCKINGHAM: Thank you very much, Mr President, for your guidance.

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

Announcements

COMMONWEALTH PARLIAMENTARY ASSOCIATION

The PRESIDENT (11:00): The annual general meeting of the Commonwealth Parliamentary Association will be held today at 1.30 p.m. in the Jubilee Room. We need a quorum. There will be lunch. We would love all members to be there.

*Business of the House***CHAMBER CLOCK**

The PRESIDENT (11:00): Unfortunately, the Chamber clock is not working. We will try to fix it over lunch, but that means we will be working from a clock on my phone. I will tell members when their time has expired, but they will not be able to see it for themselves. I apologise for that.

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

The PRESIDENT: I am delighted to say the clock is now working again.

The Hon. DAMIEN TUDEHOPE (11:01): My question is directed to the Treasurer. I admire the suit that he wears in this place today. He has obviously come back spiritually refreshed. On 10 September 2025 the Treasurer, in his speech on the Workers Compensation Amendment (Firefighters' Diseases) Bill 2025, said, "The Government looks forward to bringing its own proposals to Parliament at the appropriate time." With 10 bushfires breaking out across New South Wales yesterday and predictions of a very challenging fire season ahead, when will the Government introduce its own proposals in relation to presumptive cancers for firefighters? Or will it support the bill already before the Legislative Assembly before the end of this year?

The Hon. DANIEL MOOKHEY (Treasurer) (11:02): I thank the shadow Treasurer for his question. I missed him too. I delight in his delight about my sartorial choice. I note that earlier this week the shadow Treasurer was wearing my suit.

The Hon. Damien Tudehope: It is the best form of flattery.

The Hon. DANIEL MOOKHEY: I thought I had been living in his head for a while, and it is not just that. I promise in the next sitting week I will text him in the morning, we will compare outfits and walk in on the same day in the same thing. It will happen.

The Hon. Sarah Mitchell: You need to lend him some glasses next.

The Hon. DANIEL MOOKHEY: I acknowledge the interjection from the Deputy Leader of the Opposition. I am also happy to take the shadow Treasurer eyewear shopping. But this is a serious question.

The PRESIDENT: The Minister will return to the question.

The Hon. DANIEL MOOKHEY: This Government has a great appreciation for the work of our firefighters—both professional and volunteer firefighters. The shadow Treasurer is quite right to say that we are entering into bushfire season. The shadow Treasurer is also quite right to say that we should always make sure that those who choose to put out fires voluntarily or professionally have confidence in the workers compensation system, including the scope of coverage when it comes to their cancers and presumptive issues. The Government has always made that point. When it comes to providing firefighters with that confidence, one of the best things we can do is make sure the entire system is stable, which I am sure we will talk about in November.

When it comes to questions around presumption, we should all be very careful about implying that somehow protections do not exist. That is just not true; they do. The Parliament is debating whether or not they should be expanded, and that is a legitimate issue. The final point I make is about when the Government intends to do it. We stand by what I said on 10 September. We continue to engage with particularly our professional and volunteer firefighters but also all the other associated people who are required to establish presumption in a workers compensation system. It is important that we get this right. That was the key point I was making on 10 September on behalf of the two Ministers who carry responsibility for this matter. Those two Ministers are heavily involved in this issue. Of course, it is for the other place to decide its attitude towards the proposition that has been put to it by the Opposition.

SOCIAL AND AFFORDABLE HOUSING

The Hon. PETER PRIMROSE (11:05): My question without notice is addressed to the Minister for Housing. Will the Minister update the House on how the New South Wales Government is working to create a fairer, more inclusive social housing and homelessness system?

The Hon. ROSE JACKSON (Minister for Water, Minister for Housing, Minister for Homelessness, Minister for Mental Health, and Minister for Youth) (11:05): Indeed I will, because it was my pleasure yesterday to launch the Homes for NSW Strategy at Parliament House. I place on record my thanks to the team at Homes NSW, who did an incredible amount of consultation to develop the strategy. It was deeply informed by stakeholders, the sector, people who live in public housing and our community housing partners. A lot of work

went into developing it, and it was fantastic to be able to present it as our 10-year vision to improve social housing in New South Wales. This is the third step on the ongoing journey to deliver our answer to the housing crisis.

Step one was creating Homes NSW. We brought together different elements, cultures and leaderships from different departments into a central agency to confront the challenges we have in social and affordable housing. Step two was giving it billions of dollars. I thank the Treasurer and the Minister for Finance once again for the historic investment that is now delivering results. Just last year we saw the largest ever single-year increase in the delivery of social and affordable housing in the modern era. We are on track to smash that record again, but I do not want to get ahead of myself because it is only October.

This is step three. It is not just about randomly throwing money at the problem. I assure my colleagues that when we receive historic investment, we take it seriously. We are custodians of public investment. Our Homes for NSW plan is our strategic vision to ensure that every single one of those dollars is invested thoughtfully. That means that the rules we have to manage public and social housing in New South Wales are fair, transparent and up to date. It is well known to people who have engaged with public housing tenants over the past few years that the New South Wales Government—the biggest landlord in the Southern Hemisphere—has not always been the best. We are not always the model landlord. In fact, we spend far too much time in the NSW Civil and Administrative Tribunal being the subject of adverse findings for our management of tenants. We are determined to turn that around.

I will give one example. Currently, tenants in public housing are on fixed-term leases. Why? It makes no sense. Either they are financially eligible for public housing—and we check eligibility annually—or they are not. There is no point or purpose to a fixed-term lease. It is unnecessary work for Homes NSW, and it is stressful for our tenants. One of the practical elements of the Homes for NSW Strategy is to move away from fixed-term leases. Eligibility requirements will remain and continue to be checked annually, but there will be no more unnecessary bureaucratic barnacles. We are stripping them off. It is a clear 10-year vision to make New South Wales the best landlord in the State, to show that we are proper custodians of public investment and to take that next step—not the final step—on the journey to confront the housing crisis.

SCHOOLS AND CHILD PROTECTION

The Hon. SARAH MITCHELL (11:08): My question is directed to the Acting Minister for Education and Early Learning. Under the protocol for contract workers on school properties, is there a requirement for the Department of Education to verify that the required statutory declarations or consent for police checks have been provided for each worker who will carry out work on school property while children are present? Was that requirement complied with in relation to all work done on school property by convicted child sex offender Joshua Kenneth Mangum?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:09): I thank the Hon. Sarah Mitchell for an excellent question about Working with Children Checks and other checks that occur when work is being undertaken on school grounds. In relation to whether that occurred in this specific situation, I do not think that is the case. I will take that part on notice and come back to the member, perhaps later in question time, with the answer. I believe the question was whether the checks had happened in this particular case.

The Hon. Sarah Mitchell: Yes, whether the department had verified if the checks had happened.

The Hon. COURTNEY HOUSSOS: I might have to check that particular part. What I can say is that the system that is in place was not upheld. The system did not work. The contractor did not uphold its obligations under the system as it stands. There is an important distinction—I was asked about it this morning on radio and I started to talk about it in the House earlier this week—between Working with Children checks and checks that are on contractors. To be really clear, we are taking a closer look at that. We are checking whether that is appropriate. It is somewhat in the name, which is whether someone is working directly relevant with children, and then there is an added layer or a slightly different obligation under the existing system if someone is working on a school site.

I want to be really clear about this particular incident. The system was not working, which is why that contractor has been suspended. That is appropriate. The consequences are appropriate. This week the department has reminded all contractors of their obligations and has taken the opportunity to say, "These are the checks that should be taken in place." But if the system needs reform and if we need to make further changes, we will do that. Our kids must be safe when they go to school and we must make sure that, whether or not they are working directly with children, our children are safe. I made the point earlier in the week that this is the system that was in place under the previous Government. We are taking a closer look at it. We will test whether it is fit for purpose or needs changes. If changes are required, then we will certainly make them.

The Hon. SARAH MITCHELL (11:11): I ask a supplementary question. I thank the Minister for her answer. Could the Minister elaborate further on the review she is undertaking to have a look at it all? In the light of what is coming out of this particular issue, in addition to looking at contractors' responsibilities, will the Minister also be looking at Department of Education responsibilities and making sure that all protocols were followed in this particular instance from the department side as well as the contractor side?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:12): Yes, of course—absolutely. We want to make sure that everyone is doing the right thing. If the broader system needs changes, we will ensure we make them. The point I make is that, in this particular case, the individual did not do the right thing. The contractor did not do the right thing. Both have suffered the consequences, which is appropriate. We have to have systems that imply individual responsibility and put appropriate checks in place. As I said yesterday, the review is looking specifically at the system and whether we need to make changes to the system, but we certainly want to learn whatever we can from this particular incident. If we need to make changes, then we will.

CLIMATE CHANGE AND STATE ECONOMY

The Hon. JOHN RUDDICK (11:12): My question is directed to the Treasurer. Earlier this week he made a social media post of a photo of him and former United States Vice-President Al Gore, and the Treasurer said that Al Gore inspired him. When Al Gore left office in 2000, he had a net worth of under \$1 million. Within a decade, *The New York Times* said he was the world's first carbon billionaire. He has made that wealth by extracting public funds out of gullible governments. Did the former vice-president suggest new ways for New South Wales taxpayers to prop up the global warming industrial complex when he met with Al Gore at the Unlocking Climate Finance round table?

The Hon. DANIEL MOOKHEY (Treasurer) (11:13): I thank the Hon. John Ruddick for his question. I did meet Al Gore and, in doing so, fulfilled a teenage dream of mine. Teenage Daniel used to rush to the school library, which was the one place in my suburb that had the internet—which Al Gore invented! I used to log onto *The Washington Post* and read all about the amazing campaign that he was waging at the time for the presidency. But for 537 votes and a non-rigged Supreme Court, how the world would have been very different.

Last week I did have the opportunity to meet Mr Gore and I was inspired. I say to the Hon. John Ruddick he would have hated the meeting. He would have been triggered every two minutes. As people elucidated science, facts and free markets, the Hon. John Ruddick would have hated at least two of those three things—and I am not sure which ones.

The Hon. John Ruddick mentioned Mr Gore's role as an investor, and he is quite right to say that Mr Gore pioneered climate investing almost from the moment he should have won the presidency. The Hon. John Ruddick is quite right to say that Mr Gore has made a lot of money doing so. I would have thought that, as a libertarian, the Hon. John Ruddick would celebrate free enterprise. I would have thought, as a libertarian, the member would celebrate the ability to organise markets and deploy for opportunity to deliver social change. I would have thought he, of all people, would be saying, "Make as much money as you can from spending capital." And if you happen to solve a social problem along the way, is that not the libertarian solution? It is not government. It is the private sector solving the problem. Once upon a time, that used to be a belief of the Liberal Party.

I was really pleased to be joined at that round table by my immediate predecessor, Matt Kean, who was from that part of the Liberal Party. He was there, and I have to say—I know this will trigger the Hon. John Ruddick even more—that forum is the only time I have ever said anything nice about Matt since we were in university together. I simply invite the Hon. John Ruddick and other members opposite to reflect on this: When Labor, Matt Kean and Al Gore are all for deploying private capital to help us solve a social problem, then I would invite, certainly not the Libertarian Party, but certainly the Liberal Party to reflect on whether it wishes to go down the Al Gore derangement syndrome path where the others seem to be leading it. In the near future we will see whether or not the Liberal Party will sign up to some of the nutty that is coming from the National Party and the other parts of the right wing, or whether it will stand for free markets and join me in welcoming Al Gore to this State.

The Hon. JOHN RUDDICK (11:16): I ask a supplementary question. That was a theatrical response, but the Treasurer did not answer my question. Did the former vice-president ask the New South Wales taxpayers to put more money into the global warming industrial complex? The Treasurer did not answer it because I suspect it is the truth. I ask the Treasurer to elucidate.

The Hon. DANIEL MOOKHEY (Treasurer) (11:16): I am happy to elucidate and keep elucidating about Al Gore and his request of the New South Wales Government. The short answer is no. Al Gore did not make a request for any New South Wales Government money to be tipped into what the Hon. John Ruddick describes as the global warming complex. I can absolutely, categorically say that did not happen. What did happen

is that he said, as did others, "Gee, Australia is once more leading efforts to reduce carbon, and that's a good thing." He also said, among other things, that because we have this amazing national asset called superannuation—built by the labour movement, built on the savings of working people—we could use some of that to help us realise this opportunity.

The other thing he said was that, by the way, the United States has seemingly gone in a different direction right now and, as a result, all these people are inventing amazing technology that is establishing comparative advantage and will drive trade economics over the next 100 years. All the free market investors will be looking for a home in which they can invest. And here in New South Wales, with our stable rule of law and our heretofore bipartisanship, with our amazing tech sector and our amazing universities, we have a unique opportunity to put New South Wales on the cutting edge of carbon abatement, creating jobs for working people and investment returns for investors. That is what Al Gore said.

I have to say that I thought it was quite persuasive, and it was not just me who was persuaded. I have to say former Treasurer Matt Kean was just as persuaded. I was critical of Matt Kean's Treasurership on quite a few issues, but I certainly was not as critical about his performance as the energy Minister. I was critical of his delivery, but not so much of his intent. I simply say that Al Gore and Matt Kean are on this side. I hope the Liberal Party stands by free markets.

AUSTRALIA-INDIA TRADE AGREEMENT

The Hon. BOB NANVA (11:19): My question without notice is addressed to the Treasurer. Can the Treasurer update the House on the importance of the Australia-India trade relationship and the role played by the Australian Indian diaspora?

The Hon. DANIEL MOOKHEY (Treasurer) (11:19): I certainly can. I thank the member for his question. The Australia-India trade relationship is powering ahead in the aftermath of the free trade agreement struck last year by the Albanese Government. We are seeing a rise in trade, and it is powering ahead because of the strength of the Australian Indian diaspora, which New South Wales and Australia has seen over the past week as we have celebrated Diwali. I take this opportunity to wish you, Mr President, and all members a very happy Diwali. Diwali is a very important festival and is one of the world's most celebrated festivals, but it also marks the beginning of the new Hindu financial year. I inform the House that I am praying to Lakshmi for our collective success, and I ask all members to join with me in doing so.

The reason I draw the attention of the House to this today is because this year Diwali has been a bit more difficult for the Australian Indian community. We have seen those on the far right and neo-Nazis single out the Australian Indian community as exhibit A of what is wrong with Australia's migration policy. That has ricocheted across the diaspora and it has created quite a lot of anxiety in the community. That is why visible Diwali displays this year are an important sign of the health of Australia, Australian migration and the Australian Indian diaspora. It is interesting that this year the festival has welcomed a lot of people who are not of the faith and not from the diaspora. Diwali is becoming a very Australian festival. Whether in Blacktown, Bankstown or Broadmeadow, across the State we have seen so many Diwali displays. This year, that has brought great comfort to the diaspora.

It is important that we hold on to what makes the State great economically, which is not only its people but also its openness to connection across the world. That is an immense asset. At a time when world trade is in flux and we are bearing witness to the revival of political ideas and movements we thought were dead, it is important to explain why this is good for our society. It is an incredible asset to this part of the region at a time of great change. The Australian Indian diaspora and the wider subcontinental community are creating huge opportunities for this nation and making a huge contribution to our trade and economic prospects. We should all take great pride in the society we have built over the past 50 or 60 years, and we should all defend it because that is in our economic and social interest.

CRITICAL MINERALS MINING

The Hon. TANIA MIHAILUK (11:22): My question without notice is directed to the Minister for Natural Resources. In light of the critical minerals and rare earths agreement between the United States and Australia, which includes the Sunrise Energy Metals site near Fifield, the RZ Resources site near Wentworth and potentially other locations across our resource-rich State, will the Minister advise the House what barriers or impediments, including green tape, currently exist in relation to the extraction and processing of critical minerals and rare earths in New South Wales and what can be done to support greater investment in the sector?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:23): I thank the honourable member for a timely question about the important role of critical minerals and high-tech metals in the State's economic future. The member called out a number of the projects in New South Wales that are ready for investment. As I spoke

about in the House on Tuesday, this week the International Mining and Resources Conference [IMARC] is happening in New South Wales. It is timely, again, given the agreement that was signed on Monday night, Australian time, which has sparked a renewed interest across the mining community. That was on display at IMARC.

It was the first time a Premier has opened the International Mining and Resources Conference, and it was a great opportunity for the Premier to explain that mining has a bright future. I have said this many times: We have to mine our way to a clean energy future, and that means we want more of that mining and those opportunities in New South Wales. We are blessed with 21 of the 31 nationally identified critical minerals. We are also blessed with four of the five strategic minerals identified by the Federal Government. But the point is not just about identifying the minerals and the high-tech metals; it is about how we get those out of the ground, which is what the member's question is about.

A key part of the agreement signed between the Prime Minister and the President of the United States relates to what is termed "permitting" in other jurisdictions, but which we call approvals. That is part of the challenge that certain projects face. But the key thing driving this is the need for investment. These are very significant and capital-intensive projects that need huge amounts of money. ASM, a company which I do not think the member mentioned, is developing a massive rare earths project that is really promising. It is an exciting project that the Government and the company have been talking about for some time. On Tuesday ASM announced that it has received additional capital funding. Such projects require huge amounts of capital investment.

Yes, the Government has a role to play in ensuring there is a clear process and a clear pathway through the planning system, but this is a massively capital-intensive industry. As I have said previously, these decisions are being made in boardrooms around the globe, and the competition is fierce. The competition is not just about whether to invest in New South Wales or even in Australia; it is about where those companies will invest globally. The message that both the Premier and I want to send is that we want more of that money coming here. We want more of those jobs and more of that investment here in New South Wales.

The Hon. TANIA MIHAILUK (11:26): I ask a supplementary question. Will the Minister guarantee that the Government's green tape will not act as a barrier that will slow down investment in what could be a once-in-a-generation economic windfall in critical minerals and rare earths jobs creation and resource royalties for this State?

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:26): I thank the honourable member for her supplementary question. The Government remains committed to finding practical and pragmatic ways to work through these problems. We have a robust regulatory system in New South Wales. We do not shy away from that. We take seriously our responsibility to protect the environment and ensure our workers have safe workplaces. But we think that means more investment should be coming here because we have ESG-credentialled critical minerals, which are particularly lucrative when we look around the globe.

In relation to unnecessary approvals, which I think is what the member's question is about, I point her to the two major greenfield proposals that were granted approval just as we came to government in April 2023: the McPhillamys project and the Bowdens Silver Project. They are both very significant greenfield mine projects, but they have faced different challenges. I believe the Government, and particularly the Premier, has sought to find practical ways that it can bring these projects into reality. Both projects passed through the independent planning process—a very robust process—so we want to see them come to fruition. If there are unnecessary steps, we will find ways to work through that. But we absolutely believe in having a robust regulatory system, which is very important.

TRANSPORT FOR NSW SUPPLIERS

The Hon. NATALIE WARD (11:28): My question without notice is directed to the Minister for Transport. I note that the Secretary of Transport for NSW has offered a partial amnesty to suppliers that report corrupt conduct that they have engaged in in their dealings with Transport for NSW and repay any benefits obtained through that corrupt conduct, advising those corrupt suppliers that they may "be allowed to continue as a supplier to Transport for NSW and the New South Wales Government". Did the Minister see that correspondence before it was sent and did he approve it?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:29): I thank the shadow Minister for her question. The Secretary of Transport has the full support of the Government to get to the bottom of the longstanding corrupt conduct in the centre of the Department of Transport. They are serious issues currently under examination by compulsion in the ICAC. The corrupt behaviour has cost taxpayers money; we have all paid more because of it. I

guarantee the secretary has the full support of the Government to tackle this. The Government's expectations are clear. Firstly, individuals who are found to have done the wrong thing should be sacked. Secondly, tackle the corruption head-on. Thirdly, work closely and coordinate with the commission as that occurs.

The Hon. Natalie Ward: Point of order: My question was very specific. It was about the Minister's knowledge of the letter and his approval of it—whether he saw it before it was sent and whether he approved it. It was not in relation to any other matter. I ask that he be drawn back to the question.

The PRESIDENT: The Minister is being directly relevant to the entire question, although the scope of the question is narrow. I encourage the Minister to address the scope of the question. The Minister has the call.

The Hon. JOHN GRAHAM: I did not see the letter before it was sent, but the secretary has my full support to deal with the issues. We fully expect the third element that I referred to—close coordination with the ICAC. That is exactly what is going on. Yesterday the secretary was on stage with a deputy commissioner of the ICAC, briefing staff and contractors about the tough approach that Transport is taking. There is an active ICAC matter in train, so coordination is important, and I expect Transport to take advice from the ICAC about the steps it will take. I am satisfied that the coordination is occurring. We saw it yesterday as a deputy commissioner of the ICAC provided a briefing to make sure that we lift the culture to stamp out corruption in procurement.

In addition, Transport has taken a number of steps since the secretary took hold of the issues. That includes centralising a range of procurement matters. Previously procurement decisions, including road procurement across a range of areas, were made by individual teams in individual areas of Transport. It turns out that that creates risk for corruption and is one of the things that has allowed this behaviour to thrive and slowly grow for quite some years. I am pleased that Transport is getting on top of it. Taxpayers should be pleased.

The Hon. NATALIE WARD (11:32): I ask a supplementary question. I thank the Minister for his answer. Given that he has indicated his support for the secretary and is satisfied about suppliers continuing under that guise, will he elaborate further on that? Was that offer made with the approval of the Minister for Domestic Manufacturing and Government Procurement? How does it align with the Minister's intention announced over 13 months ago to introduce a debarment scheme for dodgy suppliers?

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:33): I cannot answer for another Minister. The member would have to ask the Minister for Domestic Manufacturing and Government Procurement.

The PRESIDENT: Order! The Hon. Natalie Ward will resume her seat.

The Hon. JOHN GRAHAM: The crucial point is that it is a coordinated matter. That is the Government's expectation. If there are more systemic responses, I am certainly open to those. They are certainly matters I am prepared to discuss with my colleagues.

The PRESIDENT: I welcome to the gallery participants in the Australia-Indonesia Muslim Exchange Program. You are all very welcome in the Legislative Council today.

PRIVATE LAND CONSERVATION

The Hon. STEPHEN LAWRENCE (11:34): My question without notice is addressed to the Minister for the Environment. Will the Minister update the House on the New South Wales Government's plan for private land conservation?

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (11:34): I thank the Hon. Stephen Lawrence for his question. I thank the many landholders across New South Wales who are trying to turn the dial back to biodiversity and away from the biodiversity loss that we are experiencing.

The Hon. Wes Fang: They're called farmers.

The Hon. PENNY SHARPE: I note the interjection. Many of them are farmers, and they are doing incredible work. Members who know and work closely with farmers acknowledge that they are incredible stewards of the land. We protect them through the NSW Biodiversity Conservation Trust, which supports over two million hectares of private land conservation. That is around 4 per cent of the State—not a small amount. Considering that 80 per cent of the land in New South Wales is privately owned, this work is substantial and important.

I congratulate the Biodiversity Conservation Trust on meeting and exceeding its target for 2025. The target was an additional 200,000 hectares under private land stewardship, and it has reached that already. It is at 204,000 hectares, which is incredible. I have met many of the 2,500 landholders across the State who are looking

after koala habitats and protecting threatened species. Their work protects over 304 threatened species, and some of those are not even being protected in our national parks. It is an incredible amount of work that is making a big difference. Of course, we are never satisfied. We want to do more—as much as we possibly can.

I welcome the release of the Biodiversity Conservation Trust's four-year business plan to guide its work until 2029. Over the next four years the aim is that privately managed conservation areas will match the size of Kosciuszko National Park, growing to more than 700,000 hectares. I believe the trust can do this. It already has 2,500 private land agreements and is aiming for another 400. Biodiversity Conservation Trust agreements allow landholders to secure additional revenue streams to protect, restore and manage native vegetation and biodiversity, often alongside and as part of their agricultural business.

Annual payments are a valuable addition to natural resource management activities already carried out by landholders and provide landholders with a reliable source of funding. We are protecting threatened woodlands along the Murray River, important native grasslands in the Monaro, a high-priority koala and honeyeater habitat in New England and a critically endangered shrub—*Persoonia pauciflora*—in the Hunter. It is incredible work. It is a genuine partnership between landholders and the Government. I congratulate the Biodiversity Conservation Trust and look forward to it smashing its next target.

FERAL ANIMAL MANAGEMENT

The Hon. ROBERT BORSAK (11:37): My question is directed to the Minister for Agriculture. Online searches reveal a dearth of publicly available information on how Local Land Services feral animal operations are strategically planned, prioritised and, most importantly, evaluated against its objectives and reported on. How does NSW Local Land Services prioritise individual pest animal control operations against the State's broader strategic framework to maximise environmental and economic outcomes and return for New South Wales taxpayer dollars?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:38): I thank the Hon. Robert Borsak for his question. I know he has a longstanding, ongoing interest in the work of Local Land Services across the State. It is an important question. I talk a lot in this place about the pest and weed problem that we have inherited across New South Wales. We are investing significant resources into tackling those issues from a local and statewide perspective. It has been a priority for me and for the Government to have better coordination when spending taxpayer dollars to tackle the issues and to make sure that every budget dollar goes further than it has before, working closely across different agencies and across different land managers.

Today I announced the next part of the Good Neighbours Program, which is a significant program the Government has piloted that works across different land tenures and coordinates the sharing of resources, because pests and weeds do not stop at fence lines or adhere to land orders. Dealing with those issues from a statewide, strategic perspective is something that Local Land Services does. It provides advice to government about the Government's priorities for tackling weed and pest problems. It also has local decision-making groups that provide feedback from Local Land Services areas to provide advice to government about resourcing for specific local issues. We deal with the issue by feeding in advice from a statewide perspective while also tackling things that are specific problems in different parts of the State.

Across the board we are making sure resources are well coordinated so that dollars are not used in one part of the State while a problem grows in another, and, at the same time, we are targeting things that are impacting one part of the State and not another so that problems do not grow. If there are transparency issues with how those decisions are recorded on the website, I am happy to look at the website and seek advice on that. Making sure we are dealing with these things by prioritising from a statewide perspective and tackling local issues so they do not become statewide issues is an important piece of work.

The Hon. ROBERT BORSAK (11:41): I ask a supplementary question. The Minister talked in broad terms and also specific terms. How are the environmental and economic outcomes—not outputs, i.e. the number of animals killed—of each feral animal control operation for Local Land Services in each specific locality measured and evaluated against the broader statewide strategic framework under which pest animal control operations are planned and undertaken?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:41): I thank the member for the supplementary question. It is a good one. How I coordinate those things, as Minister with the department, is to allocate a budget for a program across the State. I would have to take on notice how numbers are calculated based on individual pest animals across different parts of the State. I am dealing with those things from a broad perspective. I am happy to come

back to the member and to the House on how local areas are calculating the results for each individual feral pig, for example.

The Hon. SCOTT BARRETT (11:42): I ask a second supplementary question. The Minister spoke of the local groups that help advise on what those priorities were. I presume she was talking about Local Land Services boards. Can the Minister advise how many vacancies still remain on those boards across the State?

The Hon. Penny Sharpe: Point of order: I give the member points for trying but his supplementary question does not seek an elucidation of the answer given and bears no relationship to the original question. He should wait until the next sitting day. We will give it a go then. It might work better.

The Hon. Scott Barrett: To the point of order: The Minister clearly spoke about local decision-making bodies. She was obviously referring to the Local Land Services boards. If she is relying on those boards to make decisions, it is important that we are informed of the strength of those boards at the moment.

The Hon. Damien Tudehope: Wide latitude, Mr President.

The PRESIDENT: While wide latitude is extended for supplementary questions, I say to the Leader of the Opposition that "wide" implies a boundary. The Hon. Scott Barrett's question falls outside that boundary. I uphold the point of order. The member is welcome to ask the question on another occasion.

I welcome to the gallery students from Engadine High School, who are participating in the Legal Studies and the Legislature program conducted by the parliamentary education team. They are all very welcome.

FORCED MARRIAGE

The Hon. RACHEL MERTON (11:44): My question is directed to the Minister for Finance. In May 2018 the Minister referred to forced marriage as a shocking practice that should have no place in our modern world. The Anti-slavery Commissioner recently reported on women and girls trafficked out of New South Wales to a foreign country for marriages to which they did not consent, as well as forced marriages here in New South Wales. On 14 October 2025 this House, without dissent, called 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". When will the Minister give the Anti-slavery Commissioner the resources needed to re-establish a 24/7 hotline to ensure that no woman or girl being forced into marriage or anyone else facing slavery or trafficking is unable to get immediate help when needed?

The PRESIDENT: The Hon. Rachel Merton took a minute and a half to ask her question. I ask members to ensure that questions are kept under a minute. The Minister has the call.

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (11:45): Before I start my answer, I also welcome the students to the gallery. I am a former legal studies student, so I am delighted to welcome them to the Chamber. I hope they find their time at Parliament worthwhile. I welcome our other visitors as well. This is an important issue. I will be honest with the House and say that I do not recall the words I said in May 2018. I thank whoever did that diligent research.

The Hon. Sarah Mitchell: Thanks, Richard.

The Hon. COURTNEY HOUSSOS: I acknowledge the interjection. I think this House would stand united in supporting the words I said then about being opposed to forced marriage. It is appalling. We would all oppose women and girls being trafficked out of New South Wales into forced marriages. It is completely unacceptable. I will be honest and say that I have not read the most recent report from the Anti-slavery Commissioner. However, my office and I engage regularly with the Anti-slavery Commissioner, as do the Treasury and the Government as a whole. Dr Cockayne is doing really important work, particularly in relation to procurement practices and the way that we can address the reports and the important work he is doing. I also make the point that New South Wales is very fortunate to have its own anti-slavery commissioner in addition to the one at the Federal level. I do not want to get too political about it, but the member asking the question is from a party that did not proclaim that particular piece of legislation—

The Hon. Emily Suvaal: Four years.

The Hon. COURTNEY HOUSSOS: It took four years, and it was only—

The Hon. Rachel Merton: Point of order—

The Hon. Courtney Houssos: I did not take a point of order when you were asking your question.

The PRESIDENT: Order!

The Hon. Rachel Merton: The point of order goes to relevance. The question was specifically about when the Minister would give the Anti-slavery Commissioner the resources to re-establish the hotline.

The PRESIDENT: There was quite a lot in the question. It is probably a bridge too far for the Minister to talk about what the Liberal Party may or may not have done, but the rest of the answer was relevant. The Minister has the call.

The Hon. Natalie Ward: Point of order: I ask that the Minister withdraw her comments. The Hon. Rachel Merton was asking a serious question on a serious matter and took the time to enunciate that properly so that the Minister could have the benefit of hearing that. It was only a few seconds over the time limit. It is a very important matter, on which the member had taken some time. Anyone can rush through a question, but it might not be easy to hear it. I ask the Hon. Courtney Houssos to acknowledge that the member was trying to elucidate the question and that she withdraw her comments that were made quite aggressively to a member in question time.

The PRESIDENT: It has been a big, two-week sitting and the tempers of some members are perhaps a little frayed. While I understand the point of order taken by the Hon. Natalie Ward, the Hon. Rachel Merton was out of order in asking such a lengthy question. We will move on and get through the next 12 minutes. The Minister has the call, if she has anything further to add.

The Hon. COURTNEY HOUSSOS: I take that ruling on board, Mr President; let's get through the next 12 minutes.

The Hon. John Graham: That'll be about one question at this rate.

The Hon. COURTNEY HOUSSOS: I acknowledge that interjection. This is a really important issue. The Anti-slavery Commissioner does very important work across a broad range of things. This Government engages with him regularly about a broad range of issues.

The Hon. Damien Tudehope: He's now answering his own phone to take complaints. Good on you!

The Hon. Sarah Mitchell: Terrible.

The Hon. COURTNEY HOUSSOS: There are interjections from those opposite, who did not proclaim the legislation. I acknowledge the Hon. Greg Donnelly as a key proponent of the legislation. It was only through the Government's continued work in this Chamber that the Act came into effect.

The PRESIDENT: Order! I have said on numerous occasions there will not be further questions peppered across the Chamber. The Minister has the call.

The Hon. COURTNEY HOUSSOS: These are important issues. The Anti-slavery Commissioner does incredibly important work, including working with the Federal Anti-Slavery Commissioner, who is, it is worthwhile saying, being instituted appropriately by the Federal Labor Government.

CREATIVE WRITING INDUSTRY

The Hon. Dr SARAH KAINE (11:50): My question is addressed to the Minister for the Arts. How is the New South Wales Government backing our writers and promoting the importance of storytelling in New South Wales?

The Hon. Sarah Mitchell: Are we getting a story or a song? I hope it is a song.

The Hon. JOHN GRAHAM (Special Minister of State, Minister for Transport, Minister for the Arts, and Minister for Music and the Night-time Economy) (11:50): Mr President, have I got two minutes?

The Hon. Sarah Mitchell: No, that's next time.

The PRESIDENT: You have three minutes, Minister Graham.

The Hon. JOHN GRAHAM: Next week?

The Hon. Sarah Mitchell: Yes. You're ahead of yourself, John.

The Hon. JOHN GRAHAM: We are going to have to coordinate this song next week. Is that true?

The Hon. Sarah Mitchell: Can I vote for Dolly and Kenny for the first one?

The Hon. JOHN GRAHAM: Is that why you changed the standing order? Was that the reason?

The Hon. Sarah Mitchell: I want *Islands in the Stream*.

The Hon. Damien Tudehope: It will only show you up, mate.

The Hon. JOHN GRAHAM: I am worried it might. From our First Nations storytellers, our bush poets and through to the literary legends of last century and our contemporary writers, we have an incredible storytelling culture here in New South Wales. We also have 45 per cent of the nation's publishers, generating \$1.3 billion per year. But writers in New South Wales are facing new pressures. Writers' incomes remain low and publishers and reading rates are under pressure from digital media. We know that artificial intelligence also poses a profound threat to the publishing industry. It might be said, "Dear Sir or Madam", this means it is becoming harder "to be a paperback writer, paperback writer".

That is why, two weeks ago, the Government launched this State's first ever dedicated strategy for writing and literature, called Stories Matter. As we have done in music, fashion, screen and Western Sydney arts, we are creating a joint plan, hand in hand with the creative industry, working with leaders to address challenges and take steps forward. A key part of the strategy is about supporting our writers with residencies and funding. That will give them the time and space they need to write their next book. We will host an annual Screen NSW pitching event, to bring together writers, publishers, literary agents and screen and theatre producers. We are strengthening the role of the State Library of NSW as the home of our readers and writers.

We will be extending the Sydney Writers Walk, putting further plaques on the footpath with quotes from famous writers. Thanks to Peter Collins, the former arts Minister, the walk currently stretches from the Sydney Opera House to Circular Quay. It will be extended to Walsh Bay. At the same time, the Government will support our best living authors to work with our performance companies in Walsh Bay to produce great new works. All up, the Stories Matter strategy will be backed by \$3.2 million of new funding. The Government is taking important steps forward to support our incredible writing and literature sector in New South Wales. As The Beatles might have said:

These books can take years to write,
But if someone likes them,
They can buy the rights,
And make a million from them overnight,
So we need to support our paperback writers,
Our paperback writers.

FIREFIGHTER WORK HEALTH AND SAFETY

Ms ABIGAIL BOYD (11:53): My question without notice is directed to the Treasurer. In the last parliamentary sitting, this Chamber expressed its strong intent to support the expansion of the presumption in favour of liability of certain cancers for firefighters seeking workers compensation. During that debate, on 10 September, the Treasurer said:

... the Government looks forward to bringing its own proposals to Parliament at the appropriate time ...

On 27 September a News Corp article quoted a Government spokesperson as saying that Labor would introduce the new laws "at the next Parliamentary sitting". In response to the earlier question from the Leader of the Opposition, the Treasurer said, "We stand by what I said on 10 September," when it comes to the introduction of Government legislation to expand presumptive cancers. Is the Treasurer withholding legislation to protect firefighters against the public statements of a Government spokesperson?

The Hon. DANIEL MOOKHEY (Treasurer) (11:54): No.

Ms ABIGAIL BOYD (11:54): I ask a supplementary question. Will the Treasurer please elucidate his answer of "No"? Cathy McQuade, the widow of firefighter Andrew McQuade, who died from lung cancer at age 61 last May after working for decades at Fire and Rescue NSW, including in his last role as a hazardous materials officer, is campaigning for the expansion of presumptive cancers for firefighters after Andrew was denied compensation. In the 27 September article featuring Cathy McQuade, a Government spokesperson, no doubt attempting to hose down media attention on the bill, was quoted as saying that it would introduce the new laws "at the next Parliamentary sitting", being this sitting. As the Government has not brought the new laws to this sitting, will the Treasurer clarify whether that was a misstatement?

The Hon. DANIEL MOOKHEY (Treasurer) (11:55): My primary answer was straightforward and pretty easy to understand. The question that was put to me was whether I am blocking it. The answer is no.

TIMBER INDUSTRY AND GREAT KOALA NATIONAL PARK

The Hon. SCOTT BARRETT (11:55): My question is directed to the Minister for Agriculture. It is now just over three weeks until payments to timber businesses, designed to support timber workers whose jobs were axed by the Government's secret Father's Day directive, will cease. When will those workers and their families be briefed on what support, if any, will be available after those payments cease?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:56): I thank the member for the question. I know there continues to be a lot of interest in the announcement that the Government recently made about the creation of the Great Koala National Park and the flow-on effects from that for some workers on the North Coast of New South Wales. I have spoken many times in this place about the work that this Government is continuing to do with the workers who will be impacted by that decision. We are working directly with six mills. That work continues. I have talked about that in the House before. The Government does not hold the intimate details of every business in New South Wales—we just do not have those records—so when we made the announcement, we were clear that we would then work with the businesses that were going to be impacted immediately by the decision.

We are in the middle of doing that work now. I have talked about it a lot in the House. We have payment arrangements in place for a 10-week period while that work is underway. People from the Department of Primary Industries and Regional Development are working with those businesses regarding the cost arrangements to ensure that they can continue operating as we work through the payments that workers are entitled to and any compensation arrangements that might need to be made. There will be more to say about the details. There are no secrets; we are not hiding any information. We are working with each of those mill businesses to ensure that they can keep trading and workers do not lose their jobs while we calculate what people will be entitled to.

We are committed to paying the workers impacted by the decision at their full rate of pay. Some of the mills will close as a result of the decision; some may continue in other forms. That work is underway at the moment. We will continue engaging with businesses and individual workers about the arrangements that need to be put in place. The 10-week period is the immediate period that we have made a commitment for, but we will continue that work. There is no cliff at the end of the period.

A moratorium is in place for one year to enable us to resolve the creation of the Great Koala National Park and to deal with the consequences that will come from it. We will continue to work through the detail of that as we go. Money is allocated to make sure that impacted workers are appropriately compensated. There is money available. I recently announced a \$5 million package for businesses that might experience consequences as a flow-on effect, including businesses that rely on timber supply from directly impacted mills. We do not want people to lose their jobs as a flow-on effect. We have allocated money as appropriate for that. [*Time expired.*]

The Hon. SCOTT BARRETT (11:59): I ask a supplementary question. The Minister mentioned the available funding. Will any ongoing supports be fully explained to all impacted workers before their last payment in three weeks time?

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (11:59): I thank the member for the supplementary question. I refer him to my previous answers, including the one I just gave. I reiterate my message because it is important and a lot of people, particularly those impacted, are interested in the work the Government is doing. It is not a job-lot announcement. As I have explained, the Government has announced the beginning of its delivery of an election commitment to create the park. It is now working through individual circumstances and the necessary arrangements for businesses that will close, change or have opportunities as a result. It is making sure that no workers are left behind, including calculating entitlements if people lose their jobs, which some people unfortunately will. The Government is working through individual arrangements with each of the affected businesses of the six mills and their workforces. It also has funds available for flow-on effects for other businesses beyond that. There is no one-size-fits-all headline.

The Hon. Wes Fang: Point of order: The question was primarily about the three weeks before workers stop receiving income. The Minister has not come within a bull's roar of that aspect of the question. I ask you to direct the Minister to the part of the question asked by Hon. Scott Barrett, in which he sought elucidation of the three weeks until the workers' payments stop.

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

The Hon. TARA MORIARTY: It is a really important and complex piece of work. I caution members to treat everyone involved with respect, rather than trying to get a grab or a headline. It is a complex piece of work. The Government has allocated money to make sure that workers are appropriately compensated as the Government delivers this important park. I have said many times that there is no cliff at the end. The Government is working through a complex piece of work to create a very important national park that will protect koalas, which were going extinct on the previous Government's watch. The Government is committed to a continuing forestry industry in New South Wales, and work on that will continue. Six mills are impacted by the decision. Some will close and others might continue in another form. [*Time expired.*]

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

SCHOOLS AND CHILD PROTECTION

The Hon. COURTNEY HOUSSOS (Minister for Finance, Minister for Domestic Manufacturing and Government Procurement, and Minister for Natural Resources) (12:02): I update the House that, under the process for onboarding tradespeople under the facilities maintenance contract, a system profile is set up for the relevant local contractor company. All tradespersons under that business are then required to submit qualifications and probity documents, including a statutory declaration or criminal history check, to the facility's maintenance contract partner. The facility's maintenance contract partner is required to review the documentation and then assess and approve the documentation as appropriate before the tradesperson is able to accept work orders. I can confirm that, in this specific case, the process was not followed.

Supplementary Questions for Written Answers

TRANSPORT FOR NSW SUPPLIERS

The Hon. SARAH MITCHELL (12:03): My supplementary question for written answer is directed to the Acting Minister for Education and Early Learning. I thank her for her previous answer. Will the Minister advise the House who the statutory declarations or forms for Joshua Kenneth Mangan were submitted to?

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.

FIREFIGHTER WORK HEALTH AND SAFETY

The Hon. DAMIEN TUDEHOPE (12:04): I take note of the Treasurer's answers to questions that I and Ms Abigail Boyd asked about presumptive cancers for firefighters. Firefighters have begun protecting the citizens of New South Wales during what may well be a significant fire season for this State. The Treasurer's answers continue his misinformation campaign and ideological attack on various bodies and on the most seriously injured workers in the State. The Treasurer would rather attack seriously injured workers and take away their benefits than make a difficult decision.

His campaign has been to attack small businesses and to get the business lobby to engage in a campaign in which he has threatened them with a 12 per cent increase in premiums if the legislation does not pass. The campaign has been built on a lie. He should know that increases in premiums would not occur in the manner that he has forecast, but he goes even further by telling not-for-profit organisations and disability providers that their very existence could be called into question due to the failure of members of the Opposition and the crossbench to approve legislation designed to attack the most seriously injured workers. Government members promised to support those workers, but this Treasurer will say anything to attack them.

He uses disability groups and not-for-profit organisations to attack members of the Opposition and the crossbench for their opposition to this heinous, barbarous bill, which attacks the most seriously injured workers. That plumbs a new low in the way that legislation is passed, but matters got even worse today. Firefighters became the new target of his campaign when he said that failure to pass the bill would impact his decision to provide presumptive cancers protection for firefighters. It is outrageous for the Treasurer to say that their protection is held up by the failure of the Opposition to pass his legislation.

CLIMATE CHANGE AND STATE ECONOMY

The Hon. JOHN RUDDICK (12:07): I take note of a response given by the Treasurer in which he said that he was inspired by Al Gore. Al Gore is the biggest charlatan of the past 50 years. I will tell the House about his biography. In 1956 his father almost became a vice-presidential candidate but was thwarted. Al Gore Sr and his wife, Al Gore's mother, then transferred all their political ambition onto poor little Al. He was raised to be president, but some years later a little thing came along called the Vietnam War. Al's parents were desperate for him to become president. The Gores did not want to send him off to the war because they did not believe in it, but they thought, "He is going to run for president one day and will be asked if he served."

So they sent him there, but he was a journalist who did nothing but smoke pot in Saigon. He did not see any action, but he walks around saying he is a veteran. Then he got into Congress in the 1970s and into the Senate in 1984, at the height of the great right-wing era of Reaganism. Was Al Gore talking about global warming in the 1980s? No, he was the Fred Nile of America; he would hold congressional hearings about Satanic and lewd

messages. He then ran for president in 1988 as the last of the southern Democrats. Al Gore's campaign agenda in 1988 was anti-abortion, anti-gay, pro-gun, pro-tobacco and pro-military-industrial complex. It has all been scrubbed now, but it is a fact.

When he ran in the primary in 1988, he really embarrassed himself. One night six months later he thought about joining the Republicans like a lot of southern Democrats did. He wrote a book called *Earth in the Balance* and introduced the whole concept of global boiling to the world. That rehabilitated him in the eyes of the Democrats—so much so that he became Bill Clinton's vice-president. As vice-president, he did not talk about global warming. When he ran for president in 2000, he did not talk about global warming. Then, in the greatest act of bastardry in American politics, he absolutely divided America over the 2000 recount.

Gore should have been like Richard Nixon in 1960 and accepted the result graciously, but America has never recovered from 2000. That is when red states and blue states started. The left let the guy get away with anything. As the George W. Bush presidency failed, Gore became a superhero and wrote *An Inconvenient Truth*. He won the Nobel Prize and the Academy Award, and the whole world fell for it. But the good news is the rest of the world is waking up about the global warming scam, except for New South Wales and some parts of Canada. We are the last hold-outs. The Germans are rolling it back and the German Greens are starting to be against it. Keir Starmer in Britain has halved spending on the renewables rollout because he knows it is garbage. Trump has declared it is garbage. So it is just the Hon. Daniel Mookhey, this Government and the other Labor governments around here. It is hocus-pocus. [Time expired.]

CREATIVE WRITING INDUSTRY

The Hon. Dr SARAH KAINE (12:10): I take note of the answer given to my question about the New South Wales writing and literature strategy, which was recently launched. I speak about it because it is really important. Coincidentally, I was reflecting recently on reading. I am a big reader of novels, as I am sure many other members are—although I have recently read research that says that women are bigger readers of novels than men. It was suggested that that is because we are more empathetic—I did not say it—and can relate better to characters. I was reflecting on the books that had had an impact on me.

I was walking in my local area and remembering a book that I had read by an author who lives in New South Wales, Michelle de Kretser. It was set near where I live, some of it in Newtown and some in other places. I was thinking how important it is to have stories that reflect back to us places that are familiar, but reflect them in a different way and make us think about things in a different way, even those things that are quite familiar. I was thinking how important it is to have local authors like Charlotte Wood, whose novel *The Weekend* also felt very resonant and very familiar, while posing serious questions about ageing. I was thinking about writers like Stephanie Wood, who is known for writing the book *Fake* about her experiences with a conman. She is also a freelance journalist with a Substack called *Vamp*, which members can subscribe to. She makes thoughtful contributions on a range of issues. All the authors I remembered happen to be women. Shankari Chandran wrote *Chai Time at Cinnamon Gardens*, which was set in a hypothetical Sydney suburb.

All of those writers reflect to us parts of our experience but also make us question different aspects of our own society and where we live. I was pleased that we released the strategy, which has five key pillars: to reinforce the foundations of the writing sector in New South Wales; to invest in authors and make sure that there is fair pay for creators; to promote reading, which is also very important; to strengthen partnerships with universities and cultural institutions, which elevate the value of writing and writers, and to upskill arts journalists; and, importantly and very relevantly, to address structural challenges. That is about protecting the rights of creators and making sure that artificial intelligence does not move into the area that should be the sole preserve of creatives and writers.

SCHOOLS AND CHILD PROTECTION

MYALL LAKES FLOOD RECOVERY

The Hon. SARAH MITCHELL (12:13): I take note of the answers given today by the Acting Minister for Education and Early Learning about the issue of a contractor who was a convicted child sex offender being present at schools. It was concerning to have the Minister confirm today that not only was there an issue with the contractor not following the appropriate protocol by making sure that the relevant statutory declarations or criminal checks had been done, but it also appears that the Department of Education did not check that that had happened. That is a serious red flag. I appreciate what the Minister said about the Government looking into the matter, and I note that she said that the Government needs to understand whether there need to be any changes. Yes, the contractor did not follow the proper protocols, but the department did not either.

It is all well and good to have those processes in place, but if the very agency responsible for ensuring that contractors have done those checks has also dropped the ball then that is a terrible failure and exposes a serious loophole when it comes to child safety in our schools. I note that the Minister said in a written response to me that

she would update the House about that work when she can. I understand that she is due to have an update by the end of the month, but I once again urge her not to wait if there are ways to address the issue. She spoke again about Working with Children Checks today. Mechanisms can be put in place to strengthen the system, and I certainly urge her to do that. The more that we uncover about that particular instance, the more concerned I get. I am worried that it could be happening in other schools and we do not know about it. It has to be dealt with immediately.

I also briefly take note of a written answer that I received today to a supplementary question I asked the Minister for Finance yesterday about support for the Mid North Coast. There were many concerns from the local member, Tanya Thompson, about small businesses in her community not getting the support that they need. They have \$25,000 but are asking for \$50,000. That is what businesses got in the Lismore floods when we were in government. The response from the Minister talked about all the different grants but, interestingly, literally the first paragraph talked about the Minns Government providing extensive support for recovery assistance—blah, blah, blah—and then it said, "affected by the floods in the Northern Rivers".

The floods were not on the Northern Rivers; they were on the Mid North Coast and in the Hunter. No wonder businesses in Taree are waiting, because Government members think they are up on the Northern Rivers. They are only a few hundred kilometres off. That is a really embarrassing answer for whoever has dropped the ball—I assume it has gone through multiple ministerial offices. When we ask a question about support for flood-impacted communities on the Mid North Coast, the Government should not give us an answer that says that it is supporting communities on the Northern Rivers. They are not the ones that are flood impacted this time. Members opposite should get their facts right. No wonder they cannot give money to those businesses—they do not even know where they are.

ROADSIDE DRUG TESTING

The Hon. ROD ROBERTS (12:16): I take note of the answer to question on notice No. 4357, relating to roadside breath and drug testing, which was provided to the House by the Minister for Agriculture, representing the police Minister. The question put to the Minister was regarding the decline in NSW Police Force roadside breath tests, as reported by *The Daily Telegraph* on 13 August 2025. In her answer, the Minister provided information on the numbers of roadside breath and drug tests performed by New South Wales police, along with the numbers of positive detections.

The statistics regarding drivers behind the wheel impaired by illicit drugs were startling. In relation to drunk driving, a total of just under 3.5 million random breath tests were conducted in 2024. Of those, 13,314 resulted in legal action, so that is 0.38 per cent. There have been just over two million breath tests conducted from January 2025 to 31 July 2025, with 7,936 resulting in a legal process. That is 0.36 per cent, so clearly the message about drink driving is getting through. It is still too many, but we are going really well in that regard. That means that for every 1,000 drivers, nearly four of them are driving whilst under the influence of alcohol.

Contrast those results with drug driving. Over 230,000 roadside drug tests were conducted in 2024, with 19,000 resulting in legal action—8.2 per cent. As of 31 July 2025, the NSW Police Force projects that this year's results will show that 9.8 per cent of drivers are driving with a drug in their system. That is a shocking revelation—one in 10 drivers on our roads have an illicit drug in their system. Members should look around next time they are stuck in traffic. If they are not the high one, at least one of the nine vehicles around them is. That is a shocking number. What is worse, some in this Chamber want to increase the number of people driving whilst impaired. One party wants to have the business model of the bikies underwritten by the taxpayer and to have all the so-called party drugs tested at festivals to ensure that those driving home have pure mind-altering substances in their system. Another individual is working with the Minns Government to remove all prohibitions on people driving with medical marijuana coursing through their veins.

I have no problems with medicinal cannabis as a product, but until we come up with an impairment test, there is no way they should be driving on our roads. I challenge members who want to relax the current regulations to meet with Danny Abdallah and his wife, who tragically lost a number of their family members, or to meet with the Sakr family, who lost their daughter in the same tragic incident. I call on members in this Chamber who preach that we should relax drug laws to also prove to the families of victims of drug driving how those proposed laws will improve road safety. I bet they will not be able to.

ROADSIDE DRUG TESTING

The Hon. STEPHEN LAWRENCE (12:19): I take note of the answer given to question on notice No. 4357, which is the same answer that the Hon. Rod Roberts took note of. He made some interesting reflections on the answer given by the Minister for Agriculture, on behalf of the Minister for Police and Counter-terrorism.

The question raises a lot of complex issues about alcohol and drug testing. Members may want to ponder on the fact that around 8 per cent of drug tests reveal a positive result. I wonder to what extent that correlates to the use of drugs across the population. Drug tests detect a driver who is under the influence or, more specifically, they detect the presence of the drug in the person's saliva.

Another question to ask is what deterrent effect drug tests have. This issue is very different to driving with alcohol, which has a well-understood formula that is not wholly preached by the Government these days. The old formula of two in the first hour and one every hour after that is not completely accurate, but it is understood by the community. It lets people make choices about the consumption of alcohol before driving. It is not exactly the same with drugs. An important point in this debate is that there is a whole range of mind-altering drugs that a person can take and then drive without committing a criminal offence, including benzodiazepines and all kinds of things. Surveys demonstrate that those drugs occur in a very high number of fatalities. The only restriction on them is that a person must take them in accordance with guidance from a doctor.

The question we are ultimately getting to is about cannabis and whether there should be a defence for a driver who tests positive for THC in their saliva. Should that person have a defence? The question we land on is what is the rationale for distinguishing between valium, benzos and other mind-altering substances and medicinal cannabis? What is the basis for drawing that distinction? If the member cannot answer that question, then taking a completely prohibitionist approach is just an expression of condemnation against cannabis use. The member needs to move with the times, because medical science has clearly recognised the medicinal qualities of cannabis. The current regime is creating a situation where there is one medicine that people cannot use and then drive. It has not been possible to create an impairment test or a formula. People who are using medicinal cannabis should be treated in the same way as others.

TRANSPORT FOR NSW SUPPLIERS

The Hon. NATALIE WARD (12:22): I take note of the answer given by the Minister for Transport to a very serious question we asked about alleged corruption in Transport for NSW and the ICAC hearings that are currently underway relating to multimillion-dollar contracts. A very serious question was asked about the Secretary of Transport for NSW giving amnesty to suppliers who report corrupt conduct. We asked a direct question to the Minister about whether he had seen the correspondence, but he did not answer directly. We put it squarely to him and he had the opportunity to say whether he did or did not approve it before it was sent, but he did not answer us. He backed his mate Josh Murray, because that is what Labor does. He backed his mate Josh Murray, who made the best \$500 donation that this place has ever seen. He got an almost \$1 million job running Transport for 500 bucks. That is a pretty good return on investment.

We asked the question directly, but the Minister would not answer. The Minister supports Josh Murray, who said, "Fess up and let me know if you've done corrupt stuff. It's okay, because we will give you more work." The Labor Government will give someone more work in Transport even if they have broken the rules. What does that say to all of the people who have done the right thing and played by the rules, who have not embezzled, pilfered, stolen or defrauded taxpayers? It says that it is okay because the people who have done it will get a free pass under us. With respect, it is not up to the Secretary of Transport for NSW to make decisions about those rules. They are criminal matters. It is embezzlement. They are serious matters that must be determined by ICAC and the criminal courts.

Members will have seen this before with Eddie Obeid, "Macca" Macdonald, Ernest Wong and, most recently, Tim Crakanthorp. The Government might want to say it is in the past, but it has not gone away. There are jobs for mates everywhere. It started with Josh Murray, who got a job because he has mates and made a donation. People who have done the right thing know there is criminal behaviour involved here. Josh Murray presumably did this with the support of the Minister and the Government. He did it not only while freelancing but also while ICAC was taking evidence for Operation Wyvern about the alleged dodgy dealings of Ibrahim Helmy. That \$11.5 million could have paid for Business Connect and much more. While Ibrahim Helmy was being examined, Josh issued a letter that said, "It's okay; don't worry. Corruption, dodgy deals, lying and fudging are perfectly fine. We will give you more work if you just fess up and tell us."

CRITICAL MINERALS MINING

BANKSTOWN TAFE

The Hon. TANIA MIHAILUK (12:25): I take note of the excellent response that the Minister for Natural Resources gave to my question about the groundbreaking critical minerals and rare earths deal that Australia has just signed with the United States. I congratulate the Prime Minister. I am sure there is a spring in his step, because it has been a great week. I have been replaying the wonderful footage between Donald Trump and Kevin Rudd all week. I know that many members of the Labor Party have enjoyed watching that footage as well. My concern

is that I do not want green tape to be a barrier to what could potentially be a great windfall for the people of New South Wales.

This deal will also create a number of opportunities for the State. In the Minister's response, she said that she and the Premier are very supportive of the deal, under which we can continue to extract the great resources we have in New South Wales. I have no doubt the Premier and the Minister for Natural Resources are excited by the deal and will continue to support it. I hope bureaucratic red tape and green tape and net zero targets, particularly the target of 70 per cent emissions reduction by 2035, will not create a statutory handbrake on large-scale, resource- and energy-intensive projects. I do not want to see approvals slow down or regulatory costs increase. I want New South Wales to be as competitive as possible in this area.

I also take note of the answer provided by the Minister for Skills, TAFE and Tertiary Education to question on notice No. 4426. My question related to the operation of the Bankstown tower at Western Sydney University. Despite my many questions to the Minister, he refuses to take an interest in the commercial operations of the university under section 32D of the Western Sydney University Act. TAFE will now lease six or seven floors of the university tower for three years at a cost of \$25 million, but the university will still not pay more than \$1 per year of rent to the City of Canterbury Bankstown for the use of the land. I will continue to raise this issue in the House.

FORCED MARRIAGE

The Hon. RACHEL MERTON (12:28): I take note of the answer from the Minister for Finance relating to forced marriage and the Anti-slavery Commissioner. Forced marriages are a despicable form of modern slavery that shatter lives right here, across New South Wales. I am appalled and disappointed by the Labor Government's response and its failure to act decisively on this hidden horror, despite clear warnings from frontline workers and the victims themselves.

Forced marriage has been illegal under the Federal Criminal Code 1995 since 2013, punishable by up to seven years imprisonment or nine years for child victims. Yet in over a decade, there has been just one conviction in New South Wales, where a father was imprisoned for attempting to force his teenage daughters aged 15 and 17 into separate marriages. The systemic failure leaves victims trapped in trauma. The statistics are stark and concerning, and a lot of them are New South Wales centric. Forced marriages comprise 24 per cent of all human trafficking reports to the Australian Federal Police, the highest category nationally. Alarming, 85 per cent of victims in Life Without Barriers' forced marriage program are women, and 31 per cent are under 16 years of age. Those figures echo harrowing stories from women, girls and families across New South Wales.

As revealed in a recent investigation, an 18-year-old woman was locked in a Western Sydney home for 18 months by a husband her family forced upon her in a South Asian country. There were reports of starvation, isolation and sexual abuse. Overseas matchmakers traffic girls as young as 14 for coercion. Reports include survivors enduring 20 years of trauma after being whisked to Afghanistan for a cousin's marriage. It is called secret shame. Parents are also reported to be handing daughters to older, polygamist men, believing it secures a better life. But it is delivering devastation. Under-reporting thrives on fear and cultural confusion, with arranged marriages and generational cycles. Mothers who were coerced into forced marriages when young are now pressuring daughters. The reports and concerns are confronting. Anti-Slavery Australia reports daily inquiries on this issue. Prevention demands resourced hotlines. We must protect New South Wales girls. [*Time expired.*]

TIMBER INDUSTRY AND GREAT KOALA NATIONAL PARK

The Hon. WES FANG (12:32): I feel fortunate to have the last speaking spot before the Treasurer in this debate, after two weeks of sitting. I take note of answers given today, particularly by the Minister for Agriculture, and Minister Regional New South Wales, who is in charge of forestry. Normally, I can get quite animated in this debate, but I am at the point where I am just disappointed. This Government continues to fail forestry workers, many of whose livelihoods it has taken away. The Government has left them without answers. We continue to advocate for them in circumstances in which the Government has not provided clarity around what will occur in three weeks, when, the Minister says, the payments that are available will stop. I am not angry; I am just disappointed. I think those forestry workers are angry and are seeking to understand what the Government has in store for them. Those workers and their families deserve to know what the Government will do after three weeks. I do not know how many times we can ask the question of the Minister in this House.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): For the member's information, he has one minute left.

The Hon. WES FANG: Those workers and their families deserve to know what will occur in three weeks, once the payments that the Minister has prescribed run out. We continue to ask the Minister: What is next? The Minister has had seven weeks since she made the announcement. She says that work is ongoing. I do not know

how much longer that work needs to be ongoing before those workers get some clarity about their future. As I indicated, I am not angry; I am just disappointed. The people who are super angry with this Government are the forestry workers on the Mid North Coast who are approaching Christmas and still unsure about what their futures entail because of the decisions of this Government. *[Time expired.]*

TAKE NOTE OF ANSWERS TO QUESTIONS

The Hon. DANIEL MOOKHEY (Treasurer) (12:34): Today the take-note debate provided ample opportunities for members to reflect on question time. From the contributions of members, it seems that the take-note debate was cathartic for a quite a few of them, particularly the shadow Treasurer. The take-note debate tends to be a forum in which the shadow Treasurer fulminates, typically about me. Whilst the level of vehemence of his fulminations is often clear, it is rarely clear what the precise cause is. As I listened to him today, I understood that he was fulminating about the pressure he is under from business groups and the community sector, who are telling him that, for them, workers compensation is an existential issue. It might be political for him, but it determines the fate of their services. We have not told them to say that; we have been listening to what they are saying.

The member accused the Government of adopting a barbaric policy. I will just say that, in roughly two weeks, the Hon. Damien Tudehope will try to all but abolish sexual harassment, racial harassment, and bullying and harassment in the workers compensation system. We will have that debate, and I save my comments for that scenario. But the Hon. Damien Tudehope's answer to the crisis that is bedevilling the workers compensation system is to all but abolish that category of psychological injury. He is dragging the Liberal Party to that position. The Liberal Party will soon be arguing to abolish sexual harassment altogether from workers compensation, in partnership with the Hon. Mark Latham. I will save my comments for that debate.

There is one other part of the take-note debate to which I feel I should reply. The Hon. Natalie Ward used the take-note debate to cast aspersions on the member for Newcastle. That was not fair, not justified and certainly outside the standing orders. Incidentally, when the Hon. Natalie Ward reflected on the important role of ICAC, including in exposing corruption in the Labor Party, she was quite correct. We support ICAC because it holds our side of politics to account, and may it continue to provide a strong deterrent. But the Hon. Natalie Ward should also reflect on the role of ICAC in exposing Liberal Party corruption. When it comes to the specific matters of corruption relating to transport that she alluded to today, one point the Minister for Transport did not make—which he could have—is that much of that did not take place when we were in government or he was the Minister. Incidentally, ICAC has exposed the same species of behaviour in schools, which also did not take root under us. We are rooting it out because we understand that corruption can take place, and it is important that all sides of politics remain steadfastly opposed to it at all opportunities.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): The question is that the motion be agreed to.

Motion agreed to.

Written Answers to Supplementary Questions

MYALL LAKES FLOOD RECOVERY

In reply to **the Hon. SARAH MITCHELL** (22 October 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:

The Minns Labor Government is providing extensive support for recovery assistance with a range of measures for households, councils, farmers, small businesses and communities affected by the floods in the Northern Rivers. This work is led ably by the Minister for Recovery.

This includes grants of up to \$25,000 for eligible small businesses and not-for-profits to help with clean-up, repairs and restoring operations, as well as \$75,000 for primary producers, \$10,000 for rural landholders and \$25,000 for small businesses and not-for-profits for the 19 impacted LGAs, co-funded with the Commonwealth Government.

Over the next four years, \$4.2 billion of State and Federal money will support disaster relief and recovery in New South Wales. Since the 2019-20 bushfires, disaster relief and recovery across New South Wales has increased by more than 1,000 per cent, compared to the six years prior to 2019-20.

CLIMATE CHANGE AND STATE ECONOMY

In reply to **the Hon. AILEEN MacDONALD** (22 October 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:

There are 381 businesses licensed under the Parks Eco Pass program to conduct activities like tours, outdoor education and equipment hire in New South Wales national parks, those activities sometimes include staying overnight in a campground.

These operators must be able to accept bookings up to one year in advance to participate in tourism industry sales and marketing channels. For this reason, NPWS allows them to reserve campsites up to 365 days before the date of stay.

Reservations by licensed operators are restricted in size, location and timing. They are closely monitored and if most are not confirmed as bookings, their reservations are restricted going forward. The operators pay the public camping fees plus an annual licence fee and a percentage of gross revenue from their licensed activity.

The supported camping trial will operate in line with this approach. It has been restricted to 23 campgrounds out of 365. The goal is to encourage more members of the public to try camping without having to buy equipment and learn how to use it upfront:

The public is able to book 180 days before date of stay. Historically, longer lead times have led to more ghost bookings. NPWS is currently reviewing the camping fees and booking system with the aim of a simplified and fair system that reduces ghost bookings.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): I shall now leave the chair. The House will resume at 2.00 p.m.

Business of the House

POSTPONEMENT OF BUSINESS

The Hon. MARK BANASIAK: I postpone business of the House notice of motion No. 1 until the next sitting day.

Bills

CRIMES AMENDMENT (ANIMAL SEXUAL ABUSE) BILL 2025

Returned

The PRESIDENT: I report receipt of a message from the Legislative Assembly returning the bill without amendment.

Disallowance

NATIONAL PARKS AND WILDLIFE ACT 1974—ERRATUM

The Hon. NATASHA MACLAREN-JONES (14:21): I move:

That, under section 41 of the Interpretation Act 1987, this House disallows the National Parks and Wildlife Act 1974—Erratum, as published in the *New South Wales Government Gazette* on 18 July 2025.

The motion follows the recommendation of the Delegated Legislation Committee, as set out in the *Delegated Legislation Monitor No. 12 of 2025*, that the erratum published in the *New South Wales Government Gazette* on 18 July 2025 and tabled in the House on 5 August 2025 be disallowed. The purpose of the erratum was to amend the description of the land to remove two roads that were incorrectly reserved as part of Tarawi Nature Reserve in the proclamation of the National Parks and Wildlife Act 1974, as published in the *New South Wales Government Gazette* on 4 April 1996.

On this occasion, the motion to disallow has been moved on the basis that the use of erratum to remove two roads from the description of land reserved in the notice published nearly 30 years ago is not the appropriate mechanism to make amendments of this nature. The committee was of the view that errata should generally be used to correct minor errors, for example, if a notice reserving land did not accurately reflect the decision that had been made in relation to the reservation. In this instance, however, the erratum has been used to correct an error made during the decision-making stage, which, in the view of the Committee, should have been rectified by a more substantive remedy than an erratum.

In addition to this general principle regarding how errata should be used, the committee noted section 52 of the National Parks and Wildlife Act, which states that the only way to revoke a nature reserve is by an Act of Parliament. The committee concluded that the existence of this statutory provision indicates that altering an existing notice can arguably be done only by legislation and not any other method not contained in the Act, including delegated legislation and errata. In correspondence, the Minister for the Environment acknowledged that the erratum may not have been the best mechanism for correcting the error in the description of the nature reserve. The Minister also advised that a more appropriate mechanism to correct the error would have been to revoke the reservation over the two roads, therefore removing the roads from Tarawi Nature Reserve—which would require an Act of Parliament. Finally, the Minister explained that if the erratum is disallowed, that is the intended approach that will be taken to correct the original issue.

It is on this basis that the committee has recommended that the erratum be disallowed and that the Minister take appropriate action to correct the errors in the original notice by alternative and more effective means, whether

that be by the introduction of legislation in accordance with section 52 of the National Parks and Wildlife Act 1974 to revoke the original notice or by another appropriate method identified by the Minister. I thank the Minister for the Environment, the Hon. Penny Sharpe, and her department for their constructive engagement with the committee throughout the process. The Minister and her office have been forthcoming with information, and their cooperation and commitment to take appropriate action to rectify the errors in the original notice following the disallowance of the erratum has greatly assisted the committee in discharging its scrutiny function in a timely and informed manner.

The committee recognised the importance of maintaining clarity, certainty and transparency in delegated legislation. Occasionally, administrative steps such as the disallowance are required to ensure that the use of delegated legislation remains orderly and effective. I acknowledge the work of the committee staff: Madeleine Dowd, Stephen Frappell, Dom Bowes, Shakira Harrison, Noora Hijazi, Robin Howlett, Rebecca Mahony, Sharon Ohnesorge, Bethanie Patch and Dr Ellen Rock. I commend the motion to the House.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:24): I appreciate the work of the Delegated Legislation Committee and acknowledge its recommendation to disallow the erratum. The erratum was published to correct a gazettal notice from 1996 which incorrectly reserved areas of two Western Division roads as Tarawi Nature Reserve. The two Western Division roads—Tarawi Road and Springwood Road—were dedicated as public roads in 1982 and 1983, so a long time ago. At the time of reservation in 1996, the dedication had not been recorded on either the appropriate certificate of title or the referenced title diagram. The Department of Climate Change, Energy, the Environment and Water formed the view that the issue could be resolved via an erratum to correct the gazettal notice. The Delegated Legislation Review Committee questioned how time limits apply to erratum, given the length of time passed since gazettal. This is a fair point.

Whilst there are no specific time limits, the Government has formed the view that the more appropriate mechanism to correct the error is to revoke the reservation over the two roads from Tarawi Nature Reserve via an Act of Parliament. Correcting the description of Tarawi Nature Reserve by excluding the two roads will enable the Crown Lands division of the Department of Planning, Housing and Infrastructure to rededicate them as public roads under the Roads Act 1993 and correctly vest the roads with the council as an appropriate roads authority. This will resolve any management uncertainties.

I have instructed the department to take steps to prevent similar situations occurring in future. The National Parks and Wildlife Service is now preparing standard operating procedures to inform the future use of errata. The draft in preparation covers the purpose of errata, defines the types of errors which are in scope for correction through errata and outlines the steps in their preparation and approval. I thank the Delegated Legislation Review Committee for its recommendation and support the disallowance.

Ms SUE HIGGINSON (14:26): On behalf of The Greens, it is fantastic to see the Government taking full responsibility and being accountable for something that went wrong. We thank the committee for its work; it is important, especially when we are looking at matters as significant as our public lands and changing tenure across the landscape. I place on record that we thank the committee for its diligent, hawk-eyed work and the Minister and the Government for correcting the error. I also acknowledge the Minister's statement about putting safeguards in place to make sure this does not happen again. Perhaps this happened under the previous Government's watch; we do not know.

The Hon. NATASHA MACLAREN-JONES (14:27): In reply: I thank the Minister and Ms Sue Higginson. Again, I note the constructive work with the Minister and her office. Other Ministers could certainly learn a few lessons from it.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The question is that the motion be agreed to.

Motion agreed to.

Matter of Public Importance

RENEWABLE ENERGY

The Hon. MARK BANASIAK (14:28): I move:

That the following matter of public importance be discussed forthwith:

Rollout of renewable energy projects in regional New South Wales.

I will not labour the point or re-litigate the 36-hour debate we had in 2021, but a lot of things that my fellow learned colleagues and I said that night have come to pass. Some of those things are eroding public trust in agencies

responsible for the rollout and in this place. Anything that diminishes democracy and trust in government is a worthy matter of public importance. With those remarks, I think we should get on with it.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (14:29): The Government is happy to get on with it. It does not oppose the bringing of this matter of public importance.

The DEPUTY PRESIDENT (Ms Abigail Boyd): The question is that the motion be agreed to.

Motion agreed to.

The Hon. MARK BANASIAK (14:29): I thank the Government for agreeing to discuss this matter of public importance. I start by talking about the patterns of poor behaviour that we heard about during the inquiry undertaken by Portfolio Committee No. 4 – Regional NSW, which I chaired, into the impact of renewable energy zones [REZs] on rural and regional communities. The committee heard time and again of EnergyCo's poor conduct and behaviour, which would make many decent people shake their heads.

Take the story of the 94-year-old widow living alone in Walcha, for example. EnergyCo representatives arrived unannounced at her home and informed her that they were putting powerlines over her place. When she asked them to leave, they refused, even going so far as to stop her from closing her own door. She was a 94-year-old woman, alone in her own home, being confronted by unknown government agents who felt entitled to her property. She actually had to call the police to get them off her land. That is not consultation; it is intimidation. That is not a whoopsadaisy; that is a reflection of poor organisational culture. It is a culture that has been set by someone.

That is not an isolated incident. We heard multiple accounts of EnergyCo staff and contractors trespassing on properties, entering without notice and treating landholders with contempt. The latest CEO made an amazing statement in the most recent budget estimates hearing when I raised the issue of trespass and the need for her staff to have GIS systems and to read maps. She stated:

I've been permanent CEO for the past few months, and it has been one of the first things I've done. I think it's really important. I'm really proud of the fact that we've now put it in place ...

So the crowning achievement of a CEO of an agency that has been running for four years is teaching her staff to use and read a map. That was not even a memorable moment when I taught that to year 7 geography students. One resident after another told us that the so-called community engagement process is nothing more than a box-ticking exercise. Only last week residents of Walcha in the New England region found out they were inside a new study zone just 12 hours before the news broke in the media. The Minister may well have wanted locals to be informed before the press, but 12 hours notice is not consultation. Surely a government that prides itself on community partnerships could have held off a media drop until affected residents were fully informed, consulted and treated with the dignity that they deserve.

The poor behaviour, however, is epitomised by how they have treated legendary Australian TV and film director Ian Barry and his wife. Ian is suffering from motor neurone disease. EnergyCo trespassed, lied and refused sensible accommodations and adjustments in communication that Ian requested. Probably the most heinous behaviour was to use Mr Barry's live case as a recruitment tool for public relations positions, with applicants being told to spin it in EnergyCo's favour while leaving their consciences at the door.

The Minister has told us time and again in this place and in the media that she expects EnergyCo to do better. Yet, it never does. It is as if the Minister's words go in one ear and out the other and, frankly, hit nothing on the way through. There are only two conclusions I can draw from that: Either the Minister's words are empty platitudes—which would disappoint me—or she has lost control of EnergyCo. Where is the accountability? Where are the consequences for an agency that continues to act as if it is above the law, above community, above the Parliament and above standards of common decency?

EnergyCo has become a law unto itself, a rogue operator using the authority of government to push through its corporate agenda with minimal oversight and even less empathy. When communities are crying out for consultation, EnergyCo offers spin. When councils ask for support, EnergyCo gives them more paperwork. When people beg for fairness, EnergyCo sends them another glossy brochure. At the committee hearing in Dubbo, we heard from the CEOs and general managers of councils right across the Central-West Orana REZ: Dubbo Regional Council, Mid-Western Regional Council and Warrumbungle Council. Every single one of them told us the same story about the impact on local communities—chaos, confusion and zero coordination. The general manager of Mid-Western Regional Council, Mr Brad Cam, said it best:

The Central-West Orana Renewable Energy Zone—the first in New South Wales—has been marked by an alarming lack of planning, leadership and coordination.

He went on to describe the entire rollout as a case study in how not to do regional development. There was supposed to be a master plan, but there is not. EnergyCo initially worked with only six developers, while ignoring dozens of others, leaving councils to negotiate those same issues project by project.

Meanwhile, rents in towns like Gulgong have skyrocketed by more than 20 per cent, driven by a wave of construction workers for whom there is no housing. Councils estimate they will need nearly 2,000 new dwellings by next year just to cope. Oversized and over-mass vehicles are tearing our regional roads apart, with no real, substantial funding being allocated for maintenance and upgrades. All of that is happening while EnergyCo keeps handing out access rights like confetti at a wedding. But it is quickly becoming an ugly divorce, with regional New South Wales having to pay child support to the city.

We heard heartbreaking testimony from residents who are suffering real anxiety, real stress and real mental health issues over what is happening to their communities. There are farmers who do not know if their land will be compulsorily acquired; families who cannot sleep at night because of uncertainty about what is coming; parents who see their small towns—their schools, their streets and their homes—being turned upside down by a government machine that does not care to ask permission and does not seem to want to ask for forgiveness. At the Armidale hearing, the Mayor of Armidale described it as "a once-in-a-generation opportunity" that had been "squandered". He said that the community had been made "subordinate to the metropolitan energy needs and also an ideological race to net zero". He was blunt. He said that there has been "no integrated strategy", no leadership and "nothing meaningful in terms of community benefits".

Uralla shire's mayor, Robert Bell, told us his shire is facing 14 separate renewable projects at various stages of development and no-one in government seems capable of coordinating them. The council's planning officer, Emily Simms, said it quite plainly:

... there is an absence of leadership.

...

A motherhood statement around partnership isn't what we need. What we need is someone to lead the coordination process as a genuine collaborative framework.

These are the words of our local government leaders—people who want to work with the State—begging for someone from the State to take responsibility.

One of the most alarming revelations has been the total neglect of basic infrastructure. Armidale Regional Council water system is already at 60 per cent of secure yield, meaning it cannot meet existing demand, let alone supply the needs of multiple wind farms, solar plants and construction camps. A single proposed wind farm wanted 25 per cent of Armidale's daily water usage for two years straight. One project alone would drain a quarter of that city's water supply, yet EnergyCo and the State push ahead without committing a single dollar to address that problem. Mayor Coupland told us that unless the State steps up to fund new water security measures, the REZ will be kicked into the long grass, and it will not come out for generations.

Traditionally, large-scale infrastructure has united a State or a country. Instead, it is dividing communities. It has divided this Parliament, and it has even divided the Coalition.

The Hon. Penny Sharpe: That's not hard.

The Hon. MARK BANASIAK: I acknowledge the interjection. When Federal members are ringing me, asking what the hell their State colleagues are doing in this space, you know there is an issue. I will let members speculate on who those Federal members are, but it says enough about how far this has gone off the rails. There are concerns about prime agricultural land because it is being lost at an alarming rate to some of these projects. Productive farmland that feeds the nation is being bulldozed for solar panels and access roads. The irony is staggering. We are told that this is about sustainability, yet we are destroying some of the best food production we have in the Central West and around the State.

It is not only food production but our environment. There is the once-beautiful Merotherie Road just outside Dunedoo. Committee members who went to that hearing would remember the beautiful old gum trees that lined that whole stretch of road. Go and look at it now. There are none; they are gone. Everything has been cut down. All those old, beautiful trees are gone—every single tree. If a farmer had done that, The Greens would be screaming for jail time, but ACERES gets a free pass from the four not-so-wise monkeys.

The Hon. Mark Latham: It could've been Mehreen Faruqi who did it.

The Hon. MARK BANASIAK: I'd acknowledge that interjection too, but I don't want to end up in *The Daily Telegraph* again. The small community of Walcha has told us they are simply not equipped to cope with the influx of heavy vehicles, construction workers and industrial traffic that these projects will bring. Their roads cannot handle it, their water cannot handle it, their housing cannot handle it and the community's mental health

certainly cannot handle it. Local residents and leaders are calling for regional planning, coordinated transport routes, shared infrastructure and property investment and housing, but their calls are being ignored. Instead, EnergyCo continues to operate like it is a private developer rather than a public agency—one that sees people as obstacles, not partners.

We need to stop, take a breath and listen to what people in the community are saying. We need accountability. We need transparency. We need compassion for the people who are bearing the brunt of this Government's haste. EnergyCo must be reined in and its operations must be reviewed. There must be a clear framework for consultation, consent and compensation. Currently 40 per cent of it goes to the Federal Government, which has done nothing to deserve it. That needs to be resolved.

Finally, the Parliament must insist that no new project proceeds until proper cumulative impact assessments are completed. All councils and people who participated in the inquiry have been pleading for that. How can we properly plan for this Government's renewable energy rollout if the goalposts keep moving? How can we plan to support those communities if we keep allowing speculative developments to add or join the conga line in the planning pipeline? I finish my remarks there.

The Hon. SARAH MITCHELL (14:39): I make a brief contribution to the discussion of this matter of public importance, the rollout of renewable energy zones [REZs]. I thank the Hon. Mark Banasiak for bringing this matter to the attention of the House. I am a member of the committee he chairs that is looking into this issue. I have been in Parliament for a long time, and this issue is hitting a nerve in regional communities unlike anything that I have seen, particularly in recent times. I think the committee is doing excellent work. Going out to meet with people on the ground to gain an understanding of what they are going through is really important. Obviously we will have more to say about that as the committee's work progresses. I note that the committee has already put out an initial report that makes recommendations around a pause, a moratorium, on these projects, based on the evidence from the hearings held in the Central-West Orana REZ, because the community is fed up. I know my colleague the Hon. Wes Fang will speak to that as well.

People are angry. They are upset, they are confused, and they are not being treated with respect. Those opposite will talk about what the various parties' views are on different policies and all the rest of it. The reality is that the National Party is standing up for country people who feel like city-based people with no understanding of the impacts that these REZs are having on regional communities are riding roughshod over them. I want to raise a couple of examples. I thank all of the individuals who have reached out to me and who continue to stay in touch. I have sat with people on their front porches and spoken about the issues. People have spoken to me at our field days or contacted me via email, wanting to engage. These are good, decent people. These are people who, in many instances, have lived in their communities for generations, had farms that have been passed down for many decades, and they are feeling like they are being forced out of their communities. That division, that polarisation that is happening in some of those communities is what is causing so much angst.

I want to talk particularly about the impacts on the Dunedoo area, which the committee visited as part of the inquiry. It is also a place that is quite well known to me. A lot of my husband's family have lived in that area for many years. Talking to them about the impacts the REZ projects are having on them is heartbreaking. The rollout is causing divisions between people who have been friends for years. There is so much uncertainty within the community. People have told me that they found out that a particular project had been approved because someone heard a whisper about it at the pub. Because of all the non-disclosure agreements in place, people do not know what is going on, and they are feeling very disillusioned with the Government. People must be treated with respect, particularly those from the regions—the families who feed and clothe our nation.

Some of those farms are amazing properties. Some of those farmers and landowners actually want to work with the Government. The owner of one of the farms visited as part of the inquiry told the committee that they are actually putting some wind towers on their property. There is some ridge country where they can do that. They are happy to be a part of the solution. But at the same time, their next-door neighbour has sold up, so there will now be solar panels as far as the eye can see on the neighbouring property. They were not told about it at the time. That is just not right. The more we talked to people and engaged with these communities, the more obvious it became that it is the way that the rollout is being progressed that is the problem.

I want to acknowledge some of our National Party members in the lower House. Mr Dugald Saunders, MP, the Leader of The Nationals, is the local member representing the areas covered by the Central-West Orana REZ. It is the most established and furthest along. He is inundated with community concerns about how poorly the rollout process has been handled. That is what this debate is about. It is not about whether people are for or against renewable energy; it is about the way that it is being rolled out in our regions and the impact that is having on real people. The Government cannot ignore that. Dugald has been calling for a moratorium for a very long time. As the Hon. Mark Banasiak said, we have to assess the cumulative impact. After the fact is too late to say, "Whoops! This is actually what we should have done."

The Central-West Orana REZ is the first one. The Government is saying that it is looking at doing that assessment, but it is also letting the rollout process continue at the same time. That defies belief. Why will the Government not pause the rollout while it assesses the impacts? It is too late after the fact to try to fix it. It is eroding the social licence, not just in that community but in all the other areas who are watching closely to see what happens in the Central West and how it will impact their own communities. It is adding to the angst and concern that is now not only being felt in and around places like Dunedoo. We were also made aware of it when we visited Uralla, Armidale and the upper Hunter recently. Everybody is concerned about what might happen.

We know that a lot of people make business decisions for their farms based on what they think is happening. If they are blindsided, it completely takes away that ability for those people to have autonomy with decisions about their homes and their businesses. It is heartbreaking to hear people say, "I don't see a future here for me or my children." It is heartbreaking to hear community groups say that people will leave town. In a place like Dunedoo, that could mean there is no local campdraft association or show society anymore. There will be no families there. We cannot ignore that.

I also mention the issues around the Northern Tablelands area. I give a solid shout-out to the local member, Mr Brendan Moylan, MP. He is phenomenal in representing his community. He has spoken a lot in the other place about the issues around the change in the transmission line. I know the Minister answered questions about that in the Chamber last week. The Government cannot change these things overnight and not talk to people about it. As Brendan said in the other place, people had made infrastructure decisions, planning decisions and succession plans based on where they thought the transmission route was going to be. Literally overnight that changed. Then the Government wonders why people question what it is doing and why they start to become sceptical about this entire process.

If this was happening in Sydney, people would be up in arms and the Government would not do it. It simply would not. But for some reason, people who live in the country are allowed to be treated like second-class citizens by this Government. That is not okay, and it is why debates like this matter. As I said, I thank the Hon. Mark Banasiak for bringing this matter to the House. It is not an issue that will go away; the National Party will continue to fight on. We are here to represent our communities. The rollout of these projects under this Government is completely falling apart. I spoke about losing the social licence. Frankly, I do not think there is a social licence there anymore; the communities are too disheartened and too upset. This has to be done better. The Government cannot treat people this way and we cannot ignore it in this place.

The Hon. MARK LATHAM (14:47): Mention was made of the 36-hour debate five years ago. As the great Yogi Berra might say, "It's déjà vu all over again," as we relitigate and reconsider these issues. I am too modest, of course, to point out who made this contribution five years ago, but the question of land use was raised in that 36-hour debate. One of the contributors to that debate pointed to the conundrum, the paradox, in Australia whereby, although one would think that as a big, spacious country we would always have enough room for these renewable energy zones, and the wind and the solar farms, and the transmission lines and corridors, once the environmental land, national parks, Indigenous land, protected farmland, townships and inaccessible land in New South Wales are stripped out, there might not be enough room left, because of the extensive land use requirements of wind and solar farms.

This was known five years ago, and there was a prediction in that long debate that there would be land use tensions and squabbles as the renewable energy zones were rolled out. We grew up thinking that there would be enough room in New South Wales for every single land use, but when those particular parcels of land are stripped away, it is not surprising that tensions have arisen. Looking back on that debate, I pay credit to my colleague the Hon. Rod Roberts and the two Shooters representatives, one of whom has moved this motion today. I also had a good look through some of the notes about interesting constituent representations I received at the time. It was a long debate, so there were plenty of opportunities for constituents to have their say.

When I looked at the notes from a New England address, I saw the name of one fellow who had chipped in: "Mr B. Joyce". Barnaby Joyce made a contribution to debate at that time along the lines of, "What are those silly bastards in the State National Party doing in supporting this rubbish?" So Barnaby was quite the Nostradamus in seeing this coming, and he has been consistent. He is now a free agent travelling on his bike somewhere, but at least Mr B. Joyce, the constituent from New England, knew the problem five years ago. There was another well-known person, and I am one of his constituents in the electorate of Hume: The then Federal Minister for Energy and Emissions Reduction, Angus Taylor, also predicted these problems and made an interesting critique of Matt Kean, who has now joined the Labor Government in those efforts in Canberra.

So it is not as if every single person in the Coalition was blind, stupid and ignorant. Some knew that this was coming. Everyone in the New South Wales National Party understands it now, and they are all spitting and complaining about it. But the problems were predictable and, to some extent, inevitable, and they have now come about. We look forward to the committee's final report and recommendations of how the irreconcilable land-use

tensions can be eased. The other thing about renewable energy zones is that we can look beyond country areas and see what has happened. In the Illawarra, the Government effectively waved the white flag and said, "There's not really going to be a viable renewable energy zone here." It was a fig leaf of public relations, and I congratulate the Minister on her creativity in declaring it the world's first urban renewable energy zone because it has solar panels. Apparently it qualifies as an urban renewable energy zone because it has solar panels. We would all qualify, in that case, because solar panels are very popular in Australia for obvious reasons.

The reality of the so-called urban renewable energy zone in the Illawarra is very different because of the promise of jobs. BlueScope was interested in making some of its wind turbines, and I remember Adam Searle saying in a long debate that there would be a new era of job creation. The National Party said the same thing. It turns out that BlueScope could not get the turbines under the road underpasses—a bit like how Andrew Constance's whole ferries project was aborted—with no jobs created. In the end, the Illawarra Renewable Energy Zone, which was not part of the original scheme, was a sort of bidding process in which every local member wanted a renewable energy zone. They thought that the mirage of job creation held out by the National Party and others might be real, so they all wanted their little energy zone. They got one in the Illawarra, and I think the Hunter and the Central Coast joined in as well. In the Illawarra, it has turned out to be a damp squib. It has not produced a single job or generated any energy.

The enormous money spent on these renewable energy zones answers some important questions about the Australian economy overall. Why is our productivity so low? That is because we are using billions of dollars to fund a new energy system that replaces a reliable, effective and affordable one. If you spend a whole stack of money building a replacement system with less capability, of course your productivity is low and dropping. We wonder why this Government will never meet its housing targets. One of the reasons is the paucity of private investment finance available for housing construction, because it is all being soaked up by renewable energy projects. The Hon. John Ruddick noted that the great carpetbagger Al Gore was in town and had the attention of the Treasurer and the Leader of the Government, the Minister for the Environment. He said, "Let's crowd out housing even more by putting more private finance into renewable investment." That adds to the problem. The truth is, unlike the question of hard or soft tacos, we cannot have both. We can either meet housing targets or have renewable energy zones humming along. There is not enough finance in Australia's capital markets for both. Paying attention to people like Al Gore makes the problem of crowding out housing even worse.

On top of that, deindustrialisation is afoot. Tragically, it seems that the closure of Tomago is imminent. Checking the notes from the debate I mentioned earlier, it was not just Joyce and Taylor who contributed. They were very concerned at the time but did not take a stance publicly. Those renewable energy zones and the problems members reflect on today add to a long list of failures in this space. I listed them back in the day as "Green Kean schemes that remain dreams". There are plenty of them. Plenty of money was wasted on plenty of ideas that may have been noble and creative at the time. The old Paul Keating adage—that politicians can barely fill out their travel allowance form, so how would they know what to invest in—rings true. I said, "Green Kean schemes that remain dreams". Billions have gone into carbon capture in Australia for no productive outcome, and billions have gone into pumped hydro on the flattest, driest continent on Earth, with \$30 billion wasted on Snowy 2.0.

Where is the rest of the pumped hydro? Matt Kean was going to have every single river flowing down pumped back up, but all we have got is the Turnbull legacy in the Snowy Mountains. We have got other experiments including hydrogen, which was another carpet bag. Twiggy Forest took the money and ran, closing down Fortescue jobs at Gladstone and beyond. The hydrogen myth has been exposed, of course. Who would have thought? A year 10 student could have worked out that spending money to go through a process of using electricity just to end up creating electricity was never going to work economically. But there they were, handing out the cheques and money to people like Twiggy Forrest, who saw them coming and, a bit like Packer and Bond, took the money and ran.

Hydrogen has turned out to be an absolute myth. The hydrogen highways that Kean promoted were also a myth. A total of \$78 million was given to Energy Australia in 2022 for hydrogen and gas peaking plants, but Tallawarra B opened in February 2025 with no hydrogen in the fuel mix. It is a long list of failures. Then there are the cost blowouts. The Central-West Orana Renewable Energy Zone will cost more than \$5.5 billion, compared with the original \$650 million initially planned. That is an almost 1,000 per cent cost blowout. Then there are billions of dollars in cost blowout for the connector through to South Australia. So none of the projects are on time or on budget. None of those technological experiments are productive, but on they go.

The Minister for Energy is financing a compression shaft in Broken Hill, in which air is pushed down and releases some magic amount, so more money will go into that. The renewables rent-seekers are having a picnic. They are having the time of their life. They are dining out on this extravagant waste of public money that is anti-productive, anti-economic-growth and, at the end of the day, does not change the climate at all. With 1.3 per cent of the emissions globally, we have no chance of changing the planet's climate. On top of that, in terms

of accountability, the Government can never tell us what net zero actually costs. I have asked four or five times at budget estimates hearings and through questions on notice, but they can never tell us what it costs. What an absolute public policy debacle!

The Hon. WES FANG (14:57): I contribute to the matter of public importance and thank the Hon. Mark Banasiak for moving it. Although it is about the rollout of renewable energy projects in New South Wales, a lot of the focus so far has been on renewable energy zones [REZs]. I actually think that the proliferation of renewable energy projects across the State more broadly is causing most of the angst, but that is just one aspect of the debate, which is really about people and, in some ways, their priorities. This Government certainly focuses on metropolitan areas, and a lot of its members were elected in metropolitan electorates. Other than a smattering of upper House members, there is really no rural and regional voice in the New South Wales Labor Party. In fact, the one voice it did have was ditched at the last election.

The Hon. Penny Sharpe: I think we've almost got more than you have: Monaro, Kiama, South Coast, Bega, Maitland, Cessnock, Lismore—

The Hon. WES FANG: I accept the interjection of the Minister in which she lists electorates, but none of those electorates have renewable energy zones in them. How many of those electorates does the Labor Party plan to put renewable energy projects in? None. Where does the Minister want to put those renewable energy projects? She wants to put them in the backyards of Nationals electorates, and that is part of the problem we have. Regional New South Wales is happy to share the burden but does not want to carry the load, and that is what this Government is making our people do.

The Hon. John Graham: I reckon Barnaby is going to sort out that one for you.

The Hon. Penny Sharpe: One Nation people running, come on down.

The Hon. WES FANG: What we are seeing out of Government members is not exactly model behaviour. I note that they continue interjecting, but that is because I am bringing the truth to this place. They cannot accept the truth and, therefore, the Minister cannot help but interject. She has stopped now—look at that. I make the point that the Government is acting like the projects are a *fait accompli* and they can simply roll through people's backyards, properties and prime agricultural land with no issue whatsoever. As I said at the start of my contribution, it is about people. The people on the ground in rural and regional New South Wales are hurt when the Government acts that way.

The fact that they continue to interject during this contribution only goes to show the level of disrespect they have when these issues are raised in the Parliament. It was suggested that The Nationals have been fighting for broadscale land clearing and are massive environmental vandals, but the Minister for the Environment is effectively green-lighting broadscale land clearing in order to achieve her goals for renewable energy projects. I note that when the Hon. Mark Banasiak raised that matter, the Minister interjected to say, "But they need to offset it. Environmental offsets are the answer." But where are the environmental offsets that the Minister speaks about? They are in rural and regional New South Wales as well. All of the burden of the projects falls on rural and regional New South Wales.

If having those projects thrust upon communities was not bad enough, we are now seeing changes to what was proposed, at the drop of a hat, in communities that have not been consulted. The anxiety that that creates is palpable. One need only speak to Brendan Moylan, the member for Northern Tablelands in the other place, about what his community has experienced from EnergyCo's conduct over the past couple of weeks. Energy generation is most effective close to where the load will be used. I accept that we need an integrated grid and we need interconnectors from State to State from time to time, given the intermittency of people's energy loads. But if the Government was serious about making the most efficient use of the energy that we produced, it would seek to produce it closer to where the loads are. That would be metropolitan areas. I note that contributions made by other members made the point that we have rooftop solar in metropolitan areas.

The Hon. John Graham: Didn't your Government put them where they were?

The Hon. Penny Sharpe: Yes, they declared them.

The Hon. WES FANG: I note yet again the interjections of the Minister. There are other ways that those issues can be managed, and we are not seeking to have things thrust on people without having any consultation. That is exactly what members opposite are doing. I ask them to listen to the contribution without interjecting. Renewable energy projects could be rolled out in metropolitan Sydney just as easily as they could be further away in rural and regional New South Wales. But the Labor Government is not seeking to share the burden across the whole of New South Wales; it is seeking to implement the projects in our communities. I am very happy to have offshore or onshore wind farms on the North Shore of Sydney, in Manly or on Avoca Beach. They are ideal

locations for those projects. Chris Bowen is certainly advocating for offshore wind farms to be the answer for the renewable energy projects in the State. Let us go there. Let us have this Government putting some of its efforts into supporting those proposals. I note there is now silence from those opposite, because whose electorates would be impacted by that? It is not ours; it is theirs.

The last thing I raise regarding the matter of public importance is that while renewable energy zones are part of the issue, as the Hon. Mark Banasiak said, the main issue is their rollout across the State. In my part of the world in the Riverina—and certainly in the Yass Valley—we are seeing a proliferation of renewable energy projects. It is not because they are in REZ areas but because it is easy, given the number of transmission lines and the ease of transport, to move large infrastructure to those areas. Places such as the Yass Valley are being flooded with proposals for renewable energy projects, and there are no community benefit programs for people in those areas because they are not in a REZ. That is where rural and regional New South Wales draws the line. The Government must recognise that we need to have a balanced approach, that everybody needs to share the load and that, ultimately, people need to be respected. At the moment, the actions of the Government, in this discussion and more broadly, are a sign that it does not respect rural and regional New South Wales. That is why there is as much angst as there is.

Ms ABIGAIL BOYD (15:07): I briefly contribute to discussion on the matter of public importance, and I thank the member for bringing it. It is a live discussion in the community. Unfortunately, it seems to be a little bit devoid of facts and information. It is really difficult to bring communities with us in a process where the quality and amount of information they are getting is not ideal. We must be aware of arguments about how the renewables rollout is undertaken. It is a masquerade, while there is still an argument about whether we should have a renewables rollout at all. It is no accident that people are complaining about the way in which the rollout is being done, when those people have also gone on record as not really thinking we need renewables and being, in many cases, against the very well-settled climate science on the issue.

As everyone knows, I quite like to have a go at the Government. But I am not having a go at Government members on this particular issue because they inherited something that was so far behind and so poorly planned out that they are playing catch-up. I am glad that we had a bipartisan approach to renewable energy zones in the last term of Parliament, but it came at least 10 years too late. We are now in such a hurry to do the rollout in an effective and a sensible way that communities out there feel a bit railroaded.

Because of the muddying of information by climate deniers and those who would do the bidding of fossil fuel lobbyists, communities get muddled information and renewables look like a big scary thing. It is much easier to say, "No, we don't want that renewable project," than it is to have a conversation about how we do renewables in a sensible way. I am frustrated that we do not already have in place transition authorities that are more in tune with the community to help guide the process. The problem is that right-wing conservative voices are not letting the debate happen in a sensible way.

There are a couple of things happening here. The Greens and I are sympathetic to the Labor Government playing catch-up, but there needs to be a greater focus on how we bring communities with us, because it is not their fault. It can be very disruptive for people to have a renewable energy project proposed in their town. Of course it can be disruptive, and not every location is good for particular projects. Those things need to be worked through and modified, and we need genuine community consultation. But, at the end of the day, we cannot use relatively minor objections to how renewables are being rolled out to oppose the whole idea of the renewable rollout.

I had the dubious pleasure of trying to talk on Sky News Australia the other week. I always think, what have I got to lose? Maybe somebody will listen to the information being provided. If we do not give people another voice to listen to, how are they supposed to even know that there are other voices? I feel strongly about democracy and using whatever channels we can to get our message out to people so they can understand that there are alternative views to the ones they are being fed by the right-wing media, but it is still incredibly hard because we are dealing with people who call misinformation facts and are resistant to allowing the actual facts to come through.

We need to have those debates and get into every area that we can to talk to and connect with people. It is not the fault of the people who watch Sky News. I like to punch up, not down. I will always criticise the big corporations, big media companies, big fossil fuel companies and everyone else who is conspiring against the progress we are making with the rollout of renewables, but I will never blame the individuals who are only getting the information they are fed. If we do not like what the community is saying to us, then we need to engage with the community better and smarter. In conclusion, I do not agree with the basis upon which this motion has been brought, but The Greens take this opportunity to encourage the Government to engage more with the community.

The Hon. JOHN RUDDICK (15:12): I speak in support of the matter of public importance raised by the Hon. Mark Banasiak, and I begin by addressing the contributions of the two National Party MLCs, both of whom supported the matter of public importance and criticised the rollout of renewables. But, if you read between the lines, their criticisms are not about whether the rollout is a good idea; they are about where we put things, the compensation to be paid and the administration of the rollout. Their party membership and their voters, a lot of whom are watching right now, do not believe that we need to have the rollout at all. This all comes down to one point that is at the heart of the matter: Can this rollout change the weather? That is what we hear about. Most people think it can. The Government certainly thinks it can. The Nationals think it can, off and on. They think that if we pass a bill, it will change the weather one way, and if we do not pass a bill, it will change the weather another way.

Of course, the answer to the question is no. It is complete nonsense. It is just another episode in mankind's folly of self-importance. It is a religion. When people walk around thinking the world is really going to come to an end because of global warming, I often find that one of their parents or grandparents was once involved with a religious group that was totally convinced the end of the world was coming. It is probably in their DNA. All they have done is transfer that religious impulse into the new religious impulse of global warming.

This is a matter of paramount importance. Just last night a cousin of mine phoned me in distress. She and her husband had just been informed—via email, no less—that massive, double-lane transmission lines will now go straight through her beautiful property in the New England. That was a shock and a calamity to her and her family. They are not interested in being bought off, and they have 50 neighbours who are equally horrified. Those renewable energy zones are being rolled out across New South Wales. The Central-West Orana Renewable Energy Zone [REZ] was the first off the block, and the second is the New England REZ. Next up are the South West REZ, the Hunter-Central Coast REZ and the Illawarra REZ, all thanks to the Liberals and The Nationals.

The Hon. Wes Fang: What are you pointing at me for?

The Hon. JOHN RUDDICK: You just spoke, and you basically said they are good things.

The Hon. Wes Fang: I never said they were good.

The Hon. JOHN RUDDICK: You did.

The Hon. Wes Fang: You are now verballing me.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): Order! The Hon. John Ruddick will address his comments through the Chair. The Hon. Wes Fang will calm down.

The Hon. JOHN RUDDICK: Macquarie Street is coming for our best agricultural areas, all in the name of changing the weather. In many cases, they are destroying pristine wilderness in the name of saving the environment. It reminds me of the Jacobins in the French Revolution. They believe in the fraternity and equality of man; they just have to lop off a few heads to get there. This is central planning folly.

The Hon. Jeremy Buckingham: What about the Girondins?

The Hon. JOHN RUDDICK: Weren't they the guys that brought sanity back? Let's not get into the French Revolution. This is strong language. It is a mild repeat of what Joseph Stalin did in the 1920s and '30s, when he sat at his desk in Moscow without knowing the first thing about farming and just worked things out on a piece of paper and trampled over the lives of millions of farmers. If the so-called renewable transition—what should be called the unreliable experiment—was so viable and so needed, it would be able to pay for itself. The rollout would happen without government assistance. If there truly was a commercial profit in the transition, there would be enough landowners voluntarily agreeing to have transmission lines and whatever else at the right market price.

But the renewable transition is a black hole of public funds. It is not commercially viable. To get its way, the Government has to use the brutality of the state to enforce and impose this garbage and seriously damage the lifestyles of the many thousands of good people who keep food on our tables. The Hon. Mark Latham is not in the Chamber, but he is right. It is very hard to work out what the cost of all of this is. The total cost was originally forecast to be about \$10 billion. The latest figure I can get is \$32 billion. It just keeps going up.

The Hon. Penny Sharpe: No, the \$32 billion is the Central-West Orana REZ private investment.

The Hon. JOHN RUDDICK: When you factor in absolutely everything.

The Hon. Penny Sharpe: It's private investment.

The Hon. JOHN RUDDICK: Yes, subsidised private investment.

The Hon. Penny Sharpe: I thought you were for that.

The Hon. JOHN RUDDICK: They are only investing because the Government is underwriting it.

Ms Sue Higginson: Just like with coal and gas.

The Hon. JOHN RUDDICK: As if coal and gas aren't commercially viable! They are trillion-dollar industries. They do not need any government assistance. They have the diesel fuel rebate. That is the only subsidy they get. All the while our energy prices keep getting hiked. This country typically used to enjoy GDP growth of 3 per cent to 4 per cent a year. The population keeps growing rapidly, thanks to excessive immigration, but we are stagnating with 1 per cent economic growth, and a huge part of that is the cost of electricity. Electricity and fuel are the foundation of every industry, and when we make them expensive, we harm every industry.

Sunlight is, of course, energy. But a lump of coal is millions of years of compressed sunlight, and that is what makes it such a powerful, cheap and simple form of energy. Renewables will never compete with coal, especially since New South Wales has well over 1,000 years worth of proven reserves and the world's best coal. There is good news, but not for the long-suffering farmers of New South Wales. The good news in this debate is that the rest of the world is losing interest in non-existent global warming. China, of course, loves global warming. China loves all of the solar panels, turbines and everything else, but it is laughing at our obsession with changing the weather. China is too smart for that. President Trump openly calls it a hoax. He is Prime Minister Albanese's newest friend, so he is not discredited as he once was.

The Hon. Penny Sharpe: Albo's not saying it's a hoax.

The Hon. JOHN RUDDICK: If it is so important, why would Anthony Albanese want to meet with someone who calls it a hoax? It is because he knows it is a joke. The Europeans have lost interest in climate change. They have a few other little issues to worry about, I would say. The Labour Prime Minister of the United Kingdom has halved spending on so-called "climate initiatives", and no-one cares. No-one has taken to the streets against it. We can fool all of the people some of the time and some of the people all the time, but we cannot fool all of the people all of the time—except for the political leadership in Australia, particularly in New South Wales.

The Hon. Wes Fang: You're part of the leadership.

The Hon. JOHN RUDDICK: I think I'm a bit of a rebel actually, Wes. I do not think I am part of the leadership here. The political leaders of Australia are seemingly the last to take a stand in defence of global warming hocus-pocus. This is the same political class that inflicted COVID-mania on us and that gets all of the big calls wrong. I thank Sally Edwards and Emma Bowman for their grassroots activism opposing the Central-West Orana Renewable Energy Zone. They are now mobilising more community opposition across the State, and other good citizens are also standing up. Finally, I apologise to the endlessly affected landholders across New South Wales who are having their lives thrown into tumult by the members in this building who have saviour complexes.

The Hon. Wes Fang: That's Penny's job.

The Hon. JOHN RUDDICK: I'm going to do my bit for them, because I feel very sorry for them. People who live in Sydney have a very favourable opinion of farmers. We know where our food comes from. Most people in Sydney would be furious if they knew what was being imposed on our food producers. We need to step up public awareness of the tragedy that is being rolled out across New South Wales. I thank the Hon. Mark Banasiak.

Ms SUE HIGGINSON (15:20): What a discussion we have had. The Liberals, the Nats, the Shooters, an ex-One Nation member and other right-wing forces are all acting as if they suddenly care about farmers, landholder rights and where infrastructure is being placed in the regions. They even care about nature all of a sudden. Members should not believe a word of it. Frankly, this is a parallel universe. Where were these members when we were literally watching houses, town halls and entire communities being bulldozed for open-cut coalmines? None of them gave a hoot. None of them were jumping up and down to protect those communities that do not exist anymore. They are not on the map.

The Hon. Stephen Lawrence: Like Warkworth.

Ms SUE HIGGINSON: The villages of Warkworth and Mount Thorley used to be places with communities. What about the people around the Maules Creek coalmine and the farmers that had to just pack up—

The Hon. Cameron Murphy: Wollar.

Ms SUE HIGGINSON: There is no longer a town at Wollar. There is no town hall, school or shops because the Liberals, the Nats, One Nation and all of that mob just bowed down and said yes to the coal companies.

This Government is trying to do the massive task of transitioning the grid to secure some kind of future, draw down emissions and stop burning the joint. That is what this mission is about. Members can pretend that climate change is not real if they like. I will take any member to my home town that barely exists anymore. Houses are boarded up and businesses have shut down. Farms like mine were literally out of production for years because of a climate-fuelled flood that was not like the floods we have seen for the past 200 years. It was a killer flood, like others that we have seen across the planet. We have a new type of flood because precipitation has changed. It does not just rain anymore; rivers drop from the sky on top of communities.

The reality is that fossil fuels have come to an end, and that is that. We know that the transition is here. It is well underway, and members will not stop it or roll it back. It is going to keep on coming because people deserve a future where the energy that they use is not cooking the planet or taking away the chance for their kids to have kids. They want this planet to be a liveable planet, and that is all there is to it. The evidence clearly shows that this is what is happening. No member will get off lightly on this issue. The Greens do not support the destruction of any more koala habitats, nature or native vegetation for renewables. This is the bit we are sick and tired of.

Both major parties believe the only way to do the things we need to do is by destroying nature and wreaking havoc on livelihoods, homes and farms. The impact this has on nature across the landscape is unacceptable. We want a more resilient, widely distributed renewable electricity network that is publicly owned. It is so frustrating that we have to rely on the very corporations that are still fuelling the climate crisis. The frustrating reality is that we do not have a publicly owned system, which means we cannot control how renewables are rolled out nor where infrastructure is placed. It is one of the most frustrating things to watch unfold. It is sickening. It is the product of the neoliberal economic system that keeps failing us.

The Labor Party, the Liberals and the Nats all receive donations from the big polluters that continue to trot out the ridiculous talking points we keep hearing over and over again. I remind members that just last year the previous Federal Labor environment Minister Tanya Plibersek shamefully approved three massive coalmine expansions in regional New South Wales. This has had a catastrophic environmental impact. All of those expansions just so happen to be for coal corporations which donated millions of dollars to Federal Labor. One of those shameful approvals was for the Mount Pleasant coalmine in Muswellbrook, which has luckily been knocked back by the court in a landmark decision. That is the status quo for now, but I am sure that the Government will overturn the decision.

We see through the shallow culture wars that the Government is engaging in. It is using renewables and a vague notion of net zero to try to score political points while shamelessly continuing to cook the planet with more coal and gas and continuing to log our public forest estate. Rolling out renewables is not enough when members are also approving coal and gas left, right and centre in complete defiance of climate science. I remind the House that for the vast majority of Federal Labor leader Anthony Albanese's first term, domestic emissions were higher than they were when Liberal Prime Minister Scott Morrison left office. Even today, our domestic transmissions have gone down by only 1 per cent from the levels of the Morrison era.

Putting the two words "net zero" on page 44 of the Australian Labor Party platform is not good enough. The Government is not lowering emissions fast enough. It is raking in donations from the fossil fuel industry, approving dozens of coal and gas projects and logging the guts out of the native vegetation of New South Wales. That is not the way to get to net zero. We have reached our first tipping point. We are losing our warm water coral reefs. We are hitting record high temperatures every other day. We are seeing one-in-100-year flood catastrophes every few years. Floods, heatwaves and fires have killed people and devastated thousands of livelihoods across regional New South Wales.

Members who have actual experience with regional communities and who do not have donors to please know the truth: The impacts of climate change are the biggest threat to regional communities, not renewables. I tell the House again that the biggest threat to our regional communities are climate-fuelled disasters, floods, fires and more drought, not renewables. If The Nationals and the Shooters, Fishers and Farmers Party were serious about regional Australia, they would be fighting tooth and nail to transition away from climate-polluting coal and gas and to stop climate-fuelled floods, fires and droughts. I remind members that the Liberals, the Nats and the Shooters voted against The Greens amendment that called for drought relief for farmers and for an acknowledgement of the impacts of climate change on regional communities.

The Hon. Mark Banasiak: No.

The Hon. Wes Fang: No, we didn't.

Ms SUE HIGGINSON: I take that back. Maybe the Shooters did not vote against my motion. In this Parliament we have a unity ticket of political parties—Labor, the Libs and the Nats, the Shooters and others—that

are funded by big polluters and corporations, and who cheer on the destruction of nature. I am the only farmer in this place. I am happy to take any member to my home town at any time, and they can look at what is still happening. It is an open invitation to all members. Remember coal seam gas under the Libs and the Nats and what they nearly did to the Northern Rivers until we all banded together and said no? They were willing to sell out that whole region to coal seam gas and trash our water and land. That was under their watch. They talk net zero and slam this Government for having a go and trying to make a difference. They need to take a good, hard look at themselves. They should get on board and make sure that we leave this planet better or at least liveable, unlike their efforts to defy net zero.

The Hon. JACQUI MUNRO (15:30): I reaffirm the pride I have to be a member of a political party that is committed to net zero, that ensured a rollout of renewable energy zones in New South Wales and that understood the need for a reliable and affordable energy system. I am one of the youngest members in this place—I think I am the second youngest. I grew up watching shows like *Captain Planet and the Planeteers* and knowing about the Kyoto Protocol being signed in 1997. In primary school I learnt about the greenhouse gas effect and global warming. Those concepts were fundamental to our education. I am a millennial and, since we were born, my generation has understood that protecting the environment required effort and action.

An example that was often given to us of how environmental action could work well was chlorofluorocarbons [CFCs] and how they were destroying the ozone layer. Growing up, we were told that the world worked together to identify both the problem and solution. Those chemicals were getting into the atmosphere and burning a hole in our ozone layer. That is the reason, in Australia, we have a particularly high rate of skin cancers. As millennials we understood from an early age that protecting the environment took work and effort, and it was worth fighting for. The example of protecting the ozone layer gave us hope. It showed us that when there was enough desire and concern about a global issue, the tragedy of the commons could be overcome. We could work together to reverse the damage we had done to the environment, for the benefit of all humanity, particularly Southern Hemisphere citizens like ourselves. We see that the environment has a capacity to, dare I say, heal itself. Nature is healing when we allow it to do so.

Since being elected to this place, I have had the enormous fortune of being a member of committees, including the planning and environment committee and the net zero commission committee. I have listened to experts in the field of climate change, environment and biodiversity, who, over and over again, tell us that climate change is a fundamental and existential—if not necessarily immediate—threat. If we do not act now and arrest the incredible impact of the greenhouse gas effect, then we face a future of extreme weather events, which we have already experienced. It is the fable of the boiling frog. We are in a time when our weather is changing significantly, day to day. This week we had our hottest October day on record. It is not an accident. These one-in-50-year, one-in-100-year and one-in-200-year events, whether it is flooding or bushfires, are happening more frequently.

I grew up in the Sutherland shire where, in 1994, we experienced horrific bushfires. I will never forget looking across the valley and the Woronora River and seeing Como on the other side up in flames. My uncle and father stayed on our property. They were on the roof, hosing down embers so that our property would not catch alight. On the other side, Como was being engulfed in flames and people died. It was a horrific tragedy which, from a young age, showed me the power of deadly weather and climate events not just in the bush or in regional and rural areas or somewhere out of sight and out of mind but also in urban areas. Urban areas are generally not impacted by climate change as seriously or significantly as regional and rural areas. That is clearly true. But that event reinforced to me that the dangers of weather events are deadly, real and traumatic. We have to be realistic about the role of human-induced climate change in those changing weather events.

In the renewable energy zones inquiry, I was on one of the hearings that travelled to Tamworth. We heard from Mayor Sam Coupland and farmers in the area, and we went to their regional properties. It is clear that some farmers and people who live in regional areas are really concerned about the rollout of renewables. That is fair enough, because they do not have information. They feel like they are not being listened to. They may not be the beneficiaries of community benefit schemes. Those concerns are legitimate and should be listened to. We should be finding solutions to try to accommodate the needs of as many people as we can, as we roll out the transition to renewables that is required for an affordable and reliable energy future. It is required for all of us. I can understand that some people in New South Wales are bearing the brunt of that change more than others. That is clearly true, so we must address that. I was heartened to hear Mayor Sam Coupland speak about a unique and new way of gathering the community benefit scheme to develop a fund that would benefit the entire community rather than just individual pockets. People are working hard to overcome the challenges that have been spoken about today.

Clearly there are problems with planning, and there have been problems with the consultation run through EnergyCo. However, we must acknowledge that coal-fired power stations are the past. They are not the future. They have served us well. They have given us low-cost, reliable energy for decades, and we have benefited as a

nation from both that energy and the export of coal. But our major coal export partner in New South Wales is Japan. They have a net-zero goal. We must be realistic about what the transition looks like for us in not just supply and production of our own energy but also how we will export to ensure that our GDP remains strong. Unfortunately, in 2023-24 our GDP per capita fell because our population grew more quickly than GDP. That is a problem. We need to understand how the economic effects of net zero around the world are impacting us.

About 85 per cent of the world's GDP is currently covered by net zero. The Hon. Mark Latham mentioned that Australia only accounts for about 1.3 per cent of emissions globally. However, in the list of the top 20 global emitters, when we get past the first five or six obvious, stand-out, large countries like the United States and China, the next 20 countries emit something in the region of what we do—around 1.3 per cent. We must not allow the tragedy of the commons to overpower the conversation of global community-making so that we can overcome the devastating impact of the greenhouse gas effect on our weather and climate.

I note the CSIRO's GenCost report again showed that solar and wind plus storage and transmission is the cheapest way to provide energy to Australians. I also note that even if individuals in this place are sceptical about the climate and even if there is scepticism about renewables, the cold, hard political reality is that Australians want action on climate change. They want to see governments that are doing their absolute best to meet climate targets—net zero by 2050—in Australia. I was proud to be in a party that strengthened New South Wales legislation to ensure that we have a 2035 goal of 70 per cent reduction in emissions. That is something that we should be immensely proud of and that we should be talking about. But, more importantly, it is something that we should be acting towards. We should be holding every government in Australia to account, particularly this Labor Government in New South Wales, to achieve that goal of net zero by 2050.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (15:40): It has been an interesting debate and it remains an important debate. This is a very challenging task we are undertaking. We should remember, and I wish to start my speech by remembering, that we have had great bipartisanship in New South Wales around renewable energy. Unfortunately, that bipartisanship is fracturing as a result of the National Party not standing by what it did before. I acknowledge what the Leader of the Opposition said today. He said, "No Coalition MP has said to me we should abandon net zero." I acknowledge that before I move on to substantive matters.

I am pleased that the Hon. Mark Banasiak has raised this issue, and I thank him for chairing the committee inquiry. It is important that we work through these matters and that there is political oversight in relation to this. The Government welcomes the work of the committee and will continue to do so. Renewables are the future of New South Wales. They are how we keep the lights on, how we power our homes, our businesses and our industries, and it is how we ensure that the next generation inherits a State that is both prosperous and sustainable. The reality before us is stark: Coal-fired power stations that have served us for decades are closing. These closures are not theoretical; they are happening. They are driven by the economics of energy markets, and they must be planned for.

At the same time, renewable energy is the cheapest form of new electricity generation. Solar and wind, backed by firming technologies like batteries, pumped hydro and, yes, peaking gas are not only cleaner but also more affordable. This is not a matter of ideology; it is a matter of economics, reliability and responsibility for now and for the future prosperity of this State. The coal closures we are talking about are decisions made by private companies that understand that coal is no longer competitive. The economics are clear: Coal is ageing, expensive to maintain and increasingly unreliable. Outages are putting upward pressure on bills every single day. The CSIRO and the Australian Energy Market Operator have been unequivocal: The lowest form of new electricity generation is renewable energy supported by firming technologies. Every dollar spent on uncompetitive technology would cost households and business thousands, and stop them from investing in renewables.

To ignore this reality and to delay action would be to saddle the people of New South Wales with higher bills and, frankly, just more blackouts. But this is not just about economics; it is about climate responsibility. New South Wales has legislated targets to cut emissions by 30 per cent by 2030, 70 per cent by 2035 and to reach net zero by 2050. Energy is the single-largest contributor to emissions. If we fail to decarbonise our grid, it is quite simple: We fail to meet our climate commitments. This is also about reliability. The transition is not about flicking a switch. It is about building a modern reliable electricity system that can keep the lights on. That means replacing ageing coal plants with renewables and firming capacity before the closures occur. It means planning ahead.

This Government has been willing to make decisions, such as working with Origin and Eraring to extend its operation for a period of time as we get more renewable energy into the grid. That is a pragmatic lens on maintaining reliability. It is not an ideological issue. We need to replace coal with a cheaper, cleaner energy system and to do so in a way that secures jobs, supports communities and delivers affordable power. New South Wales is not starting from scratch. It is leading the nation in the rollout of renewable energy. The centrepiece of our approach is the creation of renewable energy zones. I remind those opposite that was a bipartisan commitment,

and is actually a multipartisan commitment, that we should all be proud of. To those who say they care about private investment and investment in regional New South Wales, I say that to walk away from it now is just ridiculous.

The Central-West Orana, New England, South West, Hunter-Central Coast and Illawarra renewable energy zones represent coordinated large-scale investment generation. I make the point that, except for Illawarra, they were all designed, mapped and gazetted under the previous Government that some members opposite seem to forget they were part of. Transmission investment is underway. Projects like EnergyConnect and HumeLink are unlocking renewable energy generation and ensuring that power can flow where it is needed. They are not easy projects. They require planning, consultation and significant investment, but they are essential if we are going to connect the new generation to the grid.

The private sector is responding and billions of dollars are being invested in solar, wind and storage projects. The New South Wales Electricity Infrastructure Roadmap is giving investors the certainty they need and crave, and it is required to make sure that we can meet the task. The good news is that households are playing their part. Rooftop solar is already on more than one million homes in our State. Energy batteries are being installed very quickly, making an important contribution to the grid. Importantly, they are also helping households save money.

This progress is real, but it is also just the beginning. The scale of the task is immense. We must build faster and coordinate better. We have to ensure that the benefits are made real for host communities. We must be honest: The rollout of renewable energy is not without its challenges. Transmission lines, wind farms and solar projects have neighbours and hosts. For some landholders and regional communities, it can mean a droughtproof income stream that saves their business but, for others, it means disruption and uncertainty. We cannot pretend otherwise, and I have always been up-front about this as part of the development. That is why we have acted, and continue to act, to ensure that landholders are treated fairly.

We are doing a range of works that include bringing the Ombudsman into this and making sure that we are supporting communities on the way through. We are also urging the Commonwealth to ensure that compensation payments to landholders are tax exempt. Farmers who host critical infrastructure should not be penalised through the tax system. Hosting a transmission line of a renewable project is a contribution to the public good and it should be recognised as such.

We have released biodiversity investment strategies so that, on a landscape scale, renewable offsets related to energy development produce a nature-positive outcome. This is on top of the strict protections in our planning system to minimise disruption wherever possible. Every project must meet strict environmental standards and account for their impact, including cumulative impacts. Greens members have said that we can build this renewable energy infrastructure without taking down a tree. That is simply unrealistic. That is why the Government has put so much work into the way in which offsets will work, and they will all be strategic. The Government is working to alleviate the impacts of development. Long-term communities hosting renewable projects will see tangible and lasting benefit through road upgrades, local water infrastructure, additional housing or upgrades to community infrastructure, such as sporting grounds, community halls and social programs that support people in the regions.

The Hon. Wes Fang: Where is all that?

The Hon. PENNY SHARPE: That money is already out there. If you want to know where it is, it is in affordable housing in Mudgee. It is in upgrading—

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): Order! I remind members that interjections, and responding to interjections, are disorderly.

The Hon. PENNY SHARPE: I just want to remind the member—because he does not seem to be able to read the newspaper or understand what is going on—that there is money going to the Warrumbungles, for example, for water infrastructure.

The Hon. Wes Fang: I just go out and speak to people out there, unlike you.

The Hon. PENNY SHARPE: I have spent more time than the Hon. Wes Fang has. This is important. The Government is investing in roads, housing and water. Members opposite want to pretend that is not happening. The member for Dubbo even stood with me when we announced it. He was pretty happy then, but he is whingeing now, and we are a bit over that. The benefit will come through direct community investment.

The Hon. Wes Fang: Point of order: If she wants to disparage a member of the other place, she should do so by moving a substantive motion.

The Hon. Daniel Mookhey: To the point of order: Firstly, members should refer to each other by their titles. Secondly, I invite the Hon. Wes Fang to identify what part of the Minister's statement was a reflection on the character of the member for Dubbo.

The Hon. Mark Banasiak: To the point of order: I heard the Minister's comments. They were totally factual. I have seen the photos of Dugald Saunders standing with the Minister praising renewable energy, and so was his community.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): I remind members that, in this place, we always treat each other with respect and use appropriate titles.

The Hon. PENNY SHARPE: The rollout is creating work for businesses large and small in our local areas. There are central ways for businesses to find out about upcoming work that they can tender for. That is already rolling out across the State. The renewable energy zones are more than just renewable projects. They are also about regional development. It is not just about electrons on the grid—as important as that is. It is also about regional communities across our State, attracting investment and creating new jobs. Just as one example, Central-West Orana has attracted over \$32 billion of private investment into that community. They would not get that any other way. This is also about retaining a competitive economy. The world is moving fast. Countries that embrace clean energy will attract investment, create jobs and secure their economic future. New South Wales cannot afford to be left behind, and the Government will not allow it to be left behind.

A couple of important issues have been raised during the debate. There has been a lot of misinformation and, unfortunately, some of it has been deliberate. When it comes to poor behaviour and EnergyCo, since coming to government, we have changed the board and we have a new CEO. We have worked very hard to make sure that we have fewer—and as few as possible—fly-in fly-out people working in communities because we want to have people in the regions doing that work.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): Order!

The Hon. PENNY SHARPE: When it comes to councils in Central-West Orana, we have rolled out money to support them. We have provided tens of millions of dollars. No-one ever talks about that. When it comes to the amount of agricultural land that will be used, I make two points. Firstly, there are currently very successful wind farms that farmers are delighted to have on their land. They are running their cattle, and the cattle are healthier. If one goes to Dubbo and visits the sheep farmers—which I have—who now have solar, the sheep are actually running better. The quality of the wool is better because the grass under the solar panels is improved. Let us stop suggesting that renewables are leaving these areas with nothing and that they cannot coexist with agricultural land. It matters to have agricultural land, but it can and is already coexisting with renewables. To suggest otherwise is simply wrong. Finally, we are not choosing renewables just because we think it will be fun. This is about the promises that we make to the future.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): I call the Hon. Wes Fang to order for the first time.

The Hon. PENNY SHARPE: One of the biggest dangers we have in terms of the renewables rollout and doing it well is the work and desire of the National Party to undermine the very legislation that it agreed to, gazetted and was happy to stand in publicity photos for at the beginning. Now that it has got hard—and it is hard—it is running away from it and has not put up one solution—

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): The Hon. Wes Fang will cease interjecting.

The Hon. PENNY SHARPE: —to how we deal with the fact that we are about to lose four coal-fired power stations in the next 15 years. The National Party has no plan to replace them.

The Hon. Mark Buttigieg: Point of order: The Hon. Wes Fang is deliberately flouting the call to order and is inciting you to call another one. I suggest you do.

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): I remind the Hon. Wes Fang that he is already on one call to order.

The Hon. PENNY SHARPE: I am sure that the Hon. Wes Fang will pay attention to the Leader of the Opposition when he says that the Opposition is committed to net zero and renewable energy, which apparently some of the Liberal party are—not all of them. We cannot speak for the rest of the Coalition. Climate change and changing our energy system are serious challenges, but we are up to the job. We have a plan and certainty. The economics are starting to come through in terms of local communities. Failing to deal with these issues would put at risk not just the climate in New South Wales, the rest of the country and the world but also future economic

prosperity. If members opposite want to have these discussions in full, they can. I look forward to more arguments about this issue because, frankly, they are wrong and they are imperilling our future and future prosperity.

For members that are raising serious issues for landholders—for whom this is hard—the Government is continuing to work through the issues. We have made changes. I accept that the situation is not perfect, but we want to do better, and I expect that we will. I am very happy to work with members if they want information about that and how we will continue to improve the situation because we must. This is a very important discussion; it is not going away. But we have momentum. We have to continue to make sure that the future prosperity and sustainability of both New South Wales and our planet is taken seriously and that we take the responsibility while we are in government to do as much as we can to secure the future for ourselves and our kids.

The Hon. JEREMY BUCKINGHAM (15:54): I make a very brief contribution to the debate and associate myself with all the comments made by the Leader of the Government. I give the National Party member—the only one who has bothered to turn up for this matter of public importance—a bit of a history lesson. The term "social licence" is thrown around in this place. Where did it come from? I bet the Hon. Wes Fang does not know where it came from. It is a term coined by the head of the World Bank, but in the Australian context by the head of Macquarie Bank, in the resistance against coal seam gas in the Hunter Valley.

Just a short time ago the National Party were the standard-bearers for an industry that was going to destroy communities, water sources and agriculture and unnecessarily industrialise key strategic agricultural lands, including the Liverpool Plains. Did it give one damn what the community thought? Absolutely not. It rolled out petroleum exploration licences, carved up the State and rolled out the gas and the red carpet. If we look at Central Queensland, we will see the biggest industrialisation in that State's history with a massive geological impact. Farmers were just knocked out of the way. Did the National Party give one care whatsoever? Absolutely not. We are seeing crocodile tears and rank hypocrisy. National Party members are hoist with their own petard.

The Hon. RACHEL MERTON (15:56): I make a contribution to this important debate and thank the Hon. Mark Banasiak for moving this motion today. I stand here as a Liberal member in the Legislative Council representing hardworking families, farmers and communities across New South Wales. Many of these people—being in the Central West—are on the receiving end of the Government's rollout. When talking to the community about energy, the number one thing they talk about is cost-of-living pressures. They say energy has to be cheap, reliable and affordable. I remind members that we are discussing the rollout of renewable energy. It is not about denying the need for energy transition; it is about fairness, transparency and respect for those living in affected communities.

When we look at the rollout, the evidence is overwhelming. I commend Portfolio Committee No. 4 for its consultation during the inquiries. I have spoken in this House on many occasions about the concerns of landowners and community members in the Central-West Orana region about the rollout and its impact on their properties. I also draw the attention of members to the community's experience in seeking information about the rollout. Recently there was an EnergyCo stall at the Mudgee Small Farm Field Day. I spoke to them. This was following what I had seen in the Central West around Errowanbang and Flyers Creek, about 30 kilometres south of Orange. In July, 38 wind turbines and overhead powerlines were in place.

The community was in shock. It knew nothing about it. EnergyCo explained that it was not in the renewable energy zone, it knew nothing about it and it could not tell the community anything about it. I go back to my comments about transparency and honesty. Information has to be made available. Another issue is the non-disclosure agreements that are silencing neighbours. Families are against each other on neighbouring properties. As my colleague the Hon. Sarah Mitchell stated in the report— *[Time expired.]*

[Business interrupted.]

Visitors

VISITORS

The DEPUTY PRESIDENT (The Hon. Dr Sarah Kaine): I welcome to the gallery the directors of My Guardian: Jad Haber, Diala Azzi Haber and the Hon. John Ajaka. My Guardian recently broke the Guinness World Record for the first ever gathering of 150 centenarians—100-year-olds. The previous record, set in Italy, was 70.

Matter of Public Importance

RENEWABLE ENERGY

[Business resumed.]

The Hon. MARK BANASIAK (16:00): In reply: I too acknowledge the Hon. John Ajaka in the gallery. He must have thought he was having déjà vu, seeing the Hon. Jeremy Buckingham up on his feet. He is not dreaming—the Hon. Jeremy Buckingham is back. I thank every member who has participated in the debate: the Hon. Sarah Mitchell, the Hon. Mark Latham, Ms Abigail Boyd, the Hon. Wes Fang, the Hon. John Ruddick, Ms Sue Higginson, the Hon. Jacqui Munro, the Hon. Jeremy Buckingham, the Hon. Rachel Merton, and even the Hon. John Graham, through his interjections.

The Hon. Wes Fang: Numerous as they were.

The Hon. MARK BANASIAK: Numerous as they were. I touch on some of the comments made by the contributors. The Hon. Sarah Mitchell rightly spoke about social cohesion, and that was a big thing we heard about during the inquiry. We heard that neighbour is turning against neighbour. Volunteering across the State is down and this is not helping that. Neighbours across generations are refusing to work on community groups, in not-for-profits or at the local football club with people who they have grown up with because they view the fact that they have not been able to talk to their neighbours about what is going on on their property—something that would have normally happened—as a betrayal. In the past they would have shared a cup of tea or coffee together at the fence line and said, "Hey, what's going on with you? Can I help you with something?" For many landholders, that has been destroyed. We need to acknowledge that impact.

Ms Abigail Boyd spoke about the constant furphy of how people who raise concerns about renewable energy are somehow doing the bidding of the fossil fuel industry. I can assure you that I am not getting any funding from the fossil fuel industry. If she had bothered to come on any of the site visits during the inquiry, as a participating member, she would have seen that one of the biggest solar factories being proposed to be built there, which the Hon. Sarah Mitchell spoke about, is being proposed by BP. To say that the big, bad fossil fuel industry is spreading misinformation is not correct. Some fossil fuel companies are rejigging their businesses because they see the financial incentives going down the renewables route, so it is a bit of a furphy to say that we are doing the bidding of the fossil fuel industry if we raise concerns. She would know that if she had bothered to attend any of the hearings. She obviously would not be downplaying concerns of landholders if she had done that.

The Hon. Mark Latham acknowledged the 36-hour debate on the bill. I would not say it was inevitable in terms of what we have got now. I think some of what we have spoken about we could have avoided, but both parties chose ideological brute force on that 36-hour debate, rather than democracy. Maybe we could have put some of these things in place prior to the rollout so we would not be, as the general manager of Dubbo Regional Council said, trying to build the plane as we are flying it.

The Hon. Wes Fang: Is he a Labor member?

The Hon. MARK BANASIAK: No, I think he's a National Party member.

The Hon. Wes Fang: No, it's the mayor—

The Hon. Penny Sharpe: He's a public servant.

The DEPUTY PRESIDENT (The Hon. Rod Roberts): Order!

The Hon. MARK BANASIAK: I invited that interjection. Sorry, Deputy President. I also acknowledge the comments of the Hon. Wes Fang that it is about people. It is about people, and that was the reason I moved this motion. My purpose in starting the renewable energy inquiry was to elevate the voices of those people whose concerns I had been hearing anecdotally, and I think I have done a pretty good job of that.

The Hon. Mark Latham: Give yourself a rap.

The Hon. MARK BANASIAK: I will. I also acknowledge the Hon. John Ruddick for his comments and also the interjections of the Hon. John Graham, who, quite rightly, pointed out who originated this renewable energy zone malarkey. I acknowledge Ms Sue Higginson's faux outrage. It never ceases to amaze me that she comes into this place and never disappoints me in the way she misrepresents the motives behind the motions I move. If she had bothered to listen to my speech, she would have heard me reciting the voices of the people that we have heard during the inquiry, and that was the sole reason for bringing this matter of public importance forward today—so their voices could be heard. I acknowledge the Hon. Jacqui Munro for her comments. Obviously I grew up in a different time. I did not grow up watching Captain Planet; I grew up watching *Bananaman* and *Roger Ramjet*, but that does not mean I believe in the magical power of fruit or the proton energy pill.

The Hon. Greg Donnelly: Shame!

The Hon. MARK BANASIAK: Shame. I acknowledge the Hon. Jeremy Buckingham and the Hon. Rachel Merton for her brief contribution. She also touched on social cohesion. I also obviously acknowledge

the Hon. Penny Sharpe, the Minister. Regarding her remarks about trying to get EnergyCo to be better, every time she has said it, it seems that the poor behaviour settles for a couple of days but then we hear another example of it. I will keep taking those examples to the Minister. I keep that promise. I acknowledge the Hon. Penny Sharpe mentioning the Leader of the Liberal Party, Mark Speakman. I am glad that he finally got a position on this. He has just got to tell the shadow Minister for Energy, Climate Change and Environment to keep bringing those bills to the shadow Cabinet.

The Hon. Penny Sharpe: Has he told the Nats?

The Hon. MARK BANASIAK: I don't think he has. I want to touch on one point. The Minister says there will be lower power bills with renewables.

The Hon. Penny Sharpe: No, that is not what I talked about. I talked about lower cost of generation.

The Hon. MARK BANASIAK: Lower cost of generation. To say that the current bill for transmission lines in the Central West is not going to have an impact on people's power bills—

The Hon. Penny Sharpe: I'm not saying that either.

The Hon. MARK BANASIAK: Good. I am glad the Minister is not saying that. A lot of people are saying that power bills will be cheaper with renewable energy. We have got to accept that the more it costs, the more that will be passed on to the consumer—and \$6 billion is a lot of money to pass on to the consumer. If that is the path that the Parliament has chosen—I do not necessarily agree with it—then it is the path that it has chosen. It is my job to help to make sure that it is done right, it is done respectfully and the people in the regions are treated fairly. I will continue to do that. I thank everyone for contributing to the debate. Like a lot of the motions I put forward, it is more of a discussion than a debate. I thank members for engaging in it constructively.

Discussion concluded.

Bills

CRIMINAL ASSETS RECOVERY AMENDMENT (ORGANISED CRIME 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) (16:08): I move:

That this bill be now read a second time.

The Government is pleased to introduce the Criminal Assets Recovery Amendment (Organised Crime Reforms) Bill 2025. The bill proposes amendments to the Criminal Assets Recovery Act 1990, or the CAR Act. The bill is intended to improve the effectiveness of applications for the confiscation of the proceeds of crime by the New South Wales Crime Commission under the CAR Act. The Crime Commission's key function is to prevent, disrupt and reduce the incidence of organised and other serious crime within New South Wales. It is in the public interest to ensure that the provisions of the CAR Act enable the commencement of confiscation proceedings where complex financial and legal arrangements have been used to conceal the proceeds of crime. We have seen some high-profile examples where those concerns have been raised.

The Government is committed to ensuring that the New South Wales Crime Commission is effective and strong. The bill is evidence of that commitment. I will deal with the provisions of the bill thematically for the benefit of members. The New South Wales Government is conducting a statutory review of legislative reforms introduced in 2022 to strengthen the State's response to serious and organised crime. The four proposals contained in the bill have been identified as priority amendments and are being progressed in advance of the conclusion of the statutory review. The first three proposals that I will detail were requested by the New South Wales Crime Commission following publication of its Jasper II report, so as to improve its ability to pursue matters and to address obstacles to the commencement of asset confiscation proceedings. The amendments proposed by the bill are of general application and not specific to one investigation. The final proposal was requested by the Illicit Tobacco Taskforce following recent reforms to disrupt illegal tobacco networks.

Schedule 1 [5] limits the ability of persons to avoid the confiscation of proceeds of crime by transferring it to another person. The first amendment is intended to prevent persons engaged in serious crime-related activity or illegal activity transferring property to persons such as family members or close associates under sham arrangements to avoid the confiscation of proceeds of crime. Currently, property ceases to be subject to an application for confiscation under the Act when it is acquired by a person for sufficient consideration without knowing, and in circumstances that would not arouse a reasonable suspicion, that the interest was, at the time of acquisition, the proceeds of crime. The bill proposes to amend section 4 (2) of the CAR Act to limit when proceeds of crime can be "legitimised" and acquired for sufficient consideration to transactions that are at arm's length.

Item [5] of schedule 1 to the bill provides that acquiring property for "sufficient consideration" means an interest acquired by way of an arms-length transaction and for consideration that, having regard solely to commercial considerations, reflects the value of the interest. The term "arm's length" denotes a transaction wherein both parties act in their own self-interest, where neither party has undue influence over the other party, and no preferential treatment is given. These transactions are unaffected by any special relationship or arrangements between the parties, and non-commercial considerations do not impact the fairness of the market price paid for the product.

Key characteristics of an arms-length transaction include the following: independence of parties—both parties must act independently and without influence or control over each other; fair market value—the price agreed upon reflects fair market value, that is, what would be charged between unrelated parties in an open market; equal bargaining power—the parties should have equal access to relevant information and no undue influence on each other's decision-making; commercial reasonableness—the transaction must make business sense and follow standard market practices; and no conflict of interest—an arms-length transaction should be free from conflicts of interest, meaning no hidden relationships or ulterior motives should distort the fairness of the transaction.

An example of a transaction that would not be at arm's length is a loan which is not secured by any assets and does not have any repayment date. As another example, an agreement to buy a car from a family member for agreed market value where there is no intention for the buyer to pay for the car and no intention for the seller to enforce the payment, would not be an arms-length transaction. A transaction that would be at arm's length is where an innocent third party with no connection to the seller buys an apartment from the seller. Indicators that such a transaction is at arm's length would include entering into a contract of sale for that apartment, using a lawyer to negotiate terms and the apartment being sold for a fair market value, without any influence by one party over the other to enter into the contract for sale. This amendment aims to prevent the use of sham arrangements involving transfer of property to avoid the confiscation of proceeds of crime.

Item [15] of schedule 1 to the bill contains transitional provisions extending the change to transactions occurring before the amendment. Currently under the CAR Act, the New South Wales Crime Commission may apply for a proceeds assessment order or an assets forfeiture order in respect of illegal activity that has occurred in the previous six years. Items [1] and [7] to [12] of schedule 1 to the bill remove the six-year limitation period for seeking proceeds assessment orders and assets forfeiture orders under the Act. Complex matters involving the use of financial and legal arrangements that hide the proceeds of crime may take six years or more to unravel. The six-year limitation period has not changed since the commencement of legislation pre-dating the CAR Act in 1990. There is no clear policy rationale for the limitation period, other than to align with the limitation period typically applying to civil proceedings. Other provisions of the Act, such as the unexplained wealth order provisions, are not subject to any limitation period. Transitional provisions apply the removal of the limitation period to past conduct.

Items [13] and [14] of schedule 1 to the bill clarify that the Supreme Court is to have regard to proceeds held in a trust or distributed from a trust and the value of any benefit or advantage provided to the defendant or another person, including an increase in the value of an interest in property because of illegal activity, when making a proceeds assessment order. At present, under section 28 of the CAR Act, the Supreme Court is to have regard to certain matters when quantifying proceeds of crime derived by a person for the purposes of making a proceeds assessment order. The proposed amendment to the section would confirm that the court is to consider money, property or other benefits transferred into or distributed from a trust, where complicated trust structures may have been utilised so as to endeavour to avoid the confiscation scheme by transferring serious crime-derived property or illegally acquired property into a trust structure.

The proposed amendment would close this potential loophole by clarifying that the court is to have regard to money or an interest in property held in or distributed from a trust. In addition, section 28 of the Act provides that the Supreme Court is to have regard to the value of any service, benefit or advantage provided for the defendant or another person at the request or by the direction of the defendant because of the illegal activity or activities, when quantifying proceeds of crime. The proposed amendment in item [14] of schedule 1 would clarify that "benefit or advantage" includes an increase in the value of property, to put the matter beyond doubt.

Transitional provisions extend the new subsections to include money or property held in or distributed from a trust, or an increase in the value of property occurring before the commencement of the amendments.

The final amendment was proposed—I know this will be of interest to you, Mr Deputy President—by the Illicit Tobacco Taskforce to ensure that the New South Wales Crime Commission may bring proceedings under the CAR Act to confiscate proceeds of crime derived from the sale and possession of illicit tobacco following the enactment of recent reforms to disrupt illegal tobacco networks. The Illicit Tobacco Taskforce—comprised of representatives from NSW Health; the NSW Police Force; the Cabinet Office; the Department of Creative Industries, Tourism, Hospitality and Sport; and the Department of Communities and Justice—supports the importance of utilising CAR Act provisions where appropriate in relation to illicit tobacco offences. The New South Wales Crime Commission's powers under the CAR Act relate to whether a person has engaged in a "serious crime-related activity" that was at the time a "serious criminal offence".

Item [6] of schedule 1 expands the definition of "serious criminal offence" to include the following uncommenced illicit tobacco offences in the Public Health (Tobacco) Act 2008: selling illicit tobacco, punishable by seven years imprisonment and a \$1,540,000 fine in subsection 6 (1); possessing at least 10 times and less than 50 times the commercial quantity of illicit tobacco, punishable by five years imprisonment and a \$924,000 fine in subsection 6A (2); possessing at least 50 times the commercial quantity of illicit tobacco, punishable by seven years imprisonment and a \$1,540,000 fine in subsection 6A (3); and packing a tobacco product for sale without a health warning, punishable by seven years imprisonment and a \$1,540,000 fine in subsection 7 (1).

Those offences will be inserted into the tobacco Act on the commencement of the Tobacco Legislation (Closure Orders) Amendment Act 2025. The relevant penalties in respect of the offences in sections 6 (1), 6A (2), 6A (3) and 7 (1) of the tobacco Act are comparable with the penalties for existing serious criminal offences under the Criminal Assets Recovery Act. Without amendment, the Crime Commission would only be able to commence proceedings to confiscate proceeds of crime derived from the sale and possession of illicit tobacco where the relevant conduct also involves the commission of other serious criminal offences. The amendments proposed by the bill are priority amendments brought forward outside the ordinary order of legislative review. They have been identified by the Crime Commission and the NSW Police Force to ensure that the Crime Commission has the necessary powers to confiscate proceeds of crime and reduce the profitability of serious and organised crime. I commend the bill to the House.

Debate adjourned.

STATUTE LAW (MISCELLANEOUS PROVISIONS) BILL (NO 2) 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. John Graham.

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 (16:22): On behalf of the Hon. John Graham: I move:

That this bill be now read a second time.

The Statute Law (Miscellaneous Provisions) Bill (No 2) 2025 continues the Statute Law Revision Program. I am sure members will be familiar with the program, which has been in place for more than 40 years. The program produces statute law revision bills, like this bill, which have featured in most sessions of Parliament since 1984. Statute law revision bills are an effective method for making minor policy changes and also serve as an important mechanism to maintain the quality of the New South Wales statute book by removing typographical errors, updating cross references and repealing redundant provisions.

Schedule 1 to the bill contains policy changes of a minor and non-controversial nature. The schedule gives effect to proposals that are of such minor consequence that they do not warrant the introduction of a separate amending bill. The schedule contains amendments to five Acts and one regulation. I outline some of those amendments for the House. Schedule 1 includes an amendment to the Marine Estate Management Act 2014 to replace the requirement to publish certain plans and notices on the Regional NSW website with publication on a relevant New South Wales Government website. Amendments to the Service NSW (One-stop Access to Government Services) Act 2013 and to the regulation will replace references to the chief executive officer of Service NSW with "Secretary of the Department of Customer Service", reflecting machinery of government changes.

Schedule 1 also includes an amendment to the State Insurance and Care Governance Act 2015 to require publication of guidelines issued by the State Insurance Regulatory Authority in the *New South Wales Government Gazette*, making publication more consistent with the approach to guidelines under workers compensation and motor accident legislation. Schedule 2 to the bill deals with matters of pure statute law revision, consisting of minor technical corrections and amendments to legislation considered appropriate for inclusion by the Parliamentary Counsel. This includes amendments to 12 Acts and two regulations to amend typographical errors and remove redundant provisions and references to outdated ministerial portfolios. Schedule 3 to the bill contains general savings, transitional and other provisions that are standard to statute law revision bills. This includes a provision enabling the making of incidental regulations that are of a savings or transitional nature.

I hope that those examples of provisions demonstrate to members the uncontroversial nature of the bill. The bill is nonetheless important to give effect to minor policy changes that do not warrant bringing a separate bill before the House and to otherwise make small amendments to a variety of Acts, which will maintain the high quality of the New South Wales statute book. If an amendment contained in the bill causes concern to any member or requires elucidation, members should bring those matters to the attention of the Government. We can arrange for government staff to provide clarification or additional information in relation to any provision contained in the bill if required. If any particular concern cannot be resolved and is likely to delay the passage of the bill, the Government is prepared to consider withdrawing the matter from the bill, as has been done in previous sessions. I reiterate that I encourage members to bring any of their concerns to the Government, and we will deal with them in the ordinary way. I commend the bill to the House.

Debate adjourned.

CRIMINAL PROCEDURE AND OTHER LEGISLATION AMENDMENT (CRIMINAL PROCEEDINGS) BILL 2025

First Reading

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

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

Statement of public interest tabled.

Second Reading Speech

The Hon. DANIEL MOOKHEY (Treasurer) (16:27): I move:

That this bill be now read a second time.

I introduce the Criminal Procedure and Other Legislation Amendment (Criminal Proceedings) Bill 2025. The bill addresses an issue that has arisen out of a recent decision by the New South Wales Court of Appeal in *Gamage v Riashi* [2025] NSWCA 84. On 9 December 2024 Mr Gamage was convicted in the Local Court of nine Crimes Act 1900 offences laid against him in 2011. Three charges were also laid in relation to offences against the Independent Commission Against Corruption Act 1988. An officer of the ICAC was named as the prosecutor on the Court Attendance Notices commencing those proceedings. On 30 April 2025 the Court of Appeal handed down its decision. The court found that an ICAC officer could only have validly commenced proceedings by issuing a court attendance notice as a "public officer" under section 173 of the Criminal Procedure Act 1986 in accordance with the general "common informer" power provided by section 14 of that Act if the officer was "acting in an official capacity" per section 3 (1).

The court concluded that, as the ICAC's functions do not include the institution of prosecutions for offences arising out of an investigation into corrupt conduct, the ICAC officer issuing the court attendance notices for the Crimes Act offences was not acting in an official capacity. The court quashed Mr Gamage's convictions for the Crimes Act offences. The court also held that commencing prosecutions in respect of the ICAC Act offences was protective of the integrity of the ICAC's investigative powers and fell within the incidental powers of the ICAC under section 19 (1) of the ICAC Act. Therefore, the issuing of court attendance notices for those offences was valid.

This was not a case of ICAC officers defying or disregarding the law. I am advised that up until 2016, the ICAC had an agreed procedure with the New South Wales Office of the Director of Public Prosecutions that, once advice was received from the Director of Public Prosecutions, the ICAC would prepare the court attendance notices and an ICAC officer would be named as the prosecutor. The ICAC has always prepared court attendance notices, including a court attendance notice with an ICAC officer as the prosecutor, only based on the written advice of the Director of Public Prosecutions. In cases where an ICAC officer was named as the prosecutor, the Office of the Director of Public Prosecutions would then appear on the first return date and the director would formally take over the prosecution in accordance with section 9 of the Director of Public Prosecutions Act 1986.

It was understood that this practice was consistent with the provisions in the Criminal Procedure Act and reflected a good-faith understanding of the law.

Legislation was also introduced in 2015 which appeared to affirm this procedure. Section 14A of the Criminal Procedure Act was inserted by the Courts and Other Justice Portfolio Legislation Amendment Bill 2015. This provision currently provides that officers of the ICAC and the Law Enforcement Conduct Commission [LECC] do not have the power to commence proceedings unless the Director of Public Prosecutions has given independent written advice that the proceedings may be commenced by an officer of the ICAC or the LECC. The understanding that ICAC officers could commence proceedings was also consistent with previous decisions of New South Wales courts, including *Lazarus v Independent Commission Against Corruption* [2019] NSWCA 100. In *Lazarus*, the New South Wales Court of Appeal held that an ICAC officer was authorised by section 14 of the Criminal Procedure Act to institute proceedings and acted in accordance with section 173 of that Act in doing so.

In holding the court attendance notices in *Gamage* to be invalid, the Court of Appeal held that, to the extent to which the decision in *Lazarus* cast doubt on that conclusion, it should not be followed. The reasoning in *Gamage* may also have implications for prosecutions commenced by some other agencies and statutory bodies under section 14, and using the procedure in section 173, where they do not have a clear prosecution function in their enabling legislation. It may also impact the commencement of committal proceedings in some cases. In relation to the ICAC, there is now a risk that a number of convictions and sentences commenced by the ICAC up to around 2016 may be at risk of challenge on the basis that they were not validly commenced. These convictions and sentences involve serious corruption and other criminal offences identified in the course of investigations into serious corrupt conduct. There are more than 1,000 convictions entered which may be at risk as a result of the decision in *Gamage*.

Prosecutions commenced by the LECC and its predecessor, the Police Integrity Commission—otherwise known as the PIC—may also be at risk as a result of the court's decision in *Gamage*. Prosecutions arising out of PIC and LECC investigations during this time related to serious criminal conduct including prosecutions for serious offences. They include fraud, larceny, common assault, possession of child abuse material and not keeping a firearm safely. Similarly, the court's decision in *Gamage* may place in jeopardy prosecutions by other important bodies such as those commenced by the Royal Society for the Prevention of Cruelty to Animals, otherwise known as the RSPCA. These include 96 prosecutions commenced in financial year 2023-24, which involved 1,928 animals. The RSPCA finalised 94 prosecutions in the same financial year for offences against the Prevention of Cruelty to Animals Act and the Crimes Act. The court imposed penalties ranging from fines to terms of imprisonment.

The Government is introducing this bill to retrospectively validate prosecutions which could face a technical challenge based on the court's reasoning in *Gamage*. This is important to ensure that prosecutions of public significance commenced by agencies and statutory bodies are not invalidated where they were commenced by agencies on a previously accepted interpretation of the law. Those convicted and sentenced for offences arising from court attendance notices issued by these agencies and bodies have gone through the court process and have been found guilty. It is not in the interests of justice that their convictions are overturned because of what is ultimately a defect in the way the proceedings were commenced and is not based on the integrity of the substance of the prosecutions. There is significant public interest in ensuring that these convictions are upheld, that individuals are punished for engaging in criminal conduct and that others are deterred from similar conduct in the future. The Government is also undertaking work to ensure that any further and future consequences of *Gamage* can be addressed.

I now turn to the specifics of the bill. Schedule 1 to the bill inserts a clause into schedule 2 to the Criminal Procedure Act, "Savings, transitional and other provisions", to retrospectively validate certain prosecutions commenced by public officers. This clause provides that if—before the commencement of the proposed Act—a person commenced a prosecution for a criminal offence, if that person was a person referred to in the definitions of a "public officer" under section 3 (1) (a) to (f) at the time, and if that person was purporting to commence those proceedings in their role as a public officer, then they are taken to have been acting in an official capacity in commencing the proceedings. That applies whether or not the agency or body of which they were an officer or employee had an express or implied function of commencing prosecutions.

This clause applies to any proceedings that have been finalised, or that have been commenced but are still ongoing, prior to the proposed Act commencing. These validating amendments are intended to align the retrospective legal position with the good-faith understanding of the law prior to *Gamage*, which had also been affirmed by the Court of Appeal in *Lazarus*. However, a person was not taken to be acting in an official capacity if they purported to commence the proceedings in their private capacity as a member of the community. This is intended to preserve the integrity of past prosecutions by ensuring that, if a public officer instituted proceedings

in their private capacity, this is not valid solely by virtue of the fact they were an officer of or employed by an agency or body.

Schedules 2 and 3 to the bill amend the ICAC Act and the LECC Act to retrospectively validate certain prosecutions commenced by the ICAC, the LECC and the former PIC. As a matter of law, the reasoning in *Garage* pertains to proceedings commenced by the ICAC under sections 14 and 173 of the Criminal Procedure Act. These prosecutions are therefore the most at risk of being challenged. Given the similarities between the ICAC and the LECC and their enabling legislation, it is also considered prudent to ensure that prosecutions commenced by the LECC and the former PIC are expressly validated.

Schedules 2 and 3 insert new clauses into the "Savings, transitional and other provisions" schedules to the ICAC Act and the LECC Act to provide the ICAC, the LECC and the former PIC with a limited retrospective function to commence prosecutions, but only where the commencement of the proceedings was in accordance with the written advice of the Director of Public Prosecutions. Importantly, I am advised that the ICAC, the LECC and the PIC have never commenced criminal proceedings for offences in New South Wales without the advice of the Director of Public Prosecutions. The clauses provide that before the commencement of the proposed Act, where prosecutions were commenced by officers of the ICAC, the LECC or the former PIC in accordance with the advice of the Director of Public Prosecutions, those commissions' functions included commencing proceedings. The commencement of the proceedings is taken to be valid and to always have been valid. This applies to finalised and ongoing prosecutions.

I understand that there may be some concerns about the retrospective nature of the amendments in this bill. However, in this case, the Government considers the retrospective application of these laws as necessary and in the interests of justice. This is for the following reasons: There is a significant risk that a number of convictions and sentences for serious offences may be invalid based on *Garage* reasoning. The amendments align the retrospective application of the law with a good-faith understanding of the law and an earlier shared understanding of the lawfulness of the procedure of commencing prosecutions by issuing court attendance notices. The amendments will not be retrospectively creating new penalties or offences or altering the elements of criminal offences and will not impact the substantive rights of a person. The amendments do not affect the judicial determination of fact. Rather, they validate the legal characterisation of persons issuing court attendance notices as "public officers". The bill will commence on assent. I commend the bill to the House.

Debate adjourned.

Motions

FORESTRY ACT: REVOCATION OF DEDICATION

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (16:40): I move:

- (1) That, according to section 15 of the Forestry Act 2012, this House agrees to the proposal tabled in this House on 21 October 2025, being a proposal for revocation of the dedication of parts of:
 - (a) Pilliga East State Forest No. 266;
 - (b) Cumbil State Forest No. 812;
 - (c) Euligal State Forest No. 810;
 - (d) Baradine State Forest No. 672 and Extension Nos 3, 4 and 10; and
 - (e) Merriwindi State Forest No. 839 Extension Nos 1, 4 and 5.
- (2) That the foregoing resolution be communicated by Address to Her Excellency the Governor.

This is a significant motion on the revocation of State forest dedications on land within the Pilliga Forest that is required to facilitate the Inland Rail project, a nation-building piece of infrastructure. Inland Rail is a transformative initiative linking Melbourne to Brisbane through a robust inland freight network of around 1,600 kilometres of rail. Inland Rail will be a crucial piece of national infrastructure, delivering a robust and reliable freight rail network. Funded by the Australian Government, Inland Rail is essential for strengthening our national supply chain, ensuring efficient transit and boosting economic growth, not to mention delivering great environmental benefits by taking tens of thousands of trucks off our roads, especially in regional Australia. No funding will be sought from the New South Wales Government, meaning there is no financial burden on the State.

Inland Rail is a transformative infrastructure project designed to enhance Australia's freight efficiency, economic growth and regional connectivity. By reducing transit times between Melbourne and Brisbane, it will provide a cost-effective alternative to congested road networks, improving supply chain reliability and lowering business expenses. Inland Rail will strengthen regional economies by connecting businesses to national and global

markets, creating jobs and fostering investment. It also will boost freight resilience, reduce road congestion and support environmental sustainability by shifting freight from road to rail. For New South Wales, Inland Rail will enhance freight access and reinforce multimodal connectivity, driving long-term economic and sustainability benefits.

Approximately 760 hectares, which is less than 0.5 per cent of the Pilliga Forest, is required for permanent rail and temporary construction land. This necessary revocation, requiring resolutions passed by both Houses of Parliament, will enable integration into the Inland Rail network and ensure the timely completion of the Narromine to Narrabri project. This project is a game changer for regional Australia. It will connect businesses, manufacturers and producers to national and global markets while strengthening local economies. While minimal impacts to existing road connections in the Pilliga Forest have been identified, Inland Rail Pty Ltd is working with Forestry Corporation to ensure regional productivity and transport remain uncompromised.

The 75-kilometre Pilliga Forest route was chosen after extensive consultation, during which over 400 landowners contributed to assessments and workshops. The route minimises private landowner impact, lowers capital cost and improves transit efficiency between Gwabegar and Baradine. Alternative routes proved costly and inefficient. The Pilliga Forest route avoids 30 private high-productivity agricultural properties, shortens travel distance by 13 kilometres and ensures a 24-hour Melbourne-to-Brisbane transit. This route reflects a well-balanced infrastructure decision, prioritising efficiency, cost savings and landowner considerations.

During the construction of Inland Rail, environmental considerations will remain paramount. The project avoids areas of high conservation value. Existing corridors will be utilised where possible, and no construction will take place in national park land. Where unavoidable impacts occur, appropriate biodiversity offsets will be implemented under the New South Wales Government's Biodiversity Offsets Scheme. Inland Rail Pty Ltd has already secured a substantial number of biodiversity credits, including credits sourced from partnerships with local landowners. Once the railway is constructed, surplus land—the land required only during construction—is proposed to be rededicated as State forest. Once it is operational, Inland Rail will help reduce carbon emissions and other environmental impacts associated with road movements. The project avoids the area of the Pilliga Forest protected for its conservation value. I commend the motion to the House.

The Hon. SARAH MITCHELL (16:45): I indicate that the Opposition supports this revocation motion. As the Minister said, it is a little unusual. I do not think I have seen a revocation recently, and so it is significant. Opposition members are thankful for the consultation on this issue. I had briefings from Transport and public servants working on the Inland Rail project at an Australian Government level. Staff of the shadow Minister for Regional Transport and Roads, Dave Layzell, were there. My colleague the Hon. Natalie Ward also had briefings on this matter, as did Dugald Saunders and Mark Speakman, because this is a project that should be supported in a bipartisan way, and it is.

This motion is important to make sure that they can get on with it. As someone who lives in that area—I am not too far from the Pilliga—the opportunities that the Inland Rail presents will be transformative to our communities. I acknowledge that many members of Parliament have championed this for a long time, including the former member for Parkes, the Hon. Mark Coulton. I worked for Mark before I came to Parliament, and he was very much a driving force behind the Inland Rail because it is, effectively, all through his electorate. He represented half of the State in terms of geographical landmass. All of those areas from Narromine to Narrabri, which we are talking about today, are within the Parkes electorate. Mark was always a big champion of this project, and I know that continues under the new member for Parkes, Jamie Chaffey. Opposition members back the Inland Rail. We know how important it is to our communities. This motion will help make it a reality more quickly, and we are fully in support of it.

Ms CATE FAEHRMANN (16:47): On behalf of The Greens, I oppose this motion. While The Greens support the building of Inland Rail, it should not come at the expense of the largest intact woodland west of the Great Dividing Range. That woodland is home to quite a few threatened species that have nowhere else to go. We already know that the Government is hell-bent on Santos building its Narrabri coal seam gas project, which means 850 coal seam gas wells, all of the production sites and most of the associated pipeline, roads and infrastructure being built in the Pilliga Forest. That is Gomeroi country, and the Gomeroi traditional owners reject that. The Greens cannot support a proposal that gives over an additional 745 hectares for Inland Rail, which obviously increases fragmentation, clearing and the risk of bushfire while severely impacting the integrity of the ecosystem.

The Pilliga Forest should be a national park. It was logged. It has a State conservation area, and I understand that the Australian Wildlife Conservancy also operates conservation land within the forest. It is already so fragmented. When I was there a couple of weeks ago, I travelled through the Pilliga Forest to have a look at some of the new roads that are being built. We saw so many wildflowers, emus and birds. It is a beautiful area. It is significant that out of all of the properties that could have been chosen, the largest intact woodland west of the Great Dividing Range was the site chosen to have 745 hectares ripped out of it.

I spoke to some locals at a lunch in Narrabri, including a representative of the Gomeroi. He said that it was disappointing that they had to talk to the Government again and make another arrangement that will take more of their country and clear more of their land. They already have a big battle with Santos, and now they need to have discussions about this issue which has come around. We support regional transport, but I am not convinced that this project is not just for the transportation of more coal. The fact is that this will go through an area that impacts the Government's commitment to stop the extinction of threatened species. I am actually not even sure that the Government has committed to that. This decision will have a real impact on a number of those species. If 850 coal seam gas wells were not bad enough, we are now clearing 745 hectares of this beautiful forest.

The Leard State Forest is also in this area. It was a haven in the heavily cleared agricultural region of north-west New South Wales. I recognise that this area has highly-productive agricultural land, but there are safe havens and protected areas for a reason. The vast majority of the local community loves the protected forests and bushland. Leard forest is almost gone because of Boggabri Coal, Idemitsu and Whitehaven Coal. There has been approval after approval. Boggabri Coal and Idemitsu are before the Government now. A very tiny wildlife corridor is gone. Koalas were there, but they are now out. Leard forest was once absolutely beautiful and sustainable. It was a healthy ecosystem that ensured the survival of a number of threatened species.

The integrity of the forest is pretty much gone, and the same thing is happening to the Pilliga. I heard the Minister say that this decision was cheaper. That symbolises that this Labor Government has no idea of the significance and importance of protecting nature and natural ecosystems. It does not always have to say yes to the various proposals put before it. The Greens are very disappointed with this motion. I appreciate that we were briefed by Minister Aitchison and her office as well as by the various agencies which are involved, but they did not win our support. The Greens oppose this motion.

The Hon. MARK BANASIAK (16:53): The motion before us seeks to revoke the dedication of about 760 hectares of land as State forest, including Pilliga East State Forest, Cumbil State Forest, Euligal State Forest, Baradine State Forest and Merriwindi State Forest. There are legitimate reasons to do this from time to time, but we cannot keep ignoring the bigger picture. Every time land is revoked from the public forestry estate, a little more of it disappears. I hunt on public land. Over two million hectares of land were available to us when we first started hunting on public land in 2006. Our pastime has grown in popularity, but we are down to 1.8 million hectares. That might not seem like much to people playing along at home, but it is significant given that the pastime is growing. I was the chair of a timber inquiry during the last Parliament which heard about the need to grow public forest estate plantations to support our timber needs. If we keep chipping away at land and not replacing it, then we are going to have a few problems.

I note that if a national park estate is alienated, the law says it must be replaced "sixfold", meaning six times over. Why does that same principle not apply to State forests? What is good for the goose is good for the gander. National parks and State forests are all public land. The constant "take, take, take" has left regional communities asking when the "giving back" will begin. I ask the Minister to commit to a replacement strategy to ensure that new land is added to the network of State forests along with a whole range of amenities. With that point in mind, I move:

That the question be amended by inserting after paragraph (2):

- (3) That this House calls on the Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales to ensure that any land revoked under this resolution is replaced with an area of public land that is no less than six times the size of the revoked land, and to be added to the State's public land estate and made available for multiple-use public access, including conservation hunting, consistent with the objectives of sustainable land management under the Forestry Act 2012.

Ms SUE HIGGINSON (16:56): I fully endorse the comments made by Ms Cate Fachrmann during her contribution to this debate. The Greens support Inland Rail. We support rail, rail, rail. I think it is criminal that the Government has chosen the largest remaining intact inland woodland and gone "vroom"—straight through the middle of it. I appreciate the briefings we have had. I also acknowledge the people who had the job of explaining this work to members of Parliament. I kept hearing, "It is just 0.1 per cent or 0.01 per cent of the Pilliga." It reminded me of people saying, "A coal seam gas well is so small and tiny." I will never forget when an expert doctor said to me, "Imagine if I had to tell my patient's family that a bullet only penetrated a tiny, little part of their body, but it just happened to be the bit that killed them."

I hate to say it, but the reality is that this project will fragment the last bit of the Pilliga forevermore. The Pilliga will never recover and be the forest that it once was or the woodland that it should be. We should be expanding public land rather than fracturing, fragmenting, diminishing and reducing it. The Pilliga happens to be one of the Great Artesian Basin recharge spots. It is a recharge zone for one of the most important groundwater resources in the State. Most agricultural land in the west and south-west of the State relies on this groundwater resource. It is inextricably linked to the Murray-Darling Basin and the entire river system. We are going to keep

denuding the vegetation it requires to function as a rechargeable system that replenishes that water source. It is absolute madness.

Many of us have been to the Pilliga. I have been there many times. It sits in the most over-cleared bioregion landscape in the whole of this State, and it is a travesty that we have lost species. The vegetation has been subject to some of the worst fire events this State has experienced, yet we are putting major Commonwealth and State infrastructure right through the middle of it. Why could we not go around it? Why could we not work with other landholders across the State? We had to take the one big bit of public land and hand it over for a giant piece of infrastructure. We talk about offsets but, honestly, it is sickening to think that we can offset our way out of the extinction crisis and land-clearing catastrophe that we are in.

The Pilliga is such a significant place. It is so significant for First Nations cultures. The Gomeroi have been fighting Santos tooth and nail. They have been in every tribunal, including the Federal Court and the appeal court, fighting for determination over that one bit of land against Santos, the coal seam gas land exploiters. Now they have had to suck up some kind of deal with the Government, because there was no way out of this project for the Gomeroi. They had to broker a deal and watch their beloved Pilliga Forest be fragmented, destroyed and permanently disfigured by an Inland Rail project that could have just gone around it.

Why did it not go somewhere else? Was it too offensive to deal with more landholders? No, it was just a darn sight cheaper. It is just the Pilliga. It is just the Forestry Corporation managing that land. Let us think about that. The Forestry Corporation has logged the Pilliga Forest for over 200 years to the point where, under this deal, the Inland Rail project offered the Forestry Corporation the timber, and the Forestry Corporation said, "No, we don't want it. It's completely worthless." This inland woodland needs regeneration and recovery, but we are going to put a giant bit of national infrastructure right through the middle of it. We are not worried about the Pilliga mouse or the koalas that were once there. We are not worried about any of it.

The Hon. Mark Banasiak: The Pilliga Princess.

Ms SUE HIGGINSON: I acknowledge the interjection; it seems interesting. Is the Pilliga Princess the inland freight? Seriously, it is unbelievable. My colleague Ms Cate Faehrmann was so right to mention the Leard forest, because the Forestry Corporation just handed that over when Mark Vaile was the chair of Aston Resources, before Whitehaven Coal. Eastern Star Gas was pillaging the Pilliga at the same time. The Leard forest has exactly the same ecosystem, and I recall when the Forestry Corporation handed it over to the coal barons under the former Liberal-Nationals Government.

I will never forget looking at the documents that were produced by the ecologists under the court proceedings, which showed the impact on the native wildlife as they started to clear the vegetation in order to put the infrastructure through that forest. They are the same animals and vegetation communities that are in the Pilliga. It was shocking. There were animals falling out of trees, running for their lives. But they had nowhere to go. They ran to their own deaths. That is what happens in these landscapes. When we take the last living bits of habitat out of the landscape, the animals that rely on those trees run for their lives and, having nowhere to go, they die. That is why in this State we have an extinction crisis on our hands. That is why we have a nature deficit reality that we pretend to try to fix.

In the Leard forest project, there was an enormous offset requirement. The Commonwealth imposed conditions that the coal company had to offset in the same way as this Inland Rail project has an offset requirement. But guess what? Several years later, when the offset requirements were meant to be formalised and satisfied, the coal company said, "We can't satisfy it. The offsets don't exist." We had come to the end of the road, and that is what is happening with this revocation. We are making a revocation of country that cannot be offset because it does not exist anywhere else anymore. We have already taken too much. "Protect what is left and regenerate what we have lost"—where has that gone? How can this Government say that it is okay to take this bit of country that we cannot put back and cannot find somewhere else because it does not exist? The little, fragmented ecological communities that might be scattered within that bioregion that is so over-cleared are not offsets. They are essential for regeneration capacity. We cannot offset an ecological community whose existence and capacity to survive are already in such deficit.

This Government is endorsing the Federal Government's Inland Rail route when there are clear alternatives. Have members even looked at the map? Have they seen the perverse absurdity of this part of the route? It could have gone anywhere else to avoid this precious bit of inland woodland. But it went straight through it, for no other reason except that it is public land managed by the Forestry Corporation—the same corporation that is racking up millions of dollars in debt every single year, hidden under the New South Wales Labor Government as a State owned corporation.

The Hon. Tara Moriarty: Point of order: My point of order is taken in relation to relevance. This is a specific motion. It is about revocation of a forest, but the member is straying from the topic.

The DEPUTY PRESIDENT (The Hon. Taylor Martin): I uphold the point of order. The member will come back to the issue at hand.

Ms SUE HIGGINSON: The land that is being revoked belongs to the Forestry Corporation, a State owned corporation. To suggest that is not relevant is very strange. But I accept the ruling and will move on. I remind members that we are revoking a piece of land. What is the deal? Has the Government disclosed how much money is being transferred to the Forestry Corporation for this revocation? That is pretty relevant. I would have thought that is a fundamental part of any revocation in the public interest. We are revoking a part of the public forest estate and handing it over for a piece of infrastructure. Are the figures on the table? Do we know how much money is going to flow and where that money will go? Will it go to the Forestry Corporation to cover its bad debts as a State owned corporation? Has the Treasurer approved that? Revoking land that has been in the hands of the public for hundreds of years, and that is also native title land, for an infrastructure project, on the information we have, is seriously questionable. It is not how politics should be done in this place. It is a bad move.

The dedication of the land should not be revoked. It is entirely regrettable, and it is happening now under the Government's watch. It is seriously shameful that the Government is happily signing off on it. I remind everyone that the Pilliga forest is an ecological community. It has attributes that do not exist anywhere else. It is the last remaining inland woodland. We are meant to regenerate it and expand it, not cut it to pieces, fragmenting it and diminishing its capacity to survive in the future. If we agree to this motion, we are literally destroying cultural heritage. The land will never be offset to a standard that it ought to have had because that cannot be done. You cannot offset something that is irreplaceable, and the Pilliga forest is irreplaceable.

It is shameful that the Government has been so willing to just hand over part of the Pilliga's public land so that it could tick off whatever was needed to get the Inland Rail when the rail line could so easily have gone around the Pilliga. It is shameful. It is a bad move. It is ecologically unsound. It is socially reckless. The Greens will not support the motion. I stand strong, firmly in step with my colleague Ms Cate Faehrmann.

The Hon. TARA MORIARTY (Minister for Agriculture, Minister for Regional New South Wales, and Minister for Western New South Wales) (17:10): In reply: I thank the Hon. Sarah Mitchell, Ms Cate Faehrmann, the Hon. Mark Banasiak and Ms Sue Higginson for their contributions to the debate. Delivery of the Inland Rail will be fantastic for New South Wales agriculture and others across the north-western part of New South Wales. I commend the motion to the House. In relation to the amendment, I say nice try. It was not raised with me before the debate—not that it has to be—and it calls on me to create new State forests and grab land to create new public land. If only I had the power! The Government will not support the amendment mostly because what it is designed to achieve is not possible.

The PRESIDENT: The Hon. Tara Moriarty has moved a motion, to which the Hon. Mark Banasiak has moved an amendment. The question is that the amendment be agreed to.

Amendment negated.

The PRESIDENT: The question now is that the motion be agreed to.

The House divided.

Ayes34
Noes5
Majority.....29

AYES

Banasiak
Barrett
Borsak
Buckingham
Buttigieg
Carter
D'Adam
Donnelly
Fang
Farlow
Graham

Jackson
Kaine
Latham
Lawrence
MacDonald
Maclaren-Jones
Martin
Merton
Mitchell
Mookhey
Moriarty

Munro
Murphy
Nanva (teller)
Overall
Rath (teller)
Roberts
Ruddick
Sharpe
Suvaal
Tudehope
Ward

AYES

Houssos

NOES

Boyd
Cohn (teller)Faehrmann (teller)
Higginson

Hurst

Motion agreed to.*Bills***ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (PLANNING SYSTEM REFORMS) BILL 2025****Second Reading Debate****Debate resumed from 21 October 2025.**

Dr AMANDA COHN (17:20): I continue my earlier comments in opposition to the Environmental Planning and Assessment Amendment (Planning System Reforms) Bill 2025.

The DEPUTY PRESIDENT (The Hon. Taylor Martin): Order! Members will take their conversations out of the Chamber.

Dr AMANDA COHN: The bill plainly is not about housing. It is about centralising power and creating opportunities for massive developer profits and corruption of elected representatives and senior bureaucrats, while significantly weakening environmental and community protection. When the debate was interrupted, I was commenting on comments the Premier made about local government:

But we've been rolling over the top of them for the last two years, and now we're about to formalise it with the bill.

It is clear from the bill and those comments whose side the Premier is really on. Last week it was reported that the Premier has been meeting with lobbyists on behalf of property developers without disclosing those meetings appropriately. Former Premier Morris Iemma's lobbying business, Iemma Patterson Premier Advisory, has been booming since the election of the Minns Government. It has added more than 50 clients since the 2023 election, and the New South Wales planning department has met with Iemma more than any other lobbyist.

I cannot remember if I have ever agreed with the Hon. Rachel Merton about anything before, but she was right to say that these reforms are reminiscent of the ill-fated part 3A pathway. It has even been suggested to me that this bill should be referred to as the "Obeid bill". This is the legacy that the Minns Labor Government is leaving: not housing, but an open door for corruption. Whether it is this planning Minister and planning secretary or a future Minister or secretary who abuses the power the Parliament is gifting them through the bill, it will be the legacy of the Minns Government, which created it.

Councils as diverse as Blue Mountains, Clarence Valley, Byron Shire, Kiama and Hawkesbury have passed motions or written letters clearly expressing their concern with the bill, despite the vastly different political make-up of those councils. Since I started making this speech on Tuesday, Orange, Canada Bay and Ballina councils have joined that list. It speaks volumes about the lack of consultation or consideration of a local government perspective on these reforms that the first opportunity those councils have had to consider the reforms is after the bill had already passed the Legislative Assembly. The councils have put on record their concern about the reduction of local planning control and transparency, increased risk of corruption in planning processes and decreased community input and confidence in planning decisions. They have requested the opportunity for formal public consultation on these reforms.

We have heard from councils that there is significant alarm around enshrining the Housing Delivery Authority, the handling of advice regarding bushfire-prone land and the risk to biodiversity and habitat protections because of the removal of public interest and environmental considerations in decision-making. Local Government NSW, the peak body representing councils, has raised a large number of issues with the bill, and it is a further extraordinary display of contempt for local government to not even allow the bill to go to an inquiry for those issues to be properly considered and discussed. Some issues may be resolved if this Government tried to work with local government to achieve its aims of more housing, instead of punching down on local government and eroding the trust of communities in their local councils. Most people trust their local council to represent their interests far more than they trust State politicians.

The issues include the need for a sunset clause and independent review of the Housing Delivery Authority at the end of the Housing Accord period. There is no evidence yet of the effectiveness of this authority because it is so new, and it should be reviewed at the end of the accord period to ensure it is achieving its objectives before it is enshrined permanently in legislation. Mandating a minimum 28-day exhibition period for State significant development involving concurrent rezonings would ensure meaningful and proportionate evaluation and assessment. Fourteen days is an extraordinarily short period when comparable gateway determinations require exhibition for six weeks. Local Government NSW opposes any moves that further restrict the ability of democratically elected councillors to determine locally appropriate development. Communities understand that their local councils influence the built and natural environment around them. Particularly in rural and regional areas where councils determine a majority of development applications, the shift to local planning panels is a significant erosion of democracy.

Local Government NSW has raised that prior to a targeted assessment development being introduced for an area, precinct planning must be developed in partnership between the New South Wales Government, councils and communities. In many cases this has already taken place through the development of community strategic planning statements, which take an enormous amount of time, effort and genuine consultation to produce. Communities have contributed to those plans in good faith, and any targeted developments should be in keeping with those plans unless a similar level of strategic and consultative work is undertaken.

Councils are reasonably seeking a compliance levy payable on complying development certificates and that certifiers ensure infrastructure contributions are paid prior to issuing a final approval. Councils are frequently asked technical questions and for drafting conditions by the Housing Delivery Authority when an alternative pathway, like a development application, would have delivered an applicable fee to the council. Similarly, they are seeking remuneration through a fee or another funding mechanism for their involvement and input to State significant developments. Councils are also seeking to remove the threshold on developer contributions and to amend the essential works list to include construction of community infrastructure. These critical issues were raised during the recent inquiry by the State Development Committee into the financial sustainability of local government. Addressing them is critical to ensure supporting infrastructure is built so that future communities in areas of increased housing density will be liveable communities.

Local government is seeking genuine collaboration on the implementation of these significant reforms, for example, through an implementation panel which could include a representative of metropolitan, regional and rural councils. The Government undertook this approach to the rollout of the food organics and garden organics legislation, and that was welcomed by the local government sector. Under new section 159A, the bill will expand the complying development pathway by allowing councils to approve minor variations, but if a council does not make a decision on a variation within 10 days, or 20 days if the council is also assessing the complying development certificate, the variation will be deemed approved. Ten days is an extraordinarily short time to make such assessments, particularly when there is a known shortage of qualified planning staff and many councils are already under-resourced. This short time frame will mean more conflict and more disputes later when changes deemed approved go ahead because they have not even been able to be looked at.

I also comment briefly on the implications of the bill for the safety of future communities in the context of bushfires, which are getting more frequent and more intense because of climate change. The bill as introduced entirely removed requirements for mapping bushfire-prone land and consideration of guidelines for bushfire protection planning, and dilutes the independent advice of the Rural Fire Service through the creation of the Development Coordination Authority. Important amendments were made to the bill in the Legislative Assembly to reinsert the requirement for mapping and to insert consideration of bushfire-prone land through the Planning for Bushfire Protection guide, which I note is due for an update. However, this does not apply to an application for consent to carry out development for a subdivision of land that could lawfully be used for residential or rural residential purposes or development for special fire protection purposes. It is those new subdivisions and future communities—families and households—who will be living in those communities that deserve to be protected from bushfires. The provisions should apply to them.

It would be remiss of me, before concluding, not to add my voice to the extreme concern of my Greens colleagues and reputable environmental advocacy bodies about the impact this bill will have on biodiversity, threatened species and the climate. The Total Environment Centre has described the bill as the most significant rollback of environmental protections in New South Wales in half a century. It has pointed out that the reforms will allow the Government to fast-track development, including coal, gas and renewable projects, without requiring environmental or community oversight. The organisation has also criticised the removal of biodiversity consultation requirements. The Environmental Defenders Office has highlighted inconsistencies between the bill and the Climate Change (Net Zero Future) Act 2023, noting that the reforms failed to properly integrate climate resilience into planning law.

I reiterate The Greens' calls for the Government to release any written advice and correspondence provided by the Independent Commission Against Corruption. The bill should be formally referred to the Independent Commission Against Corruption for a comprehensive assessment of its corruption risk. At this stage, the bill should be referred to a parliamentary inquiry. The scale and complexity of the reforms demand proper scrutiny. The Parliament should not allow the most significant overhaul of our planning system in 45 years to be rushed or to be determined behind closed doors, as it has been so far.

The Hon. MARK BANASIAK (17:30): In principle, the Shooters, Fishers and Farmers Party supports the building of more homes for the people of New South Wales. It is a complex problem, and it is getting worse. The Environmental Planning and Assessment Amendment (Planning System Reforms) Bill 2025 is complex. It gives sweeping powers to the Minister and the department to fast-track certain developments. It is no surprise that in the weeks since it was announced, many members' offices have been contacted by constituents. My office has been contacted by not only people concerned about renewable energy projects but also people from Mudgee concerned about the mine there and that the new laws will be used as a Trojan horse to fast-track those projects.

I put on record that my party is not anti-mining, but there is a clear land use conflict happening in Mudgee between the food producers and the mine. That problem is not going away, and it will not be solved by this bill. I ask the Government to get on with addressing that land use conflict. The whole remit of the NSW Agriculture Commissioner is to look at things like that, but there is perception in the regions that it is not. I welcome the Government's amendments in the other place to allay some of those fears about the bill being used to fast-track renewable energy or mining. I will move some further amendments because I have received guidance from the Parliamentary Counsel's Office that some of the Shooters, Fishers and Farmers Party's concerns are not fully satisfied by the Government's amendments.

Ms ABIGAIL BOYD (17:32): I fully endorse the comments of each of my Greens colleagues who have spoken on the Environmental Planning and Assessment Amendment (Planning System Reforms) Bill 2025. I reflect on the enormity of what is happening with this bill and on how much The Greens hate it—not just The Greens members in this place but The Greens MPs in the lower House and also our councillors. Remind me, Dr Cohn, how many councillors are there?

Dr Amanda Cohn: Seventy-three.

Ms ABIGAIL BOYD: There are 73 councillors around the State who absolutely loathe the bill.

Dr Amanda Cohn: Sorry, it is 74.

Ms ABIGAIL BOYD: Many of those 74 are mayors and deputy mayors. Our Greens councillors hate this bill. I had a lovely conversation with a colleague this morning. We were reflecting on what it is that Labor is doing at both the State and Federal levels and how many ways it can disappoint us. When this term of Parliament started and Labor came to government, we were hesitant. We were waiting to see how it would go once it had warmed its feet under the desk and we gave it a bit of time. In the first little while, it was all about review. Every problem had a review and an inquiry, and we were waiting for it to actually do something. It has started doing things this year, and I think universally it has been bad. I have found it hard to think of a good thing that Labor has done this year.

The Hon. Penny Sharpe: The Great Koala National Park.

Ms ABIGAIL BOYD: I would love to honour that interjection, but I will not because it was so long overdue and it has not been done yet. There are so many things I could talk about related to that, but I will not. I will talk about the authoritarian streak in this Government. We saw it right at the beginning when Chris Minns doubled down on the anti-protest laws, telling people what they could and could not protest about. We saw that this Government's approach to democracy was to try to squash it and to stop all forms of opposition to everything the Government was doing, not just in this place—where what we describe as the *Mean Girls* streak comes out in the Government when we do not like the horrible things it does—but with everything. Every single time there is opposition to something this Government is doing, its response is not to engage with the community or to hear out the objections but instead to try to quash dissent. It is authoritarian in its basis. It is a real authoritarian streak. We see Chris Minns making captain's calls, basically saying, "No. If the community does not like what we are doing, it's too bad. We will find a way to bulldoze through your opposition."

That is what we have in this bill. It would not be so bad except for—and I go back to 2½ years ago—the cautious optimism that many of us on the left had. Many progressive people that I spoke to thought that it was going to be all right, that New South Wales had finally got a government that was notionally progressive and was going to do progressive things. But what the Labor Party has done—and I think it is its greatest crime—has been to take the hopes of the progressive movement and crush them. People like me, people like the members of The Greens and all progressive people in this State have had their hopes crushed because this Labor Government is so

similar to the previous Government that it is very hard to have any hope anymore. That is a crime that goes way beyond what is in this bill.

So what is this bill doing? It is bulldozing democracy. It is putting in a new process to try to bulldoze the opposition of people, communities and local councils to new mining projects or any of the numerous projects that someone might want to object to. It does not communicate with the community. It does not try to bring the community with them. It just wants to tell everybody what to do. It is its way or the highway. But if a developer or fossil fuel company executive wants to build a massive, energy-hungry, water-sucking data centre in this State, there is an open door for them. Whether it is via Morris Iemma or directly, they can get some sort of meeting with the Premier, with the Treasurer or with whomever they like.

The Hon. Penny Sharpe: Point of order: I have been listening really carefully to the member. She is now making imputations against members of this House and of the other place. She is not allowed to do that during this debate.

The DEPUTY PRESIDENT (The Hon. Taylor Martin): I uphold the point of order. The member will come back to the leave of the long title of the bill.

Ms ABIGAIL BOYD: I was—and I acknowledge the point of order—but they are facts that have been reported in the news. I was not drawing any imputations. I am talking about the open door that the Labor Government has for developers, data centre proponents and all the rest of them. That is a fact. If Labor members do not like that, then they should not do it. We keep asking whose side Chris Minns is on. It is very clear that he is not on the side of the people that are in opposition to this bill because he is trying to bulldoze them. He is trying very hard to do whatever the big end of town wants him to do. That has now been put into the bill that is before us.

The Greens oppose the bill. I have absolutely no doubt that if the Coalition had brought this bill in the last term of Parliament when it was in government, The Greens would be siding with Labor to tell the Coalition how corrupt it was and how close it was to the developers and all the others. We would be sitting happily together in opposition to this bill. But instead, we now have the Labor-lition—is that what we should call the unholy alliance between Labor and the Coalition?

The Hon. Penny Sharpe: So yours is "the Mark Lathams"?

Ms ABIGAIL BOYD: I do not know what the Hon. Mark Latham's name is for you both.

The Hon. Penny Sharpe: I am sure the two of you can find one.

The DEPUTY PRESIDENT (The Hon. Taylor Martin): Order! Interjections are disorderly at all times. I remind Ms Abigail Boyd to return to the long title of the bill.

Ms ABIGAIL BOYD: I will just acknowledge the Hon. Penny Sharpe's interjection, because I find it incredibly offensive.

The Hon. Penny Sharpe: Well I find what you're saying in relation to corruption offensive as well.

Ms ABIGAIL BOYD: Well, don't do it. Don't allow developers through your doors.

The Hon. Penny Sharpe: Point of order—

The DEPUTY PRESIDENT (The Hon. Taylor Martin): Order! Members will not have conversations across the table. I will hear the point of order.

The Hon. Penny Sharpe: Constant imputations are being made by this member that, frankly, are offensive to members of this House. If she wants to move a motion about corruption, she should do it by a substantive motion. We are trying to get through this important planning bill at 20 minutes to six, which is the most substantial part of Government business today. I ask you to call her back to the second reading of the bill.

The DEPUTY PRESIDENT (The Hon. Taylor Martin): I uphold the point of order. For the second time I ask Ms Abigail Boyd to return to the leave of the bill. I will not ask a third time.

Ms ABIGAIL BOYD: I will bring it back to bulldozing democracy, which is what we are seeing the Government do, even in the context of debating the bill now. The Government does not want us to talk about what the bill actually does. It does not want us to talk about the way that the bill opens the doors even more to developers and big companies. Instead, it wants us to wave the bill through. If the Government was so confident about the validity and the contents of the bill, then it would have consulted on it rather than sewing it up with the Coalition behind closed doors and then launching it upon this Parliament with no time for a review. If the Government was so confident about the policy underpinnings of this bill, it would have allowed an inquiry so that councillors and

everyone else could have come forward and actually shared their views and helped to make it a better bill. But this Government is so scared of any sunlight, any accountability, that it will oppose reviews and it will oppose inquiries into what it is doing.

I think we can be forgiven for assuming some sort of nefarious intent, when that is the Government's attitude to the democratic process. It is trying to bulldoze and ram things through in the quickest possible time that it can. It is in keeping with bulldozing through community sentiment, which is what we have with this bill. If the Government was so confident about the underpinnings and the policy of the bill, it would not be talking about it being a housing bill when it is not. It would be saying that this is about bulldozing environmental opposition to mining projects. It would be saying this is about allowing developers a free ride to just build whatever they want, even though we know that it is not going to actually result in any improvement in housing affordability in this State. The Government would be honest about the contents of the bill if it was so confident with the policy underpinnings.

Again and again we see misinformation and spin from this Government as it tries to push through things that the public would not accept otherwise. This bill brings us back to where we started—with a government that is so hostile to transparency and accountability, that is so determined to bulldoze all opposition that it has crushed the hopes of the progressive people in this State. This bill is a shame on this Labor Government. This bill is a disgrace. The Greens stand up against it. We know that Labor in opposition would have been against it, and I hope that every member of the Labor Party is taking a long, hard look at themselves. Maybe then they will stop letting those developers through their doors.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (17:43): In reply: I thank members who contributed to the debate on the Environmental Planning and Assessment Amendment (Planning System Reforms) Bill 2025. I acknowledge the cooperation and support of the Leader of the Opposition, who, importantly, led the debate on behalf of the Opposition in the other place, and the shadow Minister for Planning and Public Spaces, the Hon. Scott Farlow, in this place. They have acted in good faith throughout the process of helping to design the provisions in the bill. The series of discussions between the Premier, the Leader of the Opposition, the shadow Minister, and the Leader of The Nationals, over a period of time, has culminated in a fairer, balanced and modernised planning reform bill. The Government also acknowledges the Hon. John Ruddick, who had a private member's bill on the business paper which he introduced in June 2025, and we hope that it will no longer be required for debate. The Government acknowledges his interest in expanding complying development and, as he has said, the provisions in this bill are better.

The proposed changes in the bill are designed to make the planning system fairer and faster. They will remove ambiguity, duplication and modernise the Environmental Planning and Assessment Act to tackle the challenges of today and into the future. For too long, planning in New South Wales has been bogged down in a system that treats every application as though it carries the same level of risk and complexity. This is not good planning and it is a pity that there are some who want to pretend that the current system is working perfectly. We all know that it is not. Maintaining the status quo is not the best outcome here. New South Wales needs to coordinate land use, infrastructure and investment more efficiently. A slow or inconsistent planning system adds to the cost of infrastructure, delays job creation and environmental protection, and reduces productivity. Housing supply is not keeping up. The planning system has become a bottleneck for new housing. Long approval times, inconsistent rules and overlapping layers of bureaucracy delay the delivery of homes.

The system has evolved into a patchwork of legislation, policies and procedures, making it hard for planners, proponents, councils and communities to navigate. Complexity creates uncertainty, increases the risk of corruption, raises costs and deters investment. The current system is more focused on process rather than delivering good outcomes, like great communities, affordable housing and climate resilience. There is often a lack of clarity and accountability about what is being achieved through planning decisions. The bill changes that and, again, it is a pity that some members in this House prefer the status quo and have made incorrect allegations and misleading claims throughout this debate.

Despite the misleading information which has been presented by some, rebuilding the integrity and trust of the New South Wales planning system is at the heart of this package of reforms. The reforms restore integrity by refocusing the system on outcomes, accountability and openness. The creation of the Development Coordination Authority [DCA] does not remove statutory concurrences or referrals in other legislation, as some have suggested. It also does not change or diminish any community consultation requirements, as proposals that the DCA are involved in will continue to be publicly exhibited and subject to submissions, exactly as they are now. The DCA's role is to better organise and coordinate the expertise of State agencies, not to replace it. Its purpose is to bring together assessment and advice processes so that decisions are more timely, consistent and transparent, not to fast-track or bypass normal planning pathways.

Importantly, the DCA will be required to report annually on its activities and performance, providing a clear line of accountability and transparency. This will, for the first time, create a single, accountable body responsible for tracking and reporting on the performance of more than 20 agencies and entities that play a role in the planning system. It is difficult to understand why people would oppose this. Further, as part of the Department of Planning, Housing and Infrastructure, the DCA will be subject to the robust systems and safeguards already in place across the department, including mandatory probity and ethics training for all staff, regular internal and external reporting, and strong transparency and disclosure requirements.

Let us remember that the Queensland's State Assessment and Referral Agency is a proven and comparable model, demonstrating that central coordination has operated successfully for years under similar principles without compromising transparency or integrity. Our own Housing Taskforce has delivered system improvements over the past year without compromising assessment quality. The DCA will not determine development applications. It will operate within the existing legislative framework to coordinate assessment and referral processes, with full transparency and integrity safeguards in place.

There was a lot of invoking of the ICAC during this debate, but let us put the facts on the table. ICAC has clearly indicated itself that its role is not to endorse or approve legislation. The department has met with ICAC on five occasions over the past 13 months to discuss key aspects of the reforms, including the DCA and the Housing Delivery Authority. ICAC did not raise any specific concerns about the reform package but provided strategic and practical advice to ensure that any potential risks are well managed. That is its role. Furthermore, the department has implemented changes to respond to Operation Dasha and other ICAC findings, and the bill will not change that. Independent decision-making will continue through local planning panels. Those operate under existing directions and code of conduct protocols that promote transparency in the planning system. Existing provisions that require local planning panels to publicise written reasons for their decisions will remain.

The targeted assessment development pathway will help bridge the gap between a compliant development and a full development application, accelerating the development of well-considered and low-risk proposals. That new planning pathway is designed to reduce duplication of assessments where strategic planning and community consultation have already occurred up-front, without undermining important environmental safeguards. Targeted assessment will not remove the need to consider important environmental matters covered by other legislation, such as the Biodiversity Conservation Act 2016. To suggest otherwise is simply incorrect. The changes prioritise up-front public consultation on strategic considerations and the development of controls. The community will have the opportunity to provide input before a State environmental planning policy [SEPP] can declare a certain development as a targeted assessment development.

Let us talk about the comparisons made to part 3A of the Environmental Planning and Assessment Act. I address the assertion head-on: Targeted assessment is nothing like part 3A. Some of us were here when part 3A was in place but some members are newer. It would help for them to understand how it worked, rather than simply making untrue allegations. Part 3A gave the planning Minister broad powers to call in and approve major projects, often overriding local controls and community input. Those days are gone, as they should be, and they are not coming back under the bill. Part 3A let the Minister call in any project for virtually any reason, without exhibition or notification. The complete opposite is true for targeted assessment.

Targeted assessment will be the only provision in the entire Act that requires mandatory public exhibition of an explanation of intended effect, or an EIE, before a SEPP can be made. That is a big win for transparency and the community. Part 3A was about major projects, often with significant environmental impacts. The targeted assessment pathway will not be used for large-scale and high-impact developments such as mining and other industrial projects. It was not designed for that purpose. Those projects will continue to be subject to detailed merit assessment, as is currently the case and as is appropriate. The Government moved amendments to the bill in the other place to further clarify beyond doubt that the targeted assessment development pathway would not apply to resource or large renewable energy projects.

Part 3A largely switched off part 4 and the development application process for major projects. Targeted assessment development is still subject to part 4 of the Act and to development application processes. Every project under the targeted assessment pathway will still be assessed against the law and other legislation will remain in place, including the Biodiversity Conservation Act. What will be different about targeted assessments is that they will create clear, rules-based pathways for development that meets preset standards—the opposite of the current ad hoc ministerial decision-making.

It is transparent and not secretive. The assessment criteria will be published, decisions will be documented and appeal rights will remain. Independent decision-making through local planning panels and the Independent Planning Commission will also continue. The pathway is designed to reduce red tape, not remove scrutiny. It is about speeding up good development, not sidestepping the rules. If anything, the reform strengthens accountability

and consistency, addressing exactly the weaknesses that made part 3A so controversial. The bill delivers a modern, transparent and fair planning system—the complete opposite of what part 3A represented.

The Planning Institute of Australia has long advocated for streamlined assessment processes, especially for low-risk developments. The Planning Institute of Australia has welcomed the proposed targeted assessment development pathway as a step toward a more efficient planning system. In a media release dated 17 September 2025, New South Wales president of the Planning Institute of Australia Sue Weatherley said:

Planners support a risk-based approach to development assessment – where low-risk, straightforward development can proceed through streamlined pathways – freeing up resources for more complex or higher-risk proposals. ... Too often, development assessment has become bogged down in piecemeal rules that add complexity without delivering better outcomes. What is needed is committed, evidence-based strategic planning that provides clear direction upfront, and when these strategic plans are in place development applications can be approved quickly and predictably.

In an article on targeted assessment that appeared in *The Fifth Estate*, Ms Weatherley further added:

Done well, it could streamline assessments and reduce unnecessary delays while maintaining the transparency and accountability essential to good decision-making.

I want to thank a few people, but first I make a couple of comments on record without a script. Watch out—I could say anything here. Why are we doing this? Why is the bill before the House? It is because young people and other workers in this city and the rest of the State cannot afford to buy a house or even rent a house. We need to put in place a range of measures that mean that people actually have a roof over their head. Whether they are renting or, importantly, are actually able to buy a house in this city, no-one wants it to be a place where only those who have been lucky enough to ride the property market over the past 20, 30 or 40 years own their own house and are therefore set up for life. Meanwhile, they have their adult children living with them because those young people have nowhere to go.

The Greens have to get honest about this issue. They say they are for housing, but there is always a reason not to support any reform. Every time they say that they want more affordable housing, it is in a way that could never be developed—"We want good planning but we don't support this, so we're just going to support the status quo, which is fundamentally failing."

Ms Sue Higginson: It is not about housing.

The Hon. PENNY SHARPE: They do not like it when I actually call them out about this. It is time to make hard decisions. We have to do it because the status quo is not acceptable for our economy or for the people who live in this State. We need to actually build more houses. I know that The Greens are against anyone except the Government building a house.

The Hon. Rose Jackson: No, they do not want me to do it either.

The Hon. PENNY SHARPE: They do not even recognise the billions of dollars that this Government has put into rebuilding social housing in this State. There is always a reason to say no. That is fine—just say no. They say that they are for housing, but everyone knows that is a joke because they say no every single time. There is always a reason that they do not do it. The rubbish that we have heard during this debate regarding the misleading allegations around corruption and the imputations that have been made about this Government are frankly shameful. They are absolutely shameful. The Government has been very clear about what it is doing. The bill is far more transparent, and it has been good to work with people across the Chamber—which is the democratic process, by the way—to work through the challenging issues with a very old Act.

The Act has had so many different pathways built into it and so many different ways in which things are turned on and off that people in the community do not even know how they can get little renovations done on their houses without going through about 50 stages. For people who actually want to build houses—and whether The Greens believe it or not, we need people to actually build houses—the various pathways that they have to take are so unclear. For all of the good work that our planning department does, we have left it with a mess. The bill is about having clear signposts and up-fronting those who do the right thing, through a clearer, less complicated, cheaper and faster pathway. That means that we will end up with more housing that we desperately need. The Greens can vote no on everything; it is okay. They will continue to do that. We know that is what will happen and we will just continue on.

Ms Abigail Boyd: What about the coalmines, Penny?

The Hon. PENNY SHARPE: See? They still don't really like it. But the point is that the bill is necessary. It is the result of a lot of very careful work over a very long time. We welcome those who have genuinely tried to engage, rather than finding every excuse under the sun to continue to do nothing. I recognise and thank the public servants who have worked very carefully on the bill. I thank Clay Preshaw, Matt Riley, Kiersten Fishburn, Monica Gibson, David Gainsford, Janine Lonergan, Aoife Wynter, Brendon Jenkins, Campbell Green, Kim Leliar, Kirsty

Thomas—there are a lot of them because it takes a lot of work!—Ashlee Adams, Angel Troke, Karma Eddison-Cogan, Phil Nevill and André Szczepanski for their collective work on the preparation of the bill. Some of the suggestions made during debate about the integrity of the people working on the bill and what they have delivered to the House are frankly outrageous.

I also thank the Minister's hardworking staff: Paul Levins, Gino Mandarino, Emma Dymock, Jacob White, Caitlin Roodenrys, Alexie Hamilton and Jenny Archdall. I give a special shout-out to the Minister's executive assistant, Kylee Vanderheyden, who played a game of diary *Tetris* to organise everything and make sure that as many people as possible were briefed as often as they needed to be. I also acknowledge the hardworking departmental liaison officers in the Minister's office: Natalie Camilleri, Rachelle Abousaleh, Katie Healey and Jeremy Martin.

It is no easy task to modernise an Act of nearly 50 years standing, which has been bolted onto and made so complicated. If any members want to know how complicated, they should look at the Premier's favourite A3 sheet, which is the decision-making around our planning system. Good planning has to be transparent, has to have integrity, has to be clear and, ideally, has to be as simple as possible. That is what the bill delivers. Despite all of the carry-on from those who just want to continue with the status quo and use the bill as a fig leaf so that we do not build any houses in this State, I commend the bill to the House.

The DEPUTY PRESIDENT (The Hon. Taylor Martin): It seems that members have been at their most animated this week whenever I have been in the chair, but I do not suggest that correlation equals causation.

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

The House divided.

Ayes34
Noes5
Majority.....29

AYES

Banasiak	Kaine	Murphy
Barrett	Latham	Nanva (teller)
Borsak	Lawrence	Overall
Buckingham	MacDonald	Primrose
Buttigieg	Maclaren-Jones	Rath (teller)
Carter	Martin	Roberts
D'Adam	Merton	Ruddick
Donnelly	Mitchell	Sharpe
Fang	Mookhey	Suvaal
Farlow	Moriarty	Tudehope
Houssos	Munro	Ward
Jackson		

NOES

Boyd (teller)	Faehrmann	Hurst (teller)
Cohn	Higginson	

Motion agreed to.

In Committee

The CHAIR (The Hon. Rod Roberts): There being no objection, the Committee will deal with the bill as a whole. There are six sheets of amendments: The Greens amendments Nos 1 to 21 on sheet c2025-210I; Shooters, Fishers and Farmers Party amendments Nos 1 to 9 on sheet c2025-234B; Shooters, Fishers and Farmers Party amendment No. 1 on sheet c2025-236A; The Greens amendments Nos 1 to 8 on sheet c2025-229G; Animal Justice Party amendments Nos 1 and 2 on sheet c2025-243A; and Legalise Cannabis Party amendment No. 1 on sheet c2025-247A. I invite Ms Sue Higginson to move The Greens amendments Nos 1 and 11.

Ms SUE HIGGINSON (18:10): By leave: I move The Greens amendments Nos 1 and 11 on sheet c2025-210I in globo:

No. 1 **Definition of "development standards"**

Page 4, Schedule 1[3]. Insert after line 25—

- (xiva) measures for the protection of development from the impacts of natural hazards and climate change,

No. 11 **Natural hazard and climate risk assessment**

Page 17, Schedule 1. Insert after line 48—

[65A] Section 4.15A

Insert after section 4.15—

4.15A Natural hazard and climate risk assessment

- (1) A consent authority must not grant consent to development on hazard prone land unless a natural hazard and climate risk assessment for the development has been prepared and considered.
- (2) A natural hazard and climate risk assessment must address, to the fullest extent possible, the likely impacts of relevant natural hazards and the projected effects of climate change on the development and on the affected or likely to be affected environment.
- (3) Without limiting subsection (2), for development on bush fire prone land, a natural hazard and climate risk assessment must be prepared in accordance with guidelines approved by the Commissioner of the NSW Rural Fire Service.
- (4) The regulations may make provision about the form and content of a natural hazard and climate risk assessment.
- (5) In this section—
hazard prone land means the following—
 - (a) bush fire prone land,
 - (b) flood-affected land,
 - (c) land subject to coastal hazards, as identified by or under an environmental planning instrument.

These two amendments insert a paragraph to expand the definition of development standards to include measures for the protection of development from the impacts of natural hazards and climate change. The amendments will embed climate change adaptation into the core definition of planning standards and align hazard-resilient planning frameworks with the NSW Reconstruction Authority and the Department of Climate Change, Energy, the Environment and Water. That should ensure consistency with risk-based land-use planning principles under the State Disaster Mitigation Plan.

Amendment No.1 shifts the definition of development standards from a purely static building and land-use measure to a dynamic one incorporating protection from natural hazards and climate change impacts. The amendment adds the phrase "measures for the protection of development from the impacts of natural hazards and climate change" to the definition. This broadens the scope of standards to include adaptation; how development must respond to hazard and climate risk, including bushfires, flooding, storms, coastal erosion and heat; and mitigation awareness. It recognises that developments contribute to climate change and thus may need to reduce contributions or be resilient to resulting changes.

The amendment embeds resilience, risk-based planning and forward-looking climate change adaptation into the statutory core of planning standards. The effect of placing this in the definition of development standards will mean that any instrument, plan, consent or certificate that refers to development standards must implicitly or explicitly address hazard and climate measures. This aligns with calls made by various reviews and planning bodies for planning systems to integrate climate change and hazard risk as a fundamental planning consideration, rather than leaving it to guidelines or discretionary assessment. The change, therefore, strengthens the legislative mandate. Instead of these matters being optional or subsidiary, they become part of what development standards must encompass. The amendment aligns with the approach of the Planning Institute of Australia, which states:

Natural hazards must not be viewed as contingencies but as inevitable and increasing risks to communities.

It also accords with findings in the *National Climate Risk Assessment* released in October 2025, which identifies a range of hazards, including heat, bushfires, floods and storms that are escalating under climate change and emphasises the need for land-use planning to incorporate these risks.

The legislative insertion supports a shift in policy guidance for New South Wales authorities, such as *Planning Circular PS 24-001* on flooding, towards a risk-based assessment of hazards and climate change in development decisions. By embedding these measures at the definition level, the amendment aims to ensure consistency between hazard- and climate-risk frameworks, like those from the NSW Reconstruction Authority for example, and planning legislation. It thereby promotes alignment with risk-based land-use planning principles

that steer development away from high-risk areas and require mitigation and adaptation measures for hazard-exposed sites rather than allowing development standards to ignore, minimise or have complete discretion over climate and hazard risks.

A report by the Climate Council found that one in six homes in Australia are at risk of flooding and that flood-prone homes are collectively worth \$42.2 billion less than comparable non-flood-prone homes. That suggests that many developments that were permitted without having sufficient flood, hazard or climate risk assessments are already suffering diminished asset value. It highlights the economic cost of not embedding hazard and climate considerations early on in the development process. *Planning Circular PS 24-001* was released in March 2024 after the 2022 flood inquiry. It emphasises that planning authorities must apply a risk-based approach to flood-affected land and "take into account the flood risk profile of each proposal," including vulnerability to climate change. The existence of the circular signals that previous standards may not have adequately required assessment of future climate-hazard risk.

The specific clause inserted by the amendment ensures that any development standards must include measures to protect from hazards and climate change. Without such wording, there is a risk that standards will continue to treat hazard and climate adaptiveness as optional or secondary. By embedding the language at the definition level, subsequent policies, consents, development controls and certificate regimes will be required to refer to these protective measures, thereby strengthening enforceability and consistency. The amendment addresses a known gap in planning legislation, namely that statutes often refer to hazards or climate change in guidelines or policy but not in the core definition of development standards. This means that the legislative hook is much weaker. Amendment No. 1 corrects this. The change means that when decision-makers are assessing a proposal or setting a standard, they must explicitly ask if the development standard incorporates protection from natural hazards and climate change impacts. If it does not, then the standard is clearly deficient.

The amendment also supports forward-looking planning. For example, it requires private certifiers, local councils and planning instruments to incorporate climate-resilient building design that sits away from hazard-prone land or adaptation and mitigation strategies like elevated floor levels, storm-resilient design, bushfire-resistant materials and heat mitigation measures. From a policy perspective, this amendment supports the broader reform goals of transparency, resilience and sustainability in planning. It also helps align New South Wales legislation with national adaptation frameworks and hazard-planning best practice.

Amendment No. 11 concerns the natural hazard and climate risk assessment. It prohibits a consent authority from granting consent to developments on hazard-prone land unless a natural hazard and climate risk assessment has been prepared and considered. The assessment must address the likely impacts of hazards and climate change on the development and affected environment. Hazard-prone land is defined in the amendment, and includes bushfire-prone land, flood-affected land and coastal hazard areas affected by erosion, rising sea levels and storm surges. The assessment requirement forces development proponents and consent authorities to evaluate the risk from hazards and the impact of future climate change, including rising sea levels, increased flood depth and bushfire frequency. It also elevates the obligation of decision-makers to assess whether proposed developments are resilient to those changing conditions, which aligns with broader climate policy.

By requiring explicit hazard and climate risk assessment before consent, the amendments ensure that development does not lock in vulnerability—for example, new homes in flood zones or coastal erosion zones—without future resilience. That reduces future costs to government, insurers and communities when natural disaster events occur or when climate change driven hazards increase. For bushfire-prone land, assessments must comply with guidelines approved by the RFS commissioner. The amendments establish a statutory foundation for integrating hazard mapping, predictive modelling, climate scenario analysis and resilience standards into local planning instruments and the development consent regime, not just strategic planning.

Ultimately, the amendments are very much driven by understanding and having knowledge of what is happening across the landscape. For example, right now a person only has to go to West Yamba to see what is still happening across that flood plain. Roof-to-roof housing is currently still being built, when we know that those homes get flooded to their roofs. The inundation is catastrophic. We are talking about an ageing community population, which gets stranded and locked off from being able to access help and services. Under the planning system right now, those homes are being built in the most catastrophic environments. Anybody who has not lived through what our communities have would not understand how significant it is that these changes in the planning system happen now. It is hard to fathom. We are seeing this significant, once-in-a-generation overhaul of the planning system—the planning system reforms bill.

I assume the Government will support the amendments because, if it is genuine about reforming the current failures of the planning system, the amendments go straight to fixing up the scenario I have just identified in West Yamba. Obviously there are other scenarios all across the State that we could point to. I am genuinely curious about why the heck the Government would not support the amendments, when it is talking about reforming a

system and building more homes. If the Government wants to do that, surely it wants to build them properly and make sure they are in places where people will not get cut off.

In considering the amendments, I remind the Government that, in the last catastrophic event, people in West Yamba, in those homes that are still being built under the current system, could not access medicine or other things they needed to survive the subsequent three days. It was a catastrophe; it was an emergency. The Reconstruction Authority is doing everything it can to develop instruments, talk to planning and implement changes to ensure that those things will not happen to communities anymore. But as we pass this bill, if we are serious, we would give real work to the reconstruction authorities, disaster plans and adaptation plans. They would be going right into the Government's reforms. The amendments would fix the bits that were not put in, but needed to be put in, to ensure that we do not continue down the disaster path of building houses in the wrong places. I commend the amendments to the Committee.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (18:23): The Government will not support the amendments. The purpose of the reform is to simplify and clarify the definition of development standards, not make them more complex. The Greens amendments would only add further complexity during that interim period and delay the benefits of a simpler, more workable system. There is no policy or practical benefit in doing so. It simply reintroduces the ambiguity the Government is trying to remove through the bill. Section 4.15 already requires consideration of environmental impacts and the suitability of the site, which includes natural hazard and climate-related risks. For the first time, the bill proposes to introduce into the Act an object on climate change and natural disaster resilience to underscore its importance and continue to promote the conservation of threatened species and the principles of ecologically sustainable development.

The Government is committed to a new climate change and natural hazards State environmental planning policy, which will provide a framework to guide land use planning and development in response to the growing risks posed by climate change and natural hazards. The bill also amends section 4.14 of the Environmental Planning and Assessment Act, which currently deals with consultation and development consent requirements on certain bushfire-prone land. Those changes simplify the provision, allowing the considerations to be effectively addressed through planning instruments. The amendments proposed by The Greens conflict with not only that goal but also section 4.14.

I also make the following comments. A lot of work is going on across this Government in relation to adaptation, disaster recovery and the way in which we manage them through the whole system. The Greens talk as if none of that work is occurring and as if, somehow, we are ignoring the issues or do not care about their impact. That is simply incorrect. This amendment does not fix the problem they say it is trying to solve. The Government is working diligently through all aspects of our whole-of-government approach to those matters, and we will continue to do so.

The Hon. SCOTT FARLOW (18:25): From the outset, I outline that the Coalition made amendments to the bill in the other place to our satisfaction. Except for one set, no other amendments align with that other set of amendments that were unsuccessful in the other place. With those amendments being made, we will not support any amendments tonight, and I will leave my comments there for all of the amendments.

Dr AMANDA COHN (18:26): The Government said that it does not support the amendments because they introduce complexity, but the amendments that have been moved by my colleague Ms Sue Higginson are very sensible. I acknowledge her significant expertise in planning and environmental law from her professional life before entering this place. I also note that one of the first things she did in this term of Parliament was to chair an inquiry into the planning system and the impacts of climate change on the environment and communities, so she has significant expertise in moving the amendments.

They are sensible amendments that align with the work that the Government is already doing. They are about aligning the legislation with the hazard resilient planning frameworks within the Reconstruction Authority and the Minister's department, and they ensure consistency with risk-based land use planning principles under the State Disaster Mitigation Plan. They are about putting into law the good work that the Government is doing within some of its departments. The Government is desperate to spin the very real concerns of the people that The Greens represent tonight as "The Greens voting no on everything". This is one of many examples of significant work that has gone into drafting amendments to genuinely improve the legislation and make a difference to people's lives. I again acknowledge my colleague Ms Sue Higginson and Dan Reid in our office, who have done an extraordinary amount of work to bring these detailed, sensible amendments to the House.

Ms Sue Higginson: Hear, hear, Dan!

Dr AMANDA COHN: I commend the amendments to the Committee.

Ms ABIGAIL BOYD (18:27): I echo the contribution of my colleague Dr Amanda Cohn. The Greens are always open to negotiations and discussions. It is very hard when we get a bill like this that was sewn up behind closed doors before it was even released to the public. I absolutely support the very well-considered, detailed amendments moved by my colleague Ms Sue Higginson. I would love to think that we could just push considerations of climate change to one side and pretend they do not exist, but that is not the world we live in. We must learn from disaster events. We have to think beyond the next electoral term. The long-term cost of building without climate in mind will be so much higher than doing it right from the beginning. Now is not the time to suddenly neglect considerations around where to build, in light of where future disasters will occur. These are very sensible amendments, and we ought to consider them. I believe we would have considered them if this had been a more open process. I support the amendments.

The CHAIR (The Hon. Rod Roberts): Ms Sue Higginson has moved The Greens amendments Nos 1 and 11 on sheet c2025-210I. The question is that the amendments be agreed to.

The Committee divided.

Ayes5
 Noes32
 Majority.....27

AYES

Boyd (teller)
 Cohn

Faehrmann
 Higginson (teller)

Hurst

NOES

Banasiak
 Barrett
 Borsak
 Buttigieg
 Carter
 D'Adam
 Donnelly
 Fang
 Farlow
 Houssos
 Jackson

Kaine
 Latham
 Lawrence
 MacDonald
 Maclaren-Jones
 Martin
 Merton
 Mitchell
 Mookhey
 Moriarty
 Munro

Murphy
 Nanva (teller)
 Overall
 Primrose
 Rath (teller)
 Ruddick
 Sharpe
 Suvaal
 Tudehope
 Ward

Amendments negatived.

The CHAIR (The Hon. Rod Roberts): I shall now leave the chair. The Committee will resume at 7.30 p.m.

The Hon. PENNY SHARPE: I move:

That the Chair do now leave the chair, report progress and seek leave to sit again at a later hour of the sitting.

Motion agreed to.

Adoption of Report

The Hon. PENNY SHARPE: I move:

That the report be adopted.

Motion agreed to.

The ASSISTANT PRESIDENT (The Hon. Peter Primrose): According to sessional order, further consideration of the bill is set down as an order of the day for a later hour of the sitting.

Business of the House

SUSPENSION OF STANDING AND SESSIONAL ORDERS: HARD ADJOURNMENT

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (19:33): I seek leave of the House to move a motion forthwith to suspend Standing Order 34 relating to the hard adjournment this day.

Leave not granted.

Bills

ENVIRONMENTAL PLANNING AND ASSESSMENT AMENDMENT (PLANNING SYSTEM REFORMS) BILL 2025

In Committee

Consideration resumed from an earlier hour.

The CHAIR (The Hon. Rod Roberts): We are up to Greens amendments Nos 2, 3 and 6 on sheet c2025-210I.

Ms SUE HIGGINSON (19:35): By leave: I move The Greens amendments Nos 2, 3 and 6 on sheet c2025-210I in globo:

No. 2 Development Coordination Authority advice, recommendations and reports to be published

Page 7, Schedule 1[16], proposed section 2.11F. Insert after line 14—

- (2) The Development Coordination Authority must publish on a website maintained by the Department advice, recommendations and reports provided to the Minister under subsection (1) within 10 business days of the advice, recommendation or report being provided.

No. 3 Development Coordination Authority transparency

Page 7, Schedule 1[16]. Insert after line 14—

2.11FA Development Coordination Authority transparency

The regulations may require that specified documents and information, or documents and information of a specified class, relating to the Development Coordination Authority must be made publicly available on the Development Coordination Authority's website or the NSW planning portal.

No. 6 Statement of reasons for decisions

Page 13, Schedule 1. Insert after line 26—

[40A] Section 2.32

Insert after section 2.31—

2.32 Statement of reasons for decisions

- (1) A consent authority must prepare a written statement of reasons for each determination made under this Act, section 4.16.
- (2) The statement of reasons must—
 - (a) identify the matter determined, including the land or proposal to which it relates, and
 - (b) specify the decision made and the statutory provisions applied, and
 - (c) set out the principal reasons for the determination, including reference to any relevant considerations under section 4.15, and
 - (d) set out the rights of appeal for interested persons, if any.
- (3) The consent authority must publish the statement of reasons on the consent authority's website or on the NSW planning portal within 7 days after the determination is made.
- (4) The Minister may, by order published in the Gazette, specify further classes of decisions to which this section applies.

Together these amendments establish statutory publication requirements to prevent ministerial gatekeeping of the advice of the Development Coordination Authority [DCA]. This is all about transparency. It would provide a legislative basis for full public access to the Development Coordination Authority documents and ensure that the authority operates with the same level of transparency as the Independent Planning Commission. Amendment No. 2 inserts subsection (2) into new section 2.11F, to require the Development Coordination Authority to publish advice, recommendations and reports provided to the Minister, within 10 business days. The requirement in amendment No. 2 sets a time-bound duty, within 10 business days, to publish certain materials—advice, recommendations and reports—submitted by the Development Coordination Authority to the Minister. That language converts what may have been discretionary into a mandatory time frame.

During the consultation that we had the privilege and benefit of, there was quite a bit of discussion from the Minister and the senior representatives, saying, "We are going to do all these good things. You can trust us. This is what we will do. This is the practice." But the reality is that the public does not trust the individuals, nor

should it. The public wants to be able to trust the system that is enshrined in the legislation, when it comes to planning. I think that that is fair, and that is what this provision, like many of our amendments, ultimately seeks to do. The phrase "provided to the Minister" clarifies that these are the documents that the authority or its staff submits to the ministerial office, meaning that the oversight of the DCA's internal advice stream is subject to public visibility.

Amendment No. 3 inserts new section 2.11FA, concerning Development Coordination Authority transparency, enabling regulations to require publication of specified classes of the authority's documents on the NSW Planning Portal. Again, perhaps the department intends to do this, but intention and requirement are two separate things. The addition of section 2.11FA creates a regulation-making power to determine further classes of documents for publication. The language shifts from "may publish" to "must or shall publish" or at least mandates the publication of specified documents through regulations. I really do not understand why the Government is so reluctant to go down this path. The whole narrative around these reforms is about clarity, certainty and haste—just doing it. This amendment seeks to put into law what we are told will be done so that it actually happens, and the public can trust that it happens. The practice will become more and more effective, efficient and expedient, and there will be certainty.

Both amendments explicitly address transparency by inserting statutory publication obligations rather than relying solely on policy or administrative practice. These amendments create a statutory requirement for the DCA to disclose key documents, thereby reducing the potential for it to gatekeep the advice of the Minister or departmental officials. By enabling the regulations to designate further classes of documents for disclosure on the NSW Planning Portal, the legislation provides a mechanism for comprehensive public access to the workings of the DCA beyond its immediate advice or reports. The effect is to bring the accountability and transparency of the DCA in line with the Independent Planning Commission, which has established effective disclosure practices that the public has become used to over time.

The amendments reflect an attempt to strengthen integrity safeguards in the new centralised referral-approval authority model. The creation of the DCA in the bill is part of a major overhaul of the New South Wales planning system. It centralises many approval and referral functions into one "single front door" authority. Centralisation increases the risk of reduced external oversight, particularly if multiple agency referral functions are subsumed into the DCA without strong transparency safeguards. These reforms have drawn commentary on their integrity and corruption risks. The Government is unhappy about this, but it was the Minister who conveyed to the community at large that the reforms had been checked by ICAC in his second reading speech. That laid the foundation for members to ask questions about what that actually means. It also raises the issue of how the Government conveys to the community that it has sorted out a genuine risk of corruption with ICAC. This issue was clearly on the Minister's mind and a worry for the department and those who drafted these reforms.

Since 2012, and even earlier, ICAC has said that centralising power in the way that this bill does is a corruption risk. I note that other concerns have been put forward. The Environmental Defenders Office wrote a briefing note on the bill that has been widely circulated. It identifies that decision-making functions formerly exercised by specialist agencies may be shifted to the DCA. It also emphasised the importance of transparency and said that the DCA is intended to help streamline decision-making but "there is no requirement for the DCA to do this". This means there is no requirement to consult with experts. It also stated:

The centralising of functions ... is contrary to ICAC recommendations regarding the importance of providing adequate opportunities for competing public interests to be considered, and transparency in this being done.

That is precisely the thing that this bill walks away from. The amendments we propose tonight seek to close that gap. They go some way to satisfying ICAC's consistent advice that has been in the public arena for over a decade. The amendments respond to that transparency risk by embedding publication obligations in the legislation rather than leaving them to policy, goodwill or a whim. This means that the DCA must develop processes to capture the advice, recommendations and reports it submits to the Minister and ensure that they are published on the Planning Portal within 10 business days. Failure to do so would then give rise to questions of noncompliance with a statutory duty.

These are important aspects of administrative law. Members can talk about efficiencies and fast-tracking when considering planning decisions, but they are also attacking 50 years of integrity measures that have been built up over time. Administrative law built those integrity measures, and we have learned what they mean and what they look like. Statutory duties are very important functions of planning law. The further we move away from them, the further we head towards dirty, murky water.

With regard to the regulations, the Government or the relevant Minister would have to designate what further classes of documents are subject to publication under new section 2.11FA. That should include internal memos, agency referral responses, minutes of DCA meetings, strategic advice, project briefs or general terms of

approval. For stakeholders, such as community, industry and NGOs, the amendments will enable earlier and more automatic access to the DCA's reasoning and referral advice. That enhances the capacity to scrutinise decisions and hold decision-makers to account. It also gives weight to the very foundations of good planning law, which is genuine public participation, engagement, transparency and the ability to hold the system to account.

Amendment No. 6 provides for the statement of reasons for decisions to be part of the bill. It requires that consent authorities prepare and publish a written statement of reasons for every determination under section 4.16. The statement must identify the proposal, specify the decision and statutory provisions applied, set out principal reasons, and outline rights of appeal. It must be published on the NSW Planning Portal within seven days, and it will ensure transparency in how section 4.15 matters are applied. Specifically, the statement must identify the proposal; specify the decision made; indicate which statutory provisions, including section 4.15 matters, were applied; set out the principal reasons for the decision; and outline the rights of appeal.

The obligation covers every determination under section 4.16, which governs development consents, thereby applying broadly across consent determinations rather than only for major or State significant projects. The specification of the minimum content of the statement—the proposal, the decision, statutory provisions, principal reasons and rights of appeal—details the core minimum transparency standard and makes the duty more than a mere statement of principle. By requiring the statement to set out the principal reasons and the statutory provisions applied, the amendment directly links decision-making to the legislative framework, including section 4.15 matters for consideration, and thus enhances accountability and auditability of planning decisions.

One of the major challenges in the planning system has been the opaque nature of decision-making, where the reasoning behind determinations is not always publicly accessible or comprehensible. Providing a written statement of reasons strengthens both procedural fairness and public confidence. As decisions must consider the matters listed under section 4.15, such as environmental impacts, hazard risks and site constraints, requiring express identification of the statutory provisions applied ensures that those matters are not simply reviewed behind the scenes but are linked to the published reasoning. Transparency of reasons is recognised in administrative law as a key principle of good governance. Its explicit insertion in planning legislation strengthens the regime's integrity.

If inserted, this regime would literally provide a heck of a lot more transparency for development determinations. We are currently moving away from a transparent system and towards a less transparent system, with more power concentrated in fewer hands. Rather than handing out notices of determinations to proponents as the single source of the decision, amendment No. 6 sets out extra requirements of transparency, explanation and accountability measures such as providing reasons for decisions. They meet the contemporary standard, and the Government should incorporate them into this regime. I hope that the Government considers adopting these amendments. I commend the amendments to the Committee.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (19:48): The Government will not support the amendments. Through amendments already agreed to in the other place, the planning secretary will report on the operations of the Development Coordination Authority in the department's annual report, which is tabled in Parliament. It is also important to note that schedule 1 to the Act requires consent authorities to provide reasons for their determination of a development application, having regard to any statutory requirements applying to the decision. Section 4.18 also requires consent authorities to notify applicants of their determinations and to inform objectors of their appeal rights. The regulations go even further, setting out detailed post-determinant notification requirements, including written notice to anyone who made a submission to approval bodies and other relevant parties. Clause 88 of the regulations also specifies exactly what information must be included in those notices. In short, the system already provides a high level of transparency about how and why decisions are made. The Government does not support the amendments.

The CHAIR (The Hon. Rod Roberts): Ms Sue Higginson has moved The Greens amendments Nos 2, 3 and 6 on sheet c2025-210I. The question is that the amendments be agreed to.

Amendments negatived.

Ms SUE HIGGINSON (19:49): I move The Greens amendment No. 4 on sheet c2025-210I:

No. 4 Consultation about cultural heritage and Aboriginal land

Page 8, Schedule 1[16]. Insert after line 10—

2.11J Consultation on cultural heritage and Aboriginal land

- (1) Before exercising a function that may or is likely to affect Aboriginal cultural heritage or land subject to native title or a claim made under the *Aboriginal Land Rights Act 1983*, the Development Coordination Authority must consult with the following—

- (a) the New South Wales Aboriginal Land Council,
 - (b) the relevant Local Aboriginal Land Council,
 - (c) the native title representative body for New South Wales as declared under the *Native Title Act 1993* of the Commonwealth, Part 11.
- (2) The Development Coordination Authority must have regard to advice received during consultation under this section.
 - (3) The Development Coordination Authority must publish on the Authority's website or the NSW planning portal written advice received during consultation under this section unless the body being consulted has requested the written advice, or a part of the written advice, not be published on the grounds of cultural confidentiality.
 - (4) The regulations may deal with consultation required under this section.

The amendment would create a statutory duty for the Development Coordination Authority [DCA] to consult with the New South Wales Aboriginal Land Council, the relevant local Aboriginal land council and NTSCORP, the New South Wales native title representative body, before exercising any function likely to affect Aboriginal cultural heritage or land subject to a native title claim or a claim under the Aboriginal Land Rights Act. It would require publication of consultation advice unless cultural confidentiality is requested. It ensures that Aboriginal representative bodies are formally engaged before major land or development decisions are made and gives statutory force to the principles of early and informed consultation set out in the New South Wales Government's Aboriginal consultation protocols for planning and assessment.

The legislative language shifts from a policy or guideline-based consultation expectation to a statutory duty. By inserting a new section, the obligation becomes enforceable under the Act rather than simply being aspirational or the "trust me" vibe that seems to be where planning is going through the reforms we are considering tonight. The use of the phrase "before exercising any function that may or is likely to affect Aboriginal cultural heritage or land subject to native title or a claim" makes timing critical. Consultation must precede decision-making, not simply accompany it.

The inclusion of named bodies such as the New South Wales Aboriginal Land Council or relevant local Aboriginal land council and NTSCORP sets out a clear, mandated consultation list rather than leaving it to discretion. The requirement for publication of consultation advice, except where cultural confidentiality is requested, imposes transparency onto the consultation process, rather than simply requiring a process in private. The new section gives statutory weight to early and informed consultation, aligning with those policy expectations but actually embedding them into the planning law. The consultation safeguards respond to longstanding concerns that major proposals and planning decisions may impact Aboriginal cultural heritage and native title rights without meaningful or timely engagement of Aboriginal representative bodies. For example, the guidance issued by the New South Wales Environment and Heritage office emphasises that "anyone proposing to carry out an activity that may harm an Aboriginal object or a declared Aboriginal place must investigate, assess and report". That includes consultation with the Aboriginal community.

Likewise, the social impact assessment practice note states:

Like all community engagement for state-significant projects, engaging with Aboriginal communities should occur as early in the project development and planning phase as possible, and continue throughout the project approval and development lifecycle.

Embedding the duty in the legislation ensures that the consultation principle is not optional or deferred until later stages but must occur before the Development Coordination Authority exercises any of its functions. The requirement aligns with the objects of the Aboriginal Land Rights Act 1983, which recognises land as having spiritual, social, cultural and economic importance to Aboriginal peoples. For the DCA, it will need to establish internal processes so that any function or decision which could affect Aboriginal cultural heritage or land subject to native title is flagged at the earliest stage and forwarded for consultation with the mandated bodies. For the NSW Aboriginal Land Council, Local Aboriginal Land Councils and NTSCORP, they will need to be notified, engaged and provided with the information needed to advise the DCA. The new duty may also require additional resources and staff capacity to perform this role.

Consultation advice will need to be documented, and unless cultural confidentiality is requested it will need to be published. This requires clear processes for redactions, if necessary, clear definitions of consultation advice, and timely publication mechanisms. Because the duty is triggered before exercising a function, it will require the DCA to build consultation steps into its decision timeline. Delay or failure to consult may expose the decision to legal risk, reputational damage or challenge. These are the safety mechanisms that should now be getting embedded into the planning system. The phrase "likely to affect Aboriginal cultural heritage or land subject to native title or a claim" ensures that a full suite of likely impacts on cultural heritage will be considered. The confidentiality and sensitivity clause of the amendment allows for cultural confidentiality requests. Ensuring that

they are handled in a culturally appropriate and legally sound manner is vital. Clear protocols will be needed for how and when confidentiality is requested and how publication obligations are managed in such cases.

The duty complements heritage assessment obligations such as under the National Parks and Wildlife Act and the Aboriginal cultural heritage assessment report requirements, but it is distinct. It focuses on consultation rather than solely assessment of heritage. The insertion of a statutory consultation duty aligns with international best practice, which emphasises free, prior and informed consent for Indigenous peoples in decisions affecting their lands and heritage. It provides greater clarity and stronger legislative footing than older policy or guideline-based duties—for example, the "Aboriginal cultural heritage consultation requirements for proponents" sets out consultation expectations but is not necessarily a statutory duty. The transparency element, which is the publication of consultation advice, reflects modern expectations of accountability in decision-making processes affecting Aboriginal heritage and rights.

It is not lost on any member that there was promise that there would be cultural heritage reforms. We have not seen those reforms. I am sure there is work being done; I have no doubt there is work being done. But the promise of cultural heritage reforms, and the fact that they have not been tabled, and the fact that today, like yesterday, like 200 years ago we still assume the right to licence, destroy and desecrate Aboriginal cultural heritage as a simple part of the process of development. The regime that we have today and these reforms have the opportunity to do a little bit better.

We are literally living under a government that promised there would be treaty, that there would be respect for First Nations, that there would be cultural heritage reforms—there are none of those. There is a treaty process, which has commenced with some fantastic commissioners appointed, but in terms of the commitment to stop wanton harm to cultural heritage, there has been no change whatsoever. Tonight we stand here with an opportunity to do something, to actually give some muscle, some weight, some teeth, some bones to the laws of New South Wales that otherwise are going to continue to enable this system and these decision-makers to destroy cultural heritage, to desecrate sites, to get rid of the inconvenience and say yes to destroy, to desecration and to destruction. I commend this amendment to the Committee. All the amendment is seeking to do is embed some better statutory duties to do what is simply the right and respectful thing, and to have some First Nations justice through the planning system here, in this Chamber, tonight. I implore all members to take the opportunity to say yes to this amendment.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (19:59): The Government is saying no to this amendment because there are existing processes around Aboriginal heritage and heritage assessment reports that are more comprehensive than what has been proposed by The Greens tonight. I will say a couple of things in relation to the contribution to debate by Ms Sue Higginson. The first thing is that Aboriginal cultural heritage is being pursued and is a key commitment of this Government. We are going to do it, but we are not going to do it on the fly through an amendment proposed to be inserted into the legislation tonight. Secondly, the treaty work is well underway and it is an Aboriginal-led process. The criticism that the Government is not progressing that is simply wrong.

Ms ABIGAIL BOYD (20:00): I add my vociferous support for the amendment. It should not be this hard. If we take the Government at face value that it is going to do this anyway, or it is already doing it, it is not hard to include it now. Unfortunately, there is a trust deficit between First Nations people of this country and those who sit in governments. That is a well-founded trust deficit. If we are going to repair that, if we are going to make firm and decisive strides towards First Nations justice in this country, we need to consult, include and co-design at every stage of government decision-making. It is arguably no more important than when we are talking about planning laws and building upon the land.

I do not understand the reticence. I would love it if The Greens did not have to continue to review this type of legislation in a big hurry and put forward amendments. Unfortunately, that is what we are having to do because we are given legislation in a ridiculously short time frame. We are denied the possibility of having an inquiry. I acknowledge that my colleague Ms Sue Higginson has been working around the clock to try to negotiate these amendments and get some traction from the Government on them. It is certainly not her fault that this is where we are.

That said, there is nothing wrong with the drafting of the amendment. It is very simple. It simply creates a statutory duty for the authority to consult with the New South Wales Aboriginal Land Council, the relevant local Aboriginal land council and the New South Wales native title representative body. It is not difficult. I really hope the Government will support the amendment.

Ms SUE HIGGINSON (20:02): It is not on the fly. This is the law-making process. I take that as an inappropriate thing to say. It is absolutely not on the fly. This amendment is seeking, rightly, to impose a statutory

duty right here, right now, at the time when we are meant to do that. When the Government, or somebody who is drafting legislation and proposing it, forgets to do the right thing, amendments like this one help the Government to fix that. It will do what the Government could have, and should have, done. That is what this amendment is about.

The CHAIR (The Hon. Rod Roberts): Ms Sue Higginson has moved The Greens amendment No. 4 on sheet c2025-210I. The question is that the amendment be agreed to.

The Committee divided.

Ayes6
Noes30
Majority.....24

AYES

Boyd (teller)
Buckingham

Cohn
Faehrmann

Higginson (teller)
Hurst

NOES

Barrett
Buttigieg
Carter
D'Adam
Donnelly
Fang
Farlow
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Graham
Houssos

Jackson
Kaine
Lawrence
MacDonald
Maclaren-Jones
Merton
Mitchell
Mookhey
Moriarty
Munro

Murphy (teller)
Nanva (teller)
Overall
Primrose
Rath
Ruddick
Sharpe
Suvaal
Tudehope
Ward

Amendment negatived.

Ms SUE HIGGINSON (20:11): By leave: I move The Greens amendments Nos 5 and 21 on sheet c2025-210I in globo:

No. 5 Community participation plans

Page 12, Schedule 1[27]–[33], lines 1–27. Omit all words on the lines. Insert instead—

[27] Section 2.23 Community participation plans—preparation

Insert after section 2.23(2)(c)—

- (c1) Participation in planning processes should be supported by the timely public availability of all documents and information relevant to a planning decision for the full duration of the planning decision's exhibition period.

[28] Section 2.23(3A)

Insert after section 2.23(3)—

- (3A) A community participation plan must be consistent with, but may exceed, the minimum standards approved by the planning secretary and published on the NSW Planning Portal.

No. 21 Community participation plans

Page 31, Schedule 1[154] and [155], lines 34–37. Omit all words on the lines.

The amendments relate to community participation plans. Amendment No. 5 would replace the section 2.23 (3) provision in the Environmental Planning and Assessment Act. The current law sets principles but not this explicit exhibition duty. Section 2.23 (3) requires each planning authority to have a community participation plan and lists participation principles, but it does not presently spell out a standalone duty to keep all relevant documents public for the entire exhibition period. The amendment makes that obligation clear in the primary legislation. The concerns are that community members often discover environmental impact statements, flood studies or traffic reports part way through an exhibition period, leaving little time for proper review. Large files or unsearchable PDFs limit accessibility for regional residents or people without reliable internet access. Requiring publication for the full duration allows planning for alternative arrangements.

Developers and agencies often have months or years to refine proposals while communities only have a few weeks to respond to incomplete documentation. Large rezonings or environmental plans may receive only the statutory minimum exhibition period, even when impacts are extensive. The amendment encourages councils to exceed the minimum where justified. When precinct plans, floodplain management studies or biodiversity mapping are withheld on confidentiality grounds, communities cannot meaningfully comment on the proposed controls. Lack of access to the full evidence base undermines trust in planning authorities and drives unnecessary conflict or appeals. It also leads to worse decision-making. Full disclosure ensures that every submission, whether supportive or critical, is made with the same facts available to decision-makers, reducing perceptions of bias or procedural unfairness.

Policy materials show that the system expects clear, accessible, evidence-based participation. New South Wales guidance states that community participation plans must show how communities can participate and how statutory exhibition time frames will be met, but practice has varied. The amendment closes the gap by requiring continuous publication of the full evidence base during exhibition. Transparency is a known corruption prevention safeguard in planning. ICAC has long urged strengthened transparency, accountability and openness in planning in New South Wales as core safeguards. A clear statutory publication principle at exhibition is consistent with those recommendations.

Inserting new section 2.23 (3A) would confirm that a community participation plan must be consistent with, but may exceed, the minimum standards approved by the planning secretary. The flexibility to exceed minimum standards caters for the reality that community-engagement needs vary in scale and significance. Large projects may require more than the basic baseline, and local planning authorities should be allowed to exceed the minimum standards if they believe that is in the best interests of their communities. The amendments do at least three things: they guarantee public access to the full evidence base for decisions, prevent authorities from withholding key studies or reports during exhibition and encourage councils and the department to go beyond minimum engagement requirements.

Amendment No. 21 is a consequential change to community participation provisions and would remove redundant text to align with the updated community participation requirements in amendment No. 5. I know the department is keen to get a single source and consistent scheme that applies across the State, because that is what developers want and have asked for. That is what I was briefed on and told.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (20:16): The point of the legislation is to bring forward and simplify the way in which people can participate in the planning process, with clear signposts all the way through. More than 100 community participation plans already exist with varying requirements. The bill seeks to introduce a single statewide community participation plan to bring consistency and clarity to consultation. Amendments passed in the other place mean that sections 40 and 41 of the Interpretation Act 1987 will apply to the statewide community participation plan. That means that the Parliament will have full oversight and can disallow the plan if it considers the consultation measures to be insufficient. The Government does not support the amendments.

Ms ABIGAIL BOYD (20:17): I am impressed by how sensible and measured these amendments are. They are just asking for information to be publicly available. They are not trying to reinvent the wheel or take things back to the existing Act. They are simply trying to guarantee public access to the full evidence base for decisions and prevent authorities from withholding key studies or reports. Again, I cannot fathom why the Government will not agree to the amendments.

The CHAIR (The Hon. Rod Roberts): Ms Sue Higginson has moved The Greens amendments Nos 5 and 21 on sheet c2025-210I. The question is that the amendments be agreed to.

The Committee divided.

Ayes6
Noes30
Majority.....24

AYES

Boyd (teller)
Buckingham

Cohn
Faehrmann

Higginson (teller)
Hurst

NOES

Barrett
Buttigieg

Jackson
Kaine

Murphy
Nanva (teller)

NOES		
Carter	Lawrence	Overall
D'Adam	MacDonald	Primrose
Donnelly	Maclaren-Jones	Rath (teller)
Fang	Merton	Ruddick
Farlow	Mitchell	Sharpe
Franklin	Mookhey	Suvaal
Graham	Moriarty	Tudehope
Houssos	Munro	Ward

Amendments negatived.

Ms SUE HIGGINSON (20:26): I move The Greens amendment No. 7 on sheet c2025-210I:

No. 7 Special consultation procedures concerning threatened species

Page 14, Schedule 1[43], lines 1 and 2. Omit all words on the lines.

This amendment retains the special consultation procedures concerning threatened species in the Act. The Government has told me why it is deleting that provision and I do not agree with its reasoning. The Government says that it is redundant and not needed, that we have the Biodiversity Conservation Act and that the Act intersects with the planning system. But I am told by many experts that this section is a safety mechanism and it is important that it stays in the Act. The Government's bill deletes the existing special consultation procedures for threatened species and associated provisions of the Environmental Planning and Assessment [EP&A] Act. Amendment No. 7 retains those consultation procedures. In other words, it prevents the repeal of the requirement for decision-makers to obtain and consider advice from the Department of Climate Change, Energy, the Environment and Water or other relevant conservation authorities before approving or determining developments that are likely to significantly affect threatened species populations, ecological communities or their habitats. The amendment ensures that the special consultation pathway remains in the EP&A Act, where it needs to be to be meaningful.

Under the EP&A Act, where a development may significantly affect threatened species populations or ecological communities, the consent authority must seek advice from the department before granting consent. The procedure ensures that threatened species experts, not just planning or engineering staff, are consulted before environmental impacts are deemed acceptable. It provides an important crosscheck between the planning authority and the biodiversity specialists, especially where the Biodiversity Offsets Scheme or the Biodiversity Assessment Method do not apply or are contested. The repeal would remove a statutory guarantee of specialist consultation on matters affecting threatened species. The proposed streamlined model under the planning system reforms bill instead relies on the internal processes of the new Development Coordination Authority, with no legislated obligation to obtain that advice. It risks replacing a mandatory environmental safeguard with discretionary consultation, eroding scientific input into decisions that may have irreversible consequences for biodiversity.

When assessment and approval are both handled within the same authority, as proposed under the Development Coordination Authority model, there is no structural separation between environmental advice and decision-making. Without mandatory consultation, planning decisions may rely solely on reports commissioned by proponents, which vary widely in quality, scope and methodology. Experience shows that when individual projects are assessed in isolation, broader ecological effects such as fragmentation of wildlife corridors, loss of breeding habitat or reduced landscape connectivity, are not adequately identified. Development approvals that proceed without consultation with biodiversity experts risk directly conflicting with existing State and national recovery or management plans. Expert agency advice currently provides a clear record of environmental consideration. Without it, communities lose visibility over whether threatened species issues were properly addressed.

The Government has committed to a nature positive planning approach, but removing mandatory consultation or safety mechanisms for consultation contradicts that objective and weakens practical biodiversity protection. Repealing this requirement disproportionately affects regional and under-resourced councils. Retaining statutory consultation helps ensure decisions are robust and evidence based, reducing the risk of legal challenges and costly court disputes over inadequate biodiversity consideration. The Independent Commission Against Corruption has previously advised against concentrating environmental assessment and approval power within a single body. Keeping mandatory consultation provides transparency, record keeping and accountability safeguards. The removal of the consultation duty, alongside other streamlining measures, erodes procedural checks that protect biodiversity and public trust in the planning system.

The Environmental Defenders Office and the Nature Conservation Council of NSW have already raised concern that the reforms centralise environmental assessment power while removing explicit referral and

concurrence requirements—a structure contrary to ICAC's integrity guidance on avoiding concentration of unchecked discretion in planning decisions. Given that New South Wales is experiencing ongoing biodiversity decline, removing this safeguard is inconsistent with the Government's stated commitment to a nature-positive planning system. Environmental decisions must be informed by ecological expertise, not just planning discretion. Retaining the consultation requirement ensures the best available science is brought to bear on every development likely to affect threatened species. Allowing this section to be removed would directly contradict the Government's commitment to halt biodiversity loss and embed ecological sustainability in planning. It is a direct contradiction of the Government's stated ambition and mission.

I feel that at the moment there is an entirely inconsistent approach within the Government. It is almost like there is a pretence of a consistent drive towards a nature-positive New South Wales and that we are going to halt the loss of biodiversity through important decision-making for the State's development and economic progress. However, we do not see any signs of the promise that it is going to be done in a nature-positive way. The signs are not there. The words that are spoken about achieving a nature-positive New South Wales are not reflected in the real evidence and indication from this Parliament. Rather, we have seen escalated land clearing. Now, under these planning laws, we are going to see a loss of biodiversity so that we can continue to provide the developers' vision for New South Wales—not the vision of the community, not what the scientific experts tell us is required if we are going to have a nature-positive New South Wales. Instead, this planning system will provide what developers are telling some in the Government that we need—and perhaps Morris Iemma's clients. I do not know.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (20:33): It is disappointing that The Greens yet again misrepresented what is going on. The Government proposes to streamline and improve the process, not weaken it. The new Development Coordination Authority will include in-house environmental expertise, ensuring better and more integrated advice on biodiversity matters across government. Matters will still be assessed under the Biodiversity Conservation Act. There is no change. Specialist advice can be sought as required, as it is now. The Government does not support the amendment.

Ms CATE FAEHRMANN (20:34): I do not intend to contribute to debate on every amendment, but it is important that members are not made to feel guilty about making contributions to debate. This is a very significant piece of legislation. The Leader of the Government in this place said that the environmental assessment would take place in house and that this is not about weakening environmental protections but about streamlining them. I feel sorry for the Minister for the Environment. How extraordinary—

The CHAIR (The Hon. Rod Roberts): Order! I am having difficulty hearing the member.

Ms CATE FAEHRMANN: The Minister for the Environment said that better environmental assessments would be undertaken within some agency called the Development Coordination Authority instead of her very own department—the Environment and Heritage group within the Department of Climate Change, Energy, the Environment and Water—which is full of fantastic people with a lot of knowledge. My colleagues, the community and I have read a lot of the submissions they have made about a lot of developments. Those submissions alert us to significant issues regarding impacts on threatened species and biodiversity. They have the skill and the knowledge. The environment Minister said, once again, that The Greens do not have their facts right. In fact, we have been consulting with lawyers, conservationists and experts. We have been looking at this all day and night.

We do not want to have to do this, but it is very important to put our position on record in debate on significant pieces of legislation that gut critical environmental and planning laws that have a huge history in this State. In various debates in this place, such as on native vegetation, regional forestry agreements, the Biodiversity Conservation Act and the Water Management Act, The Greens make contributions and move amendments so our position is on record. We will continue doing that; that is our job. Too many times in this place bills have been introduced, Greens members have sought to move amendments and I have felt pressured to be quick because other members want to go home. We are not speaking for the sake of speaking, but it is important to put our position on record. The contributions made by my colleague Ms Sue Higginson are always considered. Members may be tired, but this is our job. I commend the amendment to the Committee.

The CHAIR (The Hon. Rod Roberts): Ms Sue Higginson has moved The Greens amendment No. 7 on sheet c2025-210I. The question is that the amendment be agreed to. Is leave granted to ring the bells for one minute?

Leave granted.

The Committee divided.

Ayes6
Noes25

Majority.....19

AYES

Boyd (teller)
BuckinghamCohn
FaehrmannHigginson (teller)
Hurst

NOES

Barrett
Buttigieg
Carter
D'Adam
Donnelly
Fang
Farlow
Houssos
KaineLawrence
MacDonald
Maclaren-Jones
Merton
Mitchell
Mookhey
Moriarty
MunroMurphy
Nanva (teller)
Overall
Primrose
Rath (teller)
Ruddick
Sharpe
Suvaal**Amendment negated.**

The CHAIR (The Hon. Rod Roberts): The Hon. Mark Banasiak has indicated that he will no longer move his amendments on behalf of the Shooters, Fishers and Farmers Party. We will now move to The Greens amendments Nos 1, 5 and 6 on sheet c2025-229G.

Ms SUE HIGGINSON (20:41): By leave: I move The Greens amendments Nos 1, 5 and 6 on sheet c2025-229G in globo:

No. 1 Bush fire prone land

Page 16, Schedule 1[61], line 13. Omit "10.3(2)". Insert instead "10.3(1)(c)".

No. 5 Bush fire prone land

Page 31, Schedule 1. Insert after line 31—

[152A] Section 10.3 Bush fire prone land

Omit section 10.3(1). Insert instead—

- (1) If a bush fire risk management plan applies to land within the area of a council, the Commissioner of the NSW Rural Fire Service must, within 12 months after the commencement of this section—
 - (a) designate land within the area that the Commissioner considers, having regard to the bush fire risk management plan, to be bush fire prone land, and
 - (b) record any land so designated on a map, and
 - (c) certify the map as a bush fire prone land map for the area of the council, and
 - (d) give the certified map to the council.

[152B] Section 10.3(2)–(2B)

Omit section 10.3(2) and (2A). Insert instead—

- (2) The Commissioner of the NSW Rural Fire Service—
 - (a) must review the designation of land on a bush fire prone land map before the end of the period of every 5 years after the map was last certified and revise the map accordingly, and
 - (b) may review the designation of land on a bush fire prone land map for an area at any time after the map is certified and revise the map accordingly.
- (2A) If the Commissioner of the NSW Rural Fire Service revises a certified map under subsection (2), the revised map—
 - (a) becomes the bush fire prone land map for the area on being certified by the Commissioner, and
 - (b) must be given to the council by the Commissioner.
- (2B) The Commissioner of the NSW Rural Fire Service must consult with the council for land that the Commissioner considers to be bush fire prone land before designating the land as bush fire prone land under subsection (1) or (2).

[152C] Section 10.3(4)

Insert "and must be given to any person if requested at no cost" after "council".

No. 6 Bush fire prone land

Page 38, Schedule 2. Insert after line 25—

[26A] Section 274 Bush fire prone land map—the Act, s 10.3(2A)

Omit the section.

These amendments regarding bushfire-prone land and public access seek to rewrite section 10.3 (1) to section 10.3 (2A) (b) of the Environmental Planning and Assessment Act to require that the Commissioner of the Rural Fire Service certifies a bushfire-prone land map within 12 months of commencement, conducts five-yearly reviews and revisions of those maps to ensure hazard information remains current, authorises amended or updated maps at any time if conditions or risk profiles change, consults with local councils before land is designated as bushfire prone and guarantees public access to all of the information in those certified maps at no cost.

This updates the Act to modernise how bushfire-prone land is designated, certified and reviewed, and ensures up-to-date, publicly accessible bushfire mapping and transparent consultation between the RFS and councils. It also seeks to reduce the risk of outdated or inaccessible hazard information, which could compromise planning decisions. These amendments provide statutory certainty for councils, certifiers and communities that maps will be reviewed regularly rather than left outdated for decades.

The amendments allow prompt revision when vegetation, climate or settlement patterns alter hazard exposure. They implement lessons from the 2019-20 Black Summer fires and the recommendations of the NSW Bushfire Inquiry, which emphasised accessible, continually updated hazard mapping as a core element of community resilience. Nobody needs to be reminded of the fires that took place in 2019-20. But one of the things that shocked the shoes off many people living in the Northern Rivers at the time was that, for the first time in recorded history, certain vegetation burnt. It was the first time that those Gondwana rainforests in the Northern Rivers actually burnt.

Have we updated the hazard maps since then? Was that a requirement? Knowledge was acquired, and the local fire brigades know about it. But is there a system? Is there a requirement? Is there a compulsion? Is there a duty? Is there a mechanism to deal with all of that information? It is not just information. It is not just about what does or does not help developers. This is the stuff that people either live or die by. That is what we talk about when we talk about the bushfire provisions in the planning Act.

These amendments are well informed. They were designed by experts. This is what the experts are asking for in terms of provisions to go into the Environmental Planning and Assessment Act. The Government should accept the amendments. We have been told that there is an intention to implement the changes—that this stuff will end up in a State environmental planning policy, just like other things. It will be great when that happens. But we are amending the Environmental Planning and Assessment Act right now, and these are precisely the provisions that should be in the legislation. I commend the amendments to the Committee.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (20:46): The Government does not support the amendments. The current provisions for bushfire-prone land mapping have been in the Act for many years. They are well established and well understood by both councils and the New South Wales Rural Fire Service. There are strong, established processes in place between councils and the RFS for preparing, reviewing and certifying maps. Those arrangements have proven workable and effective in practice. They combine local council knowledge and State expertise. While the Government initially considered modernising the provisions through a State environmental planning policy, the feedback from stakeholders—including the RFS—supported retaining the provisions in the Act for the time being. Therefore, the Government does not support the amendments.

Dr AMANDA COHN (20:47): I support another extremely sensible group of amendments from my colleague Ms Sue Higginson. I understand that the bill under consideration in the Legislative Council was significantly amended in the Legislative Assembly. However, I remind the Committee that the bill as it was originally introduced was horrific in terms of what it did to bushfire prevention. It is horrific for communities that lived through the 2019-20 fires to see the proposed removal of bushfire mapping from the Environmental Planning and Assessment Act altogether.

Those deeply traumatised communities trust us to do absolutely everything in our power to prevent that from happening to them or to another community ever again. I do not blame those deeply traumatised communities for not trusting that this will be worked out in regulation or in a State environmental planning policy. It needs to remain in legislation. I am grateful that those amendments were passed in the Legislative Assembly. However, the bill needs to be amended further, and I am grateful to my colleague for moving these amendments.

I build on the comments from Ms Sue Higginson about the need to continually update the maps. We know that bushfires are getting more intense and more frequent because of climate change. The Government knows that. The Minister for Emergency Services has repeated that. Certainly the Minister for the Environment, who is leading for the Government in debate on this bill, knows that. I was in the fire control centre in Queanbeyan on New Year's Eve 2019 when Cobargo burned. I am sure everyone has seen that fire control centres have big screens on the wall where aerial surveillance is updated to move with the front line of the fire. I was operating radios to communicate with fire trucks and the community. That fire moved faster than any of the experts in the room could ever have anticipated. Even though they were scientists, experts, and very weathered and experienced RFS members—absolute professionals—nobody predicted that the fire would move as fast as it did that night.

People were told to shelter in place just minutes after being told to leave. The advice we gave was confusing and traumatising because no-one could anticipate how fast the fire would move. That is why we need a legislative requirement for mapping, and a sensible amendment that requires reviews and revisions of those maps. I know that happens in some areas and I acknowledge the Minister's comment that, in many cases, local councils have excellent relationships with RFS to do so. But members should require it as decision-makers and legislators. It absolutely must be in legislation if members are serious about climate change and supporting communities who went through the 2019 bushfires. If members want to prevent that from happening again to them or to anyone else in future, they should adopt the sensible and, dare I say, not-so-radical amendments proposed by my colleague Ms Sue Higginson.

The CHAIR (The Hon. Rod Roberts): Ms Sue Higginson has moved The Greens amendments Nos 1, 5 and 6 on sheet c2025-229G. The question is that the amendments be agreed to.

The Committee divided.

Ayes6
Noes23
Majority.....17

AYES

Boyd (teller)
Buckingham

Cohn
Faehrmann

Higginson (teller)
Hurst

NOES

Barrett
Buttigieg
Carter
D'Adam
Donnelly
Fang
Farlow
Houssos

Jackson
Kaine
Lawrence
MacDonald
Maclaren-Jones
Merton
Moriarty
Munro

Nanva (teller)
Overall
Primrose
Rath (teller)
Ruddick
Sharpe
Suvaal

Amendments negatived.

Ms SUE HIGGINSON (20:57): I move The Greens amendment No. 8 on sheet c2025-210I:

No. 8 Evaluation of "significant" likely impacts of development

Page 16, Schedule 1[63], lines 27 and 28. Omit all words on the lines.

This is a very important amendment. It is so important that, interestingly, members of the Shooters, Fishers and Farmers Party said they were going to move the same amendment. But they have left the building, so they will not be able to move their amendment. Maybe they have not left the building, but they are now not moving their amendment. Because The Greens amendment was lodged first, we get to move it. The amendment removes the Government's proposed change to section 4.15 (1) (b), which is the evaluation provision or, as I refer to it, the engine room of the Environmental Planning and Assessment Act. The Government is seeking to change that provision, which will alter the standard for evaluating the likely environmental impacts of a proposed development. The Government's idea is to have to evaluate only the significant likely impacts of the development.

Our amendment removes the Government's proposed change, restoring the longstanding duty under section 4.15 (1) (b) to consider all likely impacts of the development, not only those deemed significant; preventing cumulative, indirect or moderate impacts from being excluded from assessment and conditions of consent; maintaining consistency with the objectives of the Environmental Planning and Assessment Act,

including the principles of ecologically sustainable development and the precautionary principle; and avoiding ambiguity and potential legal disputes about what constitutes "significant"—a term that depends on context and is open to inconsistent interpretation. By omitting those lines, the amendment retains the existing threshold of assessment in section 4.15, requiring consent authorities to consider the likely impacts of the development, without narrowing this duty to only significant impacts.

The Government's seemingly minor change would substantially raise the bar for environmental consideration, potentially allowing lesser but still cumulatively or locally important impacts to be disregarded. The Environmental Defenders Office [EDO] has warned that narrowing the threshold in this way would reduce the scope of environmental assessment and increase litigation risk by introducing ambiguity about what counts as significant. I think the EDO is celebrating its fortieth birthday right now. I just remembered.

The Hon. Wes Fang: Yet here you are.

Ms SUE HIGGINSON: Yet here I am. The EDO's September 2025 briefing note described this proposed change as "a step backwards for environmental protection and transparency, undermining the precautionary principle in the assessment of environmental impacts". Environmental harm often arises from the accumulation of smaller impacts across many developments—impacts that may not be significant individually but are collectively damaging. The existing wording already gives consent authorities discretion to determine materiality; adding "significant" would signal that lesser impacts need not be considered properly. I know that this is about not sweating the small stuff. This amendment therefore upholds a precautionary and comprehensive assessment standard consistent with New South Wales' environmental protection framework.

The idea of raising the threshold and raising the bar is, without a doubt, the Government clearly signalling that it will no longer pay the level of attention with the level of particularity it has in the past. That is a political decision this Government is making. I do not know, therefore, how the Government can go forward and pretend that it will do the right thing by the environment when all it will do is evaluate the significant likely impacts. It is actually a dumbing down of decision-making. It is pretending that the decisions we make under the Environmental Planning and Assessment Act are just static decisions that exist on paper and ignores that we are talking about the management and orderly development, in the most concerned and considerate way, of a living environment that is constantly changing. It is complex and alive, and people's lives depend on it. But, because of this Government, no longer will we sweat the small stuff. I shudder to think what that small stuff really is. I commend the amendment to the Committee. Again, we are giving the Government the opportunity to fix the bill because the Government got the drafting wrong.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (21:03): The Government does not support these amendments. Existing case law supports the interpretation that these changes do not mean that a consent authority cannot or will not consider matters that are not significant. If the bill is passed, the Government will make these matters clear through practice notes and guidance to support consistent implementation. The Greens continue to make claims without acknowledging the fact that all existing environmental legislation will continue to apply in full. This includes the Biodiversity Conservation Act, which provides strong, enforceable protections for threatened species and their habitats. The bill does not change this.

Ms SUE HIGGINSON (21:04): It is fine for the Leader of the Government to say those words on behalf of the Minister for Planning and Public Spaces, but they are meaningless when the community has no way to hold the Government to account. There is no recourse, because the Government is literally taking out the words. People in the community and experts across the landscape know that when the department or a decision-maker gets it wrong, the likely impacts will not be considered. Only a determination of something that is significant will be considered. Disagreement about this bill is based on strong evidence, but there is nothing that the community can do. Tonight a political decision was made by the Committee to not sweat the small stuff.

The CHAIR (The Hon. Rod Roberts): Ms Sue Higginson has moved The Greens amendment No. 8 on sheet c2025-210I. The question is that the amendment be agreed to. Is leave granted to ring the bells for one minute?

Leave granted.

The Committee divided.

Ayes6
Noes20
Majority..... 14

AYES

Boyd (teller)
Buckingham

Cohn
Faehrmann

Higginson (teller)
Hurst

NOES

Barrett
Buttigieg
Carter
Donnelly
Fang
Farlow
Houssos

Jackson
Kaine
Lawrence
MacDonald
Maclaren-Jones
Merton
Moriarty

Munro
Nanva (teller)
Primrose
Rath (teller)
Sharpe
Suvaal

Amendment negatived.

Ms SUE HIGGINSON (21:08): By leave: I move The Greens amendments Nos 9 and 19 on sheet c2025-210I in globo:

No. 9 Evaluation—climate change and other considerations

Page 16, Schedule 1. Insert after line 28—

[63A] Section 4.15(1)(b1)

Insert after section 4.15(1)(b)—

- (b1) the likely impacts of climate change on the development and the contribution of the development to climate change,

No. 19 Duty to consider climate impacts

Page 27, Schedule 1. Insert before line 26—

[114B] Section 5.5A

Insert after section 5.5—

5.5A Duty to consider climate impact

A determining authority must, when assessing an activity, consider the likely impacts of climate change on the activity and the contribution of the activity to climate change.

These important amendments are about the evaluation of climate change impacts. Amendment No. 9 inserts a new mandatory consideration under section 4.15 (1). The provision establishes a clear legal duty to consider both adaptation and mitigation. It responds to recommendation 5 in the report of the Portfolio Committee No. 7 inquiry into the planning system and impacts of climate change on the environment and communities, which called for climate impact assessment to be a mandatory consideration in development assessments. By integrating this consideration into section 4.15 (1), which already sets out matters for consideration for development applications, the amendment embeds climate change risk and contribution into the core statutory test governing all consent decisions under the Environmental Planning and Assessment Act. The effect is to raise the standard of assessment. Consent authorities must now demonstrate that they have addressed and balanced climate risk and contribution considerations when making development determinations.

It was clear from the Portfolio Committee No. 7 inquiry and report that in order to properly address climate change in the planning system, the Act must be amended to include provisions requiring decision-makers to ensure that development is meeting emissions reduction requirements and that the impacts of climate change are central considerations. The same report calls for developments in flood, fire and coastal hazard areas to be assessed against future climate conditions. The Government response to that inquiry notes that the department is "reviewing the land-use planning framework to better embed climate change risk into planning and development decisions", including flood, bushfire and coastal hazards, under the *NSW Climate Change Adaptation Action Plan 2025-2029*. Under the bill as it currently is, climate mitigation and adaptation are not included in this comprehensive reform.

On the mitigation side, amendment No. 9 complements more detailed regulatory requirements for major projects—for example, the NSW Environment Protection Authority's climate change assessment requirements and guide, which outlines when an environmental impact statement must include greenhouse gas emissions analysis. With respect to adaptation, the planning system is increasingly required to engage with hazards such as flood, bushfire, coastal erosion and heat island effects. The amendment reflects that shift by simply requiring climate impacts to be evaluated at the development consent stage. I was shocked to see that this was not in the

draft bill. The Minister explained to me, "It is okay. We have made reference to resilience in the new objects. At the moment, we do look at emissions when we assess big developments. We look at what we can do. We look at the hierarchy to see whether we can reduce emissions and how we deal with them."

The fact is there is nothing in the real provision of the Act that holds the Government to account to deal with climate change. The Minister might say, "We now have the climate change Act. We have the Reconstruction Authority. We even have a new object in this Act." But there is simply no courage, no stick and no heart. The Minister could not include the relevant mandatory consideration because it would have freaked out the developers, it would have freaked out the coal companies and it would have freaked out the Minerals Council. It would have given communities a genuine ability to hold government and the Independent Planning Commission to account—which, arguably, wants to be held to account—to make sure that every development decision is made with a genuine consideration of climate impacts, in terms of mitigation and adaptation. But here we are in 2025.

I remember the first ever court case to try to pivot the system to face dealing with the impacts of climate change, whether it be from a mitigation or an adaptation perspective. The place where that is done is section 4.15, under a head of consideration, so that we can start to develop much better planning decisions. Instead, today we still live under the Mount Pleasant coalmine case. It was the court that looked at the planning decision. It was the court that looked at the planning department's expert assessment report, and it was the court that said, "No, you haven't done it right. There is a way of doing this much better." The community put that forward and the court accepted it.

Instead of responding in a proper, sophisticated way and having a clear duty in the planning system under which we can achieve significant emissions reductions and resilience in the way we manage the environment, the Government decided not to do it. I do not really understand why. The Government could have told the Minerals Council and the development sector that it was doing it, because that is what the Government told me. It said, "We're doing this anyway." I do not think it is doing it to the extent that it should, could or ought to be. It could have said to the Minerals Council and whichever lobbyists have all the influence and are sitting in on the discussions, "Guess what? Climate change is a deadly serious issue. We are going to put it in section 4.15 where all the other serious issues are, and then we can move forward, make decisions and have a hope that those decisions are climate accountable." I commend the amendments to the Committee.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (21:16): The Government does not support the amendments. The Government recognises the intention behind them, as evidenced by the new object in the bill, which promotes resilience to climate change and natural disasters. Ms Sue Higginson's contribution suggests that there is nothing going on in relation to accountability for emissions and the way that they work in the planning system. To remind the member, there is an entire body of work undertaken through the Environment Protection Authority in the assessment of all these projects, and new requirements are coming in relating to disclosure around emissions and the need to have a plan to get to net zero. The Government does not accept the idea that there is nothing happening in this space and that somehow it needs to be put into this part of the bill. I do not for a minute deny the sincerity with which the member brings forward these matters, but there is a difference of opinion about the way that we get there. The Government does not support the amendments.

Ms ABIGAIL BOYD (21:17): We are in 2025, and we still cannot get to the point in this State where we will acknowledge that climate change is of such significance that it needs to be considered in every single thing we do. I hear what the Minister is saying about there being a body of work but, with the greatest respect, we have been hearing that for years from not just State Government but also the Federal Government. When Labor was elected to government, especially at both levels, we thought, "Thank goodness. We now have somebody who will stand up to the developers, the fossil fuel companies and everybody else who is hell-bent on wrecking our climate and say that we are going to ensure that you consider climate in everything you do."

Instead we get assurances like, "Yes, we're doing that. That's happening." That is not good enough. It is not happening quickly enough. If it is so obvious and will be considered anyway because there is a body of work, then the Government should put it in the legislation. Currently, the Government is sending a message to developers, mining companies and everybody else that climate considerations are not of great importance to the Government. It matters, and I cannot believe we need to have an argument about it.

A lot of researchers and experts, who are currently frustrated with the progress of the Albanese Government in the Federal sphere, have pointed out that, even in its second term, that Government still lacks the bravery to stand against those companies that are setting us back and doing so much damage to the climate. Governments can have all the targets they like, but when they do not actually stand up to those who keep emitting, it does not do anything. I do not understand why we cannot do this. It seems like something we could and should have done 15 years ago. Words are not going to save us from catastrophic climate change; we need actual action, and that means holding emitters to account. These are excellent amendments.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (21:19): I cannot listen to this. I am not trying to prolong the debate, but given that we are not going to finish it tonight, I have to speak on this matter as the Minister for Climate Change. It is incorrect to say that this Government is taking no action on climate change. We are embedding it across every single thing the Government does. In terms of the planning system, a statement has been provided to the Independent Planning Commission that says it has to take into account the legislated targets that this Parliament passed. Can we just accept that is there. In terms of the disclosures that have to be made, projects that come forward have to go through the same Environment Protection Authority system. It all goes into the planning system in terms of decision-making.

The idea that nothing is happening is wrong. Through this bill, there will be consideration of climate change in the Act for the first time. When it was written in 1977, it was not considered. It was not something that we thought was important. Climate change is now being built into everything the Government does. Recently, I announced with the Treasurer that we require disclosures and accounting. Every agency and secretary across government will need to report on how they are reducing emissions. It is convenient for The Greens to ignore that work. I am not prepared to sit here and pretend that nothing is happening just because we have a disagreement about the way in which to build in action on climate change across government. We fundamentally disagree about the way to do it, but I refuse to accept that The Greens can ignore all of the work being undertaken.

Ms SUE HIGGINSON (21:21): No member has stood here and said nothing is happening on climate. The reality is that the Minister is fundamentally wrong. If the Government wants to make a difference and do real work behind the scenes so it can be held accountable in the courts for the decisions it makes that developers will implement across New South Wales, the place is section 4.15. Everybody who knows anything about planning in this State knows that section 4.15 is where it happens. It is the final point. It is the point between what the Minister is doing in government behind closed doors and what happens in the community, on the land and in the water. That is where it happens: section 4.15.

If you are doing so much on climate change, what was the problem in putting it here, where the work gets done? Every single decision that is made in this State goes through section 4.15. It is how communities get to go to court if you have screwed up and failed to consider it. It is where the Government can be held to account. It is where the check on your power happens. You are refusing it, because there has been a handshake deal between Chris Minns and Mark Speakman. That is why he over there is not even standing up and making an argument.

The Hon. Greg Donnelly: Point of order: I appreciate the passion with which Ms Sue Higginson is expressing her concerns, but pointing at members and speaking directly to the Minister rather than through the Chair is beyond the pale. I ask that the member withdraw her remarks.

Ms SUE HIGGINSON: To the point of order: I am very happy to withdraw my finger-pointing and turn my reference to "he" into saying that the Hon. Scott Farlow has sat there all night and said virtually nothing in response. That is the Opposition's response to the Government's agenda.

The CHAIR (The Hon. Rod Roberts): Is that to the point of order? Clearly not.

Ms SUE HIGGINSON: I have just pulled back. That is the point of order.

The CHAIR (The Hon. Rod Roberts): Ms Sue Higginson will resume her seat. In speaking to the point of order, Ms Sue Higginson clearly demonstrated what she should do by addressing the member as "the Hon. Scott Farlow". She knows that she should not point at members. I understand that she is very passionate about this bill. It is 9.25 p.m.. We are ploughing through the amendments as best we can. The member's words and actions are unhelpful at this stage of the night on the last Thursday of a sitting fortnight. No-one is restricting what the member can say. We are restricting how she says it.

Ms SUE HIGGINSON: Absolutely, and the Hon. Greg Donnelly was right, once again, to pull me up. I insist on the truth about what we are doing here tonight on section 4.15. The Government wants to make good on the work it says it is doing on climate change—whatever back room that is happening in—under the Climate Change (Net Zero Futures) Act. After the community and the Environmental Defenders Office brought litigation that said the Environment Protection Authority has a mandatory obligation to produce climate policies to reduce emissions, the EPA finally implemented that and started doing the work.

Now that work has been done, the place to make it meaningful for the people of New South Wales—those who exist and those who are yet to come—is in section 4.15. That is the place to do it. The Government missed out, but I commend the amendments to the Committee because tonight we can fix it. Together, let us vote on the amendments and put the very sensible climate consideration amendment, which is written beautifully, into section 4.15. I commend these amendments to the Committee. I am begging all members to put them into section 4.15.

The CHAIR (The Hon. Rod Roberts): Ms Sue Higginson has moved The Greens amendments Nos 9 and 19 on sheet c2025-210I. The question is that the amendments be agreed to. Is leave granted to ring the bells for one minute?

Leave granted.

The Committee divided.

Ayes6
Noes18
Majority.....12

AYES

Boyd (teller)
Buckingham

Cohn
Faehrmann

Higginson (teller)
Hurst

NOES

Buttigieg
D'Adam
Donnelly
Fang
Farlow
Franklin

Houssos
Jackson
Kaine
Lawrence
MacDonald
Moriarty

Munro
Nanva (teller)
Primrose
Rath (teller)
Sharpe
Suvaal

Amendments negatived.

Ms SUE HIGGINSON (21:29): I move The Greens Amendment No. 10 on sheet c2025-210I:

No. 10 **Evaluation—factors**

Pages 16 and 17, Schedule 1 [64], line 29 on page 16 to line 5 on page 17. Omit all words on the lines.

This amendment is about evaluation factors. It deals with section 4.15 of the Environmental Planning and Assessment Act. This amendment deletes the proposed amendment to section 4.15 in schedule 1 [64] to the bill, which would have allowed regulations to prevent certain factors under section 4.15 of the Act from being lawfully considered when assessing a development application. I literally begged the Minister to reconsider that amendment in the bill because it will be regrettable—I guarantee it. I have stood in this place before and said similar things about stupid provisions in law, and I will say it again tonight: This will see the Government in court. I have no doubt whatsoever.

The Greens amendment will remove the proposed new ministerial regulation-making power to declare factors "not relevant" and will prevent political interference in statutory decision-making. It will also preserve the independence of consent authorities, including councils, local planning panels and the Independent Planning Commission, to consider all relevant factors based on evidence, law and community input; protect climate impact assessment and other environmental considerations from being nullified by regulation; and maintain consistency with the objects of the Act in section 1.3, which include to facilitate ecologically sustainable development and all of its good principles, including the precautionary principle and public interest.

By omitting the lines in schedule 1 [64] to the bill, The Greens amendment retains the full scope of assessment in section 4.15, ensuring that consent authorities remain free and, indeed, obliged to consider all relevant environmental, social and public interest factors when determining a development application. Without our amendment to the bill, a future Minister could make a regulation declaring that matters relating to the causes and effects of climate change or impacts on biodiversity are not relevant, effectively switching off environmental accountability. Amendment No. 10 ensures that would not occur.

Schedule 1 [64] to the bill inserts a new provision empowering the Minister, by regulation, to declare a factor to be, or not to be, of relevance when a consent authority applies sections 4.15 (1) (b), (c) or (e). This would give the executive the ability to narrow or exclude matters such as greenhouse gas emissions, biodiversity impacts, cultural heritage or social justice considerations from the mandatory framework Parliament has set. The matters for consideration in section 4.15 have always been determined by decision-makers, reflecting a careful balance between environmental, social and economic factors. Allowing regulations to redefine or exclude those factors undermines legislative intent and democratic oversight.

The Environmental Defenders Office described this proposed power as "one of the most concerning elements of the bill", warning that it would "permit whole classes of environmental or social impacts to be declared

off limits to decision-makers and the public". A regulation being able to declare matters to be irrelevant considerations is an absurd path to go down. I cannot believe anyone would consider it sensible to draft this in law. When we are talking about irrelevant considerations, we are traversing in the jurisdiction of what courts have been looking at for decades. The Government is suggesting that a regulation can declare a matter irrelevant, when the heads of consideration within the parent Act are so broad and there is so much jurisprudence around that.

There will be a legal challenge the minute that something significant is declared irrelevant. The declaration under the regulation is going to be held invalid. How can a regulation say that something is irrelevant when section 4.15 determines what is relevant? Have a good go. Eat your heart out. Give it your best shot. Give it some stick. Give it whatever you have got, but I guarantee that it will fail. The Government does this too often. I hope the Government got good legal advice, but I am pretty sure that it will fail in court, particularly when a government—and it may not be this Government—tries something devious in terms of what is considered an irrelevant consideration. That is what happens when there is enormous pressure on ministerial officers to make sure that a particular development gets through the system when it should not.

Ultimately, the Government is trying to oust the jurisdiction of the court. It is trying to circumvent what would be a legitimate public interest case to consider or review a decision. The Government is suggesting that a regulation can declare whether something could or should be considered an impact. I strongly suspect that the Government will find itself fighting about whether that is a valid exercise of power and a valid regulation. It will not come up until it concerns something significant, but I cannot understand the motivation or the cute idea to declare something off limits to a decision-maker and the public when, in fact, it is an impact or a consideration. I am sure that it should have been included and that it meant something. It is a serious walk in the wrong direction. I suppose we will see the Government in court. I commend the amendment.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (21:37): The Government does not support the amendment. The bill proposes to use the power to make clear that consent authorities do not need to assess impacts from development that are not part of the development application. Associated infrastructure will still be assessed; the Government simply proposes that it is done once properly and not twice through overlapping processes. That is the point of the bill. There remains a clear requirement to assess the cumulative impacts of State significant development, including greenhouse gas emissions, climate change and impacts on biodiversity values, to name a few. The Government does not support the amendment.

Ms ABIGAIL BOYD (21:37): The amendment corrects one of the most devious parts of the bill and one of the things that people have been contacting us and complaining about. The bill makes a mockery of section 4.15 of the Environmental Planning and Assessment Act. The idea that you can, under regulation, declare one of the factors to be not relevant is an exceptional example of ministerial and Executive overreach that is creeping into so many pieces of legislation that the Government is presenting to this Parliament. It is serious. It goes against all good legislative drafting rules.

In the previous term of Parliament, the Regulation Committee conducted inquiries into how overused regulations are and how they are being used to undermine entire objects and sections of Acts. This is a perfect example of it. I think sometimes the people who are introducing these types of provisions think that they will be in power forever. The Greens have the dubious pleasure of being on the crossbench, so we are able to watch as various parties take control of government. We do not have that faith in every government in whatever form it may have. These types of powers put us at greater risk from a future government that perhaps will not be as well intentioned as the current one.

Dr AMANDA COHN (21:39): I contribute very briefly to debate on this amendment to note that, for the second time tonight, The Greens have moved an amendment that is identical to one moved by the Shooters, Fishers and Farmers Party. I think all members in this place know that there are virtually no matters of policy that The Greens and the Shooters, Fishers and Farmers Party agree on. What we have in this Parliament is a crossbench that generally take really seriously the accountability of the Executive Government to the Parliament on behalf of the people of New South Wales.

This part of the bill is an absolute overreach, and the fact that such diametrically opposed parties of the crossbench are both calling it out and seeking to fix it shows how serious an integrity issue this is. When I spoke in the second reading debate about the corruption risk that this bill opens up, I was scoffed at. If the Government wants to reassure people that the powers it is creating are not going to be used inappropriately, it should be supporting the amendment so that this egregious overreach can be removed. I hope that my very learned colleague Ms Sue Higginson is right and the provision will be overturned in court, but it would be a shame if it has to come to that.

The CHAIR (The Hon. Rod Roberts): Ms Sue Higginson has moved The Greens amendment No. 10 on sheet c2025-210I. The question is that the amendment be agreed to. Is leave granted to ring the bells for one minute?

Leave granted.

The Committee divided.

Ayes6
Noes22
Majority..... 16

AYES

Boyd (teller)
Buckingham

Cohn
Faehrmann

Higginson (teller)
Hurst

NOES

Barrett
Buttigieg
D'Adam
Donnelly
Fang
Farlow
Franklin
Graham

Houssos
Jackson
Kaie
Lawrence
MacDonald
Merton
Moriarty

Munro
Murphy
Nanva (teller)
Primrose
Rath (teller)
Sharpe
Suvaal

Amendment negatived.

The CHAIR (The Hon. Rod Roberts): There is a conflict between The Greens amendment No. 2 on sheet c2025-229G and Legalise Cannabis Party amendment No. 1 on sheet c2025-247A. I will ask Ms Sue Higginson to move The Greens amendment first. Then the Hon. Jeremy Buckingham will move his amendment. We will put the questions after that.

Ms SUE HIGGINSON (21:44): I move The Greens amendment No. 2 on sheet c2025-229G:

No. 2 Factors of relevance and not of relevance

Page 16, Schedule 1[64], proposed section 4.15(1A) and (1B), lines 31–39. Omit all words on the lines. Insert instead—

- (1A) The regulations may, for the purpose of the consideration of a matter referred to in subsection (1)(b), (c) or (e), declare factors that are of relevance to development the subject of the development application.

This amendment again goes to factors of relevance and not of relevance.

The Hon. Jeremy Buckingham: Irrelevance.

Ms SUE HIGGINSON: Yes, irrelevant considerations. Amendment No. 2 rewrites the Government's new section 4.15 (1A) and (1B) to remove the power to declare factors not of relevance under section 4.15 of the Act. In effect, the amendment limits ministerial discretion. Regulations can clarify or elaborate on factors of relevance but should not strike them out. That was the point I was making in debate on the previous amendment. It seeks to protect the independence of consent authorities, councils, panels and the Independent Planning Commission; retain their full statutory discretion to consider environmental, social and public interest matters under section 4.15; prevent future deregulation of core environmental protections through subordinate legislation; and maintain consistency with the objects of the Act, particularly ecologically sustainable development and public participation.

Without the amendment, the bill will create a new power allowing the Minister to declare, by regulation, that certain factors under section 4.15 are not relevant to a development application. As I stated previously, regulations may specify what factors are relevant to development assessments but should not exclude or prohibit consideration of public interest matters such as environmental impact, land suitability, climate change or the public interest. The bill as it currently stands will enable governments to switch off mandatory considerations for certain classes of development, including fast-tracked or targeted assessment proposals. Stakeholders, including the Environmental Defenders Office, have warned that this change will let governments remove environmental, social or climate considerations by executive order, undermining Parliament's intent and the rule of law.

This amendment is the second chance that the House has to fix that provision. It is the second chance, in a more limited way, to make certain matters not ones that can be declared irrelevant under regulation. I implore all members of the House to support it, including the Hon. Scott Farlow. I urge him to get his colleagues to consider this amendment, to be the Opposition and to insert back into the Act important safeguards, safety measures, guardrails—whatever we call them nowadays—to make it a little more consistent with contemporary standards, to take away a little of that next-level ministerial discretionary power to make, through regulations, factors relevant or irrelevant, and to do section 4.15 a little more justice. I commend the amendment to the Committee.

The Hon. JEREMY BUCKINGHAM (21:48): I move Legalise Cannabis Party amendment No. 1 on sheet c2025-247A:

No. 1 **Greenhouse gas emissions and climate change impacts not to be factors not of relevance**

Page 16, Schedule 1[64]. Insert after line 36—

(1AA) The regulations under subsection (1A)(b) must not declare that greenhouse gas emissions and climate change impacts are factors that are not of relevance to development the subject of a development application.

As a public policy technician and an expert in environmental law, I urge all members to pay attention to this amendment, because this is where the rubber really hits the road. I am inserting myself at this key juncture because I want to warn the Government that it risks—

The Hon. Wes Fang: Your vote?

The Hon. JEREMY BUCKINGHAM: My vote, that is true. On this issue, the Government certainly does risk my vote. But it also risks undermining our efforts on climate change. In 2039, when we will be four-fifths of the way to net zero, the Hon. Wes Fang will become the planning Minister and he will have free rein not to consider climate change as relevant. In plain language, climate change would be an irrelevant consideration. My amendment does not go as far as The Greens amendment, some members will be pleased to hear. It just captures climate change as an issue that cannot be considered irrelevant.

The bill inserts new section 4.15 (1A) (b), which would allow a regulation to declare that any matter is a matter that cannot be considered relevant for the purposes of a development decision. There are no constraints on the power—as Ms Sue Higginson has so eloquently and passionately laid out. This would allow the regulation to declare that greenhouse gas emissions and climate change are not relevant matters. This Minister may not plan to use the section, but it will be entirely open to future Ministers or governments to do so. It runs contrary to Government policy on climate change and dramatically undermines both the objects and principles of the Climate Change (Net Zero Future) Act 2023.

Allowing climate change to be considered irrelevant also contradicts the statements made in this House last week by the planning Minister. I met with the Minister and his staff. He is doing a great job and I was placated by some of what he said. Minister Scully said:

There will remain a clear requirement to assess the cumulative impacts of State significant development, including greenhouse gas emissions, climate change and impacts on biodiversity values.

I take in good faith everything that the Leader of the Government has said in her contributions regarding the effort the Government is making to ensure that climate change is embedded in all the statutes and policies as we move towards net zero. If the regulation declared that climate change impacts or downstream emissions were matters that could not be considered, then the "clear requirement" promised by the Minister would not exist. In addition, allowing climate change to be declared irrelevant would directly overturn the Mount Pleasant mine Court of Appeal precedent on considering downstream emissions. This is a really important point. The Court of Appeal's decision is one of the most significant judgements on climate in the history of New South Wales, and it must be respected.

This amendment is designed to protect climate change considerations from the provisions of section 4.15 (1A) (b). It inserts a new provision, section 4.15 (1AA), which states that greenhouse gas emissions and climate change impacts cannot be declared an irrelevant consideration in the regulation. I am labouring the point—it is a good one, though. Members should pay attention to it, and if they need to be coerced and convinced, it does not go as far as The Greens amendment. It will not hurt that much; it just makes sure that climate change will always be a consideration. That will be in black and white, as part of the law, and will go a long way to reassuring a lot of people out there in the community, beyond the environment movement, that climate change will always be a factor considered in all development planning. I commend this very good amendment to the Committee.

The Hon. PENNY SHARPE (Minister for Climate Change, Minister for Energy, Minister for the Environment, and Minister for Heritage) (21:52): For reasons similar to those given for its opposition to the previous amendment, the Government does not support the amendment—either of them. Sorry, Jeremy.

Dr AMANDA COHN (21:53): I strongly support the amendment moved by my colleague Ms Sue Higginson and I slightly less strongly support the also good amendment that has been moved by the Hon. Jeremy Buckingham. This debate makes me think about the Sharma case, in which a group of school students sued the former Federal environment Minister the Hon. Sussan Ley, to argue that she had a duty of care to protect them from climate change harms. They won initially, but the decision was later overturned by a higher court. That was an absolutely inspiring court case in which disenfranchised young people were speaking truth to power, trying to hold a powerful Federal environment Minister to account. I followed that case closely because Sussan Ley is my local Federal member, but she does not represent my views on climate change.

This is a Labor Government trying to legislate that the planning Minister or any future planning Minister can say, by regulation, that climate change should not have to be considered. If there was ever a moment where it was clear that there is not a significant difference between the two major parties on this issue, this is it. Students should not have to sue the Government, whether it is a Labor or Liberal government, to make it take into account the impacts of climate change on their future. These amendments are very simple. They would reassure people who are genuinely distressed by this proposal that these regulation-making powers will not be used in that way. If the Government is confident that they will not be used in that way, then please support the amendment.

The CHAIR (The Hon. Rod Roberts): I intend to put The Greens amendment first. If it is successful, the Legalise Cannabis Party amendment will lapse. If it is unsuccessful, I will put the Legalise Cannabis Party amendment. The question is that The Greens amendment No. 2 on sheet c2025-229G be agreed to. Is leave granted to ring the bells for one minute?

Leave not granted.

The Committee divided.

Ayes6
Noes24
Majority.....18

AYES

Boyd (teller)
Buckingham

Cohn
Faehrmann

Higginson (teller)
Hurst

NOES

Barrett
Buttigieg
Carter
D'Adam
Donnelly
Fang
Farlow
Franklin

Graham
Houssos
Jackson
Kaine
Lawrence
MacDonald
Maclaren-Jones
Merton

Moriarty
Munro
Murphy (teller)
Overall
Primrose
Rath (teller)
Sharpe
Suvaal

Amendment negated.

The CHAIR (The Hon. Rod Roberts): I inform members that we have run out of time. I will put the question on Legalise Cannabis Party amendment No. 1 on sheet c2025-247A when the Committee resumes on the next sitting day.

According to standing order, it being 10.00 p.m., I shall now leave the chair and report progress.

The DEPUTY PRESIDENT (The Hon. Emma Hurst): The Committee reports progress. Further consideration of business before the Committee is set down as an order of the day for the next sitting day. According to standing order, proceedings are interrupted.

Adjournment Debate

ADJOURNMENT

According to standing order, members made the following statements.

CLARENCE VALLEY COUNCIL

Dr AMANDA COHN (22:03): The decisions made by local government councillors make a tangible difference every day to the communities they represent. That is why it is so important they are well informed. The Minister for Local Government agrees. In September he said, "Councillors are entitled to whatever information they need to have to make their decisions. Withholding material from councillors who are entitled to it is not appropriate." That is why what is happening at Clarence Valley Council is so concerning. I draw the attention of Parliament and the community to the following matters.

Firstly, without consulting the governing body, the general manager at Clarence Valley Council engaged a council solicitor to issue a concerns notice, with council as the client, against a local community group, alleging defamation of the general manager. The community group had simply provided information to councillors that it had obtained from a Government Information (Public Access) Act [GIPAA] application, which the general manager had not provided to councillors prior to voting on the relevant matter. The general manager refused three notices of motions from a councillor trying to obtain a copy of the concerns notice and all documents, and did so without declaring a conflict of interest. The general manager then claimed to take over the concerns notice personally, at least two months after the concerns notice was issued to the community group.

Ratepayer Craigh McNeill lodged a GIPAA request for the concerns notice and all documents. When council claimed it did not have the concerns notice, Mr McNeill lodged an application with the NSW Civil and Administrative Tribunal [NCAT]. I am informed that incorrect information has been provided by council in a number of NCAT proceedings. Council denied having the concerns notice. It claimed the general manager issued the concerns notice after taking over the matter. It also claimed that the concerns notice was issued to two members of the community group. Those two members have not received a concerns notice.

Secondly, the general manager terminated 136 long-term casual occupancy agreements across council's four holiday parks. That was deemed an operational matter and councillors were warned not to get involved. It was also contrary to council's previous resolution to withdraw the terminations of the long-term casual occupancy agreements. Four other council resolutions over the past three years have not been implemented at all, and two implemented only partially. It was implied in correspondence to the casual occupants that council gave delegation to the general manager to make the decision to terminate the occupants, which was not the case.

Some 101 occupants have taken the council to NCAT. To date, there have been four NCAT proceedings. The NCAT proceedings on 16 October had 88 occupants. Upon inquiry to the general manager, for all correspondence the response was, "Aside from the fact that council is not the applicant and has therefore not submitted anything to NCAT, access to information would only be reasonable if council was the litigant, as this would be a decision of the council by way of resolution." The council also removed 34 sites at Brooms Head Holiday Park, in contravention of council's plan of management.

Thirdly, the general manager continues to refuse to provide a copy of her contract to councillors and, when requested to do so, has said, "You are not required to review my performance as you are not a member of the performance panel. Nor are you required to vote on my performance review. There is no official function that you are involved in that requires you to have access to appendices to my contract." Then, upon inquiry to the mayor, one councillor was curiously emailed that the contract could not be provided as it is a legal document, it is confidential, and an electronic copy could not be provided, but a hard copy could be reviewed in the chambers.

Fourthly, legal advice is deliberately provided to councillors at the last minute—for example, about an hour before a meeting. The general manager claimed in an email that that is to protect the confidentiality of the legal advice, but it really prevents councillors from properly considering the advice prior to making decisions. I asked the Minister at budget estimates whether, in instances where advice has been given to a mayor or general manager, all councillors should have access to that advice if it relates to a decision they are being asked to make. The Minister was clear that "If it's a relevant issue that is needed for the decision-making process of the governing body, they should have it." When will Clarence Valley Council be held to account for failing to follow the Local Government Act, and for those poor administrative and governance decisions? The community deserves to have confidence in their local council.

COMMERCIAL SURROGACY

The Hon. GREG DONNELLY (22:07): While the groundwork is being done to prepare the case to amend surrogacy laws in New South Wales and around Australia to legalise commercial gestational surrogacy, as it is known, it is worth drawing to the attention of the House examples of standard provisions from a typical commercial surrogacy agreement that I have sourced from the internet. For example, it states:

The surrogate shall undergo psychological evaluation and/or screening by a psychologist if requested by the intended parents. The surrogate expressly waives the privilege of confidentiality and hereby directs the release to the intended parents, upon their request, of the report and other information obtained as a result of any and all psychological, psychotherapy or medical evaluation or testing obtained or performed as contemplated by this agreement.

It goes on:

The surrogate agrees that the intended parents are privy to psychological information relating to the surrogate's mental health and any other pertinent information relating specifically to this surrogacy arrangement. The surrogate agrees to comply completely with all medical instructions given to her by the IVF physician and/or the obstetrician and/or any treating high-risk obstetrician, including any abstinence from sexual intercourse for certain periods and further testing which either the IVF physician, the obstetrician and/or high-risk obstetrician may deem necessary.

Regarding the surrogate's conduct during the term of the agreement, the surrogate agrees to avoid smoking and second-hand smoke. During the term of the agreement, the surrogate agrees to:

submit to random drug, alcohol and/or nicotine testing, testing for sexually transmitted and/or infectious diseases including HIV and AIDS, as may be requested by the IVF physician and/or the obstetrician, which shall be paid for by the intended parents, and further agrees to immediately, upon request, execute and deliver a written consent form to administer such testing as may be requested by the treating physician and/or the testing clinic or lab.

Regarding doctor visits and her duty to inform the intended parents, it states:

the surrogate hereby waives her doctor-patient privilege, as required to perform on the agreement, and agrees to any release form required to allow the intended parents, the agency and the alternative intended parents to communicate with all treating or attending medical personnel, and to review relevant medical records pertaining to surrogate's pregnancy or health.

It goes on:

subject to the terms of this section and applicable laws, intended parents will make all abortion decisions. If requested by intended parents, surrogate shall consent to an abortion before completion of the twenty-fourth gestational week of pregnancy for any medical reason or if there is any indication of any physical or neurological defect or abnormality.

It goes on:

subject to the terms of this section and applicable laws, intended parent will make all fetal reduction decisions. If requested by intended parents, surrogate shall consent to a selective reduction procedure to selectively reduce any fetus for any medical reason, or if there is any indication of any physical or neurological defect or abnormality.

Additionally, it states:

surrogate agrees to carry up to two fetuses at one time. Notwithstanding, surrogate and intended parents agree that if three or more fetuses are created as a result of any one embryo transfer procedure, surrogate will undergo a fetal reduction procedure to reduce the number of fetuses to two; or surrogate will further reduce to one fetus at intended parents' sole discretion.

Next, it states:

if the surrogate is in her second or third trimester of pregnancy, and in the event that medical life support equipment is required to preserve and maintain the life of the surrogate and if requested by the intended parents, the surrogate and her husband agree that the surrogate's life will be sustained with life support equipment for a period to achieve viability of the fetus, taking into account the best interests and wellbeing of the fetus.

It continues:

The surrogate's obstetrician or perinatologist will determine the optimal time for birth. The intended parents will make the decision with regard to how long the life support should be continued prior to the birth of the child, taking into account the obstetrician or perinatologist's recommendation and the desires of the family of the surrogate.

It also notes:

the surrogate's husband or her next of kin is solely responsible for determining the time at which life support treatment will be discontinued following the birth of the child.

In conclusion, I bring to the attention of the House a further significant report of the United Nations Special Rapporteur on violence against women and girls, Reem Alsalem, entitled *The different manifestations of violence against women and girls in the context of surrogacy*, dated 1 July 2025. To date, there has been far too little publicity and analysis of the report, which is the most authoritative analysis and commentary made on the practice of surrogacy produced anywhere in the world in recent times. I strongly encourage honourable members in this and the other place to read, study and discuss the report.

THE GREENS POLITICAL PARTY

The Hon. NICHOLE OVERALL (22:12): It never ceases to amaze me how vehemently The Greens rail against others on integrity, transparency and inclusion while refusing to turn that same critical eye upon themselves. They wag their fingers at everyone else. When it comes to The Nationals, they cherry-pick motions from our conferences and throw some names around like confetti or grenades. We are routinely accused of being divided, hypocritical, not embracing diversity and not caring enough about the environment. Goodness knows that

only gets ratcheted up further should we dare express that we may hold a less evangelical view than they do when it comes to the rollout of renewables in the regions. It is not just us, our people or our communities, whether in the Central-West Orana renewable energy zone, the area around Bathurst, or the Binalong, Bowning and Bookham regions. It turns out that The Greens need to start acknowledging things a little closer to home. There is an old adage that people in glass houses—or, in this case, greenhouses—should be more mindful of the rocks they like to hurl.

We are seeing this play out in the media. Drew Hutton, co-founder of the Australian Greens, was expelled from the party he helped build. He was cast out for daring to express a varied view. He devoted his life to the movement, crafting the very cloth its members now wrap themselves in so tightly. He believed in environmental sustainability before it became a bandwagon to clamber up on. Yet, because he dared question the latest, far less inclusive orthodoxy, he was shown the door. This is the same party that loves to claim it stands for diversity of thought and for free and open debate—we have just witnessed hours of it—but only, it seems, if one agrees with them. People who do not agree are labelled, not taken seriously and even gaslighted.

What of their own heavyweights and former leaders of the standing of Bob Brown and Christine Milne, the party's once revered elders? They have belled the cat, Ms Milne herself warning that the proclaimed renewables revolution is destroying biodiversity in the very places in need of protection. Communities have been cast aside, and local voices and views have been trampled. Promises of a just transition—that is, promises that no-one is to be left behind—have been utterly ignored. When regional residents speak up and ask for fairness, oversight and simple respect, The Greens turn away. They dismiss them as climate deniers or nimbys. They ridicule the people living with the consequences of those massive industrial projects, while the notion of building a few hundred within cooee of a metropolitan boundary is sacrilege. It should be about what is fair and just. It should not be about some having to bear virtually the entire burden, while those in ivory towers, sporting new iPhones and electric vehicles, look down upon them.

Yet, when it suits The Greens, as we have seen, they will use those same arguments to say, "No, you can't build infrastructure of any other kind that might have any kind of environmental footprint." They will tolerate certain environmental vandalism because apparently that is in the best interests of saving the world, but other examples that they do not anoint they tolerate not so much or not at all. It is more than just illogical; it is patently hypocritical. What we are witnessing is a party at war with its own principles and people. It is a party that is not living up to the moral clarity of its founders. It is so caught up in shouting slogans that it has forgotten how to listen.

Meanwhile, The Nationals continue to stand with sensible, moderate regional Australians seeking balance. We do not silence people because they ask questions. We do not ignore the concerns of those on the front line of change. We believe in genuine consultation, equity and ensuring that the transition to a clean future does not come at an overwhelming cost to some for the benefit of a few. If The Greens want to talk about a failure to embrace diversity, then let them first pry the very large plank from their eye. If they want to preach about integrity, let them explain why their own co-founder calls them a cult. And if they want to accuse others of hypocrisy, it is about time they took a long, hard look in the mirror.

Until they do, they can continue to preach to the converted; but for the rest of the people just trying to make their way in the real world in a genuine way, it is all ringing very hollow indeed. I conclude with the words of Christine Milne:

A lot of these rural communities are far closer to their environment, to their ecosystem, to the species that live in them than many others who declare themselves to be strong climate activists.

To denigrate those people as just Nimbys or anti-global action on climate is just wrong, and it just alienates people.

Amen to that.

CRITICAL MINERALS MINING

Ms CATE FAEHRMANN (22:17): Today, in this House, the Minister for Natural Resources expressed support for the proposed Bowdens lead, zinc and silver mine in the Mudgee region and the proposed McPhillamys goldmine at Blayney. Both have been held up for different reasons, and so they should have been. Bowdens wants to slap an enormous open-cut lead, zinc and silver mine in the agricultural, tourism and wine hub of the Mudgee region, two kilometres from a primary school. McPhillamys wants to mine gold at Blayney in the Central West, and it got all hot under the collar when its plan to build that mine's tailings dam on the headwaters of the Belubula River was blocked at the Federal level. What could go wrong? They can do no wrong in the Government's eyes, that is for sure.

This Government could not care less about the health of our rivers, our ability to grow food or our health, but it does care about silver and about New South Wales becoming a global leader in critical minerals and

high-tech minerals. According to a recent study, New South Wales is one of only two jurisdictions out of 27 across 15 countries in the world to include silver on its critical minerals list. An internal Government discussion paper, however, obtained from a Government Information (Public Access) Act request shows that including silver on the list was controversial. It states:

There is very little competitive advantage afforded by having a local supply of silver, especially as the silver is refined offsite.

...

As silver is a relatively small input to the overall products (silver content in solar panels is typically less than 0.5 per cent), there is no discernible advantage over other advanced manufacturing that the Government may wish to incentivise.

The Federal Government's definition of critical minerals, which does not have silver on its list, states:

Critical minerals are metallic or non-metallic materials that are essential to our modern technologies, economies and national security, and whose supply chains are vulnerable to disruption.

Minerals such as lithium, cobalt, rare-earth elements, nickel, indium, tellurium and others are routinely classified as critical in Australia and overseas. New South Wales is one of the very few jurisdictions to include silver on its critical minerals list. Why? We are told that the process for choosing minerals was undertaken through "a quantitative framework with weighted scoring and qualitative reviews of strategic considerations". However, the Minister has refused to release that analysis. That is in contrast to the Federal Government, which released a detailed discussion paper before asking for submissions, which are all published online. Why is public money being spent to support marginal projects in established industries without the same kind of rigorous justifications used by the Federal Government for its critical minerals investment?

Why was silver added? There was no supply or price risk, and silver does not appear on the critical minerals lists of any importing country or Geoscience Australia's list. In its submission to the critical minerals strategy, Bowdens Silver argued that silver and zinc should be on the New South Wales critical minerals list because "they form an integral part of the State's economic and decarbonisation transition". In numerous investor presentations, Bowdens has spruiked silver as a green metal used in solar panels and the energy transition. Just over 40 per cent of the mineral concentrate expected to come out of the Bowdens "silver" mine is lead; 58 per cent is zinc, and less than 1 per cent will be silver.

The NSW Minerals Council lobbied for silver to be added, too. In fact, its CEO, Stephen Galilee, had to correct statements he gave to the upper House inquiry into gold, silver, zinc and lead mining, where he said that the minerals lobby group had not discussed the strategy with the resources department. It turns out that it had. In October 2024, when the Government released its critical minerals strategy, Stephen Galilee issued a glowing media release on behalf of the Minerals Council, stating:

The NSW Government's commitment to the sector stands in stark contrast to a federal government that blocks NSW mining projects based on secret whispers and public murals.

That was in reference to the Federal environment Minister having the tenacity to reject, on cultural heritage grounds, that massive toxic goldmine tailings dam being built at the headwaters of the Belubula River. But the Minerals Council can rely on this Government. It will do anything the council asks for, like add silver to a critical and high-tech minerals list and allow it and lead to be mined, poisoning children nearby. It is happening in Broken Hill now, and Mudgee is next.

GREATER SYDNEY HEAT SMART CITY PLAN

The Hon. ANTHONY D'ADAM (22:22): Holy moly, it was hot yesterday. It was a scorcher. Yesterday saw temperatures in the Sydney CBD soar to 37 degrees, and in Bankstown it was the hottest October day on record, reaching over 38 degrees. Last year the Western Sydney Regional Organisation of Councils published, on behalf of the Greater Sydney Heat Taskforce, the Greater Sydney Heat Smart City Plan. The plan examines the heat risk across Greater Sydney as well as actions needed to effect change ahead of 2030. The plan notes:

Extreme heat is arguably one of the greatest threats to Sydney's health, liveability, and productivity in the immediate future and long term.

Historically, heat has killed more Australians than fire, flood and storms combined. It is widely agreed that health impacts of heat are vastly underestimated because they are not systemically recorded.

Extreme heat is also associated with serious mental health impacts, including increased domestic violence, mental and behavioural disorders, self-harm, mental health emergencies and hospital admissions. Heat is also incredibly detrimental to our economy and worsens the cost of living, which many Australians are already struggling with. In terms of productivity, in extreme heat trains travel slower, and the speed of energy transmission is reduced. Businesses are disrupted in a range of ways, and workers are affected. Some have to miss work due to the heat. In terms of cost of living, energy bills go up. It is estimated that the annual heat-related cost to health, productivity

and energy will reach \$6.8 billion by 2070 in Western Sydney alone. The environment also suffers tree canopy dieback, the death of native fauna and detrimental impacts on water and air quality.

Heatwaves are expected to become longer and more frequent. They will double in frequency and quadruple in duration over the next 50 years. We need to ensure that Sydney is prepared for that. If an extreme heatwave in Sydney is severe enough, it could lead to the systemic breakdown of key infrastructure, leading to loss of air conditioning, lights and power; disruptions to trains and traffic signalling; disruptions to water mains supply due to power losses; increased strain on the health system; and, potentially, telecommunication outages. The plan sets out detailed and wide-ranging recommendations to help build a cooler and more resilient Sydney. I will not canvass all the recommendations, but I will point out a number of key areas that the Government should act in as soon as possible.

First, the Government should establish a formal governance arrangement under the NSW Reconstruction Authority to include all levels of government, industry and local communities in order to coordinate and deliver projects under the Greater Sydney Heat Smart City Plan. The Government should also work to ensure that homes are more heat efficient and recognise that low-income households spend disproportionately more income on energy. Social housing properties should be retrofitted to improve their thermal performance and minimise heat stress. Rental standards should be similarly examined and enforced.

The Government should pursue updates to the National Construction Code [NCC] to provide for minimum thermal safety standards in new buildings. Despite the hazard posed by extreme heat, the NCC does not currently have any minimum standards for thermal safety. Research shows that our building codes are not fit for purpose and will not allow safe and comfortable living in our current climate, let alone future hotter climates. We know that the colour of roofs and pavements can cause them to act as heat sinks that trap heat instead of reflecting it, causing ultraviolet visible light and infrared rays. We need to be thinking about roof colouring, cool paving, building materials, shading, insulation, glazing and overshadowing and how we can integrate the things that reduce heat in our standards.

Guidance for the management and mitigation of heat through urban planning and design should be developed. Cooler places can be created through greening, tree canopy cover, water, urban structures, road and surface colouring and the use of cool materials. Pale, cool roads are proven to reduce temperatures. A trial in Sydney across 10 different sites recorded average surface temperature reductions of 5.6 degrees Celsius in the day and 2 degrees Celsius at night. Tree canopies are still one of the most effective tools. The same study showed that they reduce surface temperatures by up to 16 degrees Celsius. We should be looking to protect and maintain tree canopies. People who complain that they drop leaves on cars or block views should suck it up. They keep us cool and might even save lives one day.

It is important to build capacity in workplaces to ensure that they can better manage heat risks, including by integrating it as part of the work health and safety framework. We must also work to examine weak points in our infrastructure, particularly in rail and energy systems, to ensure that we can futureproof them for extreme heatwaves. The plan outlines much more that can and should be done. The time to get to work is now. We are experiencing the effects of climate change already, and it is only going to get worse.

WOMEN'S PRISONS

The Hon. RACHEL MERTON (22:27): Over the past several weeks, Australians have been shocked by a series of deeply troubling revelations. Stories from Victoria, South Australia and our own State of New South Wales have revealed that male offenders who identify as women have been, or are seeking to be, housed in women's prisons. In Victoria, a man convicted of sexually abusing his five-year-old daughter is being held in a women's prison after a court accepted arguments that his crimes were somehow consistent with female offending patterns.

In South Australia, a young woman was brutally sexually assaulted in her cell by a violent male offender who had undergone so-called gender reassignment surgery. That offender has also reportedly been accused of harassing and traumatising other female prisoners. Here in New South Wales, we have learnt that a violent offender who kidnapped and tortured an elderly man applied to be transferred to a women's prison. The application sat under consideration for nearly a year until it was abruptly rejected after media exposure. Corrective Services NSW has since said there are no pre-operative transgender inmates in women's prisons, but that statement begs the obvious question: What about post-operative male offenders?

Even more concerning, New South Wales does not currently have a working corrections policy governing the placement of transgender prisoners. The previous policy, which has since been quietly removed from the department's website, explicitly allowed inmates to be housed according to their self-declared gender identity rather than their biological sex. In other words, under that framework, male offenders could be placed in

women's prisons simply because they identified as women. Corrective Services NSW has yet to clarify whether that dangerous approach has been abandoned. The Premier told Sky News, "I cannot see a situation where a transitioning male-to-female will ever be put in a female prison." On the surface, that sounds reassuring. But if that means "no males unless they have had surgery", then it is not reassuring at all. The South Australian case has shown, tragically and irrefutably, that surgery does not make a man a woman, nor does it eliminate the risk of violence.

The women in our prisons are among the most vulnerable in our society. Many are survivors of physical and sexual abuse. To house them with male offenders, for any reason, is an egregious violation of their safety, dignity and human rights. I note that yesterday in the other place the member for Sydney condemned me and my friend the Hon. Susan Carter for continually "going after and attacking" the transgender community in this place through legislation and debate. What total nonsense! The Parliament deserves better than that sort of gaslighting by the member for Sydney. Raising issues such as opposing the incarceration of biological men in women's prisons is not about attacking any member of the community; it is simply about protecting the safety of women.

Opposing biological men playing women's sports is not about attacking a particular group in society. Again, it is about fairness and protecting the safety of women and girls. It is about opposing the erosion of the biological rights of girls and women. Opposing the ridiculous changes to our laws governing birth certificates in New South Wales, where someone can now change their sex 365 days a year with little more than a click of the keyboard, is not about attacking any particular group in society. It is about common sense and having faith in the integrity of this State's official identity documentation.

I make no apologies for standing up for the biological rights of women and girls, and I make no apologies for standing up for reality and common sense. I assure the member for Sydney that I will continue to do so. The fact is the issue about male offenders who identify as women being housed in women's prisons is not a partisan issue; it is a moral issue. The Northern Territory's Chief Minister has shown firm and decisive leadership by banning all male offenders from women's prisons. It is time for New South Wales to do the same—no exceptions, no loopholes and no more excuses. It is time to put the safety of women first in New South Wales.

TRIBUTE TO LESTER LUALUA

The Hon. MARK BUTTIGIEG (22:32): United Services Union official Li'amānaia Lester Lualua, well known at the USU and with union members, passed away on 16 October 2025 from a blood cancer-related illness. A memorial service was attended by hundreds of family, friends and fellow USU officials at the Hillsong chapel in Werrington on Wednesday 22 October. Lester was well regarded by his union workmates, as well as delegates and members. Lester was only 54 years old at the time of his passing, and the phrase "gone too soon" was the mood of many of the mourners yesterday. Vale, Lester Lualua.

[Business interrupted.]

Committees

SELECT COMMITTEE INTO THE FAILURE OF THE PLAYING SURFACE AT ALLIANZ STADIUM

Membership

The DEPUTY PRESIDENT (The Hon. Emma Hurst): I inform the House that the Clerk has received the following nominations from the Leader of the Government and the Leader of the Opposition for membership of the Select Committee into the Failure of the Playing Surface at Allianz Stadium:

Government:	The Hon. Greg Donnelly
	The Hon. Emily Suvaal
Opposition:	The Hon. Wes Fang

Adjournment Debate

ADJOURNMENT

[Business resumed.]

The DEPUTY PRESIDENT (The Hon. Emma Hurst): The time for the adjournment debate has expired. The House now stands adjourned.

The House adjourned at 22:33 until Tuesday 11 November 2025 at 12.30 p.m.